

Sustainable Development Select Committee Supplementary Agenda

Wednesday, 12 December 2018

7.00 pm,

Committee room 3, Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Timothy Andrew (timothy.andrew@lewisham.gov.uk)

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Part 1

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Sustainable Development Select Committee		
Title	Parking Policy Update	
Contributors	Simon Moss (SGM Highways and Transport Asset Management) Ralph Wilkinson (Head of Public Services)	Item 7
Class	Part 1 (open)	12 December 2018

Reasons for lateness

This report was not available for the original despatch because of the need for a thorough and detailed review of the proposed updates to the parking policy at the Mayor and Cabinet briefing on 4 December 2018.

1. Summary

1.1 The Council's current Parking Policy was approved by Mayor and Cabinet in October 2014, following a comprehensive review. It was agreed that the policy would be updated in 2018 to bring the policy in line with current legislation, best practice and other feedback received.

1.2 Proposed updates to the current parking policy include:

- Changes to the permit system including:
 - Introduction of CO2 emissions based charging structure for parking permits
 - Introduction of a diesel surcharge
 - Target the free visitor permits to residents in CPZs that are over 60 years and in receipt of Council Tax support
- Change the PCN charge band from a mix of Band A in the north of the borough and Band B to the south to Band A throughout the borough;
- Introduction of a 'floating' car club scheme following a recent trial, with a new permit available to car club operators that can meet certain terms and conditions;
- Revision to the policy for assessment of applications for Disabled Parking Bays based on medical and highway criteria. Removal of the provision of unenforceable advisory disabled parking bays;
- Proposed updated methodology to prioritise the consultation of Controlled Parking Zones (CPZs) including research to establish residents' views across the borough.

1.3 Other minor amendments are proposed to update the parking policy based on changes to other policy documents, regulations or legislation.

1.4 The changes outlined above will be taken to Mayor and Cabinet for approval in January 2019, prior to public consultation in early 2019. The results of the consultation will then be brought back to Sustainable Development Select Committee before a final policy is agreed by Mayor & Cabinet.

2. Purpose

2.1 The purpose of this report is to present the proposals for an update to the Lewisham Parking Policy with certain options to be taken forward to public consultation.

3. Recommendations

3.1 The committee is recommended to:

- i) Note the key issues and conclusions arising from the parking policy update;
- ii) Approve that a summary of the proposed changes to the parking policy is consulted on in early 2019.

4. Policy context

4.1 The Council's current Parking Policy was approved by Mayor and Cabinet in October 2014, following a comprehensive review. It was agreed that the policy would be updated in 2018 to bring the policy in line with current legislation and best practice.

4.2 The London Mayor's Transport Strategy was published in early 2018. The Council's emerging Transport Strategy and Local Implementation Plan 2019-41 (LIP3) sets out how the Council intends to deliver this vision at a local level. These strategies are closely aligned, with a number of themes that are relevant to the Council's parking policy. This includes aspirations to see a greater proportion of trips made by sustainable travel (i.e. by walking, cycling or public transport), a reduction in traffic levels and car ownership, improved air quality and supporting the delivery of new homes and jobs.

4.3 As part of this interim update, consideration is being given to the introduction of an emissions based charging scheme for certain types of parking permit. A diesel surcharge is also being considered. This responds to an action included within the Council's Air Quality Action Plan (2016-2021) to investigate this.

4.4 References in the parking policy to any superseded or out of date regulations, legislation or policy documents will be revised as part of this update.

4.5 In terms of alignment with the Council's strategic objectives, the parking policy update supports the strategic priorities of the Sustainable Community Strategy:

- Safer: where people feel safe and live free from crime, antisocial behavior and abuse;

- Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities;
- Clean green and liveable: where people live in high quality housing and can care for and enjoy their environment and;
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being;
- Dynamic and prosperous: where people are part of vibrant communities and town centres, well connected to London.

5. Overview of proposed key changes to parking policy

5.1 Introduction

5.1.1 It is proposed that the Council consult on updates to the existing Parking Policy. This policy was published in October 2014 and the update will bring this document up to date and in line with current policies, regulations and legislation.

5.1.2 There are some proposed updates to the Parking Policy which should be taken forward for public consultation before inclusion. This consultation is expected to take place during Spring 2019 for a period of six weeks. Responses from the consultation would be used to inform a revised policy update document that would then be brought to SDSC for review prior to adoption.

5.2 Parking permits – including emissions based charging, visitor permits and refunds

5.2.1 In the Parking Policy 2014, the Council stated that parking charges reflect the need to not only cover the costs of delivering parking controls but also managing other issues, including the effects of increased car ownership, the insatiable demand for parking spaces and the need to reduce the harmful effects of car use on the environment. Parking charges are fixed in accordance with the requirements of the Road Traffic Regulation Act 1984. Section 122 of the Act imposes a duty on the Council to use them to 'secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians and the provision of suitable and adequate parking facilities on and off the highway'. Charging ensures that the borough does not become a 'car park' for those travelling into London from the south east, and that the Council's other policy aims set out in its Transport Strategy and Local Implementation Plan are fulfilled.

