



## Democratic Services

**Location:** Phase II  
**Ext:** 0636  
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**CMD No:** 993

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

c.c. All Members of the Property, Highways and Transport Services Select Committee  
c.c. Kevin Urquhart - Place Directorate  
c.c. Perry Scott – Corporate Director of Place  
c.c. Ward Councillors for Uxbridge

**Date:** 13 December 2023

### Non-Key Decision request

### Form D

**Objection to the proposed removal of part of the Zone C1 permit holder parking place outside No. 38 Bullrush Grove, Cowley to accommodate a new vehicle crossover extension**

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 21 December 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:** Objection to the proposed removal of part of the Zone C1 permit holder parking place outside N. 38 Bullrush Grove, Cowley to accommodate a new vehicle crossover extension

**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*

# Objection to the proposed removal of part of the Zone C1 permit holder parking place outside No. 38 Bullrush Grove, Cowley to accommodate a new vehicle crossover extension

<b>Cabinet Member(s)</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio(s)</b>	Deputy Leader of the Council & Cabinet Member for Property, Highways & Transport
<b>Officer Contact(s)</b>	Kevin Urquhart, Place Directorate
<b>Papers with report</b>	Appendix A

## HEADLINES

<b>Summary</b>	To inform the Cabinet Member that an objection has been received to proposed amendments outside No. 38 Bullrush Grove, Cowley to accommodate a new vehicle crossover extension.
<b>Putting our Residents First</b>  <b>Delivering on the Council Strategy 2022-2026</b>	<p>This report supports our ambition for residents / the Council of: Live in good quality, affordable homes in connected communities</p> <p>This report supports our commitments to residents of: Safe and Strong Communities</p>
<b>Financial Cost</b>	The estimated cost of the recommendations set out in this report is £1,000, to be managed within existing Highways revenue budgets
<b>Relevant Select Committee</b>	Property, Highways and Transport Select Committee
<b>Relevant Ward(s)</b>	Uxbridge

## RECOMMENDATIONS

That the Cabinet Member:

- Notes the objection received during the statutory consultation for the proposed removal of a section of the permit holder parking place outside No. 38 Bullrush Grove, Cowley

2. Following advice from the Council's Highways Team, approves that the section of the parking place outside No. 38 Bullrush Grove, Cowley be removed and replaced with a section of 'Monday to Friday 9am to 5pm' waiting restrictions as proposed and indicated on Appendix A.

#### Reasons for recommendation

To allow clear vehicular access to planned vehicle crossing extension being constructed outside No. 38 Bullrush Grove, Cowley.

#### Alternative options considered / risk management

None at this stage.

#### Select Committee comments

None at this stage.

## SUPPORTING INFORMATION

1. The Council's Highways Team received a request for an extension to be applied to an existing shared vehicle crossing outside No. 38 Bullrush Grove, Cowley. Prior to work commencing on the construction of this vehicle crossing extension, a short section of Zone C1 permit holder parking place will need to be removed from directly outside where the new vehicle crossing is planned in order to ensure unimpeded access and egress to the off-street parking facility that is being created at this property.
2. Following the above, statutory consultation was carried out on these amendments to facilitate the installation of this and other new vehicle crossings within Parking Management Schemes. During this period street notices were erected and public notices were placed in the London Gazette and a local newspaper.
3. It was proposed that a section of the parking place be removed and replaced with a 'Monday to Friday 9am to 5pm' waiting restriction in order to prevent other drivers from causing an obstruction once the dropped kerb extension had been constructed. Attached as Appendix A to this report is a plan of the proposals.
4. During the consultation period the Council received one objection to the proposals, which has been paraphrased below:

*"I am writing to object to the removal of a Section of C1 parking outside 37 & 38 Bullrush Grove.*

*Since the parking restrictions were installed in 2011 I have had problems entering and exiting my drive when vehicles are parked close to the end of the bay that is*

*outside 37 Bullrush Grove. I have attached two videos showing the issues I face. The videos show a small car parked close to the edge of the bay but when SUV's, vans and open top lorries are parked in the same way the problem is exacerbated where I end up having to make numerous manoeuvres to create an angle to exit the drive by driving over my path and front lawn and this is cracking my path.*

