

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 10 DECEMBER 2020
REPORT OF THE CHIEF EXECUTIVE

INTRODUCTION OF WAITING RESTRICTIONS, RESIDENT PERMIT SCHEME,
CLEARWAY AND VERGE AND FOOTWAY PROHIBITION IN VARIOUS ROADS,
SALISBURY VILLAGE, HATFIELD

1 Executive Summary

- 1.1 This report sets out the proposed parking restrictions for Salisbury Village in Hatfield.
- 1.2 Hertfordshire County Council (HCC) are currently working on plans to adopt the Highway in this area and as a result, all private parking restrictions will end.
- 1.3 This report sets out the results of the informal consultation, the statutory consultation, and the recommended course of action.

2 Recommendation(s)

- 2.1 **“The Borough of Welwyn Hatfield (Various Roads, Salisbury Village, Hatfield) (Restriction of Waiting and Permit Parking Zones) Order 2020”**
- 2.2 The Panel consider the objections received as well as issues raised in Section 15 relating to Equality and Diversity. Having considered issues in this report including any proposed mitigating actions; recommends to Cabinet to proceed with the creation of the traffic regulation order
- 2.3 **“The Borough of Welwyn Hatfield (Various Roads, Salisbury Village, Hatfield) (Prohibition of Stopping or Waiting on Verge or Footway) Order 2020”**
- 2.4 The Panel consider the objections received as well as issues raised in Section 15 relating to Equality and Diversity. Having considered issues in this report including any proposed mitigating actions; recommends to Cabinet to proceed with the creation of the traffic regulation order

2.5 **“The Borough of Welwyn Hatfield (Albatross Way, Hatfield) (Clearway) Order 2020”**

- 2.6 The Panel consider the proposal for a Clearway sit alongside the other proposed restrictions. No objections have been received regarding Albatross Way, as well as issues raised in Section 15 relating to Equality and Diversity. Having considered issues in this report including any proposed mitigating actions; recommends to Cabinet to proceed with the creation of the traffic regulation order

3 Explanation

- 3.1 Salisbury Village is a predominantly residential area encircled by:

- the Ellenbrook Fields sports and leisure area
- the University of Hertfordshire de Havilland Campus; and
- the Hatfield Business Park.

- 3.2 There are half a dozen small businesses listed within residences and two care homes in Nimrod Drive. Salisbury Village contains 355 known and confirmed Houses of Multiple Occupation (HMOs) and student accommodation properties, although the true number may be higher. This leads to a high turnover of residents in this area.

- 3.3 Hertfordshire County Council (HCC) are currently working on plans to adopt the highway in this area. At present there are some parking controls within some roads in this area and these are managed privately. However, once the highway is adopted, these restrictions will cease immediately. This includes all permit schemes and yellow lines within Salisbury Village.

- 3.4 On 19th February 2020 stakeholders were invited to a drop-in surgery at Howe Dell community hall. The turnout for the event was attended by approximately twenty stakeholders. Most queries related to change requests to the technical drawings near their own properties and the cost of council permits.

- 3.5 The current restrictions within Salisbury Village are operational 24/7, so several stakeholders queried why these could not be considered. The council's parking enforcement contract covers the period Monday – Saturday 8am-6pm with three days of later finishes of 7pm and Sundays 10am-5pm; therefore, such requests cannot be accommodated.

- 3.6 In March 2020, parking survey forms along with a covering letter and a self-addressed envelope (SAE) were sent to all properties within the Salisbury Village area. The survey was also available online using SurveyMonkey.

- 3.7 As part of the survey, residents were offered the following restriction options:

- resident permit scheme;
- single yellow line; or
- no restrictions.

- 3.8 As part of the survey, junction protection (double yellow lines) and the introduction of a verge protection order (VPO) was also consulted on.
- 3.9 Due to a low response rate, both online and postal returns, the survey was reopened (online and by post) on the 27th April 2020.
- 3.10 In total, 216 responses were received from a survey area of 1,515 properties (14.25%).
- 3.11 In July 2020, Parking Services brought to this Panel a report highlighting the lower than usual response rate and it was highlighted that this was likely due to the high turnover of residents in this area.
- 3.12 Members considered the report on the introduction of waiting restrictions and verge and footway prohibition in various roads in this area and an Executive Member Decision Notice was made to progress the following proposals to the formal stage of the consultation process:
- To introduce a resident permit scheme operating Monday – Friday, 8am – 6pm.
 - To formalise existing double yellow lines which are already marked on the highway and to introduce other sections of double yellow lines to address other safety concerns
 - To introduce a Verge Protection Order which covers areas of footway and verges
- 3.13 Officers were also asked to contact Howe Dell school to identify any other considerations to facilitate short-term parking for drop off and pick up in this area.
- 3.14 The statutory consultation period began on 14th October and ran until 6th November.

