
**STATUTORY CONSULTATION
UNDER THE 1984 ROAD
TRAFFIC REGULATIONS ACT
AND SECTION 105 OF THE
HOUSING ACT 1985**

To all Council residents

Dear Resident,

The Council is writing to all tenants and leaseholders/freeholders living in council-owned housing estates regarding plans to make some changes to resident parking arrangements.

Under Section 105 of the Housing Act 1985, the Council has a legal obligation to consult its secure tenants on "matters of housing management" which represent a change in the practice or policy of the authority.

The changes that the Council are considering will not only ensure that parking can be more effectively managed but are also necessary if the Council is to comply with government policy and legislation. These changes have been set out in the table below.

The Council is committed to ensuring that all council housing residents have the chance to comment on these proposals.

Many residents are aware that our current arrangements have limited effect in controlling inconsiderate parking. The Council is confident that these proposals, involving the introduction of Traffic Management Orders (TMOs) on our estates, would allow us to resolve the problems that many residents have been reporting and control estate parking more effectively.

This does involve changes in the way that parking has been managed as set out below. This is a situation facing many Local Authorities.

The Council will use its best endeavours to ensure that tenants and leaseholders who currently hold a licence for a parking space will still be able to park on their existing bay because of these changes.

Proposed changes in the management of parking on estates	
1	Introduction of traffic management orders (TMOs) enabling parking control to be re-established on our housing estates. This will enable the Council to fine or in some circumstances remove illegally parked vehicles.
2	To maintain the use of individually numbered bays on off-street parking places.
3	Introduction of a single parking permit and withdrawal of "Any other vehicle" badge to allow effective enforcement of unauthorised parking.
4	For parking on roads, generic permits will be issued rather than numbered bays.
5	For parking on roads that run through housing estates, generic permits will be issued in the same way as they are on the highways. In total it is anticipated that this will affect less than 200 permit holders many of whom are non-residents.
6	To introduce a policy for allocating parking where those living in an estate or zone get priority for spaces.
7	Each household will be able to licence two parking bays. Where existing permit holders have more than two permits, they may keep them if there is sufficient capacity once residents without a permit have been catered for.

If you wish to comment on any aspect of this proposal, please email **tmo.project@thh.org.uk** or return by post to **TMO Consultation, Tower Hamlet Homes, 2nd Floor, Tower Hamlets Town Hall, 160 Whitechapel Road E1 1BJ.**

This consultation will finish on Friday 4th August 2023. Please make sure we have received your comments by this date.

We will consider all representations made in response to this consultation exercise received within the consultation period before making a final decision on this matter.

A Frequently Asked Questions sheet is attached which will hopefully answer any queries you may have.

Assuming the proposal is agreed, the scheme will be implemented on a ward-by-ward basis and a further letter will be sent to all Council Housing residents prior to any works beginning in your area, with the opportunity for residents to provide additional feedback.

If you have any questions about this letter, please contact 0207 364 5015 or at tmo.project@thh.org.uk

Yours faithfully



Beverley Greenidge - Acting Director of Neighbourhoods

Comments on proposed changes to Parking Control on LBTH Estates

Please make any comments that you wish to make in the box provided below.

NAME.....

ADDRESS.....

Please return to tmo.project@thh.org.uk

or by post to:

TMO Consultation
Tower Hamlets Homes, 2nd Floor
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Frequently Asked Questions

Why is the Council having to take this action?

The Government has provided guidance to Councils that they must use Traffic Management Orders (TMOs) to enforce parking on off-street housing land. Like many Local Authorities, the London Borough of Tower Hamlets has relied upon contract law as a means of enforcement. This has now been derecognised by the DVLA, who no longer provide vehicle owner details meaning that it is no longer possible to identify those responsible for illegal parking.

How does the use of Traffic Management Orders change current arrangements?

In most of its housing estates, the Council can use TMOs to provide off-street parking places under sections 32 and 35 of the Road Traffic Regulation Act 1984.

Adopting the use of this legislation will allow the Council to legally enforce parking control on your estate and will maximise opportunities for nominated users to (mainly tenants and leaseholders) park on this land. It also prevents those who have street parking permits from parking on your estate and allows the maintenance of the current system of numbered bays.

In a very small number of areas where it is evident that the estate road is effectively "a highway" and regarded as "on-street", the management of this land is governed by Section 45 of the Road Traffic Regulation Act 1984. This means on a very limited number of these roads; the Council must provide generic parking permits in the same way as it does on the highways. It is anticipated that very few Council residents will be impacted by this as every effort will be made to ensure that they are prioritised for a numbered bay on Council estates.

Enforcement under a TMO

In future, your estate will be patrolled by uniformed wardens.

The use of TMOs means that those who are not authorised to park on Council estates can be identified quickly and penalised. This preventative measure will be to the benefit of all permit holders.

Where a car is blocking emergency access or is persistent in illegal parking these measures also give the Council the ability to towaway vehicles when needed.

Who will receive priority for parking permits?

Residents who live on an estate and have an existing permit will always be treated as a priority when allocating bays.

Following this, any estate residents who does not have a bay or whose family require a second permit will be considered.

Only after this will non-residents be considered if there is still any availability.

What about visitors?

We will maintain visitor bays on our estates and Council housing residents will be able to purchase parking vouchers specifically for their visitors on many housing estates. Residents with permits will not be able to park in these bays.

What if you are disabled?

Disabled tenants will continue to receive the highest priority when a car space is available. As each new scheme is delivered, those with a serious health condition will be assessed for a Personalised Disabled Bay solely for their own use whilst those with a blue badge may qualify for a free permit.

Where a resident is reliant on Carers, a Carers Permit will be issued subject to an Occupational Therapist assessment.

Why are we phasing out the “Any other vehicle” permits?

It is not possible to effectively enforce parking on our estates whilst maintaining “Any other vehicle” permits. The introduction of TMOs means we must be clear about who is legally able to park on our estates to avoid legal challenge.

What if you rent a garage?

Garages will not be affected by these changes.

What next?

Following this exercise, the Council will ensure that local consultation takes place before any scheme is agreed allowing residents to comment on all aspects of the proposal.