5.2.2 Lewisham has a number of statutory obligations to improve local air quality, including under Section 1 of the Road Traffic Regulation Act 1984 (RTRA). Reducing emissions is also a relevant matter which the Council takes into consideration under the Act. As part of this interim update, consideration is being given to the introduction of an emissions-based charging scheme for residential, business and staff parking

permits, with a diesel surcharge also being considered. These address actions 33 and 34 of the Council's Air Quality Action Plan (2016-2021).

- 5.2.3 The Council has not increased permit costs since 2011. In 2013, a concession was made available for a free book of 10 visitors' permits that resident permit holders in CPZs could apply for each year. This included a commitment not to increase permit prices until 2015/16. The administration associated with this concession has proven to be expensive as it is done using scratch-cards which are sent out by post. We have recently seen a substantial increase in the uptake of this concession and this would undermine the operation of CPZs in the borough, with free permits being open to abuse and being sold or traded to non-residents. It is therefore proposed as part of this update to target the concession of one free book of 10 visitors' permits per year on application to residents in CPZs that are over 60 years of age and in receipt of Council Tax support.
- 5.2.4 The proposed charging structure will be banded based on a vehicle's CO2 emissions. An assessment of vehicles currently registered to the Council for permits will be used to determine the number and percentage of those vehicles that would be included in each emissions band. Proposed charges, based on these bandings will be presented to Mayor and Cabinet in January 2019.
- 5.2.5 It should be noted that as people upgrade their vehicles, revenue from the scheme will drop, and assumptions and allowances will be made for this as far as is possible. It will be necessary to review the bandings annually to ensure that the scheme remains effective. Any proposed changes will be reported in the Council's Annual Parking Report, which is presented every December.
- 5.2.6 It is proposed that the Council introduce emissions based charging for permits subject to consultation and also introducing a diesel surcharge. These proposals would support the Council's Air Quality Action Plan in advance of TfLs introduction of the new Ultra Low Emission Zone.
- 5.2.7 The Council is seeking to introduce an emissions based charging scheme which will require some changes to the visitor permit system. This is to incentivise the move to virtual permits, reducing the requirement for distribution of the scratch-card visitor permits by post. It may also encourage more visitors to travel sustainably rather than by car, in line with the Council's wider Transport Strategy and Local Implementation Plan. It is proposed that there will be four mechanisms for permit holders to acquire visitor permits: virtual permits will be available for purchase online or through the app, whilst paper scratch cards can be purchased online or at Lewisham library.
- 5.2.8 The upcoming new I.T. system will provide a more customer friendly environment than the current provision and will allow permit holders to more easily change the vehicle registered to their permit. Currently, a resident permit holder may register up to two cars per permit, so long as only one of these cars is parked on street. This allows permit holders to park one car on an off-street driveway or garage, with the other car parked in an on-street permit holders bay. Since the new system will provide additional flexibility for residents to manage the vehicles registered to their permit, this provision will change so that only one vehicle is included on a permit. This ensures that all vehicles parked in permit holders' bays have a permit which also simplifies enforcement.

5.2.9 The other amendment required to the permit system is the refund mechanism. The Council will only allow refunds for permits of a 6 month duration or greater (i.e. not 3 month permits) and is proposing that a £15 administration charge would apply for all such refunds.

5.3 **Amendment to Penalty Charge Notice (PCN) charge bands**

5.3.1 The Council is responsible for the enforcement of all waiting, loading and parking restrictions on roads for which the Council is the Highway Authority and also in Council operated off-street car parks.

5.3.2 Under the provisions of the Traffic Management Act 2004, local authorities in London may set Penalty Charges for parking contraventions to one of two bands, A or B.

5.3.3 Within the Band A rates, higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on a pay and display bay.

5.3.4 These PCN bands are set by London Councils. The current PCN bands are shown in the Table 1 below and are also available on the London Councils website at <https://www.londoncouncils.gov.uk/services/parking-services/parking-and-traffic/parking-advice-members-public/parking-and-traffic>.

TABLE 1	Higher	Lower
Band A	£130	£80
Band B	£110	£60

London Councils – Current levels of Penalty Charge Notice as of November 2018

5.3.5 Currently, PCNs issued for vehicles illegally parked on roads in Lewisham to the north of the A205/South Circular Road are set at Band A and PCNs issued on roads to the south of the A205/South Circular Road are set to Band B.

5.3.6 It is proposed that the Council adopts the use of Band A PCN charges for the whole of the borough. A number of other inner and outer London boroughs have already adopted this approach including Newham, Haringey, Hammersmith & Fulham, Croydon and Waltham Forest.

5.3.7 The implementation of the new Ultra Low Emission Zone (ULEZ) to the north of the A205/South Circular Road, starting in 2021, may result in some parking displacement outside of that area and the proposed use of Band A PCN charges is intended to provide an incentive to drivers to ensure that they are parked safely and legally.