*If you reduce the width of the parking bay then every vehicle will be forced to park at the end of the bay causing me these issues. I do not understand why the bay needs to be reduced outside properties 38 & 39 as the width of the drive available already is twice the width of my drive. The common-sense approach would be to reduce the width of the bay outside my property.*

*I also have issues whereby Vans and lorries already overhang the parking bay and onto the white lines that are in place and when I complain it has been pointed out to me that this is not illegal as these are white not yellow lines?*

*I am happy for you to send someone to my property to review what I am saying and test out parking into both driveways.*

*What I would like to see is either*

*1. The width of the parking bay is only reduced from outside properties 37 & 38 Bullrush Grove*

*2. The parking bay is removed completely and replace with no waiting lines"*

5. This resident's main concern with the changes as proposed as a consequence of the driveway crossover alterations, is that the resulting reduction to the length of the parking place could, they believe, potentially cause vehicles to park closer to their own dropped kerb and cause them an obstruction when trying to access their off-street parking. Since the resident opposing these changes has a continuous parking bay across their driveway, there is the potential another vehicle could block their access in which case the Council would be limited to what enforcement action could be taken since the vehicle would be parked wholly within a designated parking space. A white bar marking already exists outside the dropped kerb, but since this is only a guidance marking it does not give the Council any further powers of enforcement against obstructive parking.
6. The Council's Highways Delivery Manager has reminded the Cabinet Member that the public have a legal right to gain access to their property from the highway. When determining an application for a new vehicle crossing, Section 184 of the Highways Act gives guidance to Highway Authorities in so much as they are only able to ensure that, so far as is practicable, there is safe access to and egress from the premises and there is a need to facilitate so far as practicable the passage of vehicular traffic in highways. The Highways Authority should also take into consideration any physical obstruction preventing the installation. In this case the Council's Highways officers have assessed the objection submitted above along with the videos provided and have identified no legal basis to reject the application. They have therefore asked that the legal process is completed and to

proceed with the installation of this vehicle crossing extension. They have also commented that removal of the parking bay outside the drive of the objector as suggested would only be considered if they submitted a similar application for a crossover extension.

7. For the reasons above, the Council's Highways Delivery Manager states that the Council cannot refuse this crossover extension request as it complies with its Crossover Policy and the existing extent of the parking bay will remain unaltered. On that basis the Highways Delivery Manager has specifically asked that the proposals are progressed as advertised. It is therefore recommended to proceed with the changes to the parking outside No. 38 Bullrush Grove as proposed and indicated on Appendix A.

## **Financial Implications**

The estimated cost to implement the proposed changes is £1,000, which can be contained within existing Highways revenue budgets.

## **RESIDENT BENEFIT & CONSULTATION**

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

The recommendation will provide clear access to a planned dropped kerb extension being constructed outside No. 38 Bullrush Grove. Although this will result in the loss of some on-street parking, the off-street parking area being created could potentially accommodate more than one vehicle.

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

Statutory consultation was carried out between 27th September to 18th October 2023 by the insertion of public notices in the local newspaper and displayed on site. No further consultation is required.

## **CORPORATE CONSIDERATIONS**

### **Corporate Finance**

Corporate Finance has reviewed the report and concurs with the financial implications set out above.

### **Legal**

The Council's power to make orders relating to parking places is set out in Part IV of the Road Traffic Regulation Act 1984.

If the recommendation is implemented, this report indicates that a permit parking place will be removed and additional waiting restrictions will be imposed on the road. The Council's power to make orders imposing waiting restrictions is set out in Part 1 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).

Section 122 of the Road Traffic Regulation Act 1984 requires the Council to balance the concerns of the objector with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

Availability of off-street parking and safe access to the driveway identified in this report are relevant considerations in deciding whether to make this form of order. In considering the consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer's recommendation. The decision maker must be satisfied that responses from the public were conscientiously taken into account.

The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings. There are no special circumstances drawn to our attention that would prevent removal of the permit parking place and introduction of waiting restrictions provided that the appropriate statutory procedures are followed.

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

None at this stage.

