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**Report of:** *Mr Tom Finnegan-Smith*  
**Report to:** *Councillor Jack Scott*  
**Date of Decision:** *29 June 2017*  
**Subject:** *Objections to various proposals to introduce waiting restrictions*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Transport &amp; Sustainability</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Culture, Economy and Sustainability</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? 1193		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

**Purpose of Report:**

This report describes measures which have been advertised to deal with parking issues at several locations. When formally advertised some of the proposals received objections. These are detailed within the report together with officers' responses to the objections. The intention is to enable the Cabinet Member for Infrastructure and Transport to make a decision on the best way forward with respect to the various proposals taking into consideration the comments and objections received.

**Recommendations:**

Having considered the responses to the consultation it is recommended that the proposals be introduced as detailed in the report and the Traffic Regulation Order be made in accordance with the Road Traffic Regulation Act 1984;

Inform the objectors accordingly.

**Background Papers:**

Traffic Regulation Order proposals plans

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Julie Currey
	Legal: Richard Cannon
	Equalities: Annemarie Johnston
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	<b>EMT member who approved submission:</b> Laraine Manley
3	<b>Cabinet Member consulted:</b> Councillor Jack Scott
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	<b>Lead Officer Name:</b> Brian Hey
	<b>Job Title:</b> Senior Engineer Traffic Regulations Group
	<b>Date:</b>

## 1. PROPOSALS

- 1.1 The City Council receives many requests for the introduction of waiting restrictions. In recent years these have been added to a list awaiting the opportunity to assess, select and progress them as resources allow.
- 1.2 In 2015 a number of requests were selected and informal consultation was carried out with residents and businesses to determine the nature and extent of parking issues at various locations and help formulate appropriate measures to alleviate the problems.
- 1.3 When the proposals were subsequently formally advertised there were objections received to several of them. The proposals and the objections are detailed below.
- 1.4 The advertising process was carried out in July 2015 and due to resource issues haven't been progressed since that time. We now have opportunity to look again at these proposals, consider the objections and determine a way forward.
- 1.5 The proposals which were advertised, and received objections, were:-
- Abbeydale Road South (Drawing No TR-20-06-ARS)
  - Cadman Street/Chapel Street (Drawing No TR-20-07-CS2)
  - Chapel Street (Drawing No TR-20-07-CS)
  - Holbrook Close (Drawing No TR-20-07-HC)
  - Little London Road (Drawing No TR-20-06-LLR)

In addition to the above the following proposals were advertised as part of a planning application

- Troutbeck Road (Drawing No TR/20/06/TR)
- 1.6 The drawings referred to above, showing the various proposals, can be seen at Appendix A to this report.
- 1.7 Details of the objections to each of the proposals are detailed below, together with officer comments and recommendations.
- 1.8 **Abbeydale Road South**

These proposals are shown on Drawing No TR-2-06-ARS in Appendix A. They arise from complaints received that following the introduction of pay & display parking on the Millhouses Park car parks vehicles were being parked on Abbeydale Road South, near the car park entrances/exits, to

avoid the pay & display charges. These parked vehicles were obstructing visibility for drivers emerging from the car parks. Sections of double yellow line were proposed for the vicinity of the car parks entrances/exits. At the same time double yellow lines were also proposed for the junctions of two adjacent side roads, Hartington Road and Sterndale Road, to prevent parking within 10 metres of those junctions, in line with the Highway Code recommendation. These side roads are opposite but close to the Millhouses Park car park entrance. The proposed yellow lines are intended to facilitate turning manoeuvres into/out of the junctions by keeping the immediate vicinity of the junctions clear of parked vehicles, in line with the Highway Code recommendation.

When formally advertised 3 objections were received together with one letter of support.

### **Objection 1**

Staff and management of The Park Veterinary Hospital, 24 Abbeydale Road South, expressed concerns that the proposed waiting restrictions, together with existing restrictions and the pay and display charges on the park's car parks will cause problems for visitors/clients wanting to park near their premises to drop off/pick up pets. The business operates 24 hours a day with routine admissions commencing at 8:00am.

### **Response To Objection 1**

There will remain parking opportunities within close proximity of the premises.

