

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET PLANNING AND PARKING PANEL – 11 APRIL 2019  
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND  
CULTURAL SERVICES)

INTRODUCTION OF WAITING RESTRICTIONS AND VERGE AND FOOTWAY  
PROHIBITION IN VARIOUS ROADS, BIRCHWOOD, HATFIELD

**1 Executive Summary**

- 1.1 In November 2016, the Council delivered parking survey forms to all residents within the Birchwood area. Residents were asked if they would like to see any changes to the parking restrictions, options included a resident permit schemes and single/double yellow lines. . Birchwood was split into three areas. Area Three and Great North Road was completed in 2018, this report focuses on the remaining sections of the Birchwood consultation area.
- 1.2 Areas Two and Three is mainly residential, with some shops within Birchwood Avenue by the junctions of Homestead Road and Crawford Road. To the east of the residential area is the Great North Road industrial area.
- 1.3 Some residents within the consultation area had previously contacted Parking Services highlighting significant parking demand in certain roads, often where there is a cluster of homes close together, sharing a small section of highway. Parking Services carried out parking improvements within the area where it was possible to introduce extra parking spaces. This included the creation of additional 9 parking bays in Cornerfield and 7 bays in Branch Close.
- 1.4 This report sets out the results of the informal consultation, the statutory consultation and the recommended course of action. A total of 1647 residents and businesses have been consulted. Six objections have been received and shown within this report. See **Appendix A**.
- 1.5 The Council can amend proposals once advertised, as long as they make the scheme less restrictive. This can be done without having to re-advertise the Traffic Regulation Order.

**2 Recommendation(s)**

- 2.1 That the Panel consider the objections received in 4.1 to 4.7, and in particular the issues raised in Section 15 around equalities and diversity and having considered all the detailed issues in this report including any proposed mitigating actions, recommends to Cabinet to proceed with the amended proposals (**Appendix C**) and the creation of the Traffic Regulation Order (TRO) for all the reasons set out in this report.

**3 Explanation**

- 3.1 The response from the roads in Areas One and Two of Birchwood was low - 408 responses equating to 24.7%. There was 90 requests (5.4%) for resident permit

restrictions. The majority of responses did not want to have parking restrictions within the area. As part of the ongoing works programme, Parking Services looks to introduce junction protection (in the form of double yellow lines) in every consultation area to improve road safety and visibility and to formalise what is already within the highway code – not to park within 10 metres of a junction.

- 3.2 A significant number of residents in the area also highlighted in the consultation regarding vehicles causing obstructive parking on the verges and footways. The largest request for this came from Crawford Road with 12 residents highlighting verge and footway parking as an issue. The council therefore proposed to introduce a Verge and Footway Order, which will enable Penalty Charge Notices to be issued to vehicles that are parked on the verge or footway. This Order can be enforced at any time and will help preserve the verges, reduce maintenance, and improve accessibility for pedestrians.

### **Traffic Regulation Orders (TRO)**

- 3.3 On the 13<sup>th</sup> February 2019 the public notice proposing “**The Borough of Welwyn Hatfield (Various Roads, Birchwood, Hatfield) (Restriction of Waiting) Order 2019** together with “**The Borough of Welwyn Hatfield (Various Roads, Birchwood, Hatfield) (Prohibition of Stopping and Waiting on Verge or Footway) Order 2019** was advertised in the Welwyn Hatfield Times. Notices were also erected in the lengths of roads affected. The closing date for formal objections was Friday 8<sup>th</sup> March 2019. See **Appendix B**
- 3.4 Based on objections received from three residents directly affected by the proposed single yellow line on Crawford Road, the Council suggests to amend the proposals advertised by removing the single yellow line from the proposals, and leave that section of carriageway unrestricted. The rest of the proposals to go ahead as advertised. See **Appendix C**

## **4 Objections**

- 4.1 There are three objections pertaining to Crawford Road, and the proposal for Verge and Footway prohibition Order.

Below is a summary of the grounds for objection.

