



Highways Committee
17 July 2014

**Report from the Head of
Transportation**

For Action

Wards Affected:
Queensbury, Fryent and Kenton

**Petition for the withdrawal of double yellow lines and
introduction of a loading bay /short-term parking on Berkeley
Road NW9 near its junction with Kingsbury Road**

1.0 Summary

1.1 This report informs the Committee of a petition requesting the withdrawal of existing double yellow line restrictions and the introduction of a loading bay/short-term on Berkeley Road near its junction with Kingsbury Road and also the suspension of parking tickets issued by CCTV Camera 226.

2.0 Recommendations

2.1 That the Committee note the contents of the petition and the issues it raised.

2.2 That the Committee instructs officers to consult on the provision of a loading bay on Berkeley Road near its junction with Kingsbury Road through its 'short sections for waiting and loading' programme 2014/15.

2.3 That, subject to the outcome of the scheme consultation, the Committee authorises the Head of Transportation to undertake statutory consultation, to consider any objections or representations and to implement the necessary Traffic Management Orders and associated signing and road marking works required to implement the changes, or to report back to the Highways committee if objections are substantial.

2.4 That the Committee notes that officers will consider waiting and loading in the area as part of the planned Kingsbury Town Centre – Public Realm Improvements and Collision reduction scheme that will be developed 2014/15 and 2015/16.

2.5 That the Committee notes that CCTV enforcement at this location will continue as it enables the Council to improve compliance with waiting and loading restrictions, providing a safer and less congested network.

2.6 That the main petitioner be informed of the outcome of the Highways Committee decision in regard to this matter.

3.0 Details of Petition

3.1 A petition has been received by the Council from local businesses, their suppliers, residents and customers of The Arcade, 574-612 Kingsbury Road. The petition has been verified in accordance with the council's procedures and has 98 signatures.

3.2 The full wording of the petition is:

“Traders, supplier and customers in The Arcade, 574-612 Kingsbury Road and others in the adjacent area are facing great difficulty due to double yellow lines on Berkley Road, NW9 adjacent to Kingsbury Road. Vehicles cannot park to load and unload goods and supplies and if they do park are picked up by CCTV and fines heavily. This is having a drastic negative impact on local entrepreneurs.

The undersigned petitioners request Brent Council to remove the double yellow lines on Berkley Road near the junction with Kingsbury Road and to introduce a loading bay or short term parking alongside The Arcade. This will enable local businesses to continue their trading and will demonstrate Brent Council's policy of supporting small and local enterprises in these hard economic times.

We the undersigned want London Brent Council to:

Suspend all parking tickets issues by camera 226 sighted on the corner of Berkley Avenue NW9 Vehicles of customers and suppliers on legal business in the Kingsbury Arcade.”

A copy of the petition is available for inspection by Members of the Highways Committee.

4.0 Background

4.1 Berkeley Road is a predominantly residential road running between A4006 Kingsbury Road and Princes Avenue. It is one way southbound from Princes Avenue to the access for the Aldi supermarket car park just north of the junction with Kingsbury Road. The section between Kingsbury Road and Aldi car park is two way. There is no access for northbound traffic beyond the car park entrance.

4.2 The section under consideration is the two way section between Kingsbury Road and the entrance to Aldi car park. It serves a number of shops, the

service entrance and car park entrance/exit for Aldi, a few residential properties and a block of flats.

- 4.3 There are currently 'no waiting at any time' restrictions (double yellow lines) on both sides of the carriageway which means a vehicle may or wait or park at any time throughout the day. There are no loading restrictions therefore dropping off or picking up of passengers and loading or unloading of a vehicle is permitted.
- 4.4 Traders have expressed concerns to the Council that their suppliers and customers are experiencing difficulties loading / unloading as a result of these current restrictions. They have also expressed concerns that they are receiving increased penalty notices when loading and unloading as a result of the CCTV camera used for enforcement which is located on the corner of Berkeley Road and A4006 Kingsbury Road.
- 4.5 The petitioners have requested that the double yellow lines are removed and a loading bay or short term parking is provided and that any Penalty Notices for legitimate business use such as loading and unloading are suspended.

5.0 Investigation

- 5.1 The location was visited and vehicles were observed parking both for long periods and for the purposes of loading and unloading activities. Whilst loading and unloading is currently permitted waiting for any other purpose is not.
- 5.2 The existing parking activities can result in congestion at the junction where vehicles are parked too closely particularly as this is used by heavy goods vehicles. This can result in vehicles being in the middle of the road whilst waiting to exit the junction which restricts vehicles entering the junction. This can have a negative impact on both road safety, where sight lines are obscured near the junction and also the traffic flow on the A4006 Kingsbury Road which is a busy main route and the surrounding area. Vehicles parked near the entrance to the car park and delivery access for Aldi could restrict vehicle movement.
- 5.3 Loading and unloading is permitted at this location and it would be feasible to provide a formal bay permitting loading and unloading activities for a period of 20 minutes. This could be for two vehicles and it would make enforcement easier as there would be no confusion over the purpose of the bay and vehicle use. Due to access issues amendments would ensure that both the main junction and the Aldi access are protected. Therefore it is recommended that the current 'no waiting at any times' are retained at the junction and opposite the access and loading restrictions are introduced in these areas.
- 5.4 The proposals have been assessed and meet the criteria approved by Highways Committee on 19 March 2009 for inclusion in the Councils Short Sections of Waiting and Loading Restrictions Programme for 2014/15.