5.4 **Floating car club**

- 5.4.1 Car clubs are becoming a popular resource for people who do not wish to own a vehicle, thereby freeing up kerbside space for other users. In London, Zipcar and DriveNow have started to operate one-way car clubs, also called the 'free floating' model, in a number of boroughs including Lambeth, Wandsworth and Merton. Whilst traditional car club operating models have required users to pick up and return the car to the same designated space, this new model allows one way trips with the car dropped off in a different location to where it was picked up, giving greater flexibility to its users.
- 5.4.2 The Council has recently completed a one-year trial of a floating car club scheme within Lewisham. Under this trial arrangement, floating car club vehicles provided by Zipcar have been able to park in any resident permit holder bay, shared use bay or charged-for parking place within the borough, as well as in other boroughs participating in the scheme. The scheme has proved popular amongst residents, with Zipcar's Lewisham based car club membership growing substantially from 6589 members when the scheme was introduced in October 2017 to 9351 members in October 2018.
- 5.4.3 There is a separate proposal being presented to the December 2018 Mayor and Cabinet regarding the introduction of a new floating car club permit in the borough. This would provide approved operators of a floating car club scheme with the opportunity to purchase a 'floating car club permit'. The permit would allow a designated number of vehicles in the operator's fleet to park in resident permit holder, shared use or paid for parking places, subject to certain terms and conditions being met. Full details are included within the updated policy document.

5.5 **Disabled parking bays**

- 5.5.1 It is proposed to bring the Council's criteria for the processing of applications for disabled parking bays up to date and in line with current legislation. The proposed new process and criteria for qualifying for a disabled bay are provided in Appendix 3. This includes revised criteria for a new bay based on assessment of medical need by a qualified person and also highway criteria under which a location would be assessed to determine if a disabled bay may be installed.
- 5.5.2 The Council currently provides two types of disabled bay. Mandatory disabled bays are introduced following statutory consultation and the implementation of a Traffic Management Order (TMO). These bays may only be parked in by vehicles displaying a valid blue badge – vehicles not displaying a blue badge may be enforced against and a Penalty Charge Notice (PCN) issued. Drivers issued with a blue badge who have a vehicle registered at their address are eligible to apply for a mandatory disabled parking bay, subject to certain criteria including road safety and the results of statutory consultation (required as part of the TMO process)
- 5.5.3 The second type of bay is an advisory marking, which may not be enforced and can still be parked in by any road user without penalty. They do not require a TMO. Blue Badge holders who have a vehicle registered at their home address in the borough (and do not live within a CPZ) can apply for an Advisory Residential Disabled Bay. If

the blue badge holder is not the driver, the driver must be their recognised carer and must reside full time at the same address.

5.5.4 Changes to the traffic signs regulations in the Traffic Signs Regulations and General Directions 2016 (TSRGD 2016) remove the requirement to install an upright post and sign for parking places. This allows installation of enforceable disabled parking places with just the road markings and the accompanying TMO and no upright sign. Installation of advisory bay markings which cannot be enforced against can lead to driver confusion as to what is or is not an enforceable parking restriction.

5.5.5 The proposed processes and criteria under which applications for new mandatory Disabled Bays from residents in the borough are presented fully in Appendix 3.

5.5.6 In summary, these include criteria to be considered on medical grounds:

- That the applicant must hold a valid blue badge; and
- Be in receipt of Disability Living Allowance (DLA), Higher Rate Mobility; **or** Personal Independence Payment (PIP) mobility component with 10 points; **or** more for 'moving around', **or** Attendance Allowance, Higher Rate (these benefits are assessed by the Department of Work and Pensions (DWP) as part of the benefits application process and further details can be found at www.gov.uk/pip).
- The blue-badge holder does not have to be the driver of a vehicle, but any driver (if not the applicant) must live at the same address as the blue badge holder.
- Case-by-case consideration of applications for parents/carers of children under 3 years of age that child needs to be accompanied by bulky medical equipment.

5.5.7 Highway criteria would also need to be considered. A new disabled bay would not be installed at locations where the bay:

- a) Compromises safety;
- b) Restricts traffic flow;
- c) Blocks access;
- d) Would be situated more than 50 metres from the property front door as per the PIP mobility component (10 points or more for 'moving around' (see www.gov.uk/pip);
- e) Would replace existing waiting and loading restrictions;
- f) Would be positioned on a red route.

5.5.8 The closest available parking space to the applicant's front door would be the only location that is considered for the installation of any bay. Highway conditions would be assessed by an Engineer from Lewisham Council by means of a site visit.

5.5.9 Disabled parking bays would not be authorised if the applicant has access to an adequate off-street parking facility such as a garage or a driveway/hardstanding. Any adequate off-street parking facility available to a household would be prioritised to the disabled user, and not to other non-disabled vehicle users from within the same household/building.

Consultation on this proposal would be undertaken with national and local Disability Groups, including Carers Lewisham; Direct Disability Solutions; Disability, Pregnancy and Parenthood (DPPi); Lewisham Disability Coalition; Mencap National Centre and Disability Rights UK.

