

APPENDIX E – DETAILS OF PETITIONS

PETITION 1 – STREATHAM HILL EAST CPZ (RESIDENTS)

Within consultation period:

- 130 signatures representing 118 properties; and,
- Note: all but 3 properties within proposed CPZ boundary.

Outside consultation period:

- 68 signatures representing 57 properties.

Petition against the Controlled Parking proposal, defined as Streatham Hill East “M”

We, the undersigned, petition the Council to abandon the proposal for a controlled parking zone in the Streatham Hill East area. We are also asking the Council to consider this petition to be a formal complaint to be responded to in the requisite time after which, if not satisfied, we will make representation to the Ombudsman. Additionally, we support the addition of further signatures for this petition even if added after 29 November 2019:

- It is of concern and possibly illegal that the Council only allowed one person per household to vote, especially given that there were properties that are houses with multiple occupation.
- In early 2019, when the ballot was reopened it was not widely publicised.
- In late 2018, residents were shocked that the Council decided to rebalot due to receiving a petition from some residents in support of a CPZ. In response to this, residents compiled a larger petition asking the Council to stand by the original ballot. The Council’s response was to suggest that this petition might have been signed by commuters and offered to reopen the ballot in order for the signatories to be found and get the chance to vote once they had received their unique reference number.
- We are concerned that by the Council’s own admission there was a problem with the IT system which resulted in many emails requesting unique reference numbers being rejected/undelivered or defined as spam mail. Thus many residents and local businesses were denied the opportunity to take part in this ballot.
- At the very beginning of the CPZ consultation the Council had asked residents the vague question “Do you have a problem with parking”. In response to this, some residents replied “Yes”, but they were never given the opportunity to clarify that the problem has been caused by an expansion of residents in the area and subsequently the number of cars owned by residents. This “problem” is particularly apparent at night and at weekends.
- The CPZ proposal does not deal with the shortage of parking spaces at night and will make the “problem” of parking considerably worse by reducing the number of parking spaces currently available in that some of our current parking spaces will be allocated to a) short term parking for shoppers; b) parking for business owners and their staff.
- We are concerned that by their own admission, if the CPZ is introduced expensive permits will also have to be paid for by resident visitors, teachers, trade persons and underpaid health care workers, many of whom are on zero hour contracts and our caring for our elderly and disabled residents.
- Clearly this CPZ, if introduced, will displace parking to the few areas in which free parking will remain. Additionally, there will be increased traffic congestion in the area of Hitherfield and Dunraven Primary School, thereby reducing air quality of parents, students and teachers.
- Many residents have not received the most recent notification regarding the CPZ proposal. Very few have read the notices posted on lampposts in the area, especially given that the

days are now so short. The emphasis of the Council's consultation has been online based, which has excluded the elderly. Moreover, the Council's online documents and maps are unclear.

- The CPZ is allegedly being introduced to solve the problem of parking, it is therefore confusing to see the Council introducing concepts, such as air quality and safety, given that by definition a parked car is stationary. Such vehicles have no impact on the environment or the community at large.
- Business owners and employees in the area are concerned about the potential negative impact the CPZ would have on our local economy and are disappointed that the Council hasn't yet carried out an impact assessment.

RESPONSE TO PETITION 1 – (RESIDENTS)

Petitioners' Issue No.1

It is of concern and possibly illegal that the Council only allowed one person per household to vote, especially given that there were properties that are houses with multiple occupation.

Council Response

There was no illegality; this was a consultation not a referendum. Addressing consultations to the collective occupiers of a property inviting them to comment on something that may affect one or more occupiers is accepted standard practice for national, regional and local government consultations. Inviting occupiers of a house to form a collective response to parking restrictions is a proportionate way to gauge residents' opinion, allowing anyone living in that household to contribute to that collective response. Any individual dissatisfied with the household's collective response can separately write to the council explaining their reasons for doing so. Our reporting protocol when receiving more than one response from a property is to use any collective response to record whether the address is for/against/undecided with any individual response being treated as an objection to what is being proposed.

Petitioners' Issue No.2

In early 2019, when the ballot was reopened it was not widely publicised.

