



Democratic Services

Location: Phase II
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CMD No: 258

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

c.c. All Members of the Public Safety & Transport
Select Committee
c.c. Ward Councillors for Charville
c.c. Perry Scott – Infrastructure, Transport & Building
Services
c.c. Catherine Flew – Infrastructure, Transport and
Building Services
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 18 August 2021

Non-Key Decision request

Form D

OBJECTIONS TO A PROPOSED MOTORCYCLE PARKING BAY OUTSIDE NOS. 310 TO 312 KINGSHILL AVENUE, HAYES

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 Thursday 26 August 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.

Jack Roberts
Democratic Services Apprentice

**Title of Report: Objections to a Proposed Motorcycle Parking Bay Outside Nos.
310 to 312 Kingshill Avenue, Hayes**

Decision made:

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

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

Signed Date.....
Cabinet Member for Public Safety and Transport

Objections to a Proposed Motorcycle Parking Bay Outside Nos. 310 to 312 Kingshill Avenue, Hayes

Cabinet Member	Councillor John Riley
Cabinet Portfolio	Cabinet Member for Public Safety and Transport
Officer Contacts	Catherine Flew, Infrastructure, Transport and Building Services
Papers with report	Appendix A – plan showing the proposed motorcycle bay outside Nos. 310 to 312 Kingshill Avenue

HEADLINES

Summary	To inform the Cabinet Member that objections in the form of a petition and a separate representation have been received to the proposal for a motorcycle parking bay outside Nos. 310 to 312 Kingshill Avenue.
Putting our Residents First	This report supports the following Council objectives of: <i>Our People</i> and <i>Our Built Environment</i> .
Financial Cost	The estimated cost implications in relation to the recommendations set out in this report is £1,500.
Relevant Select Committee	Public Safety and Transport Select Committee.
Relevant Ward	Charville.

RECOMMENDATIONS

That the Cabinet Member for Public Safety and Transport:

1. notes the petition objecting to the proposed motorcycle bay outside Nos. 310 to 312 Kingshill Avenue received during the statutory consultation;
2. notes the separate representation concerning the proposed motorcycle bay outside Nos. 310 to 312 Kingshill Avenue received during the statutory consultation;
3. approves the installation of the motorcycle bay outside Nos. 310 to 312 Kingshill Avenue as indicated on Appendix A; and
4. Asks officers to review the situation with the motorcycle parking bay after a period of six to twelve months and report back to the Cabinet Member.

Reasons for recommendations

The proposed motorcycle bay aims to better manage the parking by providing a dedicated place for motorcyclists to park and is broadly supported by the Charville Ward Councillors

Alternative options considered / risk management

The Cabinet Members could decide not to proceed with the installation of the proposed motorcycle parking bay and retain the area as a footway.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Kingshill Avenue Shopping Parade is a popular shopping parade serving the local community and forms part of the Town Centre Initiatives 2018/21 programme.
2. Concept designs for public realm works were shared with the Charville Ward Councillors and Cabinet Member in September 2018. In response to the Covid-19 pandemic, implementation of the public realm upgrades originally scheduled in 2020/21 paused during lockdown. Detailed design proposals and costs were agreed with the new Cabinet Member on 10 February 2021 and shared with Charville Ward Councillors on 19 February 2021.
3. The initial street lighting upgrade was completed in February 2021. An information letter detailing the planned public realm works expected for completion by end of October 2021 was distributed to the directly affected residents and businesses in early May 2021. The public realm works expected were:
 - New paving throughout, including the extensive private forecourts;
 - Better use made of the existing informal parking by demarcating individual parking bays;
 - Improved access to disabled parking bays;
 - Provision of a new solo motorcycle parking bay outside Costcutter, subject to formal consultation;
 - Decluttering the street scene by removing extensive lengths of guard railing and bollards;
 - New raised table at the Adelphi Way junction to provide an informal crossing point;
 - Removing unnecessary street furniture and replacing with contemporary benches, new trees and new cycle stands;
 - Mural on Post Office wall to give a unique feature and further uplift to the parade
4. Following the information letter, statutory consultation was carried out for the proposed motorcycle bay, as shown in the plan attached as Appendix A to this report.