- a) We maintain the grass verge outside of our property. You will also see that no one parks on the grass verge outside my property.
- b) I am against the issuing of a PCN for those who park on the verges. This does not solve the problem in the area. At times it is necessary to park/mount half of the vehicle onto verge to avoid tight passing of oncoming traffic rather than parking next to the verge.
- c) Converting the verge to allow vehicles to mount onto the verge for parking. Similar design on Crawford Road near the roundabout with Homestead Road.
- d) I would want the restriction of having a driveway on a lay-by lifted for those residential properties.
- e) Parking on a dropped kerb (Vehicle crossover) should be allowed for residents with a driveway and their visitors.

- f) If I can only park kerb edge in front of my property this would cause implications for emergency services, dust carts or any large delivery vehicles will not be able to pass if someone parks opposite me.

4.2 The reasons for moving forward with the proposals for Verge and Footway prohibition Order are as follows:

4.2.1 Responses to 4.1

- a) The grass verges along the road is part of public maintainable space. The introduction of a verge and footway prohibition is implemented across the whole scope of the road. To remove small sections of public verge would be impractical for enforcement or not be in the interests of fairness. Introducing the prohibition order would not change the status quo for that small section of verge as the resident has said no vehicles park upon it.
- b) An area wide by-law currently covers all roads within the borough, however it is impracticable to enforce. Upon a Friday night visit by Parking Services Officer, it was found, there was sufficient provision for vehicles to park upon the carriageway within Crawford Road (and in nearby roads of Birchwood Avenue and Homestead Road. Residents often have a strong preference to park directly outside their property. Based upon the late night visit, 13 vehicles were seen to park on the grass verges, however all vehicles were parked within a 3 minute walk from an equal number of suitable parking spaces upon the highway. There was ongoing roadworks within the road, which had reduced kerbside parking by at least another 15 vehicle spaces.
- c) The “grid like” concrete installed on that part of Crawford Road was introduced by Hertfordshire County Council. Welwyn Hatfield Borough Council do not install concrete into the verges. It would be financially unviable to convert all verges in Crawford Road into parking bays for additional vehicles, and many parts of the verges would be unsuitable due to underground facilities underneath them. Grass verges are not designed to hold the weight of a parked vehicle, and parking upon them can cause damage to tree root systems and utilities.
- d) Permission to grant a dropped kerb and access for a driveway is controlled by Hertfordshire County Council. Not all properties will meet requirements for a driveway such as gradient or underground utilities or size of the frontage of the property. In this case, removing a parking layby may not increase the number of vehicles that can park, as removing the lay by for 3 driveways will remove 3 vehicles off the highway – the layby can currently hold 4 vehicles, so will increase parking demand on the highway.
- e) Vehicle crossovers form part of the public highway boundaries, and is created to provide a way to legally access a driveway/hardstanding. Vehicles parking on crossovers would lead to those vehicles overhanging the verge or footway causing hazards for pedestrians. Parking in such manner can also cause a hazard for other drivers from adjacent properties with regards to lack of vision to enter or exit to and from the carriageway.

- f) The average road width in Crawford Road is 6 metres, in some parts of the road greater. A width of a 4x4 vehicle is on average 1.7 metres. This would allow traffic to pass in a single file past any vehicles parked directly opposite each other. The regulated maximum width of a fire engine is 2.55 metres. The road itself has many dropped kerbs leading to driveways, which reduces the likelihood of vehicles parking directly opposite to each other. The majority of the road would not have vehicles parking directly opposite. During the Friday night visit to Crawford Road, any vehicles parked directly opposite each other did not pose any width issues, and not many vehicles were seen parking in front of a vehicle crossover. A common sense approach should always be taken by drivers when parking to ensure they do not park obstructively.

4.3 There is one objection pertaining to Great Heath, and the proposal for Verge and Footway prohibition Order.

Below is a summary of the grounds for objection.

- a) The council has not come up with a solution of more parking space since the population of the borough had doubled. Parking on the verge is a sign of shortages of parking space.