Council Response

The engagement carried out in late 2018 was a reconsultation, not a ballot. Newsletters announcing this reconsultation were sent to over 3,900 properties. The purpose of the consultation was to help the council understand whether there was sufficient support to proceed with detailed design of a controlled parking scheme and, if so, to inform how, where and when such a scheme would most closely align with respondents' wishes.

Although initially scheduled to end on 9 January 2019, at the request of some residents and with the agreement of ward councillors, the deadline for the receipt of responses to the consultation was first extended for an additional week and then until 15 February 2019. The relevant page on the Council web site was updated to advise interested parties of this extension.

A total of 98 additional responses were received following an extension of the consultation period, resulting in an increase in the response rate from 17.7% to 21%. Comparing the responses received before and after the original deadline, there was negligible difference to the percentages of those who supported or opposed the introduction of a CPZ; these remained 56% in favour and 41% against. The council considers this to be evidence that news of the deadline having been extended was sufficiently well communicated to inform its decision whether the scheme should proceed to the next stage (detailed design and statutory consultation).

Petitioners' Issue No.3

In late 2018, residents were shocked that the Council decided to rebalot due to receiving a petition from some residents in support of a CPZ. In response to this, residents compiled a larger petition asking the Council to stand by the original ballot. The Council's response was to suggest that this petition might have been signed by commuters and offered to reopen the ballot in order for the signatories to be found and get the chance to vote once they had received their unique reference number.

Council Response

Petitions are only one component of how authorities gather a view of citizens' wishes: they inform the direction of travel, not the final destination. When the Council published its 2018 statutory consultation on the proposed introduction of the Streatham Hill West CPZ, it received three petitions demanding similar parking controls on the roads to the east of Streatham Hill. It is these that persuaded the council to look again at whether there was justification to control parking in the roads east of Streatham Hill.

It is unclear which later petition is being referring to, but any petition that demands a council simply disregards other petitioners' demands would be undemocratic. The Council's decision to undertake a reconsultation was a proportionate way to advance the discussion.

Petitioners' Issue No.4

We are concerned that by the Council's own admission there was a problem with the IT system which resulted in many emails requesting unique reference numbers being rejected/undelivered or defined as spam mail. Thus many residents and local businesses were denied the opportunity to take part in this ballot.

Council Response

The firewalls in the Council's IT system mean that in some cases an emailed request for the unique reference numbers (URN) to complete the questionnaire generated an automatic response advising that it was being held in quarantine ('spam'). After the standard checks for dealing with quarantined emails, all those requesting URNs were delivered and the requested URNs were issued.

Petitioners' Issue No.5

At the very beginning of the CPZ consultation the Council had asked residents the vague question "Do you have a problem with parking". In response to this, some residents replied "Yes", but they were never given the opportunity to clarify that the problem has been caused by an expansion of residents in the area and subsequently the number of cars owned by residents. This "problem" is particularly apparent at night and at weekends.

Council Response

Opening a consultation on proposed parking controls with the question, "Do you have a problem with parking?" is an appropriate way of coarse-screening whether or not to commit public money into developing a scheme. If the majority response is "no" then there is a case for the council to divert its resources to another part of the borough where the majority may respond "yes".

At the end of the questionnaires of both the original 2017 consultation and the 2018 reconsultation, residents/businesses had the option to add comments expanding on specific issues. If there is an underlying consensus amongst respondents that the parking stress that initiated the consultation

will not be addressed by the proposed controls then the scheme will be redesigned. This was not the case for either of the Streatham Hill East consultations.

Petitioners' Issue No.6

The CPZ proposal does not deal with the shortage of parking spaces at night and will make the "problem" of parking considerably worse by reducing the number of parking spaces currently available in that some of our current parking spaces will be allocated to a) short term parking for shoppers; b) parking for business owners and their staff.

Council Response

The proposed CPZ has been designed to prioritise the needs of residents but also to accommodate what may be viewed as the justifiable needs of some non-residents such as visitors and local businesses. With the exception of some proposed free limited stay parking in Amesbury Avenue (primarily provided for use by customers of adjacent shops), all of the parking bays in the CPZ will be available for use by resident permit holders, be they designated as shared-use resident and pay by phone or shared-use resident, business and pay and by phone bays.

In the many responses to the public consultations, only a handful mentioned non-resident parking at night as being a source of parking stress; if there had been a lot more we would have designed the scheme differently.

