

Cabinet Member for City Services

7<sup>th</sup> August 2017

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor J Innes

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

Earlsdon

**Title:**

**Report** – Objections to Burnsall Road, Sir Henry Parkes Road, Canley Road Area Residents' Parking Scheme.

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**Is this a key decision?**

No

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**Executive Summary:**

Following a petition received by the City Council and concerns raised by local residents about commuters and employees from nearby factories leaving their cars parked all day in and around the area, the City Council undertook a resident's parking scheme consultation in 2016. The residents of Burnsall Road, Sir Henry Parkes Road, and Canley Road area were given a number of options. The result was that majority of the residents opted for 24 hours a day, 7 days a week option.

On 8<sup>th</sup> June 2017 a Traffic Regulation Order (TRO) proposing a new residents' parking scheme for the Burnsall Road, Sir Henry Parkes Road, Canley Road Area was advertised. 12 objections were received, all objecting to the proposed times of operation of the scheme (24 hours a day, 7 days a week).

In accordance with the City Council's procedure for dealing with objections to TROs they are reported to the Cabinet Member for City Services for a decision as to how to proceed.

The cost of introducing any scheme, if approved, will be funded from ITB (Integrated Transport Budget)

**Recommendations:**

Cabinet Member for City Services is recommended to:

1. Consider the objections to the Traffic Regulation Order
2. Subject to recommendation 1 above, approve that the revised proposal of 24 hours a day, Monday to Friday is implemented as an Experimental Traffic Regulation Order for the duration of 9 months

3. Subject to recommendation 2 above and the consideration of any objections to the ETRO, if the order is made permanent, agree that residents should apply for a new permit within a month of making the Experimental Traffic Regulation Order permanent where the normal permit charges will apply
4. Agree that if any objections are received during the first 6 months of operation, these are reported to the Cabinet Member for consideration and decision on how to proceed

**List of Appendices included:**

Appendix A – Plan of residents parking scheme to be introduced.  
Appendix B – Summary of objections

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Report title: Objections to Clifford Park Estate Residents' Parking Scheme.**

### **1. Context (or background)**

- 1.1 In October 2016 a consultation was undertaken in Burnsall Road, Sir Henry Parkes Road, and Canley Road Area for a residents parking and limited waiting scheme. The required 60% response was not received however from the responses that were received, the majority of the residents opted for a 24 hours, 7 days a week option.
- 1.2 Canley Road residents submitted a petition with over 80% signatures with a request for 24 hours, 7 days a week. No other option was made available in the petition to the residents.
- 1.3 On 8th June 2017 a Traffic Regulation Order (TRO) proposing a new residents' parking and limited waiting scheme for the Burnsall Road, Sir Henry Parkes Road, Canley Road Area was advertised. 12 objections were received, all objecting to the proposed times of operation of the scheme (24 hours a day, 7 days a week) with suggestions that this option is too onerous.

### **2. Options considered and recommended proposal**

#### 2.1 The options considered

- i) To make the proposed TRO and take no further action.
- ii) To make the proposed TRO in part
- iii) To utilise an Experimental TRO to introduce (and monitor) a revised proposal of residents' parking and limited waiting scheme for 24 hours Monday to Friday, instead of 24 hours, 7 days a week.

- 2.2 Option i) is not recommended as there is a clear issue regarding parking on these streets due to the factory and the station on Burnsall Road, Sir Henry Parkes Road and Canley Road.
- 2.3 Option ii) is not recommended as, if the TRO is made in part; any location where the new TRO is not made will be subject to no restrictions. This, will result in there being no legal available parking for non-permit holders to park ie; residents
- 2.4 The objections received acknowledge that there are parking problems on Burnsall Road, Sir Henry Parkes Road and Canley Road but request an alternative option to that currently advertised (24 hours, 7 days a week).
- 2.5 Taking into account the objections raised, it is recommended that the revised proposals are introduced as an Experimental TRO (option iii). This would enable the scheme to be introduced for a minimum period of up to 9 months. This would enable residents and Council Officers to see how the scheme is working before making comment.