5. During the statutory consultation, the Council received a petition of 86 signatures objecting to the proposed motorcycle bay. A separate representation from a resident who lives nearby was also received with concerns that the proposed motorcycle bay will further encourage motorists to further block their driveway.
6. The main concerns highlighted in the petition and follow-up correspondence with the lead petitioner are summarised below:
 - A motorcycle could hypothetically go onto the pavement and collide with a pram or a school pupil;
 - Motorists approaching the zebra crossing could, in the petitioner's view, be somehow distracted by the motorcycle bay; and
 - Noise nuisance e.g. motorcyclists revving up their engines intimidating visitors and affecting residents in close proximity
7. In response to the petition, the layout of the proposed motorcycle bay can be clarified to help address the concerns raised. The area of the proposed motorcycle bay will be lowered to road level with full height kerb edging. This means there will be a level change between the motorcycle bay and pavement, as with the existing two laybys fronting the shops at Kingshill Parade. Cycle stands are also planned to be installed on the pavement in front of the proposed motorcycle bay.
8. The noise nuisance concerns are acknowledged and appear to be an emotion-based perception of a situation that has not arisen. The Metropolitan Police Design Out Crime Officer has attended a site meeting and did not raise any direct antisocial behaviour concerns with the proposed motorcycle bay.
9. In response to the separate representation, the Cabinet Member will be aware that illegally parked vehicles which are blocking vehicle crossovers can be reported to the enforcement hotline.
10. The Charville Ward Councillors have been informed of the responses received and their views sought on whether or not they are in support of the proposed motorcycle parking bay. Two Ward Councillors responded and have indicated their support for the inclusion of the proposed motorcycle parking bay.
11. There are currently two existing parking laybys fronting the shops along Kingshill Parade which motorcyclists can park within. The proposed motorcycle bay aims to better manage the parking by providing a dedicated place for motorcyclists to park and to help maximise the available parking for visitors using the parade. The proposed motorcycle bay is broadly supported by the Charville Ward Councillors. It is therefore recommended to proceed with the installation of the proposed motorcycle bay outside Nos. 310 to 312 Kingshill Avenue as proposed and indicated in Appendix A.
12. In response to the concerns raised during the statutory consultation, it is also recommended that officers review the situation with the motorcycle bay after a period of six to twelve months and report back to the Cabinet Member. Should the petition be

formally heard in the intervening period, this recommendation can be suggested as a practical and pragmatic response, dealing with a real situation on the ground rather than something that has been imagined as a predicted scenario.

Financial Implications

The proposed motorcycle bay forms part of the proposals for the Kingshill Avenue Shopping Parade which has capital approval in place totalling £422k, funded from both the Shopping Parade Initiatives capital budget and Chrysalis funding.

The estimated cost associated with the recommendations to this report is £1.5k, which will be contained within the £422k capital budget allocated for the Kingshill Avenue Shopping Parade Improvements.

RESIDENT BENEFIT & CONSULTATION

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

The proposed motorcycle bay aims to better manage the parking by providing a dedicated place for motorcyclists to park and to help maximise the available parking for visitors using the parade

Consultation carried out or required

Statutory consultation was carried out between 19 May to 9 June 2021 by the insertion of public notices in a local newspaper, the London Gazette and displayed on site. Additionally, the Council wrote to the residential properties abutting the section of road where the changes are proposed.

No further consultation is required, however, a final notice of making will be required if the Cabinet Member decides to approve the recommendations of this report.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed the report and concur with the financial implications contained within the report. The cost changes totalling £1.5k can be contained in the £422k budget for Kingshill Avenue Shopping Parade.

Legal

The Council's power to make orders to implement a motorcycle parking bay outside Nos. 310 to 312 Kingshill Avenue is set out in the Road Traffic Regulation Act 1984. The power to create/provide designated parking places is set out in Part IV of the Road Traffic Regulation Act 1984.

The consultation and order making statutory procedures to be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI

1996/2489). 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 Regulation 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; and
- 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.

Infrastructure / Asset Management

None at this stage.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

NIL.

TITLE OF ANY APPENDICES

Appendix A – plan showing the proposed motorcycle bay outside Nos. 310 to 312 Kingshill Avenue

Existing Belisha beacons to be replaced by hooded "Zebrite" Belisha beacons

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