- 5.5 For customers that wish to park to do their shopping 'pay and display' parking is available a short distance away in Kingsbury Road and in the local car park to the rear of the shops opposite which holds 78 spaces. Parking is also unrestricted in Berkeley Road. **Appendix A** - identifies parking available in the locality and the approximate location where a new loading bay could be provided.
- 5.6 It should be noted that loading bays are provided for commercial use and for picking up and dropping off goods. This would not include shopping, for example, purchasing the goods then taking them to a vehicle. However, it would include collecting prepaid goods. Therefore, it is likely that many customers will not be able to use the loading bay and would need to find suitable parking nearby.
- 5.7 The effect of introducing CCTV enforcement of the local area means that the Council are able to bring about parking compliance in the local area. Fairly often, Civil Enforcement Officers (formerly known as parking attendants) are unable to resolve yellow line parking problems on the basis that the drivers of vehicles are close-by, and are alerted to the presence of officers. This enables the vehicles to be temporarily moved in order to avoid enforcement action. Enforcement using CCTV has ended this problem and generates constant (rather than temporary) parking compliance; this enables the Council to ensure both a safer road network (for motorists and pedestrians) and also secure the expeditious movement of traffic through the borough's road network.
- 5.8 Camera enforcement is supplementary to the enforcement carried out by Civil Enforcement Officers. Berkeley Road has double yellow lines at the junction of Kingsbury Road, and vehicles have occasionally (and correctly) been issued Penalty Charge Notices (PCNs) for parking on them. Double yellow lines, as clearly indicated in the Highway Code, mean that waiting is not permitted. Loading and unloading activity may take place; if customers are loading/unloading they should not fear enforcement action being taken.
- 5.9 Should a loading bay be introduced in Berkeley Road, camera 226 would continue to be used in order to monitor and ensure compliance with the Council's traffic orders. Camera operators will monitor the location for signs of loading/unloading activity prior to enforcement action.
- 5.10 In respect of the PCNs already issued on Berkeley Road, officers follow the statutory processes prescribed by the Traffic Management Act 2004 to consider representations and appeals made against these notices. The Registered Keepers of vehicles who have received PCNs are entitled to make representations to the Council; and officers will consider each case based upon its own merits, considering both evidence collected in support of the contravention and evidence submitted by the registered keeper in support of an applicable exception. Should officers decide to uphold notices registered keepers will be offered an opportunity to appeal to an independent tribunal, the Parking and Traffic Appeals Service (PATAS), who will make an impartial decision on the case.

6.0 Additional Information

- 6.1 The Council are currently developing a scheme for Kingsbury Town Centre to improve the public realm and also reduce collisions in the area. The scheme will be developed in 2014/15 and 2015/16 as part of the process for applying for major scheme funding from Transport for London with implementation in the following year/s subject to funding.
- 6.2 The development of the scheme will involve engagement with the local community including the local businesses in the area. As part of this scheme all waiting and loading provisions in the area will be considered including the section of Berkeley Road off Kingsbury Road.
- 6.3 As this scheme is still in the early development stage it is not recommended to postpone any interim changes to the existing restrictions and therefore proceed with the proposal detailed in paragraph 5.3
- 6.4 That the Committee notes that officers will consider waiting and loading in the area as part of the Kingsbury Town Centre – Urban Realm Improvements and Collision reduction scheme planned to be developed 2014/15 and 2015/16.

7.0 Financial Implications

- 7.1 The cost of the proposal detailed in paragraph 5.3 is estimated at £2,000.
- 7.2 These proposals can be consulted on and implemented using the £80,000 Transport for London capital budget for 2014/15 allocated through the boroughs Local Implementation Plan for waiting and loading amendments.
- 7.3 There are no implications in the Council's revenue budgets arising from this report.

8.0 Legal Implications

- 8.1 Any changes identified and approved for implementation will require the amending of the existing traffic regulation order under the Road Traffic Regulation Act 1984.

9.0 Diversity Implications

- 9.1 There are no equalities implications arising from this report.

