



## Democratic Services

**Location:** Phase II  
**Ext:** 0636  
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**CMD No:** 872

**To: COUNCILLOR JONATHAN BIANCO  
CABINET MEMBER FOR PROPERTY, HIGHWAYS  
AND TRANSPORT**

c.c. All Members of the Property, Highways and  
Transport Select Committee  
c.c. Gordon Hill - Place Directorate  
c.c. Perry Scott – Corporate Director of Place  
c.c. Ward Councillors for Pinkwell

**Date:** 09 August 2023

### Non-Key Decision request

### Form D

## REPORT ON FORMAL CONSULTATION ON EXTENDING 'HAYES PARKING MANAGEMENT SCHEME' INTO HYDE WAY

Dear Cabinet Members

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 17 August 2023** 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.

Amy Helps  
Senior Technical Support Officer

**Title of Report:** REPORT ON FORMAL CONSULTATION ON EXTENDING  
'HAYES PARKING MANAGEMENT SCHEME' INTO HYDE WAY

**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 Property, Highways and Transport*

## REPORT ON FORMAL CONSULTATION ON EXTENDING ‘HAYES PARKING MANAGEMENT SCHEME’ INTO HYDE WAY

<b>Cabinet Member(s)</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Property, Highways and Transport
<b>Officer Contact(s)</b>	Gordon Hill - Place Directorate
<b>Papers with report</b>	Appendix A - Location Plan Appendix B - Responses to Consultation

### HEADLINES

<b>Summary</b>	To inform the Cabinet Member of the outcome of the formal consultation to extend the Hayes Resident Parking Scheme into Hyde Way.
<b>Putting our Residents First</b>	This report supports the Council objective of Our People. Results of the consultation will be considered in relation to the Council's strategy for parking in residential areas.
<b>Financial Cost</b>	There are no cost implications associated with the recommendations set out in this report.
<b>Relevant Policy Overview Committee</b>	Property, Highways and Transport Select Committee
<b>Relevant Ward(s)</b>	Pinkwell

### RECOMMENDATIONS

That the Cabinet Member:

1. notes the response to the formal consultation on a resident parking scheme in Hyde Way; and
2. based on the views expressed during the consultation, it is recommended that the scheme be deferred at the present time but to keep the situation under review.

## Reasons for recommendation

These recommendations are in line with the views expressed during the informal consultation.

## Alternative options considered / risk management

None at this stage.

## Policy Overview Committee comments

None at this stage

## SUPPORTING INFORMATION

1. A petition with 38 valid signatures was submitted to the Council signed by residents of Hyde Way, Hayes signed under the following heading;

*"non residents of this street are parking and catching other forms of transport as to avoid car park charges. This impacts negatively on the spaces available for local residents who are increasingly finding it more difficult to park on the street they live on. The situation will get worse when the crossrail project completes and the Jubilee Line opens.*

*We the undersigned are concerned citizens who urge our leaders to act now to introduce a controlled parking zone (CPZ) so that residents of Hyde Way can park outside or near their homes."*

2. In an accompanying letter submitted the lead petitioner has helpfully provided the following additional information:

*"Please find attached a petition from residents of Hyde Way, Hayes, requesting the introduction of a Controlled Parking Zone on the road in order to deter non-residents parking there for extended periods of time during the day.*

*Further to the attached petition, the residents of this street want the following put in place / considered when the most appropriate form of CPZ is in force on Hyde Way:*

- No single yellow lines are introduced outside any residential property*
- That no costs are passed onto property owners*
- Property owners can park outside their dropped kerb without penalty at any time of the day*
- Company van holders are not permitted to park outside any house*
- Property owners are issued free parking permits*

*Please ensure that all residents of Hyde Way are informed in writing if all stages or any progression made in this application."*

3. Hyde Way is mainly residential road just a short walk to Hayes and Harlington Station, the busy Hayes Town Centre shops and local amenities. A location plan of the area showing Hyde Way and the extent of the existing Parking Management Scheme is attached as Appendix A to this report.