5.6 Revision to CPZ prioritisation process

- 5.6.1 As part of the consultation on the Parking Policy update, it is proposed that the Council research the level of support for the introduction of further CPZs in other areas of Lewisham. This would provide the Council with more robust data to help inform the preparation of the CPZ programme, compared to the current approach which is dependent on individual requests made directly to the Council via a web-form, email or local Councillors.
- 5.6.2 A draft consultation and implementation process for CPZs is presented in Appendix 1.
- 5.6.3 An initial survey would take place online using a service such as the 'Commonplace' website, previously used to inform the Council's new Local Implementation Plan. This would be used to determine transport related issues in their street/area and provide links to information about how CPZs generally tend to work and how they are designed. The online consultation would be publicised through the Council's usual communication channels. It should be noted that the LIP Commonplace consultation attracted 2172 individual comments, with a further 8880 respondents expressing agreement with those comments, without the need to do any leaflet drops.
- 5.6.4 The results of this research will be used to assist in the prioritisation of requests for CPZs in line with the draft assessment criteria set out in Appendix 2. A two stage process is proposed. The first stage would prioritise areas by level of public support. The second stage will take the priority areas from the first stage, and then apply a second set of criteria to help inform priorities within these.
- 5.6.5 The programme would then be updated. This assessment would be reported to the Executive Director for decision as to which areas to consult and potentially progress to implementation.
- 5.6.6 Consultation with each selected area would then take place, including letter-drops explaining the proposals and drop-in sessions attended by Council Officers to show residents and local businesses the design and invite them to comment on it.
- 5.6.7 This process is expected to lead to more rapid implementation of CPZs once the decision has been made to proceed, with less risk of the public not supporting proposals once they reach formal consultation.

5.7 Minor Parking Projects – criteria

- 5.7.1 The current parking policy states that requests for new waiting and loading restrictions, such as at junctions and bends to improve road safety, are evaluated

against set criteria. However, these criteria are not currently defined in policy, which officers would like to address through this update. A draft of the criteria to be used is presented in Appendix 4.

5.7.2 These criteria would include:

- Requests from the public;
- Road safety;
- Technical need;
- Supporting local business; and
- Traffic flow and access.

5.8 **Minor policy updates**

5.8.1 In order to ensure that the parking policy is up to date with current guidance, regulations and Council policy it is proposed to make certain minor amendments to the policy document. This will ensure that the policy document remains accurate and up to date.

5.8.2 These updates include:

- Making all parking permits available as virtual permits, where they are not already currently, reducing the need to issue paper permits
- Update references to key policy documents including the Mayor's Transport Strategy (2018), the Council's Transport Strategy and Local Implementation Plan 2019-2041 (LIP3), and the Lewisham Air Quality Action Plan (2016-2021).
- Include new process for implementation of School Keep Clears as they no longer require a TMO.
- Update of the text for crossovers to match current planning policy
- Updated the maximum loading time on yellow lines to 40 mins. This is the standard for London and set by London Council's guidance and current TMOs.

6 **Consultation**

6.1 Following Mayor & Cabinet approval in January we intend to go out to consultation with the public on key changes to the parking policy as set out in section 1.2.

6.2 **The draft policy would be available on the Council website for six weeks for public comments regarding the proposed updates to the parking policy.**

6.3 The results of the above consultations will be brought forward to SDSC for review and discussion and then to Mayor and Cabinet for approval and sign-off prior to adoption of any approved policy changes.

7 Financial implications

- 7.1 The policy update itself is being carried out internally and so the staff and consultation costs are being covered by existing budgets.
- 7.2 Income from parking services is used to cover the costs of the Parking Service, and also contributes to highway and transport improvements.
- 7.3 There are many variables to consider when forecasting parking related revenue. Parking behaviour and personal choices can be significantly affected by policy changes and indeed by wider social and economic circumstances.
- 7.4 As part of the policy review, a modelling exercise will be undertaken to test the possible revenue implications of introducing emissions based charging for parking permits. However, this would not produce future year forecasts, which would be subject to the speed of uptake of cleaner vehicles by residents, businesses and staff.
- 7.5 It is difficult to predict the financial impact of the withdrawal of free visitor permits. Some residents may choose to purchase visitor permits, others may choose not to offer permits to their visitors, meaning they either have to pay for the parking themselves or to travel by other means.
- 7.6 The aim of implementing Band A PCN charges is to provide an incentive to drivers to ensure that they are parked safely and legally. It is hoped that a higher charge will encourage compliance, which from a revenue perspective may offset the increase in the charge.
- 7.7 The floating car club permit will see an increase in parking revenue which will cover the costs of administering the scheme. As set out in paragraph 7.2, any surplus will be reinvested in highways and transport improvements.
- 7.8 There will be a cost implication to the Council of implementing the proposed changes to the disabled parking policy. At present, there are more than 150 mandatory disabled bays in the borough. An accurate estimate of the number of active advisory disabled bays is difficult to obtain, as they may be left to fade/wear out if no longer required. Our current estimate is that there could be as many as 1500 advisory bays within the Lewisham area. Assessment of these bays would require a survey of the borough and consultation with affected residents; this could be accomplished in stages and would likely cost in the region of £20,000, taken from existing parking budgets. Requests for new mandatory bays (to replace the advisory bays) would require Traffic Management Orders (TMOs), which could be implemented in batches as per the current arrangement. The cost of marking the bays is around £50 per bay, with no signage proposed in alignment with the latest DfT guidance. A full assessment of this cost would form part of this process.
- 7.9 None of the other proposed changes to the Parking Policy have any financial implications.