### **3. Results of consultation undertaken**

- 3.1 In October 2016 a consultation was undertaken in Burnsall Road, Sir Henry Parkes Road, and Canley Road Area for a residents parking and limited waiting scheme. The required 60% response was not received however from the responses that were received, the majority of the residents opted for a 24 hours, 7 days a week option.
- 3.2 Canley Road residents submitted a petition with over 80% signatures with a request for 24 hours, 7 days a week. No other option was made available in the petition to the residents'.

3.3 The TRO for the residents parking and limited waiting restrictions was advertised in the Coventry Telegraph on 8<sup>th</sup> July 2017, notices were also placed on street in the vicinity of the proposals. The responses received were 12 objections.

3.4 Appendix B details the objections received.

#### **4. Timetable for implementing this decision**

4.1 Subject to approval, it is proposed to advertise the Experimental Traffic Regulation Order by October 2017 and

4.2 Subject to receiving no objections, make the Experimental TRO by July 2018.

#### **5. Comments from Director of Finance and Corporate Services**

5.1 Financial implications

The cost of advertising the ETRO (Experimental Traffic Regulation Order), if approved, will be funded from Highways and Transportation ITB funds (Integrated Transport Budget).

5.2 Legal implications

The Road Traffic Regulation Act 1984 allows the Council to make a Traffic Order, including an experimental order, on various grounds e.g. improving safety, improving traffic flow and preserving or improving the amenities of an area provided it has given due consideration to the effect of such an order.

In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make a traffic order the Council is under a duty to have regard to and balance various potentially conflicting factors e.g. the convenient and safe movement of traffic (including pedestrians), adequate parking, improving or preserving local amenity, air quality and/or public transport provision.

An experimental order may take effect 7 days after public notice is given and can remain in force for up to a maximum of 18 months. Objections may be made during the first 6 months of operation and any objections must be considered before any decision to make the order permanent. The order can be made permanent any time after the objection period but within the 18 months from the date of the public notice.

The 1984 Act provides that once a Traffic Order has been made it may only be challenged further via the High Court on a point of law (i.e. that the Order does not comply with the Act or regulations for some reason).

#### **6. Other implications**

**6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

It is considered that the proposals will generally assist to secure the safer movement of vehicular and pedestrian traffic and will contribute to the City Council's aims of ensuring that citizens are safe and the objective of working for better pavements, streets and roads.

**6.2 How is risk being managed?**

None

### 6.3 What is the impact on the organisation?

None

### 6.4 Equalities / EIA

The introduction of residents parking and limited waiting restrictions will reduce obstruction of the carriageway, therefore increasing safety for all road users

