

<b>Committee(s):</b>	<b>Date:</b>
Planning and Transportation Committee – For decision	25 January 2017
<b>Subject:</b> Cloth Fair Noise Disturbance	<b>Public</b>
<b>Report of:</b> Director of the Department of the Built Environment	<b>For Decision</b>
<b>Report author:</b> Albert Cheung - Department of the Built Environment	

### **Summary**

In July 2016, your Streets & Walkways Sub-Committee considered six options to mitigate the late night noise disturbance issues in Cloth Fair. The recommended option was to proceed with an overnight road closure. However, Members considered that the option of installing double yellow lines to prohibit parking required further exploration and consultation.

Double yellow lines are usually effective at preventing parking when drivers leave their vehicle unattended. It may also be effective at reducing the amount of parking by drivers who remain with their vehicle if there are convenient alternative parking opportunities nearby.

In November 2016, local occupiers were consulted on the proposal to introduce double yellow lines in Cloth Fair. A total of 10 responses were received of which 7 were from Cloth Fair. The proposal received overall support but the sample size is very small and the results can therefore fluctuate easily. Ward Members were also briefed on these responses and the considerations and agreed that the double yellow line should be trialled.

Officers therefore recommend that the proposal for double yellow lines should be implemented on an experimental basis so that the effectiveness of the proposals can be monitored or if necessary modified, but also be made permanent if it is successful. Additionally, to encourage better compliance of the double yellow lines from the start, a dedicated team of Civil Enforcement Officers will be deployed to Cloth Fair to carry out enhanced enforcement for the first few weeks.

### **Recommendation(s)**

Members are asked to:

- Approve the introduction of double yellow lines in Cloth Fair on an experimental basis.
- Approve the making of permanent traffic orders if the experiment is successful and no objections are received. If objections are received, that officers consider these and report them back to the Streets & Walkways Sub-Committee with their recommendations.

## **Main Report**

### **Background**

1. Following the Ward Mote Resolutions in May 2015 and June 2016, the Streets and Walkways Sub-Committee in July 2016, considered six options to mitigate the late night noise disturbance in Cloth Fair. The most supported option by Cloth Fair residents was an overnight road closure. However, Members considered that the option of installing double yellow lines to prohibit parking required further exploration and consultation.

### **Current Position**

2. It has been reported that Cloth Fair residents can experience overnight noise disturbances on a regular basis. Anecdotal evidence and feedback from the consultation with occupiers indicate that the noise disturbances are mainly caused by taxi and private hire drivers parking, idling and or talking in Cloth Fair.
3. Cloth Fair is covered by two types of waiting restrictions. The section west of Rising Sun Court has double yellow lines, which prohibits waiting at any time. The section east of Rising Sun Court has single yellow lines, which prohibits waiting during the Controlled Parking Zone (CPZ) hours of 7am to 7pm Monday to Friday and 7am to 11am on Saturday. Outside of the CPZ hours, parking on single yellow lines is unrestricted; however other rules such as obstruction still apply.

### **The Double yellow line option**

4. A number of variations to the double yellow line option have now been explored. This includes installing them on one side of the street only (either north or south sides), both sides, and with or without some parking bays for disabled badge holders. These are shown in Appendix A. However, following briefings with Ward Members in September 2016, the most supported variation was to introduce them on both sides of Cloth Fair as it was considered that this option had the greatest potential to mitigate the noise disturbance. An outline plan is included in Appendix A (Option 4). Further consultation on this option has therefore been carried out and the results are detailed later on in this report.
5. The double yellow lines do not prohibit loading or unloading and therefore this activity can continue as normal.

### **Considerations**

6. In 2007, Members approved the Parking & Enforcement Plan (part of the Local Implementation Plan). This plan updated and reformed policies on parking controls including not providing on-street parking places for residents. Residents can instead purchase discounted season tickets to park in the nearest City owned or operated car park such as at Smithfield. The policy aims, amongst others, to reduce the use of private cars and encourage more sustainable modes of transport.

7. Many of the residential properties in Cloth Fair have private off-street parking facilities (garages) but the level of car ownership has not been established for this investigation.
8. The area surrounding Cloth Fair (e.g. a 200 metres radius or about 3 minutes' walk away) has plenty of parking opportunities including 39 regular parking bays, 23 disabled persons parking bays, over 150 metres of single yellow lines and nearly 600 spaces in the Smithfield car park. These provisions are shown in Appendix B.
9. To understand the activities that take place in Cloth Fair, video surveys were carried out and analysed for six days up to the Thursday before Easter (19/03/16 to 24/03/2016). This period was used as it represented one of the busiest periods in the area and therefore a "worst" case scenario. All vehicles parked in Cloth Fair outside of the CPZ hours for a period greater than one hour have been analysed. This is to filter out the short stay parking, idling and loading from the longer stay parking needs of users in Cloth Fair.
10. The analysis of the parking data showed that there were a total of 32 vehicles parked in Cloth Fair. 11 of these were associated with Smithfield Market, two (same car but parked at different times) with residential units of Cloth Fair, five with the church and 14 were unknown. The 14 unknowns did not visit a property in Cloth Fair. The results showed a clear pattern amongst the users, in particular, during the weekday nights, when it was used only by motorists associated with Smithfield Market. It also identified that none of the visitors to the Church appeared to have any mobility difficulties. A summary of the parking data is provided in Appendix C.
11. The survey has shown that up to five cars have been observed to have parked in Cloth Fair at any one time. The proposed double yellow lines could therefore displace these vehicles onto surrounding streets, outside of the CPZ hours. However as discussed above and shown in Appendix B, there are plenty of other parking opportunities within a short distance away.
12. Waiting restrictions whether using single or double yellow lines are usually effective at preventing parking when the driver leaves their vehicle unattended but are less effective if the driver remains with their vehicle. This is because when an enforcement officer arrives, the motorist can simply drive off to another location or return once the enforcement officer has moved on. This is especially prevalent in locations of high waiting demand or where there are limited or no parking opportunities nearby. The proposed double yellow lines are therefore likely to be effective at removing parking when the driver leaves their vehicle unattended and as there are other alternative parking opportunities nearby, it may also reduce the number of drivers waiting with their vehicles in Cloth Fair.
13. The City operates a night time economy team of two Civil Enforcement Officers which enforces civil traffic contraventions such as waiting and loading restrictions, throughout the City. They operate overnight during the busiest times. If the double yellow lines are implemented, this will be included alongside their existing

