

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 12 JULY 2018
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND
CULTURAL SERVICES)

REVIEW OF WAITING RESTRICTIONS AND INTRODUCTION OF VERGE
PROTECTION ORDER IN VARIOUS ROADS, HANDSIDE WARD, WGC

1 Executive Summary

- 1.1 Residents and businesses in parts of Parkway, WGC and surrounding roads were consulted about proposals based upon the findings of a general parking survey in 2015.
- 1.2 As well as a Traffic Regulation Order (TRO) for waiting restrictions devised from the recent parking consultations, the Council are looking to introduce a Verge and Footway Protection Order (VPO). The VPO is in response to the many complaints it receives concerning damage to grass verges and footways throughout the borough. This legislation allows the Council to adopt a more effective and robust approach to this problem, by issuing Penalty Charge Notices to vehicles parking in such areas, which is not possible with the current grass verge bye-law.
- 1.3 A VPO covers the limits of the public highway, extending from the centre of the road to the highway boundary, which in many case is the boundary of the private property. Yellow line waiting restrictions also share the same boundary.
- 1.4 “Verge” means any land forming part of the road which is neither carriageway nor footway.
- 1.5 “Vehicle crossover” means a metalled surface constructed specifically as a means of access across a verge from the carriageway of a road, to a private driveway or private parking place. The crossovers are not designed to be parked upon. The responsibility for their maintenance is with Hertfordshire County Council (HCC). It is in HCCs application form that they not additional parking provision and only to access and egress on to private property. It should be noted that upon receipt of this advice, dwellings falling within this category with existing yellow line restrictions in Welwyn Garden City received confirmation of this fact by letter 2-3 years ago.
- 1.6 Parkway, due to its length and varying characteristics, was divided into four separate sections; A, B, C and D. In addition to these areas, separate consultations also took place regarding proposed waiting restrictions in Longcroft Green and a request for junction protection in Fordwich Road. As a result of a number of requests for clarification and/or additional enquiries, the consultation period for Parkway C was extended to provide more time for residents to absorb all the relevant information.
- 1.7 This report sets out the results of the informal consultation, the statutory consultation and the recommended course of action. A total of 258 properties and

businesses have been consulted. 38 objections have been received. See **Appendix A**.

2 Recommendation(s)

- 2.1 That the Panel consider the objections received in 4.1, 4.3, 4.5 and 4.7; in particular the issues raised in Section 12 around equalities and diversity. Having considered all the detailed issues in this report including any proposed mitigating actions; recommends to Cabinet to proceed with the creation of both the Orders as advertised (**Appendix B**), for the reasons set out in this report.

3 Explanation

3.1 Longcroft Green

- 3.1.1 Residents from Longcroft Green had contacted the Council independently to complain of parking congestion and damage to the grass verge caused by vehicle over-run.
- 3.1.2 The initial response from Parking Services was to propose double yellow lines around the junction and the remainder to be controlled by a single yellow line, Monday to Friday, 9am to 5pm waiting restriction. This was later amended to a Monday to Saturday 8am to 6pm restriction as a consequence of parking charges being introduced at the Gosling Stadium.
- 3.1.3 A comment was received from a resident requesting that the single yellow line terminate at the turning head, thus allowing the residents from the four properties to park outside their homes should the need arise. This was agreed to and the proposals amended.
- 3.1.4 Following the advertisement of the proposals as part of the statutory consultation, requests were received from residents of Stanborough Mews asking if the restriction could be amended to Monday to Friday only. This was to assist in visitor parking at the weekend. This request was also agreed to and the proposals amended.
- 3.1.5 No formal objections have been received in relation to the Longcroft Green proposals.
- 3.1.6 Officers recommend to amend the proposals as outlined in **Appendix C** to which were advertised. As this makes the scheme less restrictive this does not need to be re-advertised.

