

HERTSMERE BOROUGH COUNCIL **PORTFOLIO HOLDER DECISION**

Document Reference No: EX/15/65

Date of Meeting / Decision: 24 September 2015

This is not a key decision
call-in on the grounds of urgency

Urgency: The proposals are not exempt from

TRAFFIC REGULATION ORDER -

ELMFIELD ROAD, OAKROYD AVENUE AND ZONE M, POTTERS BAR – PARKING PROPOSALS

PORTFOLIO HOLDER: COUNCILLOR JEAN HEYWOOD

1. ACTION RECOMMENDED

- 1.1 It is the officer's recommendation that the Portfolio Holder considers all objections received, and approves the making of the Traffic Regulation Order with slight amendments, in response to residents' objections identified as items 6, 9 and 12 in Table 1.

2. EXECUTIVE SUMMARY / PROPOSALS

Background

- 2.1 The Council's Parking Management Strategy sets out that Controlled Parking Zones (CPZs) will be periodically reviewed, and such a review has been undertaken in Zone M in Potters Bar. Request for parking controls in Elmfield Road and Oakroyd Avenue were investigated as part of the review. The investigations sought to identify the extent to which designated permit bays were being used by local residents and pay and display bays were being used by other drivers, as well as the extent of any non-resident parking in key roads outside of the CPZ.
- 2.2 The findings of this review were reported to The Portfolio Holder for Environment and Transport in June 2015. It was the Portfolio Holder's decision that the findings from the reviews of the Zone M and in surrounding roads, as set out in Appendix A of Report EX/15/44, be noted and the draft Traffic Regulation Orders and associated schemes in Appendix B of that report, be approved for statutory consultation.
- 2.3 The schemes taken forward to statutory consultation were:
- introduction of waiting restrictions in Elmfield Road, Oakroyd Avenue and Oakroyd Close and Kingsland.

- relaxation of existing restrictions to generate 7 unrestricted parking places in Baker Street
- relaxation of existing restrictions to generate 5 unrestricted parking places in Daleside Drive
- relaxation of existing restrictions to generate 8 unrestricted parking places in Daleside Drive
- relaxation of existing restrictions to generate 8 unrestricted parking places in Elmroyd Avenue
- relaxation of existing restrictions to generate 7 unrestricted parking places in Heather Way
- relaxation of existing restrictions to generate 4 unrestricted parking places in Mutton Lane.
- relaxation of existing restrictions to generate 5 unrestricted parking places in The Approach

- 2.4 Statutory consultation was undertaken between 11 June 2015 and 3 July 2015. Street notices were erected in the affected area, a notice was placed in the local newspaper and consultation letters were sent to properties directly affected by the proposals. In addition, statutory consultees such as the Police and Hertfordshire County Council were notified. Officers also consulted and met with representatives of Metroline, the operators of bus route PB1 which passes along Elmfield Road.
- 2.5 33 consultation letters were delivered to affected residents in Elmfield Road. Seven objections and one letter of support were received from residents within the consultation area with a further three objections from outside of the consultation area. One objector did not specify their address.
- 2.6 38 Consultation letters were delivered to affected residents in Oakroyd Avenue. 15 objections were received from residents within the consultation area. There were a further five objectors who were outside of the consultation area including one on behalf of the Royds Conservation Residents Association and one from an objector did not specify their address.
- 2.7 18 properties within Zone M were consulted on the proposals within the CPZ. No objection was received from any of the 18 properties consulted. Three individual objections from other residents in Elmroyd Avenue were received, together with a petition bearing 50 signatures from 35 households. The petitioners were objecting to the proposal to remove part of existing restrictions to generate 7 car parking spaces for use by all members of the public on Elmroyd Avenue.
- 2.8 One objection was also received from a resident in Allandale Crescent relating to the parking changes in The Approach. This was made on the grounds that vehicles would struggle to turn from Allandale Crescent when a car is parked at the location. One resident from Baker Street objected to the proposed changes to a parking bay outside property number 67 Baker Street on the grounds that the bay will be marked in front of their driveway.

TABLE 1: OBJECTIONS

Table 1 below lists the grounds for objections, the number of individuals from a particular road objecting on a specific ground and officer's responses to the objections being raised.