4.4 The reasons for moving forward with the proposals for Verge and Footway prohibition Order are as follows:

4.4.1 Responses to 4.3

- a) The parking improvements programme created an additional 9 parking spaces in nearby Cornerfield, which can be accessed in a 2-5 minute walk via a pathway to Great Heath opposite those parking bays. On a Friday night visit, witnessed at 12:30am, of the 9 parking bays there was 3 spaces available. Within Great Heath 9 vehicle sized spaces was available, compared to 33 parked vehicles. Two vehicles were seen parked on the grass verge opposite 3 vacant spaces on the highway within Great Heath. The cluster like nature of the properties within Great Heath causes a large demand for parking space within a short section of kerbside space. Residents may need to look for parking space a short reasonable distance away from their property, and space cannot be dedicated for each property. However, within a 5 minute walk of Great Heath, within Hillfield, Cornerfield and Longmead 18 spaces on the highway could be found for a vehicle to park on.

4.5 There is one objection pertaining to Great Heath, and the proposal for double yellow lines.

Below is a summary of the grounds for objection.

- a) Council's own parking standard for "Total number of parking spaces per dwelling required for apartments and houses that have only communal parking provision" works out at 30 spaces for these 20 flats.
- b) The double yellow line marked in yellow is used for parking up to 5 cars, all the time.

- c) To my knowledge, in the past 5 years, there has not been one accident on this corner due to parked cars.
- d) If you were to go ahead with the proposals, are the council going to provide any additional spaces, for example turning the grassed area outside 29-35 into hard standing parking spaces?
- e) I attach these photographs to show you the issues faced in Great Heath.

4.6 The reasons for moving forward with the proposals for double yellow lines are as follows:

4.6.1 Responses to 4.5

- a) The parking standards policy relates to parking off the public highway and relates to new developments for planning purposes. The 1.5 spaces per dwelling is a maximum demand-based car parking standards as part of a strategy to reduce dependence on the car and encourages greater use of non-car modes of travel. The majority of parking available in Great Heath is on the public highway; however some properties have dedicated parking ports. On the night visit to the road, no vehicles were seen parking within that proposed section of double yellow lines. There was 33 vehicles parked, with space for another 9 vehicles (if the areas for proposed double yellow lines is discounted). As mentioned in 4.4.1, the cluster like nature of the properties within Great Heath causes a large demand for parking space within a short section of kerbside space. Residents may need to look for parking space a short distance away from their property. Additional parking is available in other adjacent public highways.
- b) As mentioned in a), no vehicles were seen parked in the section of highway where the double yellow line is proposed, and beyond it outside properties 33-35, 3 vehicle spaces were available during the night time visit. On other visits to the road, parking spaces are often available within the road.
- c) Parking Services look to introduce junction protection (in the form of double yellow lines) when consulting in areas, to improve road safety and visibility and to formalise what is already within the highway code – not to park within 10 metres of a junction. This also improves access for large vehicles such as the refuse trucks that need additional turning sweep to get in and out of the junction.
- d) When the Birchwood consultation started, each verge area was considered for creation of additional parking spaces. However to design such spaces, consideration has to be taken to ensure parking bays are not constructed on the edge of a junction, as well as other factors such as underground utilities, lamp-posts, trees, land ownership and the gradient of the land. The land in question was not suitable for the parking improvements programme. The parking improvements programme introduced additional parking bays in Cornerfield, which as mentioned in 4.4.1, is accessible for Great Heath residents via a pathway to opposite the newly created bays.

- e) As a maximum, only two vehicles in this photograph can be seen parked in the area proposed for double yellow lines. However, it can be seen within the photograph of 3 parking spaces being available on the highway. One to the left edge of the photograph, one space beyond the junction of proposed lines, as well as available parking in Hillfield that can be seen crossing from left to right in the top of the photograph.

4.7 There is one objection pertaining to Talbot Road, and the proposal for double yellow lines.

Below is a summary of the grounds for objection.

- a) Double yellow lines would cause me great problems if I was unable to park outside to load and unload.
- b) Imagine the situation if someone orders a couple of sofas, a new bed, or has shopping delivered the nearest place to park without the risk of being ticketed is 3 roads away.
- c) A single yellow line with parking between the hours of 9am and 3pm.