With the average parked car taking up six metres of kerbside space it is inevitable that, overnight and at weekends, there will be pockets within the CPZ where there will be too many residents' cars for the available parking space. Although the CPZ does not directly address this, this is not justification in itself for the council not seeking to combat the issues caused by all-day non-resident parking. Indirectly, over time, the emissions-based charging for CPZ permits is likely to improve any evening/weekend parking problem due to residents buying smaller cars (which generally have lower tailpipe-emissions) in order to benefit from cheaper permits.

Petitioners' Issue No.7

We are concerned that by their own admission, if the CPZ is introduced expensive permits will also have to be paid for by resident visitors, teachers, trade persons and underpaid health care workers, many of whom are on zero hour contracts and our caring for our elderly and disabled residents.

Council Response

The proposed scheme recognises that not all non-resident cars parked on street are equally unwelcome. Those that the scheme seeks to remove are primarily those belonging to commuters. This applies equally to those commuters who are heading to Streatham Hill because they work there (eg shop workers and bus drivers) and those who park-and-ride. However, we allow teachers working at schools within a CPZ to buy an annual permit at a cost of £362.78, irrespective of what car they drive and a care worker employed through an NHS Clinical Commissioning Group or Primary Care Trust can buy an annual parking permit at a cost £105. At present, there is no arrangement for other types of care-workers other than to use visitor permits bought by the person they are visiting or timing their visits to avoid the period during which charges apply. Visitors, too, can avoid paying for parking by timing their visits to be outside the controlled hours, but if they are not able to do so, the consultation documents explained how much visitor permits cost.

Petitioners' Issue No.8

This CPZ will displace parking to the few areas in which free parking will remain. Additionally, there will be increased traffic congestion in the area of Hitherfield and Dunraven Primary School, thereby reducing air quality of parents, students and teachers.

Council Response

Research evidences how the availability of parking at their destination is a key decider for commuters when choosing whether to drive or to use more sustainable travel. Removing that parking by introducing a CPZ will therefore persuade some to stop commuting by car; the council has consistently emphasised that this is a key reason for introducing controlled parking zones.

Some commuters will still drive, finding somewhere else to park instead. In addition, some residents living within the proposed CPZ may not be prepared to purchase a parking permit and will instead choose to park for free in unrestricted streets close by. Because such boundary effects are therefore unavoidable when introducing a CPZ, they are not, in themselves, justification for not introducing a CPZ. Instead, they are used to inform the council in choosing a boundary that both deters displaced parking and has some capacity to accommodate any displacement that does occur. Being situated on Leigham Court Road, there is no reason why the proposed CPZ will increase congestion or worsen air quality near Dunraven School. On the contrary, since the scheme is designed to reduce the number of car journeys, its net effect should be the opposite. Since Hitherfield Road lies outside the proposed CPZ there is potential for increased competition for on-street parking space along it. However, being remote from generators of commuter parking means the amount is unlikely to be significant. The results of the consultation do not support extending the proposed boundary to include Hitherfield Road to avoid this scenario.

Published data evidences that the concentration of NO₂ in the vicinity of both these schools is below the legal maximum.

Petitioners' Issue No.9

Many residents have not received the most recent notification regarding the CPZ proposal. Very few have read the notices posted on lampposts in the area, especially given that the days are now so short. The emphasis of the Council's consultation has been online based, which has excluded the elderly. Moreover, the Council's online documents and maps are unclear.

Council Response

The Council refutes this assertion. For both consultations we used the Local Land and Property Gazetteer (LLPG) to create the most up-to-date and comprehensive address list possible. Lambeth's LLPG was last year awarded gold standard by the government's auditors. To verify its accuracy, we monitored the number and pattern of undelivered consultation letters that Royal Mail returned to us. Because we received only a handful we knew the LLPG data was sound.

The Council also refutes the suggestion that the manner of consultation has in some way excluded parts of society. Using a weblink to access maps of the proposed CPZ enabled consultees to easily view the whole the proposed CPZ at granular detail rather than just in the vicinity of where they lived. During both the 2018 reconsultation and the 2019 statutory consultation, the newsletter that was delivered to all households explained that anyone who either preferred not to use the online option or were unable to use the internet, could call a Council telephone number and request paper copies of the questionnaire and scheme plan be sent to them. Detailed plans were also available to view at both Brixton and Streatham Vale libraries.