### 6.5 Implications for (or impact on) the environment

None

### 6.6 Implications for partner organisations?

None

### Report author(s)

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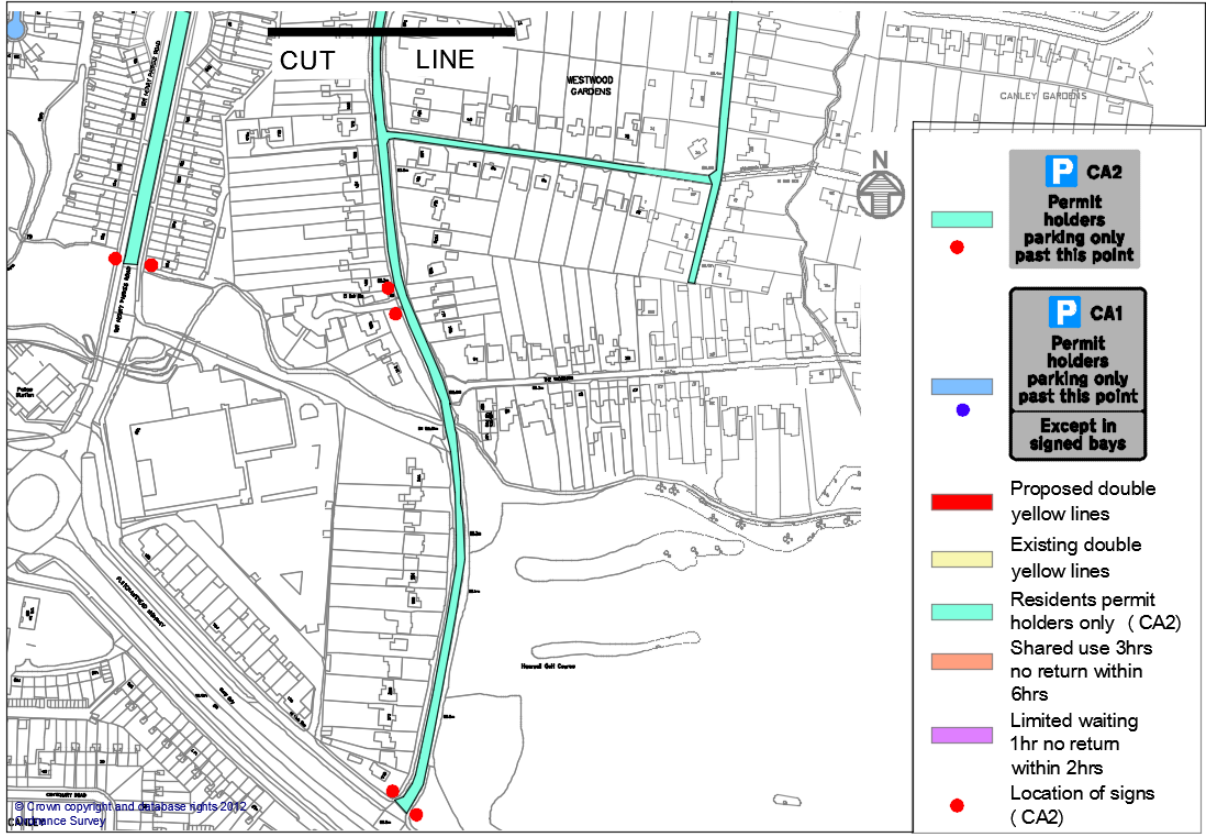
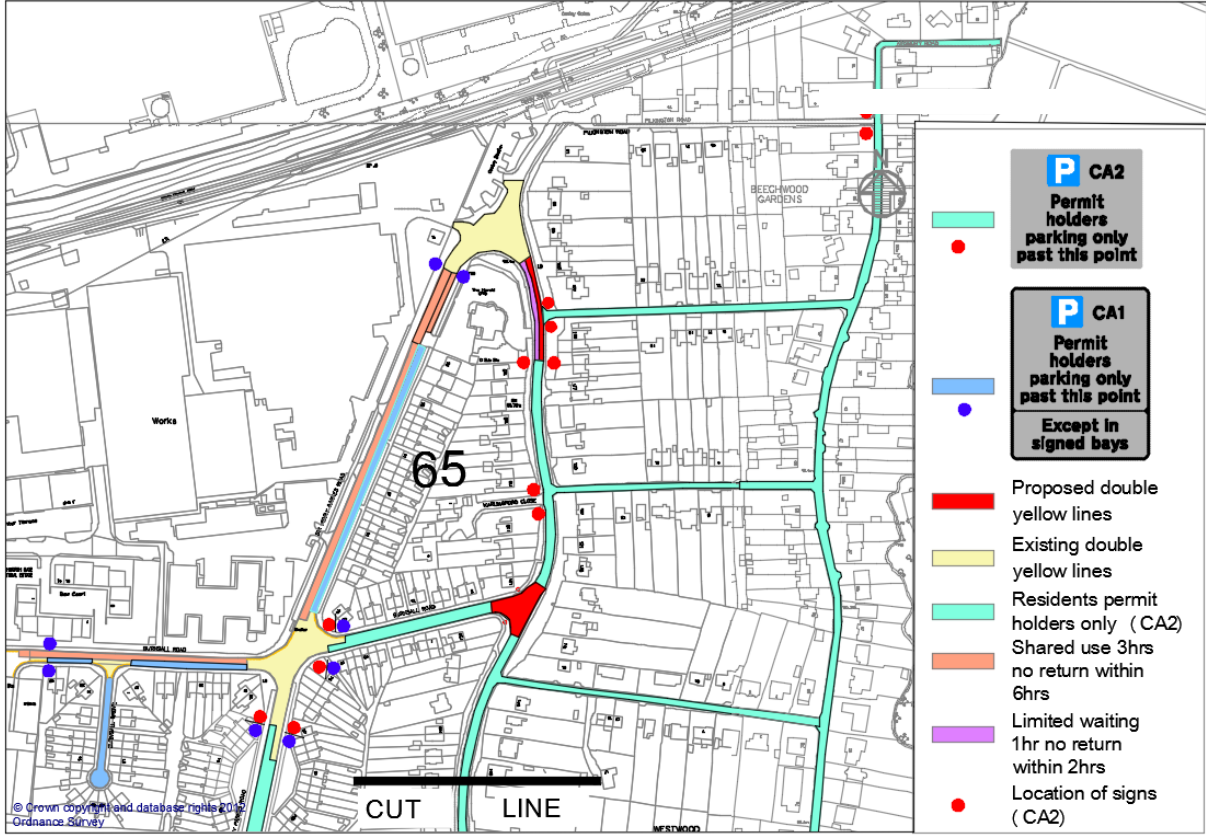
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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
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Rob Parkes	Place Team Leader, Legal Services	Place	24.07.2017	25.07.2017
Councillor J Innes	Cabinet Member for City Services	-	24.07.2017	26.07.2017