8 Legal implications

- 8.1 The Road Traffic Regulation Act 1984 (RTRA) sets out the legal framework for parking permits, traffic management orders (which are required to establish parking zones or set restrictions such as yellow lines), removal to the car pound and related financial controls. Sections 45(3) and 122 bestow on local authorities a general duty to consider, amongst other things, the following matters whenever carrying out a function under the RTRA:
- the need for maintaining the free movement of traffic
 - the desirability of securing and maintaining reasonable access to premises
 - the extent to which off-street parking, whether in the open or under cover, is available in the neighbourhood
 - the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run
 - the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicle any other matters the Council considers relevant
- 8.2 The Traffic Management Act 2004 (TMA) is the primary legislation for the management of parking in England. It reinforces the legal duty under the RTRA to ensure the expeditious movement of traffic. Part 6 of the TMA affects parking and is accompanied by statutory and operational guidance documents. Councils are legally obliged to 'have regard to' the former, while the latter sets out the principles underlying good parking management and recommends how this can be achieved.
- 8.3 The main principles advocated in the TMA statutory guidance are:
- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty
 - improving road safety
 - improving the local environment
 - improving the quality and accessibility of public transport
 - meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car
 - managing and reconciling the competing demands for kerb space.
- 8.4 In addition to the principles and statutory duties above, the Operational Guidance to Local Authorities sets out the following priorities for local authority parking policies:
- sets out the policy framework within which the Government believes that all English local authorities, both inside and outside London, should be setting their parking policies and, if appropriate, enforcing those policies
 - tells all English local authorities of the changes to parking policy and enforcement that result from the replacement of part II of the Road Traffic

Act 1991 (RTA) by the parking provisions in part 6 of the Traffic Management Act 2004

- advises all English enforcement authorities of the procedures that they must follow, the procedures to which they must have regard and the procedures that the Government recommends they follow when enforcing parking restrictions
- tells those English local authorities who have not yet done so of the scope for taking over parking regulation enforcement from the police, and how to go about it
- tells members of the public, as well as local authorities, about parking policies and their enforcement.

9 Equalities implications

9.1 All staff are trained to meet their responsibilities as outlined in the Equality Act 2010.

9.2 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.3 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.4 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

9.5 The following table provides an overall assessment of the policy as a whole. Further detail is then provided where there is considered to be an impact.

Expected impact on service equalities for users – High / Medium / Low, neutral or N/A			
Ethnicity:	N/A	Pregnancy / Maternity:	N/A
Gender:	N/A	Marriage & Civil Partnerships:	N/A
Age:	L	Sexual orientation:	N/A
Disability:	L	Gender reassignment:	N/A
Religion / Belief:	N/A	Overall:	L

9.6 In regard to the introduction of emissions based charging for parking permits, there is a risk that people on lower incomes may not be able to afford to change to a lower

emission vehicle in the short term. However, alternative more affordable travel options are available: walking, cycling, public transport, car club.

- 9.7 In regard to the proposed criteria for assessment of disabled bay applications, officers have had due regard to persons with protected characteristics. People with disabilities would be assessed against the proposed criteria based on an assessment of medical need instead of a requirement that the applicant be both a driver and a blue badge holder.
- 9.8 In regard to the creation of a floating car club, officers have had due regard to persons with protected characteristics. Car club memberships provide people with an accessible form of transport which they may not have been able to access due to their protected characteristic e.g. car ownership may be prohibitively expensive to people with disabilities who are more likely to be on a lower income.
- 9.9 In regard to Human Rights, officers have considered the relevant Convention rights, specifically, peaceful enjoyment of one's property and right to a fair trial. Officers conclude that there are no human rights implications in the creation of a floating car club by way of amending the TMO. People wishing to object may do so and ultimately have recourse to the court, which is independent and therefore affording them the necessary protection, should they disagree with the council's decision.
- 9.10 In regard to the proposed consultation, the Council will undertake an Equalities Impact Assessment following the consultation to ensure that due regard has been given to persons with protected characteristics.

10 Sustainability implications

- 10.1 The Council's vision is to work together to 'make Lewisham the best place in London to live, work and learn'. This vision is set out in '*Shaping our future*' - Lewisham's Sustainable Community Strategy 2008-20. The contents of this report are consistent with the Council's policy framework and it supports the achievement of a number of Lewisham's Sustainable Community Strategy priority outcomes:
- Ambitious and achieving: where people are inspired and supported to fulfil their potential.
 - Safer: where people feel safe and live free from crime, antisocial behaviour and abuse.
 - Empowered and responsible: where people are actively involved in their local area and contribute to supportive communities.
 - Clean, green and liveable: where people live in high quality housing and can care for and enjoy their environment.
 - Healthy, active and enjoyable: where people can actively participate in maintaining and improving their health and well-being.

- Dynamic and prosperous: where people are part of vibrant communities and town centres, well connected to London.

- 10.2 The Council's approach to parking policy is consistent with these objectives. In the Parking Policy 2014, the Council stated that parking charges reflect the need to not only cover the costs of delivering parking controls but also managing these issues. Parking charges are fixed in accordance with the requirements of the Road Traffic Regulation Act 1984. Section 122 of the Act imposes a duty on the Council to use them to 'secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians and the provision of suitable and adequate parking facilities on and off the highway'. Charging ensures that the borough does not become a 'car park' for those travelling into London from the south east, and that the Council's other policy aims set out in its Transport Strategy and Local Implementation Plan are fulfilled (including encouraging sustainable travel, reducing traffic volumes and car ownership and improving air quality).
- 10.3 Lewisham has a number of statutory obligations to improve local air quality, including under Section 1 of the Road Traffic Regulation Act 1984 (RTRA). Reducing emissions is also a relevant matter which the Council takes into consideration under the Act. As part of this interim update, consideration is being given to the introduction of an emissions-based charging scheme for residential, business and staff parking permits, with a diesel surcharge also being considered. These address actions 33 and 34 of the Council's Air Quality Action Plan (2016-2021).