The number and spread of responses to the questionnaire, individual representations and petitions evidence that the consultation achieved good penetration across the local community. In addition, having several representations from properties outside the proposed CPZ indicate that the methods used to publicise the consultation were wholly adequate.

Petitioners' Issue No.10

The CPZ is allegedly being introduced to solve the problem of parking, it is therefore confusing to see the Council introducing concepts, such as air quality and safety, given that by definition a parked car is stationary. Such vehicles have no impact on the environment or the community at large.

Council Response

It is entirely valid to link a CPZ with both air quality and road safety.

The consultation documentation explained that the CPZ's main objective was to stop non-residents parking on-street during the controlled hours. Almost all those cars are driven into and out of the CPZ on a daily basis, thereby polluting the air and raising the level of road danger. Air quality and road safety will therefore improve if having nowhere to park on-street triggers drivers to switch to a more sustainable form of travel.

The consultation documentation also explained how permits for low-emission vehicles will be cheaper than those which emit higher levels of the greenhouse gas carbon dioxide. We have found that, over time, this financial incentive is one factor that persuades car owners to choose a less polluting car when they next buy one.

CPZs can also contribute to improving road safety by only marking bays where the Highway Code says a parked vehicle would not cause an obstruction. This particularly benefits cyclists by making them more visible to motorists at junctions where the majority of injuries to cyclists occur.

Petitioners' Issue No.11

Business owners and employees in the area are concerned about the potential negative impact the CPZ would have on our local economy and are disappointed that the Council hasn't yet carried out an impact assessment.

Council Response

The council has neither uncovered nor been presented with peer-reviewed research that evidences a controlled parking zone operating during part of the working day having a net negative impact on local businesses.

That is not to say that the scheme would not impact negatively in some ways. For instance, staff who work at those businesses who currently park nearby for free all day will no longer be able to do so. The council's Transport Strategy explains why this outcome is something that the council is actively seeking.

Whilst, being a Red Route, there is very little on-street parking on Streatham Hill, there are a small number of time-limited bays in the side roads close to the A23. These are primarily designed to be used by customers of the shops on Streatham Hill. When these Red Route bays are not available, the density of parking in the side roads beyond the bays means there is unlikely to be somewhere for a customer to stop reasonably close to the shops. Anecdotally, this may lead to some opting to

shop elsewhere where parking is available. Removing all-day commuter parking will mean there will be more opportunity for these customers to stop near the shops.

PETITION 2 – STREATHAM HILL EAST CPZ (BUSINESSES AND SHOPS)

Within consultation period:

- 33 signatures representing 32 properties; and,
- Note: 15 properties outside proposed CPZ boundary with majority Streatham Hill properties already within:
 - Streatham Hill West CPZ; and,
 - 17 properties within proposed CPZ boundary represent 17% on all commercial properties on eastern side of Streatham Hill.

Outside consultation period:

- 15 signatures representing 15 properties.

Petition against the Controlled Parking proposal, defined as Streatham Hill East “M”

We, the undersigned, petition the Council to abandon the proposal for a controlled parking zone in the Streatham Hill East area. We are also asking the Council to consider this petition to be a formal complaint to be responded to in the requisite time after which, if not satisfied, we will make representation to the Ombudsman. Additionally, we support the addition of further signatures for this petition even if added after 29 November 2019.

- It is of concern and possibly illegal that the Council only allowed one person per household to vote, especially given that there were properties that are houses with multiple occupation.
- In early 2019, when the ballot was reopened it was not widely publicised.
- In late 2018, residents were shocked that the Council decided to rebalot due to receiving a petition from some residents in support of a CPZ. In response to this, residents compiled a larger petition asking the Council to stand by the original ballot. The Council's response was to suggest that this petition might have been signed by commuters and offered to reopen the ballot in order for the signatories to be found and get the chance to vote once they had received their unique reference number.
- We are concerned that by the Council's own admission there was a problem with the IT system which resulted in many emails requesting unique reference numbers being rejected/undelivered or defined as spam mail. Thus many residents and local businesses were denied the opportunity to take part in this ballot.
- We therefore supportive preparations being made a partnership of residence and businesses to launch a judicial review if necessary.
- At the very beginning of the CPZ consultation the Council had asked residents the vague question “Do you have a problem with parking”. In response to this, some residents replied “Yes”, but they were never given the opportunity to clarify that the problem has been caused by an expansion of residents in the area and subsequently the number of cars owned by residents. This “problem” is particularly apparent at night and at weekends.
- The CPZ proposal does not deal with the shortage of parking spaces at night and will make the “problem” of parking considerably worse by reducing the number of parking spaces currently available in that some of our current parking spaces will be allocated to a) short term parking for shoppers; b) parking for business owners and their staff.
- We are concerned that by their own admission, if the CPZ is introduced expensive permits will also have to be paid for by resident visitors, teachers, trade persons and underpaid