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**Appendix A – Plan of residents parking and limited waiting scheme as advertised and consulted 2016/2017**



## Appendix B – Summary of Objections

No	Address of objectees	Objections
1	Sir Henry Parkes Road	<p>Objectors feel the proposed scheme will be a significant inconvenience to us personally and we are unhappy about having to pay to park on the street in which we live. We were not aware that the parking permits would operate for 24 hours a day, which includes evenings and weekends; we feel that this is unnecessary as we don't have any trouble parking at these times. The objectors also feel that the implementation of this scheme and the impact of cost on residents, we feel that this could potentially have a negative impact on the appeal and even the value of our property. The objectors feel that that Monday to Friday, 8:00am - 6:00pm, would be sufficient to deal with the problems with the local factory.</p>
2	No address	<p>Objector's grounds for objection are.</p> <ol style="list-style-type: none"> <li>1) Unnecessary</li> <li>2) The ones who rejected the request in the vote will be paying to park outside their own house.</li> <li>3) Multi visitor situation, which happens occasionally, resident's birthdays etc, will not be possible.</li> <li>4) It may not be the Councils duty to provide on-street parking, but seems they have right to take it away, despite the vote that rejected this proposal.</li> </ol> <p>This will effect property prices. I would certainly not buy a property with restricted street parking.</p> <ol style="list-style-type: none"> <li>5) Encourage "queue jumping" on the A45 eastward, Burnsall Road/Canley Road, making one of the proverbial "Rat Runs";</li> <li>5) The VOTE</li> </ol>
3	Canley Road	<p>Objector strongly disagrees with the proposed hours of enforcement.</p> <p>The objector feels that there is absolutely no need for it to be 24 hours a day, seven days a week.</p> <p>The objector has requested that consideration be given for restricted parking instead, to be for example, Monday to Friday, 06:00am till 18:00pm? Thereby, giving local residents the ability to have family and friends visit at evenings and weekends without the risk of incurring parking charges.</p> <p>The objector believes that the 6am to 6pm Mon to Friday option will save costs for the authorities responsible for monitoring any infringements, as no parking wardens would be required out of normal working hours.</p> <p>It walked also reduce the cost to some residents who may not be able to afford additional visitors permits</p>
4	Ingram Road	<p>The objectors believe that:</p> <ol style="list-style-type: none"> <li>1) It is fine as it is and these changes are not necessary.</li> <li>2) The objectors frequently hold events at their property on Ingram road and do not want to have to record peoples' vehicle registrations (beyond their drive capacity) and place them online. This would be time consuming, and anti-social. They wish their guests to feel welcome and not restricted by parking regulations.</li> <li>3) If parking restrictions are necessary, they would prefer limited or shared bays - Monday to Saturday 8am to 6pm with a stay no</li> </ol>

