



Democratic Services

Location: Phase II
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My Ref: LP

**To: COUNCILLOR JOHN RILEY
CABINET MEMBER FOR PUBLIC SAFETY AND
TRANSPORT**

c.c. All Members of Executive Scrutiny Committee
c.c. Perry Scott, Residents Services
c.c. Caroline Haywood, Residents Services
c.c. Chairman of the Residents, Education and
Environmental Services Policy Overview Committee
c.c. Ward Councillors for Pinkwell
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 23 April 2021

Non-Key Decision request

Form D

BOURNE AVENUE, HAYES – OBJECTION TO PROPOSED WAITING RESTRICTIONS

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Tuesday 04 May 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Liz Penny
Democratic Services Officer

Title of Report: Bourne Avenue, Hayes – Objection to Proposed Waiting Restrictions

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

SignedDate.....

Cabinet Member for Public Safety and Transport

BOURNE AVENUE, HAYES - OBJECTION TO PROPOSED WAITING RESTRICTIONS

Cabinet Member(s)	Cllr John Riley
Cabinet Portfolio(s)	Public Safety and Transport
Officer Contact(s)	Caroline Haywood, Transport & Projects
Papers with report	Appendices A & B

HEADLINES

Summary	To inform the Cabinet Member that objections have been received to the proposed 'At Any Time' waiting restrictions on Bourne Avenue, Hayes
Putting our Residents First	The request can be considered as part of the Council's annual programme of road safety initiatives.
Financial Cost	The cost associated with the recommendations to this report is estimated at £431 and will be met from within existing revenue budgets for the Transportation Service
Relevant Policy Overview Committee	Residents, Education & Environmental Services
Relevant Ward(s)	Pinkwell

RECOMMENDATIONS

That the Cabinet Member:

1. Considers the objections received from the statutory consultation for the proposed 'At Any Time' waiting restrictions on Bourne Avenue, Hayes; and
2. Approves the introduction of 'At Any Time' waiting restrictions on Bourne Avenue but keeping the wider parking provision in this area under review.

Reasons for recommendations

To improve access in and out of this end of Bourne Avenue yet still maintain parking for residents where possible.

Alternative options considered / risk management

The Council could decide not to proceed with the installation of the At Any Time waiting restrictions as advertised.

Policy Overview Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Bourne Avenue is mainly residential within Pinkwell Ward with a mixture of flats, houses, local shops and a public house at the end of the road. It is a no through route for traffic except for the U4 bus route which has access to Stockley Park from Nine Acres Close through a dedicated bus gate. A plan of the area is shown on Appendix A to this report.

2. The Council received a request through the Road Safety Programme for measures to remove obstructive parking at the end of the road to improve access to the flats. As a consequence, a detailed site investigation was undertaken by Council officers.

3. Officers observed that there are existing double yellow lines on one side of Bourne Avenue outside Cheltenham House, which help improve access and egress to the private parking area. Some significant damage to the grass verge was observed which would indicate that access for larger vehicles could remain an issue.

4. As a result of the site observations, a proposal was developed to install a small section of double yellow lines on the opposite side of the road in the access road to Cheltenham House to help improve access. The proposed waiting restrictions are shown on the plan attached as Appendix B of this report.

5. The Cabinet Member agreed to take the proposal through the statutory 21-day consultation process, which involved the placing of advertisements in the local press and the display of public notices on site. During this period the Council received two objections.

6. The first objector stated "*We (the residents) have always parked on the left-hand side of the road, leaving the right-hand side of the road free for turning vehicles, for example the refuse collection. It puts you nearer to all the entrance doors to the various properties preventing you from crossing the road. Another reason for parking on the left is that the plants and trees grow prolifically in summer and it is not possible to walk upright underneath them. Towards the end of last year Hillingdon Council painted double yellow lines all the way along the left-hand side of the road causing us all to park on the right-hand side. During lockdown an ambulance hit my car whilst turning round. The refuse collector has to drive his vehicle over the grass verge on the*

corner now as he cannot swing it round anymore. The issues with parking have always come from the people using the football club and parking without consideration. Recently we have seen an increase of trade vehicles being parked and left all day sometimes longer."

7. The second objector stated "There hadn't been any issues with cars parked on the corner causing an obstruction until the double yellow lines were painted September last year. The main problem we have had regarding parking is when Sandgate Football club have training sessions and events, non-residents were parking opposite where residents had parked causing road blockages and obstructing the footpath by putting two wheels on the pavement. We were not consulted regarding the double yellow line painting, had we been we could have suggested that they be put on the opposite side to where they have been painted, up to where the path goes into the field..... Parking at night now is a problem as there is not enough lighting and vandals can hide between cars and walls and not be seen.....could the existing lines be changed to the opposite side to where they are now."

8. Two of the local Ward Councillors have indicated their support to this proposed small section of double yellow lines. If the existing waiting restrictions were to be relocated to the opposite side of the road there would be a loss of the available parking.

