

THE ASSEMBLY

1 FEBRUARY 2006

REPORT FROM THE DIRECTOR OF REGENERATION

Title: Petition – Proposed nursery in 35 Strood Avenue, Rush Green – Traffic Issues	For Decision
<p>Summary</p> <p>The Council has received a petition opposing the conversion of the former doctor's surgery at 35 Strood Avenue into a nursery.</p> <p>The petitioners are concerned about the effect on traffic and parking in the area. While understanding the concerns of local residents, the Council has no powers to prevent the conversion taking place, however, once the Nursery is in operation if the local residents feel that the parking congestion is unacceptable then consultation with regard to the introduction of a Controlled Parking Zone could be undertaken.</p> <p>Wards Affected:- Eastbrook Ward</p>	
<p>Implications:</p> <p>Financial: The cost of consultation and implementation, if a scheme is agreed, on a Controlled Parking Zone can be absorbed within existing budgets. Resident and Visitor Permits and subsequent Penalty Charge Notices issued to offending vehicles will generate additional income which is not quantifiable at this stage.</p> <p>Legal: The effect of the Town and Country Planning (Use Classes Order) 2005 is that there is no requirement for a Planning Application to change the use of the premises to a nursery.</p> <p>The Council is able to introduce a Controlled Parking Zone after undertaking statutory consultation.</p> <p>Risk Management: No major risks identified.</p> <p>Social Inclusion and Diversity: As this report does not concern a new or revised policy there are no specific adverse impacts insofar as this report is concerned.</p> <p>Crime and Disorder: There are no specific implications insofar as this report is concerned.</p>	
<p>Recommendation:</p> <p>The Assembly is recommended to note the contents of this report and agree that once the Nursery is operational a consultation exercise be undertaken in the area around the new nursery site to determine if there is resident support for a Controlled Parking Zone.</p>	

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1. Background

- 1.1 The Council has received a petition signed by 211 local residents, representing 174 separate addresses opposing the conversion of 35 Strood Avenue into a nursery. The legend on the petition states:

“The following objection has been raised by the residents of the Avenue’s estate and local area for the proposed use of 35 Strood Avenue as a Children’s Nursery / Day Centre and after school establishment on the grounds of inadequate parking spaces within it own premises and the local street. The amount of extra traffic that this cause to the residential area will cause undue stress to the local residents and a danger to children already living within the vicinity

We appreciate the Government concern regarding the need for additional childcare, but feel the site is unsuitable due to its proximity to the local residents living in the area.”

- 1.2 Having considered the various powers available to the Council it appears that the Council is unable to prevent the conversion taking place or to prevent the property being used as a nursery.
- 1.3 Discussions have been undertaken with the lead petitioners and Ward Councillors. It was accepted that whilst the Council sympathised with the residents’ concerns, action could only be taken if problems developed after the nursery was operational (e.g. against excessive noise, etc). It was agreed however that residents could be consulted on parking controls to reduce congestion.

2. Report

2.1 Controlled Parking Zone

- 2.1.1 In accordance with standard procedures, the Council is able to consult local residents on the introduction of a Controlled Parking Zone (CPZ) where only vehicles displaying a valid permit will be permitted to park on-street during the operation period of the Zone.
- 2.1.2 The scheme will involve residents who wish to park their vehicle on street purchasing a Resident Permit for each of their vehicles. The current charge for this is £17.70 for the first vehicle per address. They will also be able to purchase permits for use by their visitors. Enforcement would be undertaken by the Council’s Parking Attendants who will patrol the area to a sufficient degree to ensure compliance.

2.1.3 The Council has adopted the practice that if the majority of residents consulted oppose the scheme or if there is insufficient support, the scheme will not proceed.

2.2 Planning Permission

The property was formerly a Doctors surgery, classification D1 of the Town and Country Planning (Use Classes Order) 2005, therefore, there is no requirement for a further Planning Application to change the use to a nursery.

2.3 Property Ownership

The property is privately owned and therefore the Council has no powers over restricting its sale.

2.4 Early Years and Childcare Services

2.4.1 The role of the Early Years and Childcare Service (EYCS) is to provide advice, support, guidance and funding to childcare providers. Registering childcare provision is the responsibility of Ofsted. The creation of new childcare places should be driven by identifiable current or future demand and an understanding of local supply.

2.4.2 The EYCS has advised the potential provider that substantial interior alteration would be needed to meet Ofsted requirements and this work appears to be underway.

2.4.3 The EYCS also expressed concern about the sustainability of such a relatively small nursery and pointed out that it might find itself in competition with the childcare provision at William Bellamy Children's Centre and the nursery at Barking College; however these were not grounds on which the Council could oppose the nursery.

2.5 Traffic and Road Safety

There are no recorded Personal Injury Accidents in the vicinity of the nursery for the previous three years. Traffic surveys show that traffic volume is currently very low and vehicle speed in the vicinity of the property is generally below the current speed limit.

3. Consultation

The following have been consulted during the preparation of this report.

Councillors

Lead Councillors

Environmental and Sustainability Portfolio, Councillor McKenzie.
Children's Services Portfolio, Councillor Alexander.

Eastbrook Ward Councillors

Councillors Parkin, Little and L Collins

At Lead Petitioner's request

Councillor McCarthy.

Corporate Strategy

Muhammad Saleem, Solicitor to the Council and Monitoring Officer.
Robin Hanton, Corporate Legal Manager.

Children's Services Department

Christine Pryor, Head of Shared Services and Engagement

Department for Regeneration

Peter Wright, Head of Planning
Tim Lewis, Group Manager, Planning

Finance

Alex Anderson, Head of Finance (DRE)

Background papers used in the preparation of this report:

- Petition
- Town and Country Planning (Use Classes Order) 2005