3.2 Fordwich Road

- 3.2.1 After the implementation of a resident parking scheme in Longcroft Lane and the surrounding roads, as part of the monitoring period the Council received a request for junction protection in the form of double yellow lines within Fordwich Road. The complainant cited congestion and poor visibility around this junction.
- 3.2.2 Parking Services proposed to install double yellow lines around this particular junction. Following comments made by a resident, one arm of the junction was foreshortened to allow parking space for a vehicle outside No 33 Fordwich Road

3.2.3 Following advertisement of the proposals, two formal objections have been received. See **Appendix A**

3.2.4 Officers recommend to introduce the TRO as advertised in **Appendix B**.

3.3 **Parkway A**

3.3.1 This section of Parkway covers the area between the junctions of Stanborough Road and Rooks Hill, There is existing junction protection only at the junction with Stanborough Green. The main carriageway is currently unrestricted.

3.3.2 Comments received in response to the consultation highlighted complaints of long stay commuter parking, both on the main carriageway and also within the cul-de-sac area. This was further compounded by short-stay parking from people using the Sports Centre (as Gosling have introduced parking charges for people using their car park) and vehicles on display being offered for sale. The dwellings bounding the cul-de-sac had no off-street parking therefore were directly affected by non-residential parking.

3.3.3 At peak periods, the roundabout at the foot of Parkway at the junction with Stanborough Road was liable to congestion. The parked commuter vehicles in that section of Parkway added to this congestion restricting traffic flows. A short term limited waiting restriction was thereby considered to deter long stay non-residential parking.

3.3.4 In order to retain parking for the benefit of residents, Parking Services proposed that the cul-de-sac area be restricted to residential permit parking only. Included in the eligible addresses are Nos 173 and 175 Parkway, addresses which have no off-street parking. No 169 successfully applied for a vehicle crossover and parking space which has now been constructed. A request was also received to include No 22 Stanborough Road in the list of eligible addresses as access to this property was via the cul-de-sac. To achieve the best possible capacity in this area, an application was submitted by Parking Services to re-profile the cul-de-sac, this has been approved and the construction of the new parking area has now been completed. See **Appendix D**.

3.3.5 The advertised proposals were the creation of a new permit parking zone A11, Monday to Saturday 9am to 5pm. The remainder of the carriageway would be subject to a Monday to Saturday, 9am to 11am, single yellow line waiting restriction which is consistent with other single yellow lines in this area.

3.3.6 Three formal objections have been received following advertisement of the proposals. See **Appendix A**

3.3.7 Officers recommend to introduce the TRO as advertised in **Appendix B**.

3.4 **Parkway B**

3.4.1 This section of Parkway covers the area between the junctions of Turmore Dale and Barleycroft Road, the majority of which is currently controlled by a single yellow line waiting restriction, Monday to Saturday, 8am to 6pm.

3.4.2 To reinforce junction protection on the junctions with Honeycroft, Fordwich Road and Fearnley Road, it is proposed to change the existing single yellow lines to double yellow lines, No waiting at any time.

- 3.4.3 In wishing to implement the Verge Protection Order, Parking Services were aware that a number of residents accustomed to parking on extended vehicle crossovers, would no longer be able to do so. This affected properties both in Honeycroft and Parkway. To cater for any shortfall, it is proposed to install permit parking bays at various locations along this stretch of Parkway. This included the area north of the junction with Fearnley Road subject to double yellow lines where residents reported difficulties with visitor parking. The bays would form part of a new Zone A10 and operate Monday to Saturday 8am to 6pm, reflecting the operation of the current single yellow line restrictions.
- 3.4.4 The remaining areas along Parkway will be controlled by a single yellow line, Monday to Saturday, 8am to 6pm waiting restriction.
- 3.4.5 Following advertisement of these proposals, seven formal objections have been received. See **Appendix A**
- 3.4.6 Officers recommend to introduce the TRO as advertised in **Appendix B**.
- 3.5 **Parkway C**
- 3.5.1 This section of Parkway covers the area between the junctions of Barleycroft Road and Church Road, including Parkway Close. Parkway Close (Zone A03) is currently controlled by a residents parking permit scheme Monday-Saturday, 8am – 6pm. The section of Parkway between Barleycroft Road and Church Road (Zone A04) has shared use parking bays, which allows anyone to park there for 2 hours or resident permit parking which operates for the same days and times as above.
- 3.5.2 Residents in the shared use section have in the last few years reported difficulty in being able to park as their parking bays are taken up with non-residents parking for the permitted 2 hours. One reason for this is the one way system in Parkway which is a main thoroughfare into Welwyn Garden City. People traveling in from this direction see a space and take it. Whereas on the opposite side of the road the shared use parking bays in this section are rarely fully utilised.
- 3.5.3 Residents in Parkway Close have also reported insufficient parking provision. The entrance road is very narrow, with a parking section which currently accommodates up to 16 vehicles. In addition, residents have been parking on extended vehicle crossovers and additional informal parking areas have been created by adapting pedestrian pathways to accommodate vehicles. Parkway Close is an iconic area within Welwyn Garden City and is visited from people all around the world to see an example of Ebenezer Howard's Garden City ethos.
- 3.5.4 The Council looked at how this could be addressed, especially as no additional parking provision could be created. Therefore, the council proposed to merge both areas together and create one resident parking permit scheme Monday – Saturday, 8am-6pm. At the same time look to introduce a VPO which would cover the pavement, verge and vehicle crossovers both formal and informal (initial letter May 2017).
- 3.5.5 During the initial consultation Parkway Close residents were of the opinion that Parkway residents would prefer to park in the Close which would actually reduce the parking available for residents within the Close. Whilst it is appreciated this may have been the case before the restrictions were introduced in 2010, as it is