- Outside the premises on Abbeydale Road South before and after the 8:00am to 9:30am morning peak restriction,
- Opposite the premises on Abbeydale Road South along the park frontage at all times,
- On Sterndale Road at all times,
- Visitors can make use of the Millhouses Park car park at a cost of 50p per hour between 9:30am to 6:30pm, free at other times.
- The Vet premises also have a drive and small parking area which could be used as a drop off/pick up area,

### **Objection 2**

The occupier of No 2 Hartington Road has objected to the waiting restrictions near her property on the grounds that it would make it difficult for her when taking shopping into her property, it would create congestion, the parking problems are as a consequence of the introduction of parking charges in Millhouses Park, the removal of on street parking would reduce the value and saleability of adjacent properties.

## **Response to Objection 2**

The property has within its curtilage a garage and an area that could be used for off street parking.

There will remain opportunities to park on street in the vicinity of the objector's property other than where the double yellow lines are proposed. If necessary a vehicle would be able to stand on the yellow lines whilst shopping is unloaded and taken into the property.

The waiting restrictions will keep the junction clear and should reduce the possibility of congestion.

The decision to introduce parking charges in Millhouses Park was taken to increase the turnover of parking spaces and raise income to maintain and improve facilities within the park.

The value and saleability of properties are not factors taken into account when deciding on the need for waiting restrictions.

## **Objection 3**

The occupier of No 4 Hartington Road agrees that there is a parking issue at the junction with Abbeydale Road South and accepts the need for the waiting restriction from a road safety point but doesn't think it's fair on residents, particularly those with families, to remove 4 parking spaces from Hartington Road.

## **Response to Objection 3**

The property appears to have opportunity to park off street within its curtilage.

There will remain opportunities to park on street in the vicinity of the objector's property other than where the double yellow lines are proposed.

If necessary a vehicle may stand on the yellow lines whilst shopping is unloaded or children are picked up or dropped off and taken into an adjacent property.

### **1.9 Letter of Support**

The occupier of 42 Abbeydale Road South agrees that the proposals will improve access into/out of the side roads and Millhouses Park car park.

### **1.10** After consideration it is suggested that these proposals should be introduced as advertised.

### 1.11 **Cadman Street/Chapel Street**

These proposals are shown on Drawing No TR-20- 07-CS2 at Appendix A. They arise from complaints from local residents, direct and via the local MP Clive Betts, about obstructive parking blocking accesses and causing congestion.

The intention was to provide waiting restrictions to protect the Cadman Street/Gray Street and Cadman Street/Chapel Street junctions and to replace an existing advisory marking currently protecting the accesses to two residential properties.

### 1.12 **OBJECTIONS**

When formally advertised objections were received. These were specifically related to the yellow lines proposed for the two junctions and also to the general loss of parking spaces in the area. The opinion that more yellow lines were required in this area was also expressed.

### 1.13 **RESPONSE TO OBJECTIONS**

Due to the difficulties facing residents wishing to park close to their properties in this area the proposed yellow lines have been kept to a minimum. At the Cadman Street/Chapel Street junction the lines are less than the 10 metre Highway Code recommendation other than one ten metre section which is required to improve visibility for drivers emerging from that junction. Similarly they are less than the Highway Code recommendation at the Cadman Street/Gray Street junction other than one section which has been extended to 11 metres in order to protect a residential access. It is not recommended that these lines should be further reduced.

The yellow lines which replace an existing H marking will cover two residential accesses and do not remove any existing legitimate parking spaces. It is not recommended that these lines should be reduced.

A ten metre section of double yellow lines was proposed for outside the hairdressers at No 29A Cadman Street. This is opposite the junction with Gray Street and on a bend and ideally should be kept clear of parked vehicles. However following concerns expressed by the proprietor it is suggested that this section of double yellow line could be omitted without significantly reducing the overall benefits of the proposals.

A couple of residents suggested that additional waiting restrictions should be introduced. It is not possible at this point in the Traffic Regulation Order process to include additional restrictions. Consideration can be given to further measures in future if problems arise.

It is recommended that the restrictions are introduced as advertised, having removed the 10 metre section outside the hairdresser's premises on Cadman Street.

1.14 **CHAPEL STREET**

These proposals are shown on Drawing No Tr-20-07-CS at Appendix A. They arise following complaints received regarding vehicles parking on The Green, Chapel Street causing damage to the grassed area. The introduction of waiting restrictions will prohibit parking on The Green.

1.15 **OBJECTIONS**

When advertised one objection and one submission of support were received.