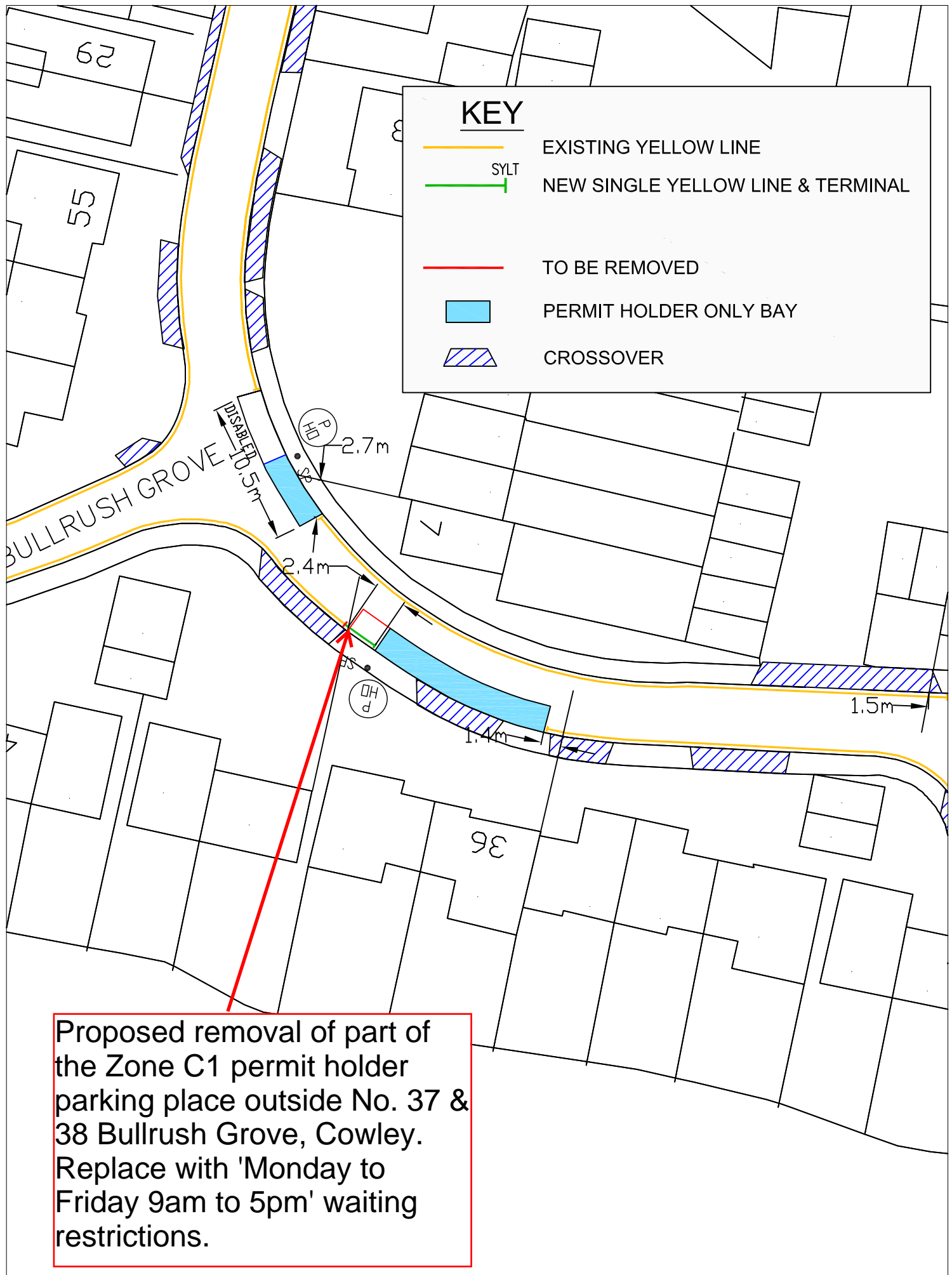
## **BACKGROUND PAPERS**

NIL

## **TITLE OF ANY APPENDICES**

Appendix A - Plan – Proposed amendments outside No. 38 Bullrush Grove, Cowley to accommodate a vehicle crossover extension

# No. 38 Bullrush Grove, Cowley - Amendments to accommodate a vehicle crossing extension



Proposed removal of part of the Zone C1 permit holder parking place outside No. 37 & 38 Bullrush Grove, Cowley. Replace with 'Monday to Friday 9am to 5pm' waiting restrictions.