health care workers, many of whom are on zero hour contracts and our caring for our elderly and disabled residents.

- Clearly this CPZ, if introduced, will displace parking to the few areas in which free parking will remain. Additionally, there will be increased traffic congestion in the area of Hitherfield and Dunraven Primary School, thereby reducing air quality of parents, students and teachers.
- Many residents have not received the most recent notification regarding the CPZ proposal. Very few have read the notices posted on lampposts in the area, especially given that the days are now so short. The emphasis of the Council's consultation has been online based, which has excluded the elderly. Moreover, the Council's online documents and maps are unclear.
- The CPZ is allegedly being introduced to solve the problem of parking, it is therefore confusing to see the Council introducing concepts, such as air quality and safety, given that by definition a parked car is stationary. Such vehicles have no impact on the environment or the community at large.
- Business owners and employees in the area are concerned about the potential negative impact the CPZ would have on our local economy and are disappointed that the Council hasn't yet carried out an impact assessment.

RESPONSE TO PETITION 2 – (BUSINESSES AND SHOPS)

With the following exception, this Council's responses to this petition are as detailed above in relation to Petition 1.

Petitioners' Issue No.12

We support preparations being made for a partnership of residents and businesses to launch a judicial review if necessary.

Council Response

A warning that petitioners will seek a judicial review if their demands are not met is immaterial when a council considers objections to a proposed traffic management order. If, having made the Order, anyone wishes to question its validity or of any of their provisions on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of that Act or of any instrument made under that Act has not been complied with they can, within 6 weeks from the date on which the Order is made, apply for the purpose to the High Court (judicial review).

The council maintains that it has acted entirely within the word, meaning and spirit of the legislation controlling the proposed introduction of parking controls. First, the council undertook consultation at a time when proposals were still at a formative stage. Second, the council gave accurate and sufficient reasons for its proposal to permit of intelligent consideration and meaningful response by residents and businesses. Third, adequate time was given for consideration and response, and finally, the product of consultation has been considered with a receptive mind and was conscientiously taken into account when finalising statutory proposals. All representations received have been properly considered in the light of administrative law principles, Human Rights law and the relevant statutory principles. The process of consultation has been effective and, looked at as a whole, it has been fair.

The council is scheduled to publish its decision on whether to proceed with the advertised proposals this spring. A legal notice will be published in the press which include details of how any person who Notices to this effect will also be posted on site.

PETITION 3 – PROBYN ROAD / TULSE HILL CPZ

Within consultation period:

- 5 signatures representing 5 properties in Probyn Road.

Petition against the Controlled Parking proposal for Probyn Road

We, the undersigned, petition the Council to abandon the proposal for a controlled parking zone in the. We are also asking the Council to consider this petition to be a formal complaint to be responded to in the requisite time after which, if not satisfied, we will make representation to the Ombudsman. Additionally, we support the addition of further signatures for this petition even if added after 29 November 2019.

PETITION 4 – ROUPELL ROAD/ BRIXTON HILL CPZ

Outside consultation period:

- 2 signatures representing 2 properties.

Petition against the Controlled Parking proposal, defined as Streatham Hill East “M”

We, the undersigned, petition the Council to abandon the proposal for a controlled parking zone on Roupell Rd. We are also asking the Council to consider this petition to be a formal complaint to be responded to in the requisite time after which, if not satisfied, we will make representation to the Ombudsman. Additionally, we support the addition of further signatures for this petition even if added after 29 November 2019.

There is no mandate for the cpz extension on ROUPELL RD because ‘for’ and ‘against’ were equal (2-2). Therefore the status quo of no cpz should logically remain