		longer than 3 hours, no return within 2 hours. This would allow for residents and their guests to come and go as they please, and limit businesses and rail users leaving their cars there all day
5	Nightingale Lane	<p>The objector feels that when two cars need to pass in the area one car has to pull over into the side of a drive to let the other car pass. This has never caused problems as people who live in the area realise the restrictions caused by the narrow roads. The objector mentions that they have never known anyone to park in the Lane and leave their car causing a access problems for residents. People who live in the area have their own parking and do not need to park on the roads so why should it be a permit area?</p> <p>The objector says that they know there is a problem for people living on Sir Henry Parkes Road and Burnsall Road caused by the local factories but the proposal is to extend parking restrictions far beyond the area where there is a no problem. There are no parking problems in Nightingale Lane so why do they need to pay for permits?</p>
6	Sir Henry Parkes Road	The objector says that she does not own a car but her mother visits her on a Sunday every six weeks and stays for around three hours. The objector feels that this does not justify her paying £20 for three years for a visitor permit and that Cov Press should be accountable for their employees.
7	Canley Road	<p>The objector is objecting on the following points:</p> <p>1) Displacement - I am not aware that alternative provision has been made for people who park on the streets when they go to work. Therefore I expect people from the businesses on Burnsall Road/Sir Henry Parkes Road will begin to park on Prior Deram Walk. This area is already subject to increased traffic due to the housing developments and additional on street parking could become chaotic and dangerous for both drivers and pedestrians. Displacement of a problem cannot be an effective outcome of a parking scheme.</p> <p>2) Economic impact - whilst I recognise that road traffic legislation is about safety and usability of roads, the council does have wider economic responsibilities. How will the railway station and the businesses be sustained if opportunities to access them are reduced? How will people get to work? A parking solution for these facilities to replace the lost on street parking would make a valuable contribution. Without this to accompany the scheme, the scheme will negatively affect the economic wellbeing of the area and people who live nearby.</p> <p>4) Continued difficulties for pedestrians - residents on Canley Road continue to park across the whole pavement and to double park (ie on both sides of the road), and they will still be able to do this when the scheme is in place. It is difficult and dangerous to keep crossing the street or walking in the road with my child to get round parked cars belonging to residents who choose not to use their drives. I had hoped parking could be restricted to one side only if the scheme went ahead. As it stands the objectives of the order to improve safety will not be met.</p> <p>3) Consultation process irregularities - after the formal consultation closed we, and our neighbours, were visited by supporters of the scheme who told us that the 60% threshold had not been reached. They asked us to sign a document in support of the scheme next to our address. Their stated intention was to</p>



