

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3214

Proposed controlled parking zone on Rochester Way and Welling Way in Royal Borough of Greenwich

Executive summary:

The Mayor is asked by the Royal Borough of Greenwich (RB Greenwich) to consent to a proposed Controlled Parking Zone (CPZ) on Rochester Way and Welling Way in the borough, close to Falconwood station. The London Borough of Bexley (LB Bexley) has formally objected to the proposals and maintains that objection. RB Greenwich proposes the scheme as part of its actions to deliver its Transport Strategy, which seeks to reduce private vehicle use, in compliance with the Mayor's Transport Strategy which must be implemented by London's boroughs through their local implementation plans. LB Bexley considers that the CPZ will displace more parking and traffic into its borough.

The Mayor has statutory discretion as to whether or not to consent to the scheme; but the applicable statutory framework provides that his consent is necessary if the scheme is to be implemented by RB Greenwich, given LB Bexley has formally objected to the proposals and maintains that objection. Attempts at facilitating a local resolution have not succeeded. In those circumstances, RB Greenwich can only proceed with the scheme if the consent of the Mayor (acting on behalf of the GLA) is given.

Decision:

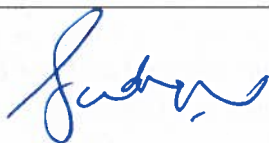
That the Mayor exercises the GLA's power under section 121B of the Road Traffic Regulation Act 1984 to approve the Royal Borough of Greenwich's proposed Controlled Parking Zone at Rochester Way and Welling Way.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

5/7/24

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The Royal Borough of Greenwich (RB Greenwich) wishes to implement a Controlled Parking Zone (CPZ) on Rochester Way and Welling Way, near Falconwood station, close to the border with the London Borough of Bexley (LB Bexley). RB Greenwich wishes to introduce this scheme to:
 - meet RB Greenwich's Transport Strategy, which seeks to reduce private vehicle use, in compliance with the Mayor's Transport Strategy which must be implemented by London's boroughs through their local implementation plans
 - address the number of drivers who use unrestricted parking close to Falconwood station as part of their commute – some of which is believed to originate from across the Greater London area
 - ultimately, support cleaner air in the borough; ensure the through-flow of traffic along the roads; and reduce road danger.
- 1.2. RB Greenwich proposes to start charging people to park on these roads, with a formalised two-tier fee structure of £4 and £2 per day from Monday to Saturday, 8.30am to 6.30pm. RB Greenwich reports having set this rate as being slightly more than a return bus journey on the London bus network; but it has taken into account the cost-of-living crisis, and has not made the charge excessive.
- 1.3. There is a potential impact of the scheme on roads in LB Bexley, which borders RB Greenwich. The statutory framework (see the legal section below, for further detail) requires LB Bexley to be notified; and gives the borough the opportunity to object, which it has done.
- 1.4. LB Bexley considers that the proposed scheme will cause traffic and parking to be displaced from RB Greenwich into residential streets in Bexley. It is also of the view that the cost is insufficient to deter people from using the road to park. Without LB Bexley's consent, the proposal can only be implemented if the Mayor approves the scheme on behalf of the GLA.

Process undertaken

- 1.5. RB Greenwich published the Traffic Management Order (TMO) on 3 August 2022 for 21 days. Notices were placed on lampposts on Rochester Way and Welling Way; an advertisement was placed in local newspapers; and affected businesses were directly informed.
- 1.6. LB Bexley's Traffic Manager was notified of the TMO by email on 4 August 2022. Part of Bexley's objection to the proposal is procedural, as they were not informed on the day of publication. As a result of this, and significant local interest in the proposal, the consultation period was extended for a further seven calendar days, to 31 August 2022. Transport for London (TfL) is not of the view that this undermines the legal basis for any decision by the Mayor.
- 1.7. The summary of consultation responses indicates significant local opposition to the plans. This is based on the cost-of-living crisis; the perceived unfairness of discouraging private vehicle use; and concerns around people parking their vehicles on surrounding unrestricted residential roads. In response, RB Greenwich states that its transport strategy is focused on reducing private vehicle use; and that the cost-of-living crisis has been considered in setting the parking fees at a relatively low level. The full list of responses, and RB Greenwich's response, is available at Appendix B.
- 1.8. During the consultation, LB Bexley formally objected to the proposals. This was based on its belief that introducing parking restrictions will not reduce private vehicle use, and so drivers will seek out alternative unrestricted parking locations, including on roads within LB Bexley. LB Bexley's response to the consultation is included in the list of responses at Appendix B.