commitments but to encourage better compliance from the start, they will be deployed to Cloth Fair to carry out enhanced enforcement for the first few weeks.

14. Drivers who wait in Cloth Fair often have their engines idling, which contributes to poor air quality as well as the noise disturbance. As part of efforts to tackle air pollution, Officers are working with the Markets & Consumer Protection Department, to investigate bespoke signage (Switch off Engine, Reduce Emission) to target idling engine hotspots across the City including in Cloth Fair. It is expected that this will be installed in March 2017 (subject to the Department for Transport's approval) and will complement any option agreed by Members to reduce the noise disturbances.

### **Further Consultation**

15. Further consultation on the preferred double yellow line option was undertaken in November 2016. This involved sending out a plan of the proposal to local occupiers and an invitation to comment. As a result, 10 responses were received, all of which were from residents, including 7 from Cloth Fair. A summary of the responses are detailed in the table below and further details are shown in Appendix D.

#### Consultation Summary

<b>Consultation Response</b>	<b>Cloth Fair Residents</b>	<b>Other Responses</b>	<b>Total Responses</b>
Support	4	0	4
Neutral	1	3	4
Against	2	0	2
<b>Total</b>	<b>7</b>	<b>3</b>	<b>10</b>

16. From the above table, it can be seen that there is some support for the proposal. However, the sample size is very small and the results can therefore fluctuate very easily. The result should therefore be treated cautiously.
17. The Smithfield Market Traders Association (SMTA) and the Market Superintendent have been consulted and both support the proposal. Their responses have not been included in the above table.
18. No responses were received from The Priory Church of St Bartholomew the Great. However, they have previously opposed any restrictions that operate on Saturdays and Sundays because they consider that it will severely impact on their visitors. Their views were that the parking possibilities for their congregation have been severely reduced over the last 20 years and many people have given up making the journey because they find it so hard to park.
19. In December 2016, Ward Members were briefed on the consultation responses and the various considerations. They agreed that the double yellow line option as detailed in Appendix A (Option 4) should be trialled.

## Recommendations

20. In view of the considerations and the consultation responses set out above, it is recommended that the double yellow lines on both sides of Cloth Fair are approved for implementation on an experimental basis. This will enable officers to monitor and assess the effectiveness of the proposal and make changes if necessary, before a decision is made to whether or not the Order should be made permanent.
21. If Members approve the recommendations, the experimental double yellow lines could be implemented by April 2017.

## Corporate & Strategic Implications

22. The proposal is in accordance with the City of London Noise Strategy and Air Quality Strategy. In particular:
- *“To avoid or reduce noise, and noise impacts, which could adversely affect the health and well-being of City residents, workers and visitors”*
  - *“To balance minimisation of noise and noise impacts with the need to improve and update City infrastructure”.*
  - *“To reduce the emissions associated with road traffic and to improve air quality”*

## Implications

23. The total estimated cost to implement the double yellow lines is £4,500. This can be met from the Department of the Built Environment Traffic Management Local Risk Budget for 2016/17.
24. The proposal would require the City to exercise its powers under Section 9 of the Road Traffic Regulation Act 1984 to make an order to prohibit waiting at any time (double yellow lines) on an experimental basis.
25. An experimental order has a maximum life of 18 months from the date on which it was made and requires the experiment to have been in operation unchanged for a minimum period of six months before it may be made permanent. The six month period constitutes a statutory public consultation. The City is required to consider any representations received during this period and any outstanding objections to the experimental measures will be reported back to the committee for resolution. Section 10(2) of the Road Traffic Regulation Act 1984 allows for modification of the experiment should operational experience shows it to be essential for certain specified purposes. The experiment may also be abandoned if it is not successful.

26. The full impacts of the proposal are not fully known for example on people with mobility issues who would be subject to the additional parking restrictions. This will be monitored and assessed as part of the experiment.
27. In carrying out its traffic functions, the City must have regard, inter alia, to its duty to secure the expeditious, convenient and safe movement of vehicular traffic and other traffic (which includes pedestrians) - s.122 Road Traffic Regulation Act 1984; and its duty to secure the efficient use of the road network (s.16 Traffic Management Act 2004).

## **Conclusion**

28. The results of the consultation showed that there is some support for the double yellow lines; however the level of response is low.
29. Double yellow lines are usually very effective at preventing parking when drivers leave their vehicle unattended. They may also be effective at deterring drivers who remain with their vehicle, because of the availability of other parking opportunities nearby. However, to encourage better compliance from the start, Civil Enforcement Officers will be deployed to Cloth Fair to carry out enhanced enforcement for the first few weeks.

## **Appendices**

- Appendix A – Alternative Option Proposal Plans
- Appendix B – Current Parking Arrangement Plan
- Appendix C – Parking Survey Summary Table
- Appendix D – Parking Survey Summary Table

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