

## SHEFFIELD CITY COUNCIL



## Cabinet Highways Committee

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**Report of:** Executive Director, Place

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**Report to:** Cabinet Highways Committee

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**Date:** 8<sup>th</sup> October, 2015

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**Subject:** Petition -Request for further consultation with respect to a proposed pay & display parking scheme on Ecclesall Road at Banner Cross.

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**Author of Report:** Nat Porter (ext 36691)

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**Key Decision:** NO

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**Summary:** The report provides an update subsequent to the decisions of 12<sup>th</sup> June and 13<sup>th</sup> November, '14 regarding a petition received concerning the proposed pay & display parking scheme on Ecclesall Road at Banner Cross district centre, and seeks a decision on the petition and the scheme.

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**Reasons for Recommendations:**

- A 29 space 2 hour pay & display scheme would appear (based on feedback to from the Banner Cross Neighbourhood Group) to offer the best balance between competing local interests, whilst providing reasonable parking capacity.
- Because loading and waiting is permitted outside of peak hours, it is considered that providing pay-and-display parking in the lay-by outside Sainsbury is acceptable between the peak hours, as vehicles stopped to service the new development can do so from the kerbside legally and without unacceptable consequence. However, in the interests of maintaining the flow of traffic during peak hours, it is necessary to reserve the lay-by so it is available for servicing at these times.

- Advertising a proposed scheme offers an opportunity to comment on and/or object to the proposals, prior to a final decision being taken as to whether or not to progress the scheme at a subsequent decision session.
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**Recommendations:**

- That the proposal to introduce a 29-space 2 hour pay & display scheme (including two spaces in the lay-by outside Sainsburys) be advertised;
  - That a peak hour loading only restriction be introduced in the lay-by at Sainsbury's as part of the scheme;
  - That any objections or comments received in response to the advertisement be brought to a subsequent decision session meeting; and,
  - That the petitioners and affected frontagers be informed accordingly
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**Background Papers:** Appendix A – Drawing of scheme proposals

**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES (cleared by D Watkinson, 14 Sep '15)
<b>Legal Implications</b>
YES (cleared by N Wynter, 9 Sep '15)
<b>Equality of Opportunity Implications</b>
NO (cleared by A Johnston, 7 Sep '15)
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human Rights Implications</b>
NO
<b>Environmental and Sustainability implications</b>
NO
<b>Economic Impact</b>
NO
<b>Community Safety Implications</b>
NO
<b>Human Resources Implications</b>
NO
<b>Property Implications</b>
NO
<b>Area(s) Affected</b>
Ecclesall Ward
<b>Relevant Cabinet Portfolio Lead</b>
Cllr. Terry Fox
<b>Relevant Scrutiny Committee</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press Release</b>
NO

## REPORT TO THE CABINET MEMBER FOR BUSINESS, SKILLS & DEVELOPMENT

### PETITION - REQUEST FOR FURTHER CONSULTATION WITH RESPECT TO PROPOSED PAY & DISPLAY PARKING SCHEME ON ECCLESALL ROAD AT BANNER CROSS.

#### 1.0 SUMMARY

- 1.1 The report provides an update subsequent to the decisions of 12<sup>th</sup> June and 13<sup>th</sup> November, '14 regarding a petition received concerning the proposed pay & display parking scheme on Ecclesall Road at Banner Cross district centre, and seeks a decision on the petition and the scheme.

#### 2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

- 2.1 Managing kerbside parking in district shopping centres to protect access for customers contributes to '*A Strong and Competitive Economy*'.

#### 3.0 OUTCOME AND SUSTAINABILITY

- Ensure that the proposed parking scheme achieves the objective of improving customer access to shops in the Banner Cross district centre.
- Minimise any negative impacts of the parking scheme as far as possible whilst achieving the above objective.

#### 4.0 REPORT

##### ***Background***

- 4.1 Petitions signed by 237 parties (including duplicates across multiple petitions) in the Banner Cross area were received in spring 2014, requesting that proposals for a pay & display parking scheme on Ecclesall Road at Banner Cross be deferred.
- 4.2 The proposed pay & display parking scheme was progressed at the request of Ecclesall Ward Councillors, who raised concerns that long-stay parking on Ecclesall Road was hindering access to local retailers for customers, which in turn was harming the viability of those businesses.
- 4.3 The scheme is neither expected nor intended to contribute to (or impinge on) the Council's statutory duties. The scheme is considered to be a discretionary matter that was initially promoted at the request of Ward Councillors, who have since withdrawn their support for the proposals.