now proposed, all residents would be included in the same scheme. Therefore any perceived need to park in the Close would not be as attractive as being able to park outside of their home. In the Council's experience, residents want to park as close to their home as possible.

3.5.6 In addition, a number of questions arose regarding what areas the VPO would cover. A letter which outlined the results of the consultation was sent in June 2017, within this letter the extent of the VPO was explained in more detail. The Council are receiving more and requests to deal with people parking on the verge and pavements. At present, enforcement of parking on the pavement is the remit of the Police as this could be classed as obstruction, however this is regarded as a low priority for the Police due to other work pressures. Vehicles parking on the verge and green areas are reported through to the Council and the Street Warden team who will monitor and place notices on vehicles parking in such areas, requesting that they refrain from doing this. Without a VPO in place there is not the means to effectively and robustly manage vehicles parking in these areas.

3.5.7 Following advertisement of these proposals, twenty-six formal objections have been received. See **Appendix A**

3.5.8 Officers recommend to introduce the TRO as advertised in **Appendix B**

3.6 **Parkway D**

3.6.1 This section of Parkway is located on the southbound carriageway of the dualled section, situated between the junctions of Church Road and Birdcroft Road. In this section there are currently shared use permit parking bays (Zone A04) either for the use of residents or short stay visitors, 2 hours, no return with 2 hours. Residents in this area were content with the present arrangement and wished no change to the current waiting restrictions.

3.6.2 Although no changes are been made to the waiting restrictions, the council proposed to introduce a VPO to cover the verge, pavement and vehicle crossovers in this area. No formal objections have been received in response to the formal advertisement.

3.6.3 Officers recommend to introduce the TRO as advertised in **Appendix B**

3.7 **Traffic Regulation Order**

3.7.1 On the 20th December 2017 the public notice proposing "**The Borough of Welwyn Hatfield (Various Roads, Welwyn Garden City) (Restriction of Waiting and Permit Parking Zones) Order 2017**", together with "**The Borough of Welwyn Hatfield (Various Roads, Handside, Welwyn Garden City) (Prohibition of Stopping and Waiting on Verge or Footway) Order 2017**" was advertised in the Welwyn Hatfield Times. Notices were also erected in the lengths of roads affected.

3.7.2 The closing date for formal objections was 31st January 2018. However, the Council must consider any objections which are received until the objections have been considered. See **Appendix B**.

4 **Objections**

4.1 There are three objections pertaining to **Parkway A**. Two are concerned with the verge protection order and the other with the cul-de-sac permit zone. Below is a summary of the grounds for objection:

- a) There is no need for a verge protection order on this specific stretch of Parkway because of existing bollards that prevent parking on the verge.
- b) The verge protection order will prevent residents from parking on the vehicle crossover and substantially increase on-road parking.
- c) The original letter omitted to inform residents of the survey results concerning the cul-de-sac. From talking to the neighbours my understanding is that there was no majority. Please provide a breakdown of responses to all questions.
- d) We are delighted with the introduction of permit parking but object to the operating days/times. We would support the proposal if it was 24/7, seven days a week with no time restriction, so permanently in place.