Number	Grounds for Objections	Engineer's comments
1	The proposals will not prevent or reduce commuter parking Elmfield Road x 5 Oakroyd Avenue x 7	The proposals were not targeted at commuters. The objective of the Elmfield Road and Oakroyd Avenue schemes was to improve access for larger vehicles as emphasised in the consultation letter.
2	Reduced visibility which will be caused by vehicles parking either side of driveways at the unrestricted side Oakroyd Avenue x 9 Oakroyd Close x 1 Royds Conservation Area RA Elmfield Road x 7	Hertfordshire County Council did not raise any concerns as to visibility associated with vehicles parking either side of driveways. Cars currently park opposite and on either side of driveways on the road with no evidence of safety incidents arising from this. The scheme should not change this.
3	Cars will be pushed to the remaining section of road and this will cause severe problems should the bus be obstructed further up the road Elmfield Road x 7	The scheme will result in some vehicles not being able to park during the restricted hours on one side of Elmfield Road. However, vehicles cannot currently park continuously on both sides of the road due to some sections of grass verges (against which vehicles park) being directly opposite each other. There will still be sufficient capacity to accommodate parked cars within the vicinity of the proposed restrictions, including on other nearby roads where additional on-street parking capacity is being created.
4	Difficulty for larger vehicles accessing other parts of Elmfield Road due to vehicle displacement Elmfield Road x 3	The conditions on the remaining section of the road are not expected to change. The buses and emergency services were consulted and did not raise any objections. The scheme will be carefully monitored over 12 months which will seek to rectify any adverse issues identified.
5	Proposed restrictions will not improve safety or free flow of traffic Elmfield Road x 4 Oakroyd Avenue x 6 Royds Conservation Area RA	Limited waiting (single yellow line) is proposed for one side of Elmfield Road to improve access for larger vehicles. No safety issues or concerns have been raised by Hertfordshire County Council, as Highway Authority or the police
6	Proposed restrictions for Saturdays are unnecessary as we don't experience parking problems on Saturdays Elmfield Road x 5 Oakroyd Avenue x 3	The proposed restrictions for Saturdays were included for consistency with existing parking restrictions near the junctions of both Elmfield Road and Oakroyd Avenue with Baker Street, so as to avoid confusion. However, the restrictions will be altered to exclude the Saturday restrictions as this will not interfere with the wider objectives of the scheme.

7	The proposal was based on flawed information Elmfield Road x 2 Royds Conservation Area RA	The proposals were based on data gathered through extensive traffic surveys, including independent surveys which reflected officers' own findings. Residents have not substantiated claims of proposals being based on flawed information. The Council's initial estimate of parking capacity for Elmfield Road was 104 vehicles. This was an approximate figure obtained from the Council's GIS system and this has subsequently been clarified as being at least 90 vehicles, which remains significantly in excess of the maximum number of vehicles (26) observed on that road (of which a significant proportion belonged to residents). Residents' own approximation of parking capacity for Elmfield Road was 74; this figure is still approximately three times the maximum number of vehicles observed during the traffic survey further supporting the level of spare parking capacity available to residents.
8	Proposal will be a disadvantage to the Conservation Area and its visual appearance Elmroyd Avenue Petition (35 Households)	Greater use of the parking space, which is currently available for general use outside of restricted hours (2pm-3pm), would have no obvious impact on the Conservation Area or visual amenity.
9	Proposal will enable cars to park on one side of the road which will cause obstruction as the road is very narrow, parking close to the junction will also cause difficulties for drivers entering and exiting the junction. Elmroyd Avenue x 3 Petition (35 Households)	The width of Elmroyd Road is approximately 5.5metres. Most residential roads in the borough do not have widths above 5.5m and they are able to accommodate cars parked on one side without obstructing the free flow of traffic Junction protection measures which are currently in place on Elmroyd Avenue will not be removed. The proposed unrestricted space starts at a point which is approximately 10 metres from the junction with Baker Street. This is sufficient to prevent obstruction and reduced visibility It is recognised that junction protection measures in other roads within the vicinity are approximately 15 metres long. It is therefore proposed to reduce the length of the bay by 5 metres so that the distance to the junction with Baker Street is consistent with other roads in the locality.
10	Unnecessary due to the underutilisation of existing parking provisions and the creation of free parking spaces for commuters Elmroyd Avenue x 1 Oakroyd Avenue x 3 Royds Conservation Area RA Petition (35 Households)	The proposals are necessary and in-line with paragraph 4.9 of the Council's Parking Management Strategy which emphasises that excessive parking restrictions identified through parking reviews will be removed to maximise parking availability. Demand for on street parking by commuters and local workers will always outstrip supply as a result a substantial number of commuters and local workers will continue to purchase parking permits for use in the councils car parks

11	Vehicles will struggle to turn from Allandale Crescent when a car is parked at the location. Allandale Crescent x 1	The conversion of the existing bay would have no impact on the ability of cars to turn from Allandale Crescent because the bay in question is near to the junction of The Approach with Mutton Lane rather than its junction with Allandale Crescent. Nevertheless, there is already a bay in existence in this location and the Council would be simply converting it into an unrestricted bay. It should be emphasised that Hertfordshire County Council as Highway Authority raised no objections to the scheme.
12	A parking bay outside property number 67 Baker Street will be marked in front of the driveway belonging to that property. Baker Street x 1	The draft TRO clarifies that any vehicle parking in the bay should not obstruct the driveway. However, in light of the objection raised and the fact the removal of this bay would not have any bearing on the wider scheme, it is proposed to amend the TRO by removing that part of the scheme which would otherwise have resulted in the introduction of a parking bay outside the dropped kerb between nos. 67 and 69.