One resident would prefer the situation to remain as it is as they occasionally need to stand a vehicle on The Green whilst unloading otherwise the delivery vehicle would stand on the carriageway and block traffic.

1.16 **SUBMISSION OF SUPPORT**

The local Methodist Church has expressed support for the proposals.

1.17 **RESPONSE TO OBJECTION**

The proposed waiting restrictions will not prevent vehicles from standing whilst being unloaded. As before this should not take place on the grassed area but the waiting restrictions do not alter the current situation with respect to loading and deliveries.

It is recommended that the restrictions are introduced as advertised.

1.18 **HOLBROOK CLOSE**

These proposals are shown on Drawing No TR-20-07-HC at Appendix A and arise from complaints received from business operators on Holbrook Industrial Estate regarding access problems caused by on street parking. Various business operators were consulted to identify the problem areas and the proposals were based on the responses. When formally advertised 3 objections were received from business operators who didn't respond to the initial consultation and who consider the advertised proposals to be too extensive. 5 businesses commented in favour of the proposals. Caledonian/Plastic Fabricators/Britec/BLE Fire Curtains/Custom Haulage.

1.19 **OBJECTIONS**

One company (MHG Ltd) agreed in principle with the need to introduce waiting restrictions but felt that a working day restriction (Monday to Friday 8:00am to 5:30pm) would be more appropriate, covering the busy times for workers vehicles and HGV traffic but allowing on street parking in the evenings and at weekends when the Runaround play centre premises attract more visitors than can be accommodated in their car

park. Otherwise parking will be displaced onto Holbrook Avenue which would be dangerous due to the speed of traffic on there.

The Runaround play centre operates 7 days a week with Saturdays and Sundays being their busiest times. Their off street car park cannot accommodate all their customers' vehicles at busy times. They suggest that a single yellow line operating Mon –Fri 9:30am to 4:30pm would be more appropriate restriction.

HAH Ltd suggest that the extent of the proposed restrictions should be significantly reduced

One company Green Deal Ltd claimed that the restrictions will make it difficult for workers who go to work in cars who will have nowhere to park. Parking their vehicles within the businesses' off street compounds would cause difficulties for deliveries and loading.

Plastic Fabrications Services support the need for waiting restrictions but suggest that the extent should be reduced to allow workers and customers to park. The proposals as advertised will transfer the problem onto Holbrook Avenue causing problems for businesses on there.

## 1.20 **RESPONSE TO OBJECTIONS**

Our original proposals were intended to be less extensive than those eventually advertised. However when we circulated details round the industrial estate some companies asked for more lines to be incorporated where they were experiencing problems. We were happy to accommodate these suggestions as we acknowledge that the local businesses are best placed to know the nature and extent of the problems they face. The proposals which were advertised were intended to reflect the needs and wishes of the various businesses in the area.

The restrictions will clearly reduce available parking for local workers. However there will remain considerable parking on the estate and the yellow lines will help motorists choose parking spaces which won't cause problems for the local businesses.

Local businesses will be asked to help the parking situation by:-

- Reviewing the management of their off street car parking areas to see if improvements can be made,
- Encouraging car sharing,
- Encouraging the use of public transport, the area is well served by tram and buses.

It is possible that the restrictions will displace parking onto Holbrook Avenue. The onus is on motorists to ensure that they park without causing problems for other road users but if problems do arise then consideration may be given to additional measures.



The Runaround play centre appears to be at its busiest in the evenings and at weekends when other businesses are at their quietest. However when consulted businesses indicated the need for double yellow lines rather than single. It is also the case that even if there are fewer HGV manoeuvres in the evenings/weekends it is still essential that they can get past parked vehicles in the vicinity of the play centre as this forms the only route into this part of the estate. It is suggested that there is scope for changing a short section of double yellow line to a single yellow line operative Mon – Fri 8:00am to 4:30pm, as shown on Drawing No TR-20-07-HC V2 at Appendix A.

#### 1.21 **LITTLE LONDON ROAD**

Changes in property use in this area have resulted in an increase in the number of vehicles parking on street. This combined with the narrow carriageways has led to complaints regarding congestion and access problems for delivery vehicles and potentially for emergency vehicles. Vehicles parking on pavements also caused problems for pedestrians. The views of local residents and businesses were sought and although there wasn't complete agreement a set of proposals were drawn up as shown on Drawing No TR-20-06-LLR and formally advertised. There is a Royal Mail depot in this area which operates a parcel pick up service. A small section of short term parking was included in the proposals to create a turnover of spaces to help the public find a parking space when calling at the depot. There were 5 objections received and 2 submissions supporting the proposals.