4. Hyde Way currently has an informal footway parking scheme which was implemented in November 1987 following requests from residents asking the Council to allow partial parking on the footway to increase capacity but still allow access. Since the scheme was implemented over 30 years ago, there have no doubt been significant changes to the character of the road and it appears a number of new and extended dropped kerbs have been installed. As a result, it appears that the scheme, which at the time met residents' needs, may benefit from a review and options to manage the parking in the road could be part of this process.

5. As the Cabinet Member will be aware, a significant number of nearby roads already benefit from a "residents only" permit parking scheme. The area to the north of North Hyde Road the Parking Management Scheme operates Monday to Friday 9am-5pm while Fairy Avenue, the adjacent road to Hyde Way, has a scheme that operates every day 9am-10pm.

6. The petitioners made several suggestions on how they would like to see a possible scheme operate which are listed in item 2 of this report. It was noted that whilst these requests can be met in part, it the Council's current policy not provide any free parking permits. The Cabinet Member discussed with petitioners in detail their concerns and asked officers to add this request to the future parking scheme programme.

7. Officers investigated the list of requirements submitted by residents in their petition and determined that the option that most closely deliver their suggestions would be a for a 'continuous bay' type scheme as this would allow residents to park over their dropped kerbs at any time. This was discussed with local Ward Councillors who agreed with this approach.

8. As part of the informal consultation, a consultation pack was delivered to every property in the road consisting of a letter which went into detail to explain the pros and cons of a continuous bay type scheme, a questionnaire and a reply-paid return envelope.

9. Of the 77 letters delivered, 30 were returned which represents a 43% return rate, a breakdown of the returns can be seen in the table below.

Do you support the proposed scheme?	
Yes	2
No	9

What operating times do you prefer?	
11am-noon	4
10am-3pm	2
9am-5pm	2

What operating days do you prefer?	
Mon-Fri	1
Mon-Sat	3
Everyday	6

10. These results were shared with local Ward Councillors who agreed that, based on these results, it was clear that the majority of residents who responded to the consultation were in favour of an extension to the Hayes Residents Parking Scheme. It was therefore recommended that a formal design was developed for a subsequent formal consultation on a scheme which would operate Monday to Friday 9am-5pm.

11. The Cabinet Member agreed with this recommendation and instructed officers to produce a detailed design for a 'Resident Parking Scheme' and undertake a formal consultation in Hyde Way.

12. During the 21 day formal consultation, a letter and detailed plan was sent to every property within the area of the proposed scheme informing them of the Council's intention to implement a scheme locally. During this period, street notices were erected and public notices were placed in the London Gazette and a local newspaper, and a copy of the draft order was made available on the Council website and at the Civic Centre.

13. The Council received eight responses to the formal consultation, two in support of the proposals and six objecting to the scheme. A summary of these comments and officer responses can be found in Appendix B, which were shared with local Ward Councillors.

14. The biggest issue raised by residents was over the continuous bays that would be in front of resident driveways. With residents being concerned about their access being blocked during the operational hours of the scheme. If the Council were to implement a scheme that did not run in front of the driveways the available spaces would be greatly reduced and footway parking outside the marked bays would be prohibited, reducing further the available parking.

15. In light of the lack of support for the proposed scheme and no other viable options to manage the parking in Hyde Way, it is recommended that the scheme be deferred at the present time but for the situation to be kept under review.

## Financial Implications

There are no financial implications emanating with the recommendations set out in this report.

## RESIDENT BENEFIT & CONSULTATION

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

Residents' opinions have been taken into consideration.

### **Consultation carried out or required**

Residents were informally consulted previously to see if they would like a Resident Parking Scheme extended into their road. Based on the positive responses to that consultation, this formal consultation was undertaken.

## **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 defer the proposed installation of a Parking Management Scheme in Hyde Way, the Council has to consider its statutory duty under section 122 of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic. The statutory duty must be balanced with the concerns raised by any objectors.

In considering the responses received, the Council must ensure that there is a full consideration of all representations arising including those which do not accord with the officer's recommendation. The Council must be satisfied that the concerns from the public have been taken into account.

There are a set of well-established principles which set out the requirements of a fair and lawful public consultation which are known as the Gunning principles. They were endorsed by the Supreme Court in the Moseley case (2014) and they are commonly adopted by public authorities.