9. After careful consideration of comments received from the statutory consultation and the views of the local Ward Councillors, it is recommended that the Cabinet Member agrees to proceed with the proposed small section of "at any time" waiting restrictions in Bourne Avenue as shown in Appendix B to this report.

Financial Implications

The estimated cost to implement the proposed changes is approximately £431, which will be managed within existing Transportation revenue budgets.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The effect of introducing the proposed waiting restrictions on Bourne Avenue will be that safety is maintained at all times whilst maintaining parking for residents.

Consultation carried out or required

Consultation has been carried out on this proposal through a notice on site and in the local press. Local Ward Councillors have also been consulted.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

The decision makers must ensure that there is full consideration of the representations that have been received. In exercising the power to approve the proposal for 'At Any Time' waiting restrictions such as that set out in the report, the Council have to consider their power to make an order creating a waiting restriction as set out in Part I of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures that should be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

If the decision is taken to make the proposed order, Part V of the Road Traffic Regulation Act 1984 and the Traffic Signs Regulations and General Directions 2016 set out the signage requirements which must be observed.

In considering consultation responses, section 122 of the Road Traffic Regulations Act 1984 means that the Council must balance the concerns of the objectors with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

There are a set of well-established common law rules which set out the requirements of a lawful public consultation which are known as the Gunning principles. They were endorsed by the Supreme Court in the Moseley case.

The principles can be summarised as follows:

Consultation should occur when proposals are at a formative stage;

Consultations should give sufficient reasons for any proposal to permit intelligent consideration;

Consultations should allow adequate time for consideration and response;

The product of consultation should conscientiously be taken into account by the decision maker.

There are a very significant number of judicial review cases which involve successful challenges to the lawfulness of a consultation undertaken by a public authority, so it is imperative that the Gunning principles are closely followed in this case.

Infrastructure / Asset Management

There are no property implications resulting from the recommendations set out in this report.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