- 1.9. On 23 December 2022 a decision paper was submitted to RB Greenwich's Cabinet Member for Climate Change, Environment and Transport. This is included at Appendix A. This asked her to consider the comments and objections made during the consultation and to agree the proposal by signing the TMO for the proposal. The Cabinet Member agreed to do so.
- 1.10. Following this, Ward members in RB Greenwich "called in" the Cabinet Member's decision. On 30 January 2023 the borough's Overview and Scrutiny Committee considered the Cabinet Member's decision, and subsequently decided to take no further action.

Seeking local resolution

- 1.11. Given LB Bexley's objection, TfL (on behalf of the GLA) has sought to broker a resolution between the boroughs. This could have taken the form of LB Bexley withdrawing its objection, or RB Greenwich deciding not to pursue the scheme.
- 1.12. There have been several meetings between officers from TfL, RB Greenwich and LB Bexley. TfL officers convened a meeting on 1 March 2023 with RB Greenwich and LB Bexley officers to discuss the proposal and each party's position. A further meeting between RB Greenwich and LB Bexley officers was held shortly afterwards. TfL officers convened further meetings on 24 July 2023 and 2 August 2023 and attempted to come to an agreement, but failed to do so.
- 1.13. During the attempted resolution process, RB Greenwich agreed to undertake parking surveys on several roads both within their borough and on roads in LB Bexley. These surveys took place on Tuesday 6 June and Saturday 10 June 2023 between 7am and 7pm. These surveys show that, on roads with unrestricted parking in LB Bexley, there is already a significant number of vehicles parked. This suggests opportunities for vehicles to be displaced from Rochester Way and Welling Way to LB Bexley are relatively low.
- 1.14. TfL officers convened a further meeting with the respective cabinet members of RB Greenwich and LB Bexley to broker a resolution. In this meeting RB Greenwich shared the outcome of parking surveys that they had agreed to undertake, in order to help resolve the issue (as above). That meeting failed to find a resolution.
- 1.15. The Deputy Mayor for Transport met with the respective borough cabinet members on 15 December 2023 in a final attempt to achieve a resolution, but no agreement could be reached.
- 1.16. Following a substantial level of engagement with the boroughs by TfL officers and the involvement of the Deputy Mayor for Transport, it has become clear that local resolution cannot be achieved in this matter. Officers consider that the proposal is appropriate for consideration by the Mayor in accordance with his statutory powers.
- 1.17. Under the legislation, the GLA has the power to call a public inquiry to consider proposals before deciding whether or not to give consent. This is not considered necessary or proportionate in this case and neither borough involved has suggested it.

2. Objective and expected outcomes

- 2.1. The proposal would introduce on-street parking controls in the Rochester Way and Welling Way areas of RB Greenwich in order to reduce private vehicle use, traffic and parking levels associated with commuters using Falconwood Station, and visitors to Oxleas Woods.
- 2.2. The aims and objectives of the proposal are consistent with the Mayor's Transport Strategy and RB Greenwich's Transport Strategy. Based on this, officers recommend that the RB Greenwich proposals should be approved by the Mayor.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010 (the Equality Act), as a public authority, the Mayor must have due regard, when making this decision, to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 3.2. RB Greenwich did not carry out a specific Equality Impact Assessment (EqIA) for the proposed scheme. However, RB Greenwich informed TfL officers that in developing the scheme they followed the borough's transport strategy, which had an EqIA to support it. The EqIA for their Transport Strategy was finalised in September 2022, with the borough having started the consultation on it in March 2022. The borough used information gathered through that process to help understand the potential impacts and required mitigations for this CPZ proposal.
- 3.3. The EqIA notes that RB Greenwich has complied with the Equality Act and taken into account the impact on different road users in formulating the proposals within its Transport Strategy. This includes older and disabled people, as well as those on low incomes. They have done so in the following ways:
- The proposed tariff for the 'Pay by Phone' bays in the proposed CPZ are set at a lower rate than existing bays located borough-wide. It is considered to be set at a rate that will not have a disproportionate impact on those with protected characteristics, as set out in the Equality Act. The proposed tariff should also reduce any impact of parking displacement.
 - Disabled persons' parking bays are available to residents that meet the agreed qualifying criteria in both RB Greenwich and LB Bexley. Drivers who possess a Blue Badge can park for free in RB Greenwich for an unlimited time (unless signs specify otherwise) at: a pay-and-display space; a disabled parking bay; a metered parking space; and any car park managed by the borough. Drivers can also park across the area on a yellow line (single and double) for up to three hours as long as there is no loading ban, and any parked vehicle is not creating an obstruction.
- 3.4. LB Bexley has not raised in its objections to the proposals any additional concerns about the impact of the proposals on those with protected characteristics.
- 3.5. Having reviewed the submissions produced by RB Greenwich, the impacts on disabled people and those on low incomes are considered by LB Greenwich to be capable of substantial mitigation. Should the Mayor decide to approve the proposals, RB Greenwich would be required to keep any impacts on those with protected characteristics under review post-implementation.