11 Background documents and originator

- 11.1 It is proposed that the council consult on update to the Lewisham Parking Policy 2014. Supporting documents for this update include:
- Lewisham Parking Policy 2014 – Alexandra Crush
 - Draft Lewisham Parking Policy update – Alexandra Crush
 - Annual Parking Report 2017 – Seamus Adams
 - Draft Transport Strategy and Local Implementation Plan 2019-41 (LIP3) – Alexandra Crush
 - Mayors Transport Strategy for London 2018 – Greater London Authority
 - Lewisham Air Quality Action Plan (2016-2021) – Chris Howard

12 Appendices

Appendix 1 – Draft Consultation and implementation process for CPZs
 Appendix 2 – Draft CPZ programme appraisal
 Appendix 3 – Draft Disabled Parking Bays
 Appendix 4 – Draft Minor Parking Projects Programme appraisal

Appendix 1 – DRAFT Consultation and implementation process for CPZs

	Establishing the programme		Consultation						Implementation	
Step	1 – Criteria to prioritise areas	2 – Financing the programme and Annual Report	3 – Local engagement	4 – Public consultation and design of the zone	5 – Analysis and decision	6 – Publication of results and decision	7 – Statutory consultation (Permanent TMO)	8 – Record of decision	9 – Implementation	10 – Review
Key elements of the stage	<p>A – Assessment of public support Highlight potential CPZ areas from borough-wide consultation data, and other requests received. Based on an assessment of volume and location of requests using the criteria shown in Appendix 2. This will provide a shortlist.</p> <p>B - Prioritisation From the shortlist, use the criteria shown in Appendix 2 to identify a priority for the CPZ consultation programme.</p>	<p>Select the highest priority areas and calculate the cost of consulting and implementing each zone.</p> <p>Publish this alongside the annual report which shows the parking control account for the previous year and Schedule of consultations for the coming year</p>	<p>Meet with Ward Councillors and other local community groups to discuss the parking issues and attractors in the area, and agree the boundary for consultation.</p> <p>Also highlight the approach to disabled bays.</p>	<p>Consult residents in the consultation area on the available options and proposed design of the zone.</p> <p>Provide drop-in events and consult Local Assemblies and TRAs allowing time to raise issues at their meetings if necessary.</p> <p>Also highlight the approach to disabled bays.</p>	<p>Analyse results of consultation.</p> <p>Discuss results with Ward Councillors and agree on whether to proceed with the CPZ.</p>	<p>Publish the results on the Council consultation portal, identifying favoured options for the design and timings of the zone should it be implemented</p>	<p>Conduct statutory consultation on the approved design with groups such as the Police and public transport operators etc.</p>	<p>Review any objections received at statutory consultation stage and amend design if necessary.</p> <p>Report on consultation result and seek formal approval to proceed to implementation</p>	<p>Implement the zone, and install all associated road markings and signs.</p> <p>Notify residents of the CPZ start-date by letter.</p>	<p>Six months following implementation, review the effectiveness of the CPZ and apply any requested alterations to further improve the function of the CPZ.</p>
Responsibility	Transport Policy and Development	Transport Policy and Development, Finance, Parking Services, Executive Director.	Transport Policy and Development, Local Assembly groups, Ward Councillors	Transport Policy and Development , Comms Team	Transport Policy and Development, Ward Councillors	Transport Policy and Development, Comms Team	Transport Policy and Development, TMO Consultant	Transport Policy and Development. Service Group Manager Highways & Transport.	Transport Policy and Development,, Highways contractor, Parking Services	Transport Policy and Development

Appendix 2 – DRAFT CPZ programme appraisal

CPZ Programme Appraisal Sample Worksheet – Stage 1

Criteria	Direct public representation			
Description	Borough-wide consultation data	Public requests	Stakeholder representation	Total Points
CPZ Area 1	46	14	18	78
CPZ Area 2	37	10	16	63
CPZ Area 3	26	7	24	57
CPZ Area 4	40	10	4	54
CPZ Area 5	22	18	2	42
CPZ Area 6	28	2	0	30
CPZ Area 7	18	8	1	27
CPZ Area 8	17	6	2	25
CPZ Area 9	14	5	5	24
CPZ Area 10	18	5	0	23

CPZ Programme Appraisal Worksheet – Stage 2

Description		Review or Extension of previous CPZ	Healthy Streets	Transport hubs	Upcoming new developments	Total Points
Weighting		1	3	2	2	
CPZ Area 1	Score	3	3	2	1	18
	Weighted	3	9	4	2	
CPZ Area 4	Score	1	2	2	0	11
	Weighted	1	6	4	0	
CPZ Area 2	Score	1	1	2	0	8
	Weighted	1	3	4	0	
CPZ Area 5	Score	0	1	0	2	7
	Weighted	0	3	0	4	
CPZ Area 3	Score	3	1	0	0	6
	Weighted	3	3	0	0	