##### ***Matters arising since 13<sup>th</sup> November, 2013***

- 4.5 Since the November decision session, the Banner Cross Neighbourhood Group (BCNG) has put forward an alternative suggestion for a pay & display parking scheme of reduced extents, extending only as far downhill as Marmion Road on the eastern side of the street, and as far south as Huntingtower Road on the western side. The Neighbourhood Group states this proposal was reached in

agreement with the residents who attended the meeting of 13<sup>th</sup> November.

- 4.6 This proposal would provide 20 pay & display spaces, compared to 34 in the post-March 2014 Sheffield City Council (SCC) proposal. Based upon parking demand observed in October 2013, this proposal could be expected to be full to capacity on weekdays, and full to 68% of capacity on Saturdays, assuming all bays were restricted to 2 hours. (By comparison, the 34-space proposal, which included seven bays with a 4 hour limit, is projected to be full to 87% and 57% of capacity on weekdays and Saturdays respectively).
- 4.7 Consequently, Council officers advised BCNG that whilst their proposal might offer benefits to traders in preventing medium- or long-staying vehicles being left in front of the shops, the limited capacity of their proposal would likely mean that kerbside would remain congested following introduction of a scheme. Notwithstanding this, BCNG advised that traders would still be keen to see a pay & display scheme introduced.
- 4.8 BCNG also suggested additional pay & display spaces could be provided on the western side of the street between Huntingtower Road and the petrol filling station if their initial proposal proved problematic. This 27-space proposal is projected to be utilised to 87% and 51% of capacity on weekdays and Saturdays respectively, assuming all spaces were restricted to 2 hours.
- 4.9 BCNG also identified the recently constructed lay-by outside Sainsbury's as being another opportunity for additional pay & display parking capacity. This lay-by was constructed as part of the planning consent for the Sainsbury's development, to provide for vehicles servicing the new store without obstructing traffic, even when the peak hour bus lanes are in force. Consequently, it was proposed that any scheme would include for provision of a loading only restriction in this lay-by. However, as loading is permitted on the main carriageway outside of peak hours, it would be possible to restrict loading in the lay-by to peak hours only, and include the lay-by in the pay & display scheme during the daytime. This could provide an additional two parking spaces; this 29-space proposal would result in projected occupancy of to 83% and 47% of capacity on weekdays and Saturdays respectively (again, assuming a 2 hour limit throughout).
- 4.10 Neither of the BCNG proposals are anticipated to have a significant impact on displacement of parking demand into adjacent streets. The SCC 34-space pay and display proposal was not expected to result in any displacement into adjacent streets on weekdays, as remaining unrestricted parking on Ecclesall Road would be sufficient to accommodate medium- and long-staying vehicles. Only the 20-space BCNG proposal would significantly reduce displacement on Saturdays, to around 5 vehicles (averaged over the busiest four hours); the BCNG 27- & 29- space proposals and the 34-space SCC proposal are projected to result in displacement of approximately 12 vehicles (the BCNG proposals causing marginally less displacement).
- 4.11 It is unclear how far all of the petitions' signatories would support a scheme of reduced extents. Whilst it is understood the lead petitioner(s) supports the BCNG proposals, it is noted that an effect of their proposal is to not restrict the

kerbside outside of their premises where this is currently proposed. Based on the petitions received and the June 2014 public meeting, much of the concern regarding the scheme appears to emanate from side streets, and appears to be more concerned about potential displacement arising from any scheme, rather than the extents of the restrictions *per se*.

- 4.12 All of BCNG's proposals would make it difficult to provide any four hours bays, owing to limitations of capacity. Four hour provision had been included in SCC proposals to provide for longer stays as desired by a minority of local businesses; however in allowing vehicles to occupy (some) spaces for 4 hours would be expected to increase demand – this would put the relatively limited capacity proposed by BCNG's proposals under greater pressure.
- 4.13 For example, presuming a 4 hour limit were provided in 7 spaces (considered to be the practical minimum given the layout of parking bays and likely positions of ticket machines), on weekdays a 20-space scheme is projected to be full to capacity, and 27-space scheme would be projected to be full to 95%. A 29-space scheme would require the additional two spaces be given a four hour limit, and would be projected to be full to around 94% of capacity.