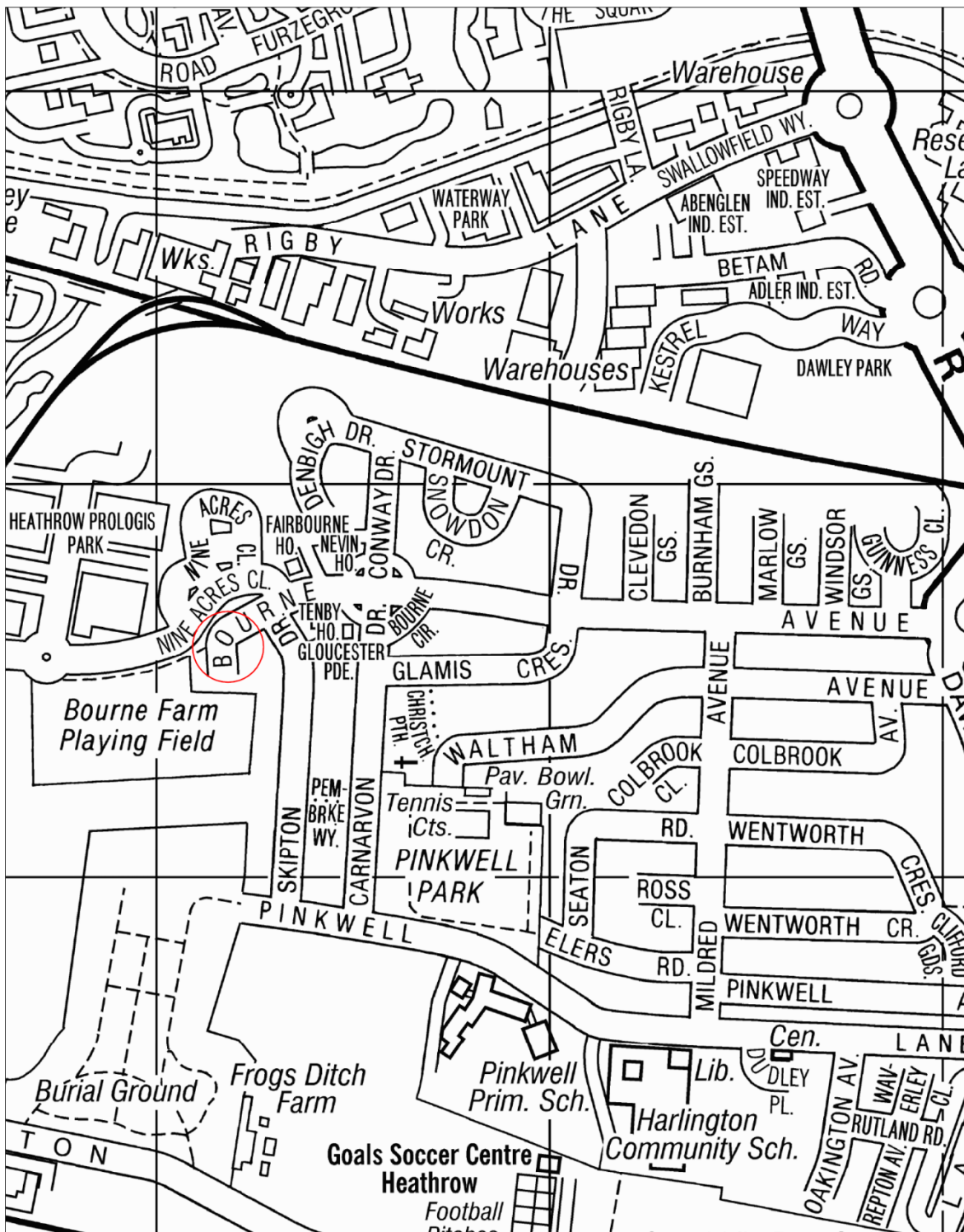
- Traffic order
- Objection emails

TITLE OF ANY APPENDICES


Appendix A - location plan

Appendix B - plan of proposal

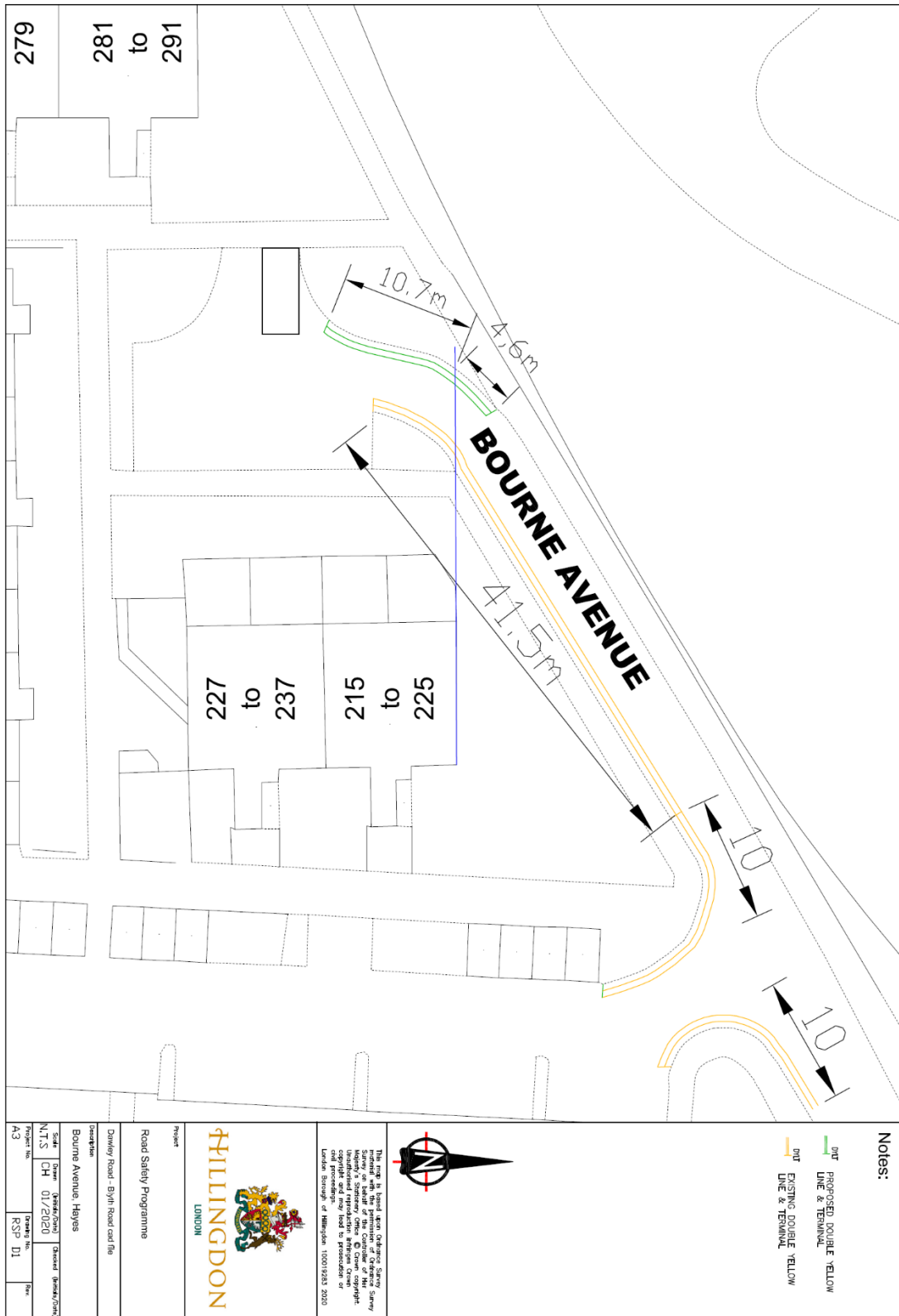
Appendix A - location plan



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 Bourne Avenue

Appendix B - plan of proposal



APPENDIX B