COMMENTS FROM RESIDENTS

In addition to the objections, one letter of support was received and residents also made general comments in relation to the parking proposals, which are detailed below:

- 2.9 A letter of support from Elmfield Road welcomed the introduction of a single yellow line which it was considered would assist in exiting the driveway to the property and seeing oncoming traffic.
- 2.10 Some residents from Oakroyd Avenue and Oakroyd Close suggested an amendment to the proposals by extending restrictions near the junction with Baker Street or introduction of restrictions outside their frontages.
- 2.11 Some residents from both Elmfield Road and Oakroyd Avenue asked for one hour parking restrictions during the day similar to restrictions on Elmroyd Avenue. Some residents also commented that the current restrictions near the junctions of Elmfield Road and Oakroyd Avenue are insufficient, with inadequate enforcement, making the roads dangerous.
- 2.12 Some residents from Elmroyd Avenue argued that the current restrictions have been very effective and they should remain as they are with no further changes.
- 2.13 Officers consider that extending the restrictions on Elmfield Road and Oakroyd Avenue, in terms of their length and/or to cover both sides of these roads, would increase the number of non-resident vehicles on other roads within the network and be in excess what is required to improve access for larger and emergency vehicles.
- 2.14 In respect of Elmroyd Avenue, the current restrictions were found to be excessive and proposals were drawn up to remove some of the restrictions to generate parking spaces for use by all members of the public.

3. **REASON(S) FOR RECOMMENDATION**

3.1 A number of reasons for overruling the objections received are set out in Table 1 above. The main points may be summarised as follows:

- The proposals reflect the Council's approach to parking management as set out in its Parking Management Strategy. Section 4 of the Strategy defines the Council's priorities in allocating on street parking. Although provision of parking for non-residents is given the least priority, it does not imply that residents are able to object to all forms of parking by non-residents on the public highway. Some residents have also confirmed that they chose not to use their driveways and park outside their houses to prevent commuters from parking there.
- The main objective for the proposals drawn up for Elmfield Road and Oakroyd Avenue was to enable easier access for larger vehicles and to prevent obstructive parking as set out in the consultation letter issued to residents. It was not targeted at commuter vehicles due to the limited number of commuters identified as parking on both roads, the on-street capacity of the roads and the availability of off-street parking for residents.
- Objectors have asked for proposed restrictions to be extended to their frontages or for yellow lines on both sides of the road to prevent people from parking outside their houses. Section 4.13 of the Council's Parking Management Strategy clarifies that the Council will not introduce or extend Controlled Parking Zones (CPZ) or parking restrictions so as to prevent other people from being able to park outside residential properties.
- Objectors argue that the scheme will have the tendency of moving vehicles to the unrestricted sections of Elmfield Road and Oakroyd Avenue or to other roads within the vicinity. Given the relatively low number of non-resident vehicles identified and the fact that additional on-street parking capacity is to be created on other nearby roads, it is not considered that displacement of vehicles to unrestricted parts of Elmfield Road and Oakroyd Avenue will be significant, although this would be kept under review following the planned implementation of the scheme.
- Great Slade, SanTERS Lane and Shrublands are within close proximity to the Pope Johns School and they sustain the majority of non-residential parking associated with the school pick up and drop offs. The introduction of more extensive restrictions on Elmfield Road and Oakroyd would adversely affect these three roads which would have to accommodate all non-residential parking in the vicinity, including parking mainly associated with the school.
- Objectors have argued that the widths of Elmfield Road and Oakroyd Avenue are too narrow to enable parking opposite driveways. Both roads have widths in excess of 5 metres. There are roads within the borough's CPZs where the widths are below 5 metres but parking bays have been installed opposite driveways. The widths of these roads are not sufficiently narrow to warrant the introduction of yellow lines on both sides of the road and in the case of Elmfield Road, there would be sufficient width to accommodate vehicles, including buses, along the carriageway.
- Residents on Elmfield Road raised concerns around difficulties in exiting their drives due to vehicles either parking opposite their drives or vehicles blocking

their drives. In the case of the latter it would be a matter for the police. The width of the road is over 5m and most residential roads in the borough do not have widths in excess of 5.5m. Parking bays have been installed opposite driveways in some roads where the widths are clearly below 5m. The Manual for Streets publication which gives guidance on street design recommends that a road with a width above 4.8metres is capable of accommodating parked cars on one side. Physical obstruction of driveways is a matter for the police and the council would not introduce a CPZ to deal with matters of such nature.

