

Cabinet Member for City Services

30th July 2018

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: Objections to Burnsall Road, Sir Henry Parkes Road, Canley Road Area Experimental Residents' Parking Scheme

Is this a key decision?

No

Executive Summary:

Following 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.

This resulted in a Traffic Regulation Order (TRO) being advertised on 8th June 2017 which proposed the introduction of a residents' parking scheme for the Burnsall Road, Sir Henry Parkes Road, Canley Road Area which would operate 24 hours a day, 7 days a week.

12 objections were received, all objecting to the proposed times of operation of the scheme (24 hours a day, 7 days a week). The objections were considered at the Cabinet Member for City Services meeting on 7th August 2017 and approval given for an alternative Experimental TRO to be installed, which would enable residents to see how the scheme operated before making objections.

The ETRO came into operation on 16th October 2017 and introduced a 24 hour, Monday to Saturday, Residents' Parking Scheme. The closing date for objections was 16th April 2018. 50 objections, 68 responses in support, a petition requesting changes and a petition in support were received.

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 relating to the making permanent /amending the ETRO is funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the objections and support to the Experimental Traffic Regulation Order (ETRO);
2. Subject to recommendation 1, approve that a residents' parking scheme remains in operation in this area.
3. Considering the issues raised in paragraph 2.11, approve that the existing scheme is made permanent.

List of Appendices included:

Appendix A – Plan of experimental residents' parking scheme as introduced.
Appendix B - Summary of objections and support

Background Papers

None

Other useful documents:

Cabinet Member for City Services Report – Objections to Burnsall Road, Sir Henry Parkes Road, Canley Road Area Residents' Parking Scheme (7th August 2017).

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 Burnsall Road, Sir Henry Parkes Road, Canley Road Area
Experimental Residents' Parking Scheme

1. Context (or background)

- 1.1 Following concerns raised by local residents in the Burnsall Road, Sir Henry Parkes Road, Canley Road Area about commuters and employees from nearby factories leaving their cars parked all day in and around the area, the City Council undertook a residents' parking scheme consultation in 2016. This resulted in a residents' parking scheme being proposed.
- 1.2 The proposed Traffic Regulation Order (TRO) for the residents parking scheme, which would consist of two zones CA1 & CA2 and operate 24 hours a day, 7 days a week and was advertised on 8th June 2017. 12 objections were received, all objecting to the proposed times of operation of the scheme i.e. 24 hours a day, 7 days a week.
- 1.3 The objections were considered at the Cabinet Member for City Services meeting on 7th August 2017. This resulted in approval for an alternative 24 hours a day, Monday to Saturday, residents' parking scheme to be implemented as an Experimental TRO, which would enable residents to see how the scheme operated before making objections. A plan of the scheme is shown in Appendix A
- 1.4 The ETRO came into operation on 16th October 2017, the first 6 months of operation of an ETRO are an objection period. The closing date for objections was 16th April 2018. 50 objections, 68 responses in support, a petition requesting changes and a petition in support were received.

2. Options considered and recommended proposal

- 2.1 In response to the residents' parking scheme 50 objections, 68 responses in support, a petition of 101 signatures (relating to 76 properties within the scheme) requesting changes and a petition of 228 signatures (relating to 118 properties within the scheme) in support were received. The objections to the proposals and details of support for the scheme are summarised in the table in Appendix B.
- 2.2 In considering the objections and responses in support received, the options are to:
 - i) make the ETRO permanent;
 - ii) make amendments to the ETRO, which will require a variation to the ETRO and further 6 month objection period to the revised restrictions;
 - iii) not to make the ETRO permanent and remove the associated restrictions.
- 2.3 9 of the responses received request the removal of the scheme. The remainder of the responses either want the scheme to remain, an alternative form of restriction or a residents' parking scheme with different hours of operation. It is therefore recommended that some form of residents' parking scheme remains in operation. If a residents parking scheme did not remain in operation, any restriction would also apply to residents and their visitors.
- 2.4 The locations of the responses have been mapped to determine whether there is a clear pattern in where the residents requesting the existing scheme is not changed reside and where those requesting changes to the ETRO reside. For data protection, this plan is not included in the report. However, this showed that there was no clear pattern.
- 2.5 To amend the scheme would require the ETRO to be varied, extending its duration to the maximum period (18 months from the original operational date) and a further 6 month objection period would commence when the variation came in to operation.

- 2.6 If the scheme was amended, in addition to the legal procedure, all signs would have to be amended to show the new restriction in operation.
- 2.7 If the residents' parking scheme remained in place with only an amendment to the times of operation, the gateway signs would need to be amended accordingly.
- 2.8 Other options highlighted in the petition for change were 4 hour limited waiting bays, or a controlled zone.
- 2.9 To create 4 hour limited parking bays would require bays to be marked on the road and for signs to be installed, advising of the restriction in place, along the length of the bay. Due to the width of the road in some of the locations it would not be possible to install bays on both sides of the roads. This is not a recommended option.
- 2.10 A controlled zone is generally used to prohibit parking for set periods of time, apart from where parking bays and double yellow lines are in place. The restrictions would also apply to residents and this is not a recommended option.
- 2.11 Due to the number of people that support the scheme and the spread of both the support and objection, there is no clear pattern for amending the scheme. Making the existing ETRO permanent would be the most cost effective solution as it would not require any amendments to signage. It would also retain a scheme which addresses the issue originally raised which was commuters and employees from nearby factories leaving their cars parked all day in and around the area. This is therefore the recommended option.

