

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2698

Royal Borough of Greenwich request for consent for controlled parking zone at Falconwood & Avery Hill

Executive Summary:

The Mayor is asked by the Royal Borough of Greenwich (RB Greenwich) to consent to a proposed Controlled Parking Zone (CPZ) in the Falconwood and Avery Hill area of the borough.

The Mayor has a 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 because the London Borough of Bexley has formally objected to the proposals and maintains that objection.

LB Bexley considers that the CPZ will displace more parking and traffic into its borough. 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:

The Mayor exercises the GLA's power under section 121B Road Traffic Regulation Act 1984 to approve the RB Greenwich's proposed CPZ at Falconwood and Avery Hill.

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:

12/10/20

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) at Falconwood and Avery Hill, near Falconwood station, close to the border with the London Borough of Bexley (LB Bexley). This is due to the high number of rail users parking on local residential streets close to the station. Because of the potential impact of the scheme on roads in LB Bexley, the statutory framework (see the Legal section below for further detail) requires LB Bexley to be notified and gives it the opportunity to object, which it has done. LB Bexley considers that this will cause traffic and parking to be displaced from RB Greenwich into Bexley. Without LB Bexley's consent, the proposal can only be implemented if the Mayor approves the scheme on behalf of the GLA.
- 1.2 This proposal dates back several years and has been the subject of a long-running dispute between the boroughs in question. In 2013, in response to a request from RB Greenwich to the then Mayor of London to approve the proposal, the boroughs were invited to seek a local resolution. Since then, renewed requests for Mayoral intervention have been made by RB Greenwich in July 2016, March 2018 and March 2019. Over this period of time there has been detailed engagement by TfL officers with both boroughs, in an effort to facilitate local resolution of the issue.
- 1.3 Key points to note are summarised below:
 - RB Greenwich has consulted on the proposals three times and in each instance, there has been strong support from residents for the introduction of controlled parking.
 - In its formal objection to the most recent notice of the proposals, LB Bexley maintains its position that the proposals would if implemented cause parking to migrate to roads within LB Bexley and adversely affect traffic and parking in the borough. This has consistently formed the basis of LB Bexley's objection to the proposals since they were first issued.
 - RB Greenwich consider that LB Bexley could introduce its own CPZ to counter any adverse impacts of the scheme, once implemented, but this suggestion has been rejected on the basis that LB Bexley face strong opposition from residents on parking controls.
 - In 2018 TfL brokered a series of meetings between the boroughs. During these meetings, in response to concerns about displaced parking, RB Greenwich officers offered to fund a further study, and to extend the CPZ, which was agreed. LB Bexley councillors requested that Bexley resident CPZ costs (permits) be paid for by RB Greenwich, which RB Greenwich declined. LB Bexley instead proposed a wider scheme to improve walking and cycling routes around Falconwood station, with a potential view to entering a joint bid for Liveable Neighbourhood funding. RB Greenwich rejected this proposal as it had other strategic priorities for Liveable Neighbourhood bids within the borough and highlighted that the proposal did not meet the programme criteria.
 - Heidi Alexander, Deputy Mayor for Transport, has undertaken two site visits to Falconwood, one with representatives from Greenwich and another with the Cabinet Member for LB Bexley (Cllr Craske). She has also hosted a meeting with lead councillors for both boroughs in September 2020, as part of ongoing efforts by TfL to find a resolution to this dispute.
 - In March 2020, LB Bexley asked RB Greenwich for more information and clarification in relation to the new parking data, (commissioned at the request of TfL) to inform the re-published proposals. RB Greenwich declined to provide further information and repeated its request for the issue to be escalated to the Mayor.
- 1.4 Following a substantial level of engagement with the boroughs by TfL officers and the involvement of the Deputy Mayor for Transport, including the two site visits and a meeting with both RB Greenwich and LB Bexley councillors, it has become clear that this matter is not capable of local

resolution and officers consider that it is appropriate for consideration by the Mayor in accordance with his statutory powers.

- 1.5 Under the legislation the GLA has the power to call a public inquiry to consider proposals before deciding whether or not to give consent. However, this is not considered necessary or proportionate in this case and neither borough involved has suggested it.
- 1.6 As noted below, the aims and objectives of the proposal are consistent with the Mayor's Healthy Streets agenda. Given the period of time that has passed since the proposal was first put forward, RB Greenwich has been required to re-publish the statutory notice, to re-consult, to obtain updated parking data and to carry out an Equality Impact Assessment, all of which the Mayor is invited to take into account in the making of this decision, together with LB Bexley's updated statements of objection. Based on all of this information, officers recommend that the RB Greenwich proposals should now be approved.

2. Objectives and expected outcomes

- 2.1 The proposal would introduce on-street parking controls in the Avery Hill and Falconwood areas of RB Greenwich in order to reduce traffic and parking levels associated with commuters from Falconwood Station, students of the University of Greenwich campus and traffic associated with Eltham Crematorium.

