



# LONDON BOROUGH OF BRENT

## MINUTES OF THE HIGHWAYS COMMITTEE Held on Wednesday 25 January 2017 at 7.00 pm

**PRESENT:** Councillors Southwood (Chair), Butt, Hirani, McLennan and Miller

**Also Present:** Councillors Daly and Mahmood

### 1. **Apologies for Absence and Substitutions (where applicable)**

Apologies for absence were received from Councillors Tatler, M Patel and Farah. Councillors Butt, McLennan and Miller, as substitutes for the Committee, were present in their place.

### 2. **Declarations of Interests**

- (i) Councillor Butt declared a personal and prejudicial interest in respect of Agenda Item No.7, (Wembley Stadium Protected Parking Scheme and Associated Controlled Parking Zones (CPZs): Off Peak Visitor Permits), by virtue of the fact that the proposed changes would affect his ward of Tokyngton. Councillor Butt confirmed that he would exclude himself from the meeting during the Committee's discussion and decision on this item.
- (ii) Councillor Hirani also declared a personal and prejudicial interest in respect of Agenda Item No.7, (Wembley Stadium Protected Parking Scheme, and Associated Controlled Parking Zones (CPZs): Off Peak Visitor Permits), by virtue of the fact that he lived within the Wembley Permit Protection Zone and would thereby be affected by the proposed changes. Councillor Hirani confirmed that he would exclude himself from the meeting during the Committee's discussion and decision on this item.

### 3. **Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the previous meeting held on 26 October 2016 be approved as an accurate record of the meeting.

### 4. **Matters Arising (If Any)**

There were no matters arising.

### 5. **Deputations (If Any)**

The Chair noted that two formal deputations had been received from Mrs Anne Groome and Councillor Daly in respect of Agenda Item No.6, Medway Gardens Petition. The Committee was also made aware that there had been additional

requests to speak from members of the public in respect of Agenda Item No.6 from Mr Jim Moher and Agenda Item No.7 from Mr Robert Dunwell.

In accordance with the wording in Standing Orders 17 and 69 (Deputations), the Committee **RESOLVED that** both deputations be heard in relation to the agenda item they wished to speak on.

## 6. **Medway Gardens Petition**

The Chair invited Mrs Anne Groome (representative of residents in Medway Gardens) to address the Committee. Mrs Groome outlined that a petition had been submitted to the Council in October 2016 because residents had been concerned that they had not been adequately consulted on the proposed reconstruction of pavements in Medway Gardens. It was also felt that the plans had not addressed some of the key issues in the Medway Gardens area (including Ash Grove) in accordance with the criteria of the Council's own Asset Management Plan.

The Committee heard that a fundamental cause of damage had been caused by cars and commercial vehicles parking on the pavements in Medway Gardens, particularly the section of road which leads up to Harrow Road. Mrs Groome stated that the road did not meet the Council's criteria for the relaxation of parking restrictions outside of the Wembley Controlled Parking Zones and that the proposed maintenance work had not taken this into account. She emphasised that residents had felt that without addressing the number of vehicles parking on the road, the proposed tarmac solution would degrade quickly and would require more frequent maintenance. She noted that Elms Park Avenue, which ran parallel, had brick paving which had been deemed to be more durable, as opposed to tarmac. A second fundamental cause to the damage of the pavement had been cited as traffic crossing the footpath and that, at the time, the Council discounts applied for damage to crossover sections had not been communicated to residents. She concluded that the Council had not considered the key issues facing the different sections of road and that the proposed maintenance should be re-evaluated accordingly before going ahead.

The Chair then invited Mr Jim Moher (resident of Medway Gardens) to address the Committee. Mr Moher drew the Committee's attention to photographs on page 13 of the agenda pack, stating that this stretch of pavement in Medway Gardens was evidently in a deplorable condition. He believed that the Council was correct to be addressing this issue and that the commercial vehicles parking on the pavements had contributed to its deterioration. The Committee also heard of the effect it had had on the previous number of trees on the pavements, and that he welcomed proposals to install new trees on them. He concluded it was essential that if the proposals were to go ahead, the Council ensured that the work was completed satisfactorily for all residents on the road.

The Chair next invited Councillor Daly (Sudbury Ward) to address the Committee. She stated that she hoped her deputation would bridge the gap between the Council's statutory duty to ensure pavements were safe for the public whilst also ensuring that the concerns of residents were taken into account. Councillor Daly said that it was important for the Committee to acknowledge that the conditions of the pavements on different sections of the road were variable and there were sections of the road where the paving slabs were suitable and did not pose any

safety hazard. She noted an additional concern about trees and the lack of assurances about the trees still on the road which had been put in place when the houses were built, being lost under the proposals. It was reiterated that the majority of residents in Medway Gardens had been opposed to this proposal and that the poor communication from the Council in consulting on the plans had contributed to this. Councillor Daly concluded by indicating that it would be best for the Council to have a meaningful consultation with residents on the works where both safety and resident concerns could be addressed.