		submit this to the council to challenge the results of the formal consultation. This seems most irregular and give a me cause for concern about how the decision to implement the scheme was reached.
8	Ingram Road	<p>The objector agrees that there is an issue with parking Monday-Friday 8-6pm but cannot see any issues on weekends and evenings. The objector wants to know if it would be more sensible to have restricted parking during weekdays 8-6pm, which would deter the cars parking there and then getting the train. The objector feels that having restrictions on weekends and evenings would massively inconvenience the residents who have limited car parking on their own property.</p> <p>The objector would like to know if there is any close by land that the council owns that could be converted into additional car parking for the station.</p>
9	No address	<p>The objector has objected as follows:</p> <ol style="list-style-type: none"> <li>1. The objector does not see how any more than perhaps double yellow lines on the very corner of these roads where they meet Canley Road can be justified, certainly not parking permits for the residents of these roads. These roads between Canley Road and Ainsbury Road, and Ainsbury road itself, are too narrow to park on (with no pavements and limited road width, only just allowing two cars to pass each other slowly/if one eases onto a driveway). Consequently there is no issue with parking on them at present. But nor would there be, if parking restrictions were introduced on Canley Road or Sir Henry Parkes Road - because of their limited width, as above parking is not possible on these roads.</li> <li>2. All the houses on these parallel roads seem to have driveways that can take more than one car, and most have garages; consequently it is only necessary for us to park a vehicle on the road (Canley Road) very occasionally if tradesmen are visiting or delivering materials, etc. It would be unfair to make people living in these roads pay for a parking permit when they cannot physically park on their own road and might only be parking on an adjacent road once or twice a year if at all.</li> <li>3. If the problem experienced by some houses along the wider roads Sir Henry Parkes and Canley Road, is owing to commuters, then surely only a weekday scheme can be justified.</li> </ol>
10	Ainsbury Road	<p>The objector wishes following objections to the proposed Residents Parking Scheme for the Canley Road area.</p> <ul style="list-style-type: none"> <li>• Ainsbury Road, Bott Road, Ingram Road, Lynbrook Road &amp; Nightingale Road are all of a width that any vehicle parked on them is parked illegally as it would contravene the Road Traffic Act (1988) section 22, and the Road Vehicles (Constructions and Use) Regulations (1986) section 103. Any parked vehicle would effectively block the road.</li> <li>• The Permit parking scheme is therefore superfluous for these streets. Any efforts put to enforcement of the parking scheme could equally be put to enforce the laws which already prohibit parking on such narrow roads.</li> </ul>

		<ul style="list-style-type: none"> <li>• It therefore seems that the proposed scheme for the roads mentioned would produce no benefit for residents. In fact such a scheme would suggest that parking on the streets is appropriate because residents have a permit allowing it. However, such parked vehicles would be blocking the road and therefore be parked illegally.</li> <li>• Pilkington Road is excluded from the existing scheme (according to published maps). There seems no logical reason for this. In fact it will be the only unrestricted parking in the area which may well encourage parking on that street. No-one parks on this street at the moment (not least because it is not possible to park there without blocking the highway). The proposed scheme is likely to produce a negative impact on residents of Pilkington Road and of Ainsbury Road who use Pilkington Road to access their properties.</li> <li>• Whilst there is a need for the parking issues of Canley Road, Sir Henry Parkes road and Burnsall Road to be addressed, a blanket 24 hours permit scheme for the whole area seems unnecessary, and in fact as it is proposed is likely to encourage inappropriate and illegal parking on many streets which currently are entirely free of on-street parking The objector hopes that the Project Team will look again at these proposals and come up with a scheme which deals with the very real issues of residents of Sir Henry Parkes Road and others, without inadvertently creating new problems for other local residents</li> </ul>
11	Ingram Road	The objector would like to lodge an objection to the proposed parking scheme and feels that a Monday-Friday 8-6 operating time would be far more sensible. There is no parking issues during the evenings or weekends and having a scheme operating during these times will be massively inconvenient for the objector and other residents.
12	Ingram Road	The objector feels that by giving the residents parking you are giving free rein to people to apply for permits and therefore park in the roads. This will mean that other vehicles including emergency ones will be unable to pass. At present people generally do not park on the roads in this area namely, Ainsbury, Lynbrook, Ingram, Bott, and Nightingale roads.