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 and victimisation, 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 re-assignment, 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 In his consideration of the matters set out in section 149 of the Equality Act the Mayor is invited to take into account information provided by RB Greenwich in its document entitled "Equality Impact Assessment -Initial Screening" which was provided to TfL officers on 28 February 2020. The Initial Screening identifies a limited potential impact of the proposals on people with a disability. However, it notes that "residents living within the Controlled Parking Zones (CPZs) who are Blue Badge holders are eligible for a free Resident Permit on application to the Council in accordance with the Council's published guidelines. Residents holding Blue Badges may also apply, in accordance with the Council's published guidelines, to the Council for a disabled parking space to be marked on-street close to their home. All Blue Badge holders can park on-street on single and double yellow lines for up to three hours so long as there isn't a loading ban and [sic] don't cause an obstruction. Dedicated disabled parking bays are proposed in the vicinity of shops on Bexley Road."
- 3.3 The Initial Screening also identifies a limited potential impact on people with caring responsibilities but notes that a free Carer Permit is available on application to the Council in accordance with the Council's published guidelines.
- 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 assessment produced by RB Greenwich it is considered that, having due regard to the matters set out in section 149 of the Equality Act, the impacts on disabled people and those with caring responsibilities are 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 approve borough proposals in these circumstances has not been exercised before and it is considered preferable for local issues of this nature to be resolved at a local level. However, this is very a long-running issue and despite concerted efforts over several years it does not appear that it can be resolved without intervention. To assist the Mayor in his decision-making, given this is the first time these powers have been used, TfL officers have produced guidance setting out the statutory context and the considerations to which the Mayor should have regard when taking any decision. This will also set a framework for any future requests for intervention in other local borough matters. This is included at Appendix D for reference.
- 4.2 Officers reviewed the proposal and objection and sought further information from RB Greenwich and LB Bexley to ensure full and up-to-date information could inform the Mayor's decision. This additional information should be taken into account in the making of this decision. Further relevant considerations are set out below.

Impact of Covid-19

- 4.3 Given the impact of the Covid-19 pandemic on travel behaviour in London (including general levels of traffic), officers made enquiries of the boroughs to ask whether this had affected their positions relating to the proposals. In a response on 31 July 2020, RB Greenwich noted that due to reduced commuting by rail, there had been a significant reduction in parking pressure in the vicinity of stations (such as Falconwood). However, it was observed that this had been counteracted to some degree by the number of people working from home. RB Greenwich anticipated that local parking pressure could increase again when students return to the nearby campus. Overall, however, RB Greenwich's position was that this was a very long-standing issue and so temporary effects caused by the impact of Covid-19 were not relevant to any significant degree.
- 4.4 In its response on 30 July 2020, LB Bexley acknowledged that due to Covid-19, many people were working from home or changing their method of travel due to concerns about using public transport. One possible impact of this was identified as a reduction in levels of on street parking by people from outside the area meaning that there may be less need for the proposed scheme. LB Bexley also noted that parking based on the university activity had similarly been affected for a number of months leading to a likely reduction in parking demand.

Links to Mayoral strategies and priorities

- 4.5 The Mayor's Transport Strategy is clear under proposals 22 and 23 that the Mayor will support borough led traffic-reduction strategies and traffic demand management measures such as Controlled Parking Zones. Parking policy changes, such as introducing or extending controlled parking zones are identified as possible measures for discouraging unnecessary car journeys.
- 4.6 Having reviewed the information provided by RB Greenwich, officers conclude that these proposals align with the MTS objectives and would contribute to discouraging unnecessary car journeys. RB Greenwich's proposal for a CPZ at Falconwood complete their plans for CPZs within Greenwich which with other RB Greenwich initiatives will encourage walking, cycling and public transport.

Impact assessments and consultations

- 4.7 RB Greenwich has carried out local consultation on its proposals. It provided its decision report, consultation material and the analysis of responses of the most recent consultation (see Appendix B to this decision form). This showed over 70% of residents (within the proposed zone boundaries) to be supportive of the proposals. There is no duty on the GLA to carry out its own consultation before taking this decision.
- 4.8 No officer involved in the drafting or clearing of this Mayoral Decision has any interests to declare.

5. Financial comments

- 5.1 There are no direct financial consequences for the Greater London Authority arising from this decision.

6. Legal comments

- 6.1 The relevant provisions are in s.121B Road Traffic Regulation Act 1984. They apply where one London borough wishes to exercise powers under the Act which will (or which would 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 the following requirements are satisfied:
- the proposing borough has given notice to TfL and the affected borough, and
 - the affected borough consents; or
 - there has been no objection by the affected borough to the proposal within one month of the affected borough being notified of it; or
 - an objection has been made and withdrawn within that one-month period; or
 - 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 renewed publication of the CPZ proposals on 3 February 2020 and LB Bexley formally objected on 17 February. 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
RB Greenwich recommendation approved by the Mayor	October 2020
Decision communicated to boroughs	October 2020

Appendices:

- Appendix A: Map of affected area
- Appendix B: Documents from RB Greenwich and LB Bexley setting out the proposal and objections, between March 2018 and September 2020
- Appendix C: Greenwich EQIA – Initial Screening
- Appendix D: Guidance on the exercise of the s.121B RTRA powers

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 either be published within one working day after approval or on the defer date.

Part 1 Deferral:

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

If YES, for what reason:

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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:

Heidi Alexander has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 5 October 2020.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

Date

6 October 2020

D. Gove

CHIEF OF STAFF:

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

Signature

Date

5 October 2020

D. Bellamy