4. Other considerations

Key risks and issues

- 4.1. The GLA's statutory power to give consent to borough proposals in these circumstances has only been exercised once before. It is considered preferable for local issues of this nature to be resolved at a local level. The previous occasion on which this power was used was also to resolve a dispute between RB Greenwich and LB Bexley. To assist the Mayor in his decision-making on that occasion, TfL officers produced guidance setting out the statutory context and the considerations to which the Mayor should have regard when taking any decision. This is appended (Appendix C) for reference. This guidance and process has been generally followed on this occasion, with some changes as engagement developed and with agreement from both boroughs.
- 4.2. As referred to at paragraph 1.13 above, officers reviewed the proposal and objection and sought further information from RB Greenwich and LB Bexley in the form of parking surveys undertaken in

June 2023 to understand usage in both the locations where Greenwich wish to introduce the CPZ, as well as on Bexley local roads in order to inform the Mayor's decision. Further relevant considerations are set out below.

Links to Mayoral strategies and priorities

- 4.3. Proposals 22 and 23 of the Mayor's Transport Strategy set out that the Mayor will support borough-led traffic reduction strategies and traffic-demand-management measures such as CPZs. Parking policy changes, such as introducing or extending CPZs, are identified as possible measures for discouraging unnecessary car journeys. Having reviewed the information provided by RB Greenwich, officers conclude that these proposals align with the MTS objectives. RB Greenwich's proposal for a CPZ near Falconwood station complete their plans for CPZs within Greenwich, which are part of their initiatives to encourage walking, cycling and the use of public transport.

Impact assessments and consultation

- 4.4. RB Greenwich has carried out local consultation on its proposals. It provided its decision report, and the summary of consultation responses. This showed the vast majority of respondents were opposed to the proposal. Comments raised in the consultation, as well as RB Greenwich's response, are summarised in paragraph 1.7 above; and the full consultation report is included at Appendix B.
- 4.5. There is no duty on the GLA to carry out its own consultation before taking this decision.

Conflicts of interest

- 4.6. No officer involved in the drafting or clearing of this Mayoral Decision has any conflicts of interest.

5. Financial comments

- 5.1. There are no direct financial consequences for the GLA arising from this decision.

6. Legal comments

- 6.1. The relevant provisions are in section 121B of the Road Traffic Regulation Act 1984. They apply where one London borough wishes to exercise powers under the Act that will (or which will be likely to) affect a road in another London borough. Given the proximity of the scheme to roads in LB Bexley, officers consider that there is likely to be some effect on roads in the borough so that these provisions are engaged.
- 6.2. In this situation (where the affected roads are not part of the Strategic Road Network), the borough can exercise the powers if, once the proposing borough has given notice to TfL and the affected borough, any of the following requirements are satisfied:
- the affected borough consents
 - there has been no objection by the affected borough to the proposal within one month of the affected borough being notified of it
 - an objection has been made and withdrawn
 - where an objection has been made and not withdrawn, the GLA has given its consent to the proposal after consideration of the objection.
- 6.3. RB Greenwich wrote to LB Bexley to notify it of its intention to introduce a CPZ in the area in question on 4 August 2022, which LB Bexley objected to. That objection has not been withdrawn. The matter has therefore been referred by RB Greenwich for a decision by the GLA pursuant to section

121B (3)(d). Section 121C provides that the functions exercisable by the GLA under the Act are exercisable by the Mayor on behalf of the GLA.

7. Planned delivery approach and next steps

Activity	Timeline
Consideration by the Mayor	July 2024
Deputy Mayor for Transport confirms, to the boroughs, the outcome of the Mayor's decision	July 2024
RB Greenwich begins implementation of CPZ	By August 2024

Appendices and supporting papers

- Appendix A: RB Greenwich decision report to Cabinet Member for Climate Change, Environment and Transport
- Appendix B: Consultation report from RB Greenwich on CPZ proposal
- Appendix C: Guidance on the use of the Mayor's powers to approve dispute borough proposals.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

ORIGINATING OFFICER DECLARATION:

Drafting officer
to confirm the
following (✓)

Drafting officer:

Claire Hamilton has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Philip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Seb Dance has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

This decision was agreed by the Mayoral Delivery Board on 1 July 2024.

✓

INTERIM CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

01/07/2024

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature:



Date:

01/07/2024