Appendices

Appendix A – Area plan showing existing parking facilities and the approximate location of the proposed loading bay

Background Papers

None

Contact Officers

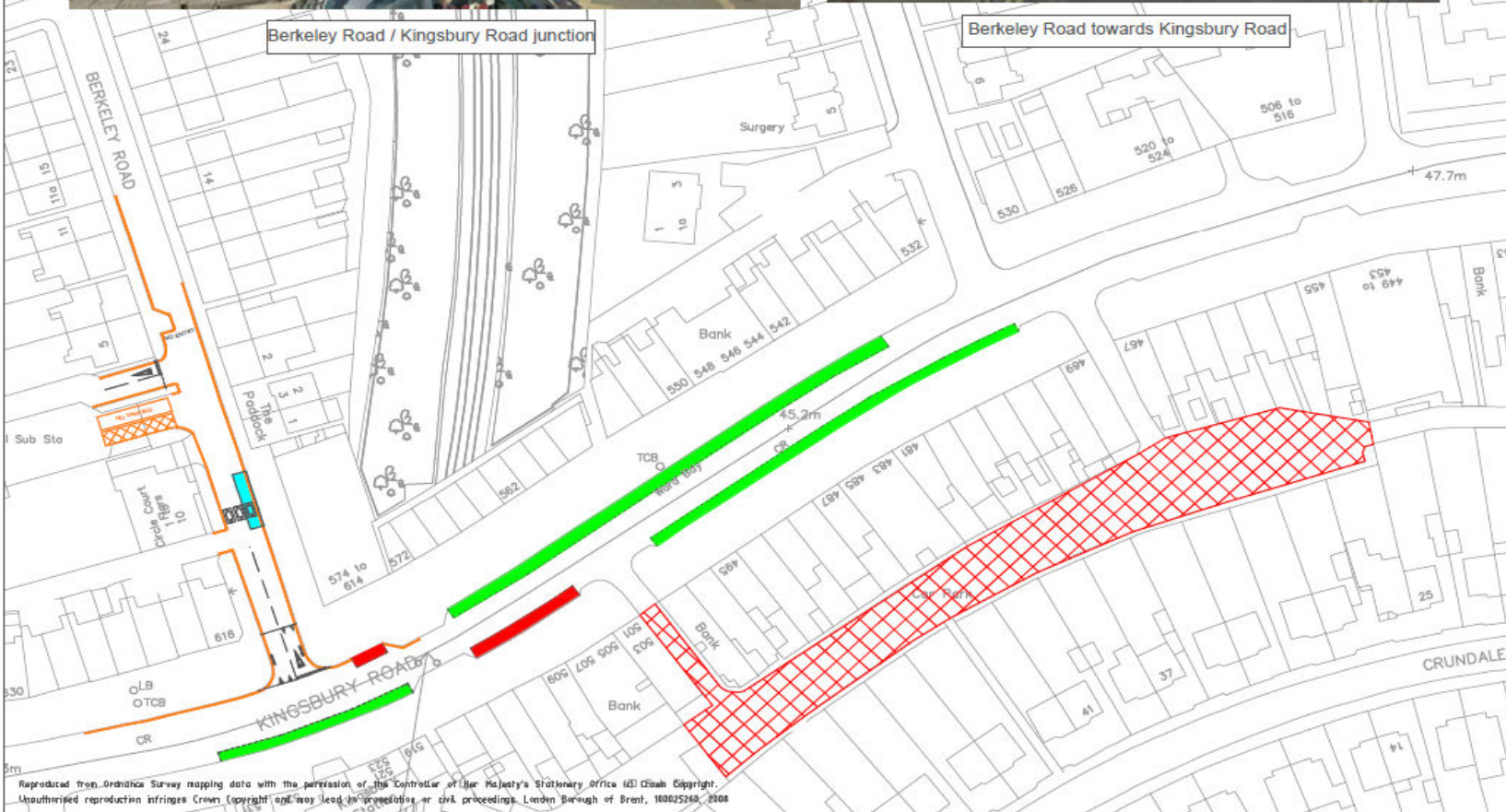
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Berkeley Road / Kingsbury Road junction



Berkeley Road towards Kingsbury Road



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Notes

-  Existing road markings
-  Proposed loading bay
-  Proposed road markings
-  Existing pay & display bays
-  Existing car park (78 spaces)
-  Existing disabled / taxi / M/cycle bay

Rev	Revision Note	Date

London Borough Of Brent
 Environment & Neighbourhood Services
 Highway and Transport Delivery
 Brent Civic Centre, Engineers Way
 Wembley, Middlesex, HA9 0PJ

Job Title
 SHORT SECTIONS OF LOADING
 & WAITING RESTRICTIONS
 MINOR WORKS PROGRAMME

Drawing Title
 PROPOSED / EXISTING
 WAITING RESTRICTIONS
 BERKELEY ROAD

Scale	A4	Designed	NS
NTS		Drawn	NS
Date created	30.05.2014	Checked	
		Approved	
Drawing No.	HD-SSWR R152 A		
CAD Ref.			