4.2 The reasons for moving forward with these proposals as detailed in **Appendix B** are as follows:

4.2.1 Responses to 4.1

- a) The existing oak bollards were installed precisely as a result of verge parking. A verge protection order would enable their removal and represent a major improvement in the conservation area streetscene.
- b) There is existing off-road parking for all properties. For those that don't have such provision, they have been included in the list of eligible properties for the cul-de-sac.
- c) The viability of the scheme was dependent on planning consent for the re-profiling of the cul-de-sac. This has now been granted. The original letter was sent out to Nos 181-189. Two further properties have since been added. Of the 8 eligible properties, 5 were in favour with 2 against. No reply from one property. Note that one of these properties has now been granted permission for a vehicle crossover.
- d) The Council currently does not have the resources to enforce 24/7, seven days a week.

4.3 There are two objections pertaining to **Fordwich Road**. Below is a summary of grounds for objection.

- a) Our property is unique in that its garage and driveway is located to the side and rear. The walk from our driveway to the front door is pitch black because the street lighting is turned off. We are being targeted in an unfair and discriminatory manner.

- b) We object to the proposal as we feel that the double yellow lines do not extend far enough down Fordwich Road towards Parkway. Cars often park directly opposite to our crossover such that on occasion we have had to mount the kerb to gain access.

4.4 The reasons for moving forward with these proposals as detailed in **Appendix B** are as follows:

4.4.1 Responses to 4.3

- a) This would be a short walk and would cause the minimum of inconvenience. However, space for a vehicle has also been allowed for to the front of the property.
- b) There is sufficient capacity for vehicles to park elsewhere.

4.5 There are seven objections pertaining to **Parkway B**. Below is a summary of grounds for objection.

- a) Based on the parking restrictions (Verge Protection Order) you are proposing for Honeycroft any cars parked on the driveway in front of my garage would be illegally parked. We would have to seek alternative parking in nearby roads.
- b) We maintain the areas of grass, which are council owned. The adjoining driveways should also remain unaffected by your parking restrictions.
- c) The proposed permit parking bays on the west side of Parkway opposite Parkway Gardens will cause unnecessary congestion, lead to accidents and restrict the view of pedestrians.
- d) Most of the homes here have substantial drives for off-road parking. This is the main route in and out of town and parked cars cause congestion.
- e) This will make turning right in and out of Parkway Gardens dangerous. Why not build off-road parking bays?
- f) I only have space for one car. Where will all my visitors and tradespeople park, if not on my driveway?

4.6 The reasons for moving forward with the proposals as detailed in **Appendix B** are as follows:

4.6.1 Responses to 4.5

- a) Permit parking bays have been provided in Parkway to cater for this eventuality.
- b) The Council does not have the authority to permit parking on land owned by Hertfordshire County Council. Consultation with Hertfordshire County Council confirmed that they are not agreeable to parking on their land.

- c) The location of the permit parking bays were vetted by Police who raised no objections. There is a pedestrian crossing point nearby with a central refuge.
- d) The Police do not wish for parking to be removed from Parkway as this would increase vehicle speeds and the likelihood of collisions.
- e) The location was vetted for off-road parking bays but ruled out due to underground apparatus, existing drainage and mature trees.
- f) Sufficient permit parking bays have been provided for.

4.7 There are 26 objections pertaining to **Parkway C.** Below is a summary of grounds for objection.

- a) The loss of free parking will affect the parking provision within the town and generate a worse level of traffic in the surrounding streets.
- b) I object to the loss of the two parking blocks outside St Francis Church to resident parking.
- c) I have not witnessed any cases of cars parked on verges or footways in Parkway. The traffic wardens are more than capable of tackling any occurrence of this nature should it occur.
- d) Each car space should be individually marked and the restrictions on the other side of the road should stay the same.
- e) If any of us receive deliveries or have work done on our properties – where are the vans going to park?
- f) If Parkway residents are not going to be allowed to park on their hard standings, they should be re-zoned A4 and be allowed to park on the southbound side of Parkway.
- g) We cannot see there is sufficient parking spaces for all the residents of the combined scheme, as well as visitors, tradespeople.
- h) My visitors will be unable to park on my driveway if the wheels go on to the pavement.
- i) Allowing residents from Parkway to park in Parkway Close would diminish parking spaces for the Parkway Close residents.
- j) Removing the crossovers is unnecessary and will add to parking pressures.
- k) I am registered disabled and would not be able to park far from my house.
- l) The logical outcome is that A04 permit holders will want to park in the current A03 zone.
- m) Our carers will have to seek a parking space outside Parkway Close.