Lewisham CPZ Studies – Criteria

Category	Criteria	Score/Weighting	Description
Stage 1	Borough-wide consultation data	1 point for each request	Requests made via our borough-wide CPZ consultation
	Public requests	1 point for each request	Requests for a CPZ made via email, letter, comments box system (online)
	Stakeholder representation	1 point for every ten signatures on petition, or 1 point for every community body request	Requests for CPZs via petitions, from ward members, local assemblies, residents associations, and community organisations etc.
Stage 2	Review or Extension of recent CPZ	1	Reports / Evidence of overspill or safety issues resulting from a previously implemented CPZ suggesting the need for a review / extension of control
	Healthy Streets	3	Evidence from collision data and alignment with the healthy neighbourhoods programme
	Transport hubs	2	Introduction or changes to local transport hubs or schemes that will have / has had an impact on the local parking situation.
	Upcoming new developments	2	Upcoming new developments, e.g. car-free developments that may have an impact on parking demand in the local area

Appendix 2: DRAFT CPZ programme appraisal (notes)

Scoring methodology

Projects will be scored in two different stages:

Stage 1

All areas are assessed and ranked by the number of public requests for each proposed CPZ consultation area. Each consultation area will receive one point for each CPZ request made, and one point for every request made by community bodies such as local assemblies, ward councillors, and resident associations. In the case of petitions, one point is scored for every ten signatures received. The consultation areas that score the highest will be subject to the second stage. The number of areas that are taken to the next stage will be dependent on the volume of responses received and the resources available to progress the areas through subsequent steps in the process outlined in Appendix 1.

Stage 2

The highest scoring projects from stage 1 will be scored out of 3 for each applicable criterion. Each criterion is weighted to reflect the importance that each criterion has on parking stress.

Each score is based on a comparative assessment of the strength of the evidence. Due to the wide variety of forms of evidence available, thresholds for scores 0-3 are not defined formulaically, but are based on a comparative judgement by experienced officers. This second methodology is therefore designed to prioritise areas with specific circumstances and will present a clear and pragmatic framework to facilitate the prioritisation process, to maximise transparency and allow for structured and open challenge.

Urgent implementation

Where new or amended CPZs are required urgently in response to extraordinary or acute issues around safety or access, the CPZ programme may be amended in consultation with the Executive Director of Resources and Regeneration.

Appendix 3 – DRAFT – Disabled Parking Bays

Disabled Parking Bays are designated parking spaces on the public highway, which allow Blue Badge holders to park close to residential properties and key destinations.

Lewisham Council only offer 'formal' disabled parking bays, which carry a Traffic Management Order and are therefore legally enforceable. Advisory bays (bays without sign and post), which do not carry a Traffic Management Order, are no longer offered due to changes in the Traffic Signs Regulations and General Directions 2016. These bays are being phased out with qualifying residents able to apply for a formal bay at any time.

Qualifying residents are entitled to apply for a disabled parking bay to be installed near to their property, subject to meeting both the medical and highway criteria outlined below. Not all applications will be successful, and Lewisham Council will not approve more than one application per formal address for a disabled parking bay.

If a disabled parking bay is approved and installed, the bay may be utilised by all blue badge holders, and are not for the sole use of the resident for which the bay was implemented.

Approved disabled parking bays are installed in batches in order to reduce the cost borne by the council and the applicant, so it may take several months for a disabled parking bay to be installed.

Medical Criteria

1. To qualify for a formal DPB, applicants must be in receipt of either:
 - a) Disability Living Allowance (DLA) Higher Rate Mobility OR;
 - b) Personal Independence Payment (PIP) mobility component with 10 points or more for 'moving around' OR;
 - c) Attendance Allowance Higher Rate.
2. Applicants must hold a valid blue badge.
3. The blue-badge holder does not have to be the driver of a vehicle, but any driver (if not the applicant) must live at the same address as the blue badge holder.
4. Parents/carers of children under the age of three, would not be entitled to apply for a formal disabled parking bay for the use of that child unless that child is always accompanied by bulky medical equipment which cannot be carried around without great difficulty and/or need to be kept near a vehicle at all times. Applications of this nature will be assessed on a case by case basis depending on the circumstance of the applicant.

Highway Criteria

1. Disabled parking bays are considered on a case by case basis, but they will not be installed in locations where the bay:
 - a) Compromises safety;
 - b) Restricts traffic flow;
 - c) Blocks access;
 - d) Would be situated more than 50 metres from the property front door as per the PIP mobility component (10 points or more for 'moving around');
 - e) Would replace existing waiting and loading restrictions;
 - f) Would be positioned on a red route.
2. The closest available parking space to the applicant's front door will be the only location that is considered for the installation of any bay.

Highway conditions will be assessed by an Engineer from Lewisham Council by means of a site visit.

Off-Street Parking

Disabled parking bays will not be authorised if the applicant has access to an adequate off-street parking facility such as a garage or a driveway/hardstanding. Please see notes below. Any adequate off-street parking facility available to a household shall be prioritised to the disabled user, and not to other non-disabled vehicle users from within the same household/building.

Existing Garage

Garages will be deemed adequate off-street parking facilities if:

- The internal dimensions of the garage are a minimum of 5.0 metres deep and 2.7 metres wide;
- The passage from the garage to the property is suitable for disabled access;
- There is a vehicular crossover serving the garage (dropped kerb).