#### ***Financial implications***

- 4.14 Funding is allocated as part of the 2015/16 LTP Programme, as agreed at Cabinet on 22<sup>nd</sup> July 2015. This covers £20,000 for capital expenditure, and £5,000 to cover maintenance of traffic signing under the Amey PFI contract.
- 4.15 It is anticipated that ticket machines will be relocated from other parts of the city where there is an overprovision of ticket machines, ensuring there no additional revenue burden associated with the maintenance of machines.

#### ***Legal implications***

- 4.16 The Council in exercising its functions under the Road Traffic Regulation Act is required under the Section 122 of the Act to (a) secure the expeditious, convenient and safe movement of traffic (including pedestrians) and (b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to the matters listed below.

The matters to be considered before reaching any decision are:

- i) the desirability of securing and maintaining reasonable access to premises;
  - ii) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
  - iii) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
  - iv) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers/potential passengers; and
  - v) any other matters appearing to the Council to be relevant.
- 4.17 The Council must also follow the procedure for making traffic orders, which is contained in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996. Providing that it does so, it is acting lawfully.

### ***Equality implications***

- 4.18 No significant equalities implications have been identified in connection with either progressing the proposed scheme, or with retaining the status quo. Any pay & display scheme would include exemptions for disabled persons' blue badge holders, from both charges and time limits.

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Leaving waiting and parking restrictions as existing was considered. This would not address the original concerns regarding availability of parking for visitors of local shops.
- 5.2 Progressing BCNG's suggestion of introducing a 20- or 22-space scheme initially, and extending the scheme if necessary thereafter was considered, but was ruled out as a second TRO would be required in the event the additional parking was desired. An experimental TRO allows the Council to reduce the extents of restrictions during or after the experiment without a new TRO; this means it is more cost-effective to introduce a greater length of restriction with a view to contraction if necessary.
- 5.3 Similarly, if it were to prove possible and necessary, it would be more cost effective to relax the experimental order to provide areas of 4 hour parking than it would to introduce a new Order to reduce a time limit.
- 5.4 In making parking place Orders, the Council must exercise their powers to provide suitable and adequate parking facilities. The observed demand suggests a scheme of reduced capacity or with areas of 4 hour parking provided could be expected to be full to capacity throughout weekdays. If the Council were to propose a scheme which did not offer adequate capacity and was not effective in improving the availability of kerbside parking, it may be open to the accusation it has used its powers to provide parking places with charges improperly.

## **6.0 REASONS FOR RECOMMENDATIONS**

- 6.1 A 29 space 2 hour pay & display scheme would appear, based on feedback to from the Banner Cross Neighbourhood Group, offers the best balance between competing local interests, whilst providing adequate capacity having regard for the purposes it is permitted to introduce parking place schemes.
- 6.2 Because loading and waiting is permitted outside of peak hours, it is considered that providing pay-and-display parking in the lay-by outside Sainsbury is acceptable between the peak hours, as vehicles stopped to service the new development can do so from the kerbside legally and without unacceptable consequence. However, in the interests of maintaining the flow of traffic during peak hours, it is necessary to reserve the lay-by so it is available for servicing at these times.
- 6.3 Advertising a proposed scheme offers an opportunity to comment on and/or object to the proposals, prior to a final decision being taken as to whether or not

to progress the scheme at a subsequent decision session.

## **8.0 RECOMMENDATIONS**

- 8.1 That the proposal to introduce a 29-space 2 hour pay & display scheme on an experimental basis (including two spaces in the lay-by outside Sainsbury's be brought forward through the capital approval process for consideration;
- 8.2 That a peak hour loading only restriction be introduced in the lay-by at Sainsbury's as part of the scheme;
- 8.3 That any objections or comments received in response to the advertisement be brought to a subsequent decision session meeting; and,
- 8.4 That the petitioners and affected frontagers be informed accordingly.

Simon Green, Executive Director, Place  
7<sup>th</sup> September, 2015