3. Results of consultation undertaken

- 3.1 The Notice of Making for the ETRO was advertised in the Coventry Telegraph on 5th October 2017; notices were also placed on street in the vicinity of the proposals. Letters were also sent to other various consultees. The responses received were:
 - 50 objections,
 - 68 responses in support,
 - A petition of 101 signatures requesting changes
 - A petition of 228 signatures in support
- 3.2 Appendix B details a summary of the objections and letters of support. Copies of the content of the objections can be made available on request.

4. Timetable for implementing this decision

- 4.1 Subject to approval it is proposed to make the ETRO permanent by 15th August 2018.

5. Comments from Director of Finance and Corporate Resources

- 5.1 Financial implications

The cost of making permanent the ETRO, if approved, will be funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan. If the ETRO was not made permanent, but was varied, the costs of advertising the variation to the ETRO and amending the signage would be funded from the same 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 takes effect 7 days after public notice is given and can remain in force for up to 18 months. The duration of this ETRO is 10 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 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 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)?

The experimental waiting restrictions, if made permanent, will contribute to the City Council's aims of ensuring that citizens, especially children and young people, 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 making permanent of the experimental waiting restrictions will continue the existing situation of reducing 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

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Councillor J Innes	Cabinet Member for City Services	-	3.07.2018	3.07.2018

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Appendix A – Plan of experimental residents’ parking scheme (as introduced).



Appendix B – Summary of objections and support

Petition objecting to scheme and suggesting alternative. Petition of 101 signatures, from 76 addresses.

It is only proportionate and justifiable to impose restrictions during weekday office hours, e.g. 4 hour limited waiting bays, controlled zone or Monday to Friday, 8am to 6pm, and therefore I OBJECT to the current ETRO being made permanent.

One signatory advise the schemes ‘wants to be looked at’ but not necessarily as proposed in the petition.

Petition in Support of the existing scheme. Petition of 228 signatures, from 118 addresses.

Burnsall Road, Sir Henry Parkes Road, Canley Road Area residents Parking Scheme
We the undersigned, support the current Experimental Traffic Regulation Order and its permanent retention, we object to any relaxation of the current scheme.

Comparing petitions

Road	households objection	households support
Ainsbury	19	17
Burnsall Road	4	8
Burnsall Grove		7
Bott		6
Canley Rd	19	38
Ingram	11	
Karlingford		2
Lynbrook Rd	8	6
Nightingale	2	
Pilkington	1	3
Sir Henry Parkes Rd	12	29
Other		2

12 addresses signed both petitions

Summary of objections (50 in total)
9 object to scheme
34 object to times of operation of scheme
3 object to having to pay for permits in future
Other objections relate to other specific issues
Comments received also refer to
Blanket parking restriction is unnecessary and inconvenient; it has a negative impact on the appeal of our area and on the value of our properties and makes it difficult for guests, friends and family to visit in the evenings and at weekends. Only justifies Mon-Fri 8am - 6pm
Concerns relate to effect on companies & employees
Problems only related to CA1 zone area, should never have introduced CA2 zone
Scheme is bad for business, inconvenient for elderly or disabled residents who have carers visiting, as well as being a financial burden on every resident. Halt it immediately.
If the problem experienced by some residents is by all accounts owing to factory workers and possibly some commuters, it is unnecessary and unfair to residents to restrict weekend parking.
Relating to CA2. In favour of restricted parking but only during working day Monday to Friday, want paper permits and want them for free (as elsewhere in Coventry)
Pilkington Road, Lynbrook Road, Ingram Road, Bott Road, Nightingale Lane and Ainsbury Road should not unnecessarily be subject to restrictions (permits) there is no problem warranting parking restrictions in these roads. Canley Road, Sir Henry Parkes Road (SHP) and Burnsall Road is related to Railway commuters, Liberty Pressing Solutions and other industrial units. Related parking restrictions should not be 24/7 but 4 hour limited waiting bays, controlled zone or Monday to Friday 8am to 6pm.
Support some restriction but not 24/6, unnecessary, detrimental to householders. Object to having to pay for permits separately, residents should have 3 or 4 permits a year as part of council tax.
Object to 3 hour limited waiting restriction, would like it reduced to 1 hr as road not wide enough for vehicles to be parked for long periods of time, safety concerns, commuters using bays to park when taking train, not checked enough
This Residents' Parking Scheme is an intrusion into our home life. It is invading our privacy and quality of life, because we can no longer relax in our own home. Not being able to have my own family visit me due to this current Residents' Parking Scheme is very upsetting and distressing to me, in fact, it is affecting my health. Not even being able to have all my own family visit me at Christmas, Easter, Birthdays and other family gatherings is breaching my Human Rights; Article 8 protects your right to respect for your private life, your family life, your home and your correspondence, e.g. letters, telephone calls, emails. The right to hold both religious and non-religious beliefs in your own home

Summary of support (68 in total) – Comments received refer to:
Would like the scheme to carry on as it seems to be working ok.
Situation improved dramatically since introduction of scheme, would like it kept
Support ETRO on Burnsall, SHP Rd and Canley Road, strongly resist any relaxation on these roads as since the scheme in place safer when driving due to reduction in parked vehicles
Without a doubt, parking in & around out street has improved immensely since the scheme was put into place. Also made crossing the road a lot safer and easier as can see along road (without all the parked cars)
Support the scheme, before the scheme how people parked made it dangerous, it was impossible to stay on the pavements because of how they had parked.
Area feels safer, easier to turn out of road. Have space to park near property & 3hr restriction is perfect for customers of smaller businesses and for visitors to their home.