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 number of successful judicial review cases involving challenges to the lawfulness of a public authority's consultation, so it is imperative that the Gunning principles are closely followed.

Should there be a decision that further measures are to be considered then the relevant statutory provisions will have to be identified and considered at that time.

## **Infrastructure / Asset Management**

None at this stage.

## **Comments from other relevant service areas**

None at this stage.

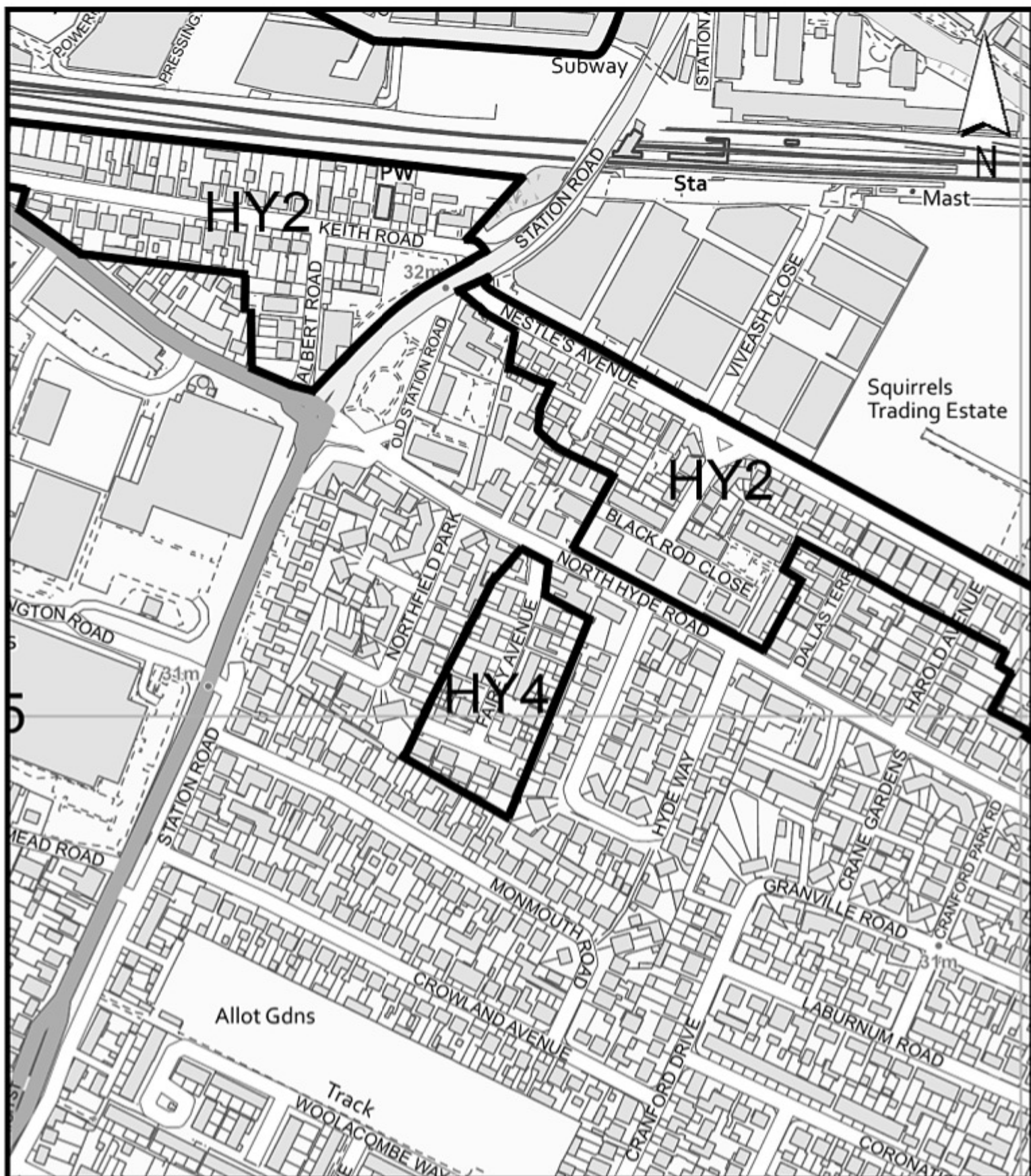
## **BACKGROUND PAPERS**

Hyde Way Petition Requesting Resident Parking Scheme - Report  
Hyde Way Petition Requesting Resident Parking Scheme – Minutes  
Report on Informal Consultation on a PMS in Hyde Way, Hayes