4.8 The reasons for moving forward with the proposals for double yellow lines are as follows:

4.8.1 Responses to 4.7

- a) Residents would be able to load and unload from their vehicles on a double yellow line, as a loading exemption applies to those yellow lines. A Civil Enforcement Officer would observe a vehicle for at least 5 minutes to check if any loading activity is ongoing before a PCN could be issued.
- b) As above, a loading exemption applies. Double yellow lines are being proposed on junctions and in parts of Talbot Road where obstructive parking occurs stopping vehicles from being able to access off street garage areas. Parking would still be available in Talbot Road, and a large parking provision would still be available in other adjacent roads such as Homestead Road and Chelwood Avenue.
- c) The double yellow lines are being proposed in part sections of the road to enable better access for vehicles to use the off street garage areas. Enabling vehicles to continue to park in the areas of road proposed for double yellow lines would prevent access.

## **5 Legal Implication(s)**

5.1 TROs are created under the Road Traffic Regulation Act 1984. Consultations follow a statutory legal process as set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. No other legal implications are inherent in relation in to the proposals in this report.

## **6 Financial Implication(s)**

6.1 The cost of TRO works recommended in this report will be funded through existing Parking Services revenue budgets.

- 6.2 It is standard procedure to monitor new parking restrictions for the first 6 months after they are implemented. During this period all reports of safety issues or parking displacement will be recorded. If any significant safety issues are discovered during the monitoring period, Parking Services will investigate and carry out the appropriate remedial action.

## **7 Risk Management Implications**

- 7.1 Changing the parking conditions in the above mentioned roads could generate negative publicity. Some parking may be displaced into nearby roads.
- 7.2 It is standard procedure to monitor new parking restrictions for the first 6 months after they are implemented. During this period all reports of safety issues or parking displacement will be recorded. If any significant safety issues are discovered during the monitoring period, Parking Services where possible will investigate and carryout the appropriate remedial action.

## **8 Security & Terrorism Implications**

- 8.1 There are no security & terrorism implications inherent in relation to the proposals in this report.

## **9 Human Resources**

- 9.1 There are no known Human Resources implications in relation to the proposals in this report.

## **10 Communication and Engagement**

- 10.1 When making any changes to parking restrictions there is a statutory consultation process set out in the Local Authority Traffic Orders (Procedures) (England and Wales) Regulations 1996 which the Council needs to adhere to. This includes consulting directly with all affected parties and a number of statutory consultees, such as the Police and Hertfordshire County Council.
- 10.2 In addition, Notices are required to be erected within all roads affected and advertised in the local newspaper, in this case the Welwyn Hatfield Times.
- 10.3 This process has been carried out and there are no known implications in relation to the proposals in this report.

## **11 Health and Wellbeing**

- 11.1 There are no known Health and Wellbeing implications in relation to the proposals in this report

## **12 Procurement Implications**

- 12.1 There are no procurement implications inherent in relation to the proposals in this report.

## **13 Climate Change Implication(s)**

- 13.1 There are no climate change implications inherent in relation to the proposals in this report.

## 14 Link to Corporate Priorities

14.1 The subject of this report is linked to the Council's Corporate Priority Protect and Enhance the Environment, and specifically to the achievement to Deliver Effective Parking Services

- Protect and enhance the environment and deliver effective parking services;
- Engage with our communities and provide value for money
- **Equality and Diversity**

14.2 I confirm that an Equality Impact Assessment (EqIA) has been carried out.

14.3 The EqIA found that there is potential for negative impacts on Age, Pregnancy and Disability. The double yellow lines will prevent parking at junctions which may force some motorists to park further away from their destination. Parking Services believe however that the benefits gained from junction protection far outweigh any dis-benefits. There is a potential for a positive impact on Disability. There is an inbuilt exemption to the Verge and Footway Prohibition Order which allows for the unloading and loading of goods and passengers. Prohibiting vehicles in general from parking on the footway could enhance pedestrian access for those who may currently find it difficult navigating past parked vehicles on the footway.

14.4 Disabled drivers with a valid blue badge are allowed to park on yellow lines without a loading prohibition for up to 3 hrs.

14.5 During the monitoring period (6.2) should any unintended impacts come to light, Parking Services will where possible investigate and carryout the appropriate remedial action.

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Date	20 <sup>th</sup> March 2019

Background papers to be listed (if applicable)