Where internal dimensions are provided, but are obstructed by the storage of household goods or similar, it is the responsibility of the resident to remove the items to provide adequate parking space.

If reasonable alterations can be made within the boundary of the property to improve access to a garage, then this will also be the responsibility of the resident and the DPB application will be refused.

Where there is a garage that meets the above criteria, but there is no vehicular crossover (dropped kerb) serving that garage, applicants will be expected to apply for a vehicular crossover to park their vehicle off-street, and a Disabled Parking Bay application would be refused.

Where there is a garage that meets the above criteria, and the blue badge holder requires a specially adapted vehicle that cannot fit within the space, then the application for a disabled parking bay may still be approved, but will be assessed on a case by case basis.

Curtilage Parking Space (Driveway/Hardstanding)

Curtilage parking spaces will be deemed adequate off-street parking facilities if:

- There is a vehicular crossover (dropped kerb) serving the space;
- The dimensions of the space are a minimum of 4.8 metres deep and 2.7 metres wide (or a minimum of 2 metres wide if the vehicle door on one side can be fully opened);
- The gradient of the space does not exceed 5% (1 in 20)

Where the minimum dimensions for a curtilage parking space can be achieved through reasonable alterations on the applicant's property, then the applicant is expected to make these alterations and an on-street Disabled Parking Bay application will be refused.

If reasonable alterations can be made within the boundary of the property to improve access to the curtilage parking space, then this will also be the responsibility of the resident and the DPB application will be refused.

Where there is a curtilage parking space that meets the above criteria, but there is no vehicular crossover (dropped kerb) serving that space, applicants will be expected to apply for a vehicular crossover to park their vehicle off-street, and a Disabled Parking Bay application would be refused.

Where there is an off-street parking space that meets the above criteria, and the blue badge holder requires a specially adapted vehicle that cannot fit within the space, then the application for a disabled parking bay may still be approved, but will be assessed on a case by case basis.

Appendix 4: DRAFT – Minor Parking Projects programme appraisal

Public/Cllr Requests (Weight Factor 2)

- 0 Points** Will be awarded to proposed schemes that have generated no public or councillor correspondence.
- 1 Point** Will be awarded to proposed schemes where one member of the public has requested changes.
- 2 Points** Will be awarded to proposed schemes where two or more members of the public have requested changes.
- 3 Points** Will be awarded to proposed schemes where ten or more members of the public have requested changes, either through a petition or numerous requests.

Road Safety (Weight Factor 3)

- 0 Points** Will be awarded to proposed schemes where there has not been a Personal Injury Collision (PIC) relating to the parking issue within the last available 5 years of police data.
- 1 Point** Will be awarded to proposed schemes where there has been one Personal Injury Collision (PIC) at a slight severity relating to the parking issue within the last available 5 years of police data.
- 2 Points** Will be awarded to proposed schemes where there has been more than one Personal Injury Collision (PIC) at a slight severity relating to the parking issue within the last available 5 years of police data **OR** one PIC at a serious severity relating to a parking issue within the last available 5 years of police data.
- 3 Points** Will be awarded to proposed schemes where there has been either; more than five Personal Injury Collisions (PICs) at a slight severity relating to the parking issue within the last available 5 years of police data **OR** more than one PIC at a serious severity relating to the parking issue within the last available 5 years of police data **OR** at least one PIC at a fatal severity relating to a parking issue within the last available 5 years of police data.

Technical Need (Weight Factor 2)

- 0 Points** Will be awarded to proposed schemes in locations where the existing Traffic Management Order (TMO) is correct and sufficient in terms of enforcement.
- 1 Point** Will be awarded to proposed schemes in locations where the existing Traffic Management Order (TMO) requires a minor alteration to improve validity.
- 2 Points** Will be awarded to proposed schemes in locations where the existing Traffic Management Order (TMO) requires a substantial change to improve validity.
- 5 Points** Will be awarded to proposed schemes in locations where a substantial change to the TMO is required to improve the validity of the TMO, and where PCNs have been issued and successfully challenged.

Supporting Local Business (Weight Factor 1)

- 0 Points** Will be awarded to proposed schemes that have no positive effect on available parking facilities for local businesses.
- 1 Point** Will be awarded to proposed schemes that may indirectly improve the parking amenities for local businesses.
- 2 Points** Will be awarded to proposed schemes that directly improve the amenities for one local business.
- 3 Points** Will be awarded to proposed schemes that directly improve the amenities for a number of local businesses.

Traffic Flow and Access (Weight Factor 3)

- 0 Points** Will be awarded to schemes in locations where there is currently either; not a traffic flow or access issue **OR** the issue is reported gaining access from a singular driveway.
- 1 Point** Will be awarded to proposed schemes in locations where parked vehicles currently cause difficulties for access and traffic flow on occasions or on specific times/days of the week.
- 2 Points** Will be awarded to proposed schemes in locations where parked vehicles currently cause regular difficulties for access and traffic flow.
- 3 Points** Will be awarded to proposed schemes in locations where parked vehicles currently cause regular difficulties for access and traffic flow, and emergency vehicles (2.55m wide) cannot access all areas of the carriageway.