## **TITLE OF ANY APPENDICES**

Appendix A - Location Plan  
Appendix B - Responses to Consultation





## Hyde Way, Hayes - Informal consultation for a possible Parking Management Scheme

July 2020  
Scale 1:4,000



Comment	Response
<p>Object.</p> <p>I do not feel a need for a parking management scheme, it is mostly residents parking here, and most people have dropped kerbs and park on their drives.</p> <p>I feel this is a money making tactic by the Council who would be better off installing CCTV to catch fly tipping which is a serious issue.</p>	<p>In order to allow footway parking over dropped kerbs the area must be defined as a parking place. If the area is defined as a parking place then the Council cannot issue a PCN for blocking a dropped kerb to a vehicle parked there.</p>
<p>Object.</p> <p>I understand the reasons for a scheme and I support some restrictions placed on non-residents, I do not support this scheme as it would negatively impact my household and family. Over the last year I have noticed less of an issue with non-residents parking in the road as fewer people are needing to commute to work.</p> <p>We have multiple adults in our household who all drive cars, we can park most vehicles off the road but do also park on the street, and we cannot have other residents parking in front of our drive and blocking us. There are also issues with the increase in costs since the scheme was first proposed.</p>	
<p>Support.</p> <p>When I leave in the morning I often see a number of cars that don't live in Hyde Way park up and then collect their cars in the evening. Some cars are even left in place for over a week.</p>	
<p>Object.</p> <p>We have had the kerb dropped in front of our property so that we can park off street and have had to deal with neighbours blocking us in the past, we don't want them to be permitted to do so again causing us stress.</p> <p>The road has enough parking for the residents at present and most people have off-street parking too. There is no guarantee that the prices of permits won't go up.</p>	<p>In order to allow footway parking over dropped kerbs the area must be defined as a parking place. If the area is defined as a parking place then the Council cannot issue a PCN for blocking a dropped kerb to a vehicle parked there.</p>
<p>Object.</p> <p>I initially supported a scheme and most of the changes are agreeable apart from cars being able to park across each others dropped kerbs, which residents have paid for. This change would cause harmony and bad feeling between neighbours. Without this I may support a scheme.</p>	<p>In order to allow footway parking over dropped kerbs the area must be defined as a parking place. If the area is defined as a parking place then the Council cannot issue a PCN for blocking a dropped kerb to a vehicle parked there.</p>
<p>Support.</p> <p>Only concern is how it will affect our driveway parking, if it doesn't affect it then we have no issue. This should reduce the hassle of Hyde Way residential parking.</p>	<p>Reading the response I think they don't really understand and would object if they did.</p>

<p>Object.</p> <p>Whilst I agree that there is some problem with non-resident parking I observe that it is fairly limited, and don't believe the proposals will have much beneficial impact but will inconvenience residents and their visitors. If you want to deter commuters then a one hour in the middle of the day would be better.</p> <p>I find he proposed parking over dropped kerbs bizarre, currently I can contact the Council when my drop is blocked which happens fairly regularly. Under this scheme I could no longer do this.</p> <p>I feel the scheme should be withdrawn.</p>	<p>In order to allow footway parking over dropped kerbs the area must be defined as a parking place. If the area is defined as a parking place then the Council cannot issue a PCN for blocking a dropped kerb to a vehicle parked there.</p>
<p>Object.</p> <p>I do not experience any parking issues in the road, the current system is working well. The charges for permits are extortionate and will increase over time, we are also not supplied enough permits. I am not happy that other residents will be able to block my driveway. This seems like a Council proposal to raise revenue rather than solve any problems, and I was never consulted on the proposals.</p>	<p>In order to allow footway parking over dropped kerbs the area must be defined as a parking place. If the area is defined as a parking place then the Council cannot issue a PCN for blocking a dropped kerb to a vehicle parked there.</p>