- n) The hours are too restrictive. A reduction is required
- o) The voice of the residents is not being listened to and we are disadvantaged.
- p) There will not be enough spaces based on the level of car ownership
- q) We are a cul-de-sac and therefore need to be kept unique.
- r) The proposal to provide a single advisory disabled bay is inadequate.
- s) Parking on the crossovers has gone on for decades.
- t) We have been paying for a permit to park on our driveway based on a previous map.
- u) Residents were misled as to what the verge protection policy would encompass.

4.8 The reasons for moving forward with the proposals as detailed in **Appendix B** are as follows:

4.8.1 Responses to 4.7

- a) The loss of free short term parking should not have an effect on parking provision within the town as there is ample capacity in the car parks.
- b) There is parking within the church curtilage and existing shared use parking bays remain in Parkway north of the junction with Church Road.
- c) Civil Enforcement Officers are unable to deal with verge or footway parking under current byelaws. The proposed new legislation will allow them to do so.
- d) It is proposed to mark out the parking bays as suggested to encourage more considerate parking.
- e) Loading and unloading are a specific exemption to this legislation. Visitor Vouchers can be purchased for tradesmen.
- f) The balance of visitor and resident parking on Parkway southbound would not allow for additional capacity.
- g) Additional resident only bays have been provided in Parkway northbound. It is a reasonable expectation that not all residents will be at home for the duration of the scheme operating hours.
- h) A previous query was raised as to what degree of vehicle overhang onto a footway constitutes an obstruction. Enforcement officers have stated that if any vehicle road wheels are on the footway they would deem this to be an offence due to the degree of overhang.
- i) The Council maintains the view that residents would wish to park as close as possible to their own properties.

- j) The Council does not have the authority to permit parking on land owned by Hertfordshire County Council. Consultation with Hertfordshire County Council confirmed that they are not agreeable to parking on their land.
- k) An advisory disabled bay has been provided, where none was previously.
- l) There is no evidence to suggest that this would be the case as additional resident only parking has been provided for in Parkway northbound.
- m) Carers can obtain a doctors/health visitors permit under the present scheme.
- n) The proposed operating hours of Monday to Saturday 8am-6pm reflect present restrictions in nearby roads. As with all new traffic regulation orders, a monitoring review will take place 6 months post implementation whereby any modifications may then be considered.
- o) The duration of this particular parking consultation illustrates the fact that residents are being listened to.
- p) The council is not obligated to provide parking spaces based upon the level of car ownership.
- q) The Council acknowledges the unique character of Parkway Close. Restricting parking to the proscribed area will preserve that character by preventing the spread of parking to undesirable locations.
- r) Should the provision of a single advisory disabled bay prove to be insufficient, this may be addressed as part of the monitoring review.
- s) Hertfordshire County Council are reiterating their policy that vehicle crossovers should not be parked upon.
- t) The permit parking area has been redefined to exclude the grassed areas and other areas where it has been deemed not permissible to park.
- u) The initial consultation letter stated that the verge protection order would extend from hedgerow to hedgerow. There were several follow up letters to clarify this position, meaning the order would extend as far as the property boundary.

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 and capital 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 Procurement Implications

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

10 Climate Change Implication(s)

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

11 Link to Corporate Priorities

- 11.1 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

12 Equality and Diversity

- 12.1 I confirm that an Equality Impact Assessment (EqIA) has been carried out.
- 12.2 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 that the benefits gained from junction protection outweigh any dis-benefits.
- 12.3 Disabled drivers with a valid blue badge are allowed to park on yellow lines for up to 3 hrs. There is also an inbuilt exemption to the Verge Protection Order which allows for the unloading and loading of goods and passengers.

12.4 During the monitoring period (6.2) should any unintended impacts occur, Parking Services, where possible investigate and carryout the appropriate remedial action.

Name of author	Jack Carson 01707 357529
Title	Parking Technician
Date	27 th June 2018

Background papers to be listed (if applicable)