#### 1.22 **OBJECTIONS**

The Climbing Works located within Centenary Works objected to the extent of the restrictions on the grounds that they would adversely affect the ability of their customers to park near their premises. The off street car park is insufficient for the number of visitors to the premises. There is agreement with most of the proposed restrictions but they feel that some of the lines proposed for Athol Road, Norton Hammer Lane and Little London Road should be omitted.

A resident of Norton Hammer Lane agrees that the proposed restrictions are necessary but is concerned that they would encourage parking outside the residential properties on Norton Hammer Lane to the detriment of the property owners. They would like to see residents only parking introduced on Norton Hammer Lane.

Another resident feels that there is little point in introducing new yellow lines as the existing ones aren't enforced. They suggest that waiting restrictions applying during the morning and evening peaks would prevent workers parking all day and would be a better solution.

A gym club based in the nearby Nursery Works is concerned that the restrictions will displace parking towards their premises. They would like the extent of the restrictions to be reduced to avoid that but would like

some additional restrictions to prevent parking near their car park entrance.

The Director of Nursery Works agrees that the proposed yellow lines are necessary but is concerned that parking will be displaced towards the Nursery Works premises making it difficult for their businesses to park.

#### 1.23 **SUBMISSIONS OF SUPPORT**

A resident of Norton Hammer Lane welcomes the proposals which will improve access within the area especially for delivery, refuse collection and emergency vehicles. They would like to see residents only parking introduced.

Robert Sorby Ltd based in premises between Athol Road and Little London Road has asked for the introduction of waiting restrictions to deal with the severe congestion issues having seen the problems caused for vehicular access and pedestrians movements on a regular basis.

#### 1.24 **RESPONSE TO OBJECTIONS**

The complaints received about parking in this area suggest that at times a significant amount of the parking is associated with the Climbing Works business. When the business moved into this area a few years ago it was recognised that there may be a problem and a planning condition was imposed on the company obliging them to fund the introduction of waiting restrictions. This wasn't concluded when it became evident that a more widespread solution was required.

At this stage in the TRO process it is not possible to add further measures to the proposals without re-advertising. The residents request for permit parking on Norton Hammer Lane can be added to the list of requests already received for this type of measure though it is unlikely that this would be looked at in the foreseeable future due to resource issues. The current proposals include waiting restrictions on the narrow approach to the residential properties in order to keep access clear and deter the general public from entering to seek out parking spaces.

Introducing a waiting restriction at morning and evening peaks would deter workers parking all day. It wouldn't prevent all parking outside the peak hours and due to the narrow carriageways and road layout in the area access and congestion problems would be better dealt with by having a restriction preventing parking at all times.

Double yellow lines, prohibiting waiting at all times, are generally more self-enforcing than shorter term restrictions denoted by a single yellow line. There will be visits by Civil Enforcement Officers and residents may contact the Parking Services office direct to report parking issues and request enforcement action.

The proposals may displace parking towards the Nursery Works premises. However there's little scope for reducing the restrictions whilst still dealing with the congestion/access problems, due to the narrow carriageway. At Nursery Works and beyond the carriageway is slightly wider and can accommodate some parking if care is taken.

It is recommended that the proposals be introduced as advertised.

#### 1.25 **TROUTBECK ROAD**

As part of the redevelopment of an industrial/commercial site on Troutbeck Road a planning condition was imposed on the developer obliging them to fund the cost of a TRO to introduce additional waiting restrictions. Troutbeck Road is a cul de sac with terraced residential properties on both sides and commercial properties at the end. It currently has 10 metres of double yellow line on both sides at its junction with Abbeydale Road and further double yellow lines to protect the turning head to the cul de sac and protect access to car parking areas. The planning condition required an additional ten metres of double yellow line on the north east side as shown on Drg No TR/20/06/TR at Appendix A. This was to ensure that large vehicles entering Troutbeck Road from Abbeydale Road could do so without hindrance from parked vehicles. When the proposals were advertised one objection was received.

#### 1.26 **OBJECTIONS**

A resident of Troutbeck Road objected to the additional yellow lines on the grounds that they weren't necessary and would increase the difficulties residents already faced parking near their properties.

