

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET – 2 AUGUST 2016

Recommendation from the Cabinet Housing and Planning Panel on 30 June 2016:-

WESTLAND DRIVE, OAKLANDS AVENUE, THE GARDENS AND BLUEBRIDGE ROAD, BROOKMANS PARK, HATFIELD – REVIEW OF WAITING RESTRICTIONS

The Chairman adjourned the meeting to allow members an opportunity to read and consider the questions posed by Mr Bailie. (Minute 11.2 refers)

The report of the Director (Finance And Operations) set out the results of the informal consultation, the formal consultation and the recommended course of action in relation to the proposed waiting restrictions at Westland Drive, Oaklands Avenue, The Gardens and Bluebridge Road, Brookmans Park. The Council received ten letters of objection to the formal consultation on the following grounds:-

- The existing restriction of one hour for alternate sides on Monday to Friday worked well.
- Why was Saturday included when all other schemes in the village operated on Monday to Friday?
- Why were the proposed double yellow lines active as far as No 7 Westland Drive?
- What was the point of consulting residents of the road not once but twice only to ignore the majority of people's views?
- The current and proposed restrictions were too cumbersome and unnecessary for the village.

Since the introduction of a number of other schemes within Brookmans Park, a number of residents had requested to be re-consulted on a resident parking permit scheme. The purpose of the scheme was to prevent long term parking by non-residents, but still provide a system which enabled residents if needed to park during the restriction. In parts of Westlands Drive and Oaklands Avenue the current restriction relied on residents having to move their vehicle from one side of the road to the other, which some residents found to be cumbersome and had led them to receive a penalty charge notice if they had not been home to move their vehicle.

It was noted that the people most likely to benefit from these proposals were the residents. Only a resident parking permit scheme had the benefit of allowing residents and their visitors to park on the road during the hour(s) of the restriction. With the removal of the yellow lines it would be less expensive to maintain and would be more in keeping with the look and feel of the rest of the village. There would be no requirement to move vehicles as there would be with a tidal system. Parking Services were firmly of the opinion that this was the best option for all residents. All monies accrued were channelled into both the enforcement and operation of the scheme. Parking Services therefore recommended this scheme to proceed and be implemented as advertised.

During discussion, Members acknowledged the reasoning behind the proposed changes and that parking issues were now being dealt with on a whole area approach.

The Parking and Cemetery Services Manager advised that Parking Services also had a duty to produce parking schemes where the restrictions were clear and transparent and easy to comprehend, not only for residents but also for the casual visitor. If Westland Drive was treated in isolation, this would lead to a proliferation in signage leading to confusion.

Members were of the view that the reasons for going ahead with the proposed changes to the parking restrictions for this scheme should be explained more fully in the letter sent to the objectors and be clearly stated.

The Chairman advised that future reports would include a summary of the equality impact assessment and the impact of proposed schemes within the body of the main report.

#### RESOLVED:

That having considered the proposals and objections received, the Cabinet be recommended to proceed with the creation of the “Borough of Welwyn Hatfield (Westland Drive, Oaklands Avenue, The Gardens and Bluebridge Road, Brookmans Park, Hatfield) (Restriction of Waiting and Permit Parking Zone) Order 2016” for the reasons outlined as follows:-

- The existing restriction only worked well if residents were at home and able to move their vehicles at the time of changeover. Complaints have been received from residents who were unable to do so.
- There was an error in an earlier Notice. The proposal was for the scheme to operate on Monday to Friday, and not Saturday as previously advertised.
- Residents in Westland Drive requested that yellow lines be installed at that location.
- Consultations running at the same time in an adjacent area resulted in a far larger resident permit scheme than originally anticipated, producing a higher level of parking displacement. A previous scheme advertising yellow line restrictions resulted in a petition being lodged at a very late stage requesting a resident permit parking scheme. To prevent any such reoccurrence, a final opportunity was given to residents to vote for this option.
- With the notable exception of Westland Drive, all of the current and proposed waiting restrictions in the village were in response to the majority opinion of the residents who replied to the consultations.

Questions asked about item and the answers given are attached.

## Questions to the Chairman Councillor Mandy Perkins from Mr R Bailie

### Question

"May I draw your attention to Item 8 of the Report to the Cabinet Housing and Planning Panel meeting to be held tomorrow evening and specifically to the Additional Document 8(f) and ask you to read the 9 objections received from various residents of Westland Drive from which you may detect more than a degree of dissatisfaction at the tactics employed by the council in relation to this matter.

I would also like to refer to the Officer's Report on the following points:-  
Para 3.5 Where are these "**representations**" and what form did they take?"

### Answer

"Either received in writing or logged on our customer services system – Lagan"

### Question

"Para 3.6 *"Several residents quoted the fact that for various reasons they were unable to move their vehicles from one side of the road to the other, thereby incurring penalty charge notices."* If that were true residents would be deliberately receiving penalty notices every day and we all know that has not happened. In the few cases where residents have received penalty notices it is because they have forgotten to move their cars and I know from personal experience that one only does that once!"

### Answer

"The Council can only go on information received from residents in this area. A resident has reported receiving 5 fines in 2 years."

### Question

"Para 3.8 *"A previous scheme advertising yellow line restrictions resulted in a petition being lodged at a very late stage requesting a resident permit parking scheme. To prevent any such reoccurrence, a final opportunity was given to residents to vote for this option."* Are we really to believe that if a late petition had not been received on some previous occasion the "final opportunity" for residents to vote for resident parking would not have been given?"

### Answer

"This is correct, without the petition and representations this option would not have been offered."

### Question

"The truth surely is that this had nothing to do with late petitions but was a last ditch device to get a change in the voting to achieve uniformity (and increase revenue) and would have been acceptable if it had given a clear choice between two options. Instead of that it referred to only one of the options presenting it as a "final opportunity" but not making clear that the alternative "final opportunity" was the extension of the existing tidal scheme in favour of which a majority of residents in each of the three roads had already voted (and may have been under the impression that those votes would be carried forward)."

### Answer

“The Council made a decision not to offer the tidal system as some residents found this cumbersome and would not be at home to be able to move their car when the restriction switched over. The proposed resident scheme is a more practical and flexible restriction for residents which doesn't not require them to move their vehicle during the restriction.

The Council does not make a profit from this type of scheme. The charges contribute to the cost of the administration and enforcement of a resident parking permit scheme. The Council have taken the view to consider the area as a whole, rather than considering each road as a single entity. Had Westland Drive been treated in isolation, this would have lead to confusion for the casual motorist unfamiliar with the area.”

### Question

“Para 3.8 *“With the notable exception of Westland Drive, all of the current and proposed waiting restrictions in the village are in response to the majority opinion of the residents who replied to the consultations.”* This is totally untrue. On the only occasion on which residents of these three roads were given a choice a majority of residents in each of the three roads voted in favour of extending the existing tidal scheme and the residents were told that on the strength of that vote “resident permit schemes will now be excluded from these proposals” (Appendix B of the Officer's Report).”

### Answer

“This consultation Mr Bailie's referring was held before some of the other restrictions in the village had been introduced. Information received after the introduction of the restrictions prompted the Council to consult residents again.”

### Question

“Finally is it the case that since there was a material error (Monday to Saturday instead of Monday to Friday) in the advertisement of the proposed TRO it will have to be re-advertised? That would give the opportunity for proper consultation with two choices?”

### Answer

“Residents who contacted the Council to query the proposed Monday to Saturday restriction were informed as to the error. All notices in the locality have been replaced with the correct version displaying the Monday to Friday restriction. The error portrayed a longer restriction in the letter to residents; therefore the TRO does not need to be re-advertised.”