- A meeting was held with Metroline, the bus company operating the bus route PB1. The management from the bus company confirmed that they have not had any issues regarding the safe operation of the buses in Elmfield Road and that it is a common practice for their buses to manoeuvre between vehicles parked in a staggered manner for most residential roads. The bus operator confirmed that it is content with the waiting restrictions proposed and that it will inform the Council if it encounters any problems in the near future. The Fire Service has also confirmed that crews from Potters Bar fire station have visited Elmfield Road on a number of occasions in June and although there were vehicles parked on both sides, no issues were encountered with manoeuvring the fire appliance down the road
- Elmfield Road, Oakroyd Avenue, SanTERS Lane and Shrublands have sustained non-residential parking, outside controlled hours, since the CPZ was introduced. The proposed changes within the CPZ will enable some of the roads within Zone M to sustain more of that non-residential parking to ensure a fairer distribution of parking in the area without the extension of the CPZ.
- The work involved in altering the operational hours for proposed restrictions in Elmfield Road and Oakroyd Avenue to Monday to Friday 8.30am to 17.30pm and a reduction in the proposed bay length for Elmroyd Avenue, will not require further consultation as they will not significantly impact on the objectives of the advertised proposals.
- The proposed further changes for Elmfield Road and Oakroyd Avenue will maximise parking space availability for residents on Saturdays and the extension of the junction protection measures in Elmroyd Avenue is to ensure consistency in length of restrictions along the junctions for roads within the vicinity. The proposed change to remove the parking bay in front of the dropped kerb outside of nos. 67 and 69 Baker Street is to address a drafting error, would have no bearing on the wider scheme and would address the obstruction concerns raised.
- All of the proposed changes would initially be introduced on a pilot basis for 12 months to assess their impact. In the event of problems arising as a result of these restrictions, it will be possible to pursue amendments to remedy these issues (or to simply reverse the changes) at a later date, once their nature, extent and severity are known.

4. **ALTERNATIVE OPTIONS**

4.1 To decide not to proceed with the Traffic Regulation Orders.

- 4.2 To prepare and consult upon additional restrictions. Officers would not recommend either of these options, for the reasons set out above.
- 4.3 To proceed with the Traffic Regulation Order, with some limited changes as described above, which would not require further consultation.

5. **PLANNED TIMETABLE FOR IMPLEMENTATION**

- 5.1 If the objections are overruled, the scheme is likely to be implemented during autumn 2015 on a pilot basis. The changes would be carefully monitored over a 12 month period and their effects reported to the Portfolio Holder. Should there be a need for further changes, these could be introduced (subject to local consultation) at the time.

6. **DELEGATION**

- 6.1 Delegated powers from Hertfordshire Highways as the County Traffic Authority allow Hertsmere Borough Council to consult on and create and amend traffic regulation orders as their agents.

7. **FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS**

- 7.1 All costs will be met from the CPZ implementation and design budget. No additional funding is required.
- 7.2 The Parking Services Manager is satisfied that the proposals will have no negative effect on parking revenue. Moreover, the reduced need to patrol underused parking bays and unnecessary single yellow lines in Potters Bar, will free up staff time to focus on the enforcement of more problematic areas.
- 7.3 Existing pay and display machines would remain in situ. Newly created unrestricted bays nearby are likely to be used for much of the day, so there will remain demand to use pay and display for short stay parking. Pay and Display parking spaces for two vehicles would be removed from a single road (Baker Street) but these bays are not fully utilised and it should be noted that the pay and display machines on Baker Street and Heather Way, when combined, account for less than 5% of total on-street parking revenue for Potters Bar.

8. **LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS**

- 8.1 The legislation relating to the TRO process is contained in the Road Traffic Regulations Act 1984 and The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

9. **EFFICIENCY GAINS AND VALUE FOR MONEY**

- 9.1 Removing underused or unnecessary parking restrictions will potentially enable Civil Enforcement Officers to direct more of their attention to locations which merit more frequent patrols.

10. **RISK MANAGEMENT IMPLICATIONS**

- 10.1 None.

11. **PERSONNEL IMPLICATIONS**

- 11.1 The traffic engineer will complete any work as part of the Council's existing work programme.

12. **CORPORATE PLAN & POLICY FRAMEWORK IMPLICATIONS**

- 12.1 Community Strategy Objective – Better use of the highway network.

13. **ASSET MANAGEMENT PLAN IMPLICATIONS**

- 13.1 None.

14. **HEALTH AND SAFETY IMPLICATIONS**

- 14.1 None.

15. **APPENDICES ATTACHED**

- 15.1 None.

16. **BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT**

- 16.1 All comments and objections received during public consultation.
16.2 Portfolio Holder Report ref: EX/15/44.

17. **AUTHOR**

- 17.1 Jennifer Yeboah, Traffic Engineer Policy & Transport Team.