#### 1.27 **RESPONSE TO OBJECTION**

The Planning Team have confirmed that they consider the additional yellow lines to be an integral part of the redevelopment of the site off Troutbeck Road and essential to ensure that free access for large vehicles is maintained. It is recommended that the restrictions should be introduced as advertised.

#### 2. **HOW DO THESE DECISIONS CONTRIBUTE?**

The proposed waiting restrictions will improve safety, reduce congestion and improve access at several locations. There is no anticipated impact on climate change and there is no anticipated economic impact. The situation will, however, be improved for pedestrians and motorists. Vehicle owners in the habit of parking in the problem areas will be faced with finding alternative parking. On balance the proposals are considered to improve the customer experience.

#### 3 **HAS THERE BEEN ANY CONSULTATION?**

The Traffic Regulations Section has conducted informal consultation with

local residents/businesses with respect to most of the proposals as part of the preliminary design process. Formal consultation followed in line with the legal requirements associated with the TRO procedure – a notice was placed in the local press and notices placed on street at each location and in addition letters were sent to all property owners in the vicinity of each set of proposals. The proposals were also brought to the attention of local councillors, the Police, Fire and Ambulance services and other statutory consultees.

The responses received have been detailed within this report.

## 4 **RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

### 4.1 **Equality of Opportunity Implications**

Overall there are not significant differential, positive or negative, equality impacts. The proposed measures benefit motorists and pedestrians including those with mobility problems and pushchairs users, by reducing congestion, improving visibility, protecting accesses and improving safety at junctions by removing obstructive and inconsiderate parking and deterring parking on pavements.

### 4.2 **Financial and Commercial Implications**

The total cost of implementing the proposals is estimated to be £12,200, including a commuted sum payment for ongoing maintenance costs of £5700. It is to be funded from the allocated capital budget for 'loading and waiting schemes' within the Local Transport Plan. In line with the Council's capital approval process the initial business case was approved by the Thriving Neighbourhoods and Communities Board on 13th July 2016 and the CAF for the capital budget including 2017/18 was endorsed by the Capital Programme Group (CPG) on 25th July 2016. The final business case, which had no changes to the costs, was then approved by the Thriving Neighbourhoods and Communities Board in September 2016.

### 4.3 **Legal Implications**

The Council has the power under the Road Traffic Regulation Act 1984 to make a Traffic Regulation Order (TRO) where it appears to the Council that it would be expedient to make it for, inter alia, avoiding danger to pedestrians and other road users or for preserving or improving the amenities of the area through which the road runs. Before the Council can make a TRO, it must consult with relevant bodies in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. It must also publish notice of its intention in a local newspaper. Where objections are received Regulation 13 places a duty on the Council to ensure that these objections are duly considered. These requirements have been complied with. In making its decision the Council must also be satisfied that the approved scheme will secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). Provided the Council is so satisfied it is acting

lawfully and within its powers.

#### 4.4 **Other Implications**

The measures will be delivered using existing staff resources. There are no other implications.

#### 5 **ALTERNATIVE OPTIONS CONSIDERED**

Alternative options, as suggested by the objectors, have been considered and in some cases changes to proposals have been made as detailed within this report.

#### 6 **REASONS FOR RECOMMENDATIONS**

The proposed measures will address complaints received regarding inconsiderate and illegal parking at various locations.

#### 7 **RECOMMENDATIONS**

Having considered the responses to the consultations, and for the reasons set out within this report, it is recommended that:-

Abbeydale Road South - the proposals should be introduced as advertised, as shown on Drawing No TR-20-06-ARS at Appendix A

Cadman Street/Chapel Street – the proposals should be amended and introduced as shown on Drawing No TR-20-07-CS2 V2 at Appendix A

Chapel Street – the proposals should be introduced as advertised, as shown on Drawing No Drawing No TR-20-07-CS at Appendix A

Holbrook Close - the proposals should be amended and introduced as shown on Drawing No TR-20-07-HC V2 at Appendix A

Little London Road - the proposals should be introduced as advertised, as shown on Drawing No TR-20-06-LLR at Appendix A

Troutbeck Road - the proposals should be introduced as advertised, as shown on Drawing No TR TR/20/06/TR at Appendix A

The objectors be informed accordingly

The Traffic Regulation Order be made in accordance with the Road Traffic Regulation Act 1984;