The Chair thanked all three for their contributions before inviting Tony Kennedy (the Council's Head of Highways and Transportation) to give an overview of the Council's rationale for the proposals and address any comments made. Mr Kennedy stated that, in recent years, the Council had been forced to make savings in the face of cuts to funding and that part of the Asset Management Plan had been about developing a long-term strategy for the carriageways and footways in the Borough. This included developing a solution which addressed the damages caused to pavements by cars parking, vehicles overrunning, and tree root intrusion etc. to address safety concerns but one which was also sustainable and value for money. The Committee heard the benefits of using asphalt (as specified within the report) and how it was deemed to be the most suitable solution in terms of value for money and moving the Council away from a reactive approach to pavement damages. He noted that of the 13 reconstruction schemes using asphalt, the Council had received no objections from residents of the 10 roads where work had been completed. He also sought to offer assurances that the composition of asphalt, which contained a resin to assist the development of new trees along the pavement. He asked residents to consider the Council's reasoning for the decision as being cost-effective and assisting the long-term life span of the pavement as an asset.

In the ensuing discussion, a Member questioned how the relative costs had been ascertained and what the cost impact would be if the proposals considered the different problems on different parts of the street. Tony Kennedy responded that he could produce the figures but asked Members to consider the reactive costs to the Council. He noted how slabs on Medway Gardens had had varying defect levels and, in the past, been changed on individual priority basis, and this was the less sustainable in the long-term. It was heard that both the number of defects from the condition survey data used to inform highways maintenance plans and the length of the whole road had contributed to it being a high priority road for the Council to address.

Members also asked questions on what could be done to improve consultation processes with residents and whether asphalt would deteriorate if cars were still parking on the pavements. Tony Kennedy acknowledged that there had been problems in both the ward Councillor and resident engagement processes, which largely stemmed from the distribution of the work commencement notices from the contractors. Members noted this point and explicitly apologised to the residents and ward Councillor present. Mr Kennedy continued that there had been improvement measures put in place since October 2016. He also noted that there were elements of the work to be consulted on which were still to be undertaken, such as residents being able to choose the types of trees planted on the road. However, the Committee heard that this was standard maintenance scheme which had been deemed high priority and would not typically be consulted on. Addressing the latter

question on asphalt, Mr Kennedy stated that asphalt would be able to take the weight of vehicles which were still parking on the pavements. He noted that if dips in the asphalt were to appear over time, it would be a much easier material to re-level as opposed to re-laying individual concrete slabs on a frequent basis.

Discussions moved back to the wider issue of parking in the Medway Gardens area and residents often being forced to unsafely walk in the road itself. Residents continued to note that the proposed works would not address the issues raised and that it still had not been answered as to why Ash Grove had not been included in the proposed works. Tony Kennedy stated that the Highways Team was happy to consult on parking restrictions on Medway Gardens in the very near future to try and mutually resolve some of the aforementioned issues. The Chair welcomed this and added that the Council was undertaking a consultation on Controlled Parking Zones (CPZ). She noted that there was an opportunity to request a CPZ being brought in if this was felt to be the best way to alleviate the parking problems. Tony Kennedy also acknowledged that Ash Grove had not been included in the proposals at this stage but noted it would be assessed for inclusion as part of the 2018/2019 programme of maintenance works. Tony Kennedy stated he would be willing to meet with residents in Medway Gardens to try to resolve any further underlying issues.

**RESOLVED that:**

- (i) The petition from residents in Medway Gardens, Sudbury regarding the proposed pavement reconstruction, received by the Council on 26 October 2016 be noted;
- (ii) The Medway Gardens pavement reconstruction goes ahead with asphalt used in between concrete block areas at dropped crossings and street corners; and
- (iii) The Council continue to review and update its policy for consultation with residents on road maintenance issues to provide re-assurance of consistency across the Borough.

**7. Wembley Stadium Protected Parking Scheme, and Associated Controlled Parking Zones (CPZs): Off Peak Visitor Permits**

*As noted under Declaration of Interests: Councillors Butt and Hirani left the room before the discussion and subsequent decision on this item.*

The Chair invited Mr Robert Dunwell to address the Committee. Mr Dunwell explained that the concept of the parking scheme had arisen within the Council in 1996. He noted that he had changed a lot of the details to the scheme through bringing a large petition to the Council in 2003/2004 and that he had been party to the legal agreements of the scheme being signed between Brent Council and Wembley Stadium PLC. He stated that he was disappointed with the planned introduction of a new administrative charge as this had been considered between 1996 and 2004 and all of the proposals at the time had eventually been discounted. Mr Dunwell asked the Committee to consider that there were material aspects which he believed had been missing from the report which could have left the Council open to the imposition of the charges being challenged in court. He

requested the Committee delayed any action on the decision being made until these background issues and wider legal considerations had been taken into account.

The Chair then invited Mark Fairchild (the Council's Parking Projects Manager) to give an overview of the proposals. Mr Fairchild outlined that the report was seeking a decision from the Highways Committee on how to proceed with some outstanding Executive decisions from 2013 relating to the Wembley Stadium Parking Protected Scheme and Associated Controlled Parking Zones which had yet to be implemented. Mr Fairchild referred Members to the specific decisions required within the report. The proposals had been designed to protect local businesses from increased parking around Wembley stadium with a potential increase in the number of event days in the near future, and also to guard against the current processes in place being open to abuse. He gave an example of the risk of lifetime permits being sold on when residents left the Borough, rather than a new residents applying for a new permit. He emphasised that if the Committee was to agree to the recommendations, the proposals would be subject to a statutory consultation process, with objections considered prior to a delegated authority decision to proceed to implementation. He concluded by explaining why the decision was being taken now as opposed to 2013, outlining that there had been a change of management arrangements within the Council's Highways Department in 2014 and that the need to find recent budget savings targets had delayed the implementation of these decisions.

A Member of the Committee inquired how the proposals mitigated against the risk of visitors being penalised for parking in controlled zones if they had not been aware that a new event day had been announced or that event day dates had changed in a short space of time. Mark Fairchild said that on a practical level it would have been for residents with visitor permits to have placed these on the relevant car but noted that it would be something to take away to develop a contingency process for. Mr Dunwell offered an example of policy in the past whereby private event organisers had spoken to the Highways Department about their event and intentions and that some form of identification, not necessarily a formal visitor permit, was agreed to be placed on the car. Mr Fairchild agreed to take this question away for consideration to ensure that residents were protected accordingly from this risk on event days.

Mr Dunwell asked for two points of clarification from the report as to whether the new scheme would apply to existing permit holders and whether the consultation followed statutory regulations as opposed to informal consultation with every household in the affected area. Mark Fairchild confirmed that the proposed changes would not affect existing permit holders, and would solely be for new permit applications. He also confirmed that the consultation would follow the statutory traffic regulations. Mr Dunwell welcomed both of these answers.

Mr Dunwell also questioned whether there was any intention to turn the Wembley Stadium Protective Parking Scheme into a Controlled Parking Zone scheme. Mark Fairchild said that he was not aware of any plan for this. There were also discussions as to whether the new proposals required any necessary differentiation between permits given to *houses* and permits given to *households* given the rise of Houses of Multiple Occupation conversions within the Borough. Mark Fairchild advised that eligible addresses were based on the Council's centrally held property

database, or Local Land Property Gazetteer, but agreed to take this away from the Committee for consideration.

**RESOLVED that:**

- (i) The decision made by the Executive on 15 July 2013 to introduce 3 year WSPPS permits with a £15 administrative charge be implemented, subject to the results of formal consultation and that the matter will be reported back to the Highways Committee if substantial objections are received;
- (ii) The decision made by the Executive on 15 July 2013 to introduce 3 year T zone visitor permits with a £15 administrative charge be implemented, subject to the results of formal consultation and that the matter will be reported back to the Highways Committee if substantial objections are received;
- (iii) To rescind the decision made by the Executive on 15th July 2013 that approved implementation of a 24 hour online visitor pass for the T zone during off-peak hours be rescinded, subject to the results of formal consultation and that the matter will be reported back to the Highways Committee if substantial objections are received;
- (iv) Three year W zone and E zone visitor permits with a £15 administrative charge be introduced, subject to the results of formal consultation and that the matter will be reported back to the Highways Committee if substantial objections are received;
- (v) The decision made by the Executive on 19 September 2012 that approved implementation of a 4 hour online visitor pass for the W zone and E zone during off-peak hours be rescinded, subject to the results of formal consultation and that the matter will be reported back to the Highways Committee if substantial objections are received;
- (vi) Authority be delegated to the Operational Director Environmental Services, in consultation with the Lead Member for Environment and relevant ward councillors, to introduce the changes identified in recommendations (i) to (v) above, subject to the results of formal consultation, and reporting back to the Highways Committee if substantial objections are received; and
- (vii) Additional clarity and information be provided to outline that the proposed changes won't affect existing permit holders but will only apply to new applications for permits.

**8. Any Other Urgent Business**

There was no other urgent business to be transacted.

**9. Date of Next Meeting**

The scheduled date of the next meeting of the Highways Committee was noted as 27 March 2017.

The meeting was declared closed at 8.42 pm

COUNCILLOR ELEANOR SOUTHWOOD  
Chair