Summary of Consultation Responses

- 3.15 During consultation, **86%** of survey responses opted for either a single yellow line or a resident permit scheme.
- 3.16 Overall, **79%** opted for a permit scheme. Of those responses:
- **43%** voted for a permit scheme in place Monday – Friday.
 - **49%** wanted an 8am start time; and
 - **51%** wanted a 6pm finish time.
- 3.17 On 14th October 2020 a public Notice of Intent proposing “**The Borough of Welwyn Hatfield (Various Roads, Salisbury Village, Hatfield) (Restriction of Waiting and Permit Parking Zones) Order 2020**” and “**The Borough of Welwyn Hatfield (Various Roads, Salisbury Village, Hatfield) (Prohibition of Stopping or Waiting on Verge or Footway) Order 2020**” and “**The Borough of Welwyn Hatfield (Albatross Way, Hatfield) (Clearway) Order 2020**” was advertised in the Welwyn Hatfield Times.

- 3.18 Notices were erected in the length of roads affected and letters posted to properties within the village. Plans illustrating the proposals for each Order are attached to this report. See (**Appendix B**).

4 Objections

- 4.1 There are six objections (with one objection covering a number of points) pertaining to the proposals throughout Salisbury Village (Appendix A). Five relate to the proposed resident parking permit scheme while one relates to the proposed VPO. See **Appendix C** for the plans.
- 4.2 The table below summarises the objections and Council's justification.

	Objection	Justification
1	“all the residents on Walker Grove presently park on the kerb (verge), without any disruptions to flow of traffic especially large bin collections and other essential vehicles”	Pavement parking obstructs pedestrians, often requiring an incursion by pedestrians into the carriageway to bypass. This poses a risk to the safety of pedestrians at a minimum. Parties with reduced mobility are disproportionately affected as regaining access to the walkway can require a dropped kerb. A dropped kerb could be some distance away. It is not acceptable for the local authority to sanction pavement parking as doing so translates as the local authority accepting the consequences. Any highway obstruction would be monitored, and we could consider yellow lines as part of the monitoring period if there was such a parking issue.
2	“We object to the charges for the permits as we pay enough for our rates to have to pay extra charges to park outside our home required by us, never mind having to pay for a permit to have essential work carried out at our property by trades people.”	The cost of designing, introducing, and maintaining a resident permit scheme is partly self-funding by residents who would get direct benefit from better availability of parking. Council Tax funds many services across Borough, County and Town. It is not possible for Council Tax to fund all parking schemes and associated costs. Residents who have off street parking e.g. a driveway will not require a permit if they plan to park off road.
3	“You are proposing a “Business working day in your eyes 8am to 6pm” This is not the case for our area.	The council cannot provide a 24/7 permit scheme at present. Schemes operate between 8am and 6pm borough wide. Most responses to the survey requested the restrictions be in place Monday to Friday, regardless of Saturday and Sunday being on offer.
4	“You are reducing the number of spaces available for residents.”	The only change to parking provision is the introduction of double yellow lines in some areas. These lines are proposed purely on the grounds of safety. The lines are proposed in areas where there is an increased risk of harm to road users and/or pedestrians or risk of damage to property or where hazards are present, such as reduced visibility.
5	“Parents park wherever they wish irrelevant of the restrictions in place they continue to park on double yellow lines, block driveways etc.”	Parents/those parking while waiting for pupils of the school will encounter enforcement relating to double yellow lines, blocking dropped kerbs and pavement parking. There will be no exception for this. This should force a behaviour change

		from the current highlighted issues as there will be regular enforcement which is consistent with other areas across the borough. Officers are also in contact with the local school to allow drop off/pick up parking on designated roads within the permit scheme during term time. This will allow parents to park safely without being issued a PCN. Such roads will be agreed by Parking Services and kept under review. Residents living in these areas will be notified so they are aware any agreement.
6	"You will force more people to be dropped off/collected (redacted) I'm constantly disturbed by all who do this without any regard for the residents of the neighbouring properties."	It is not anticipated that a permit scheme will lead to an increase in conveyance to and from the area. If vehicles are carrying a fare the presence of a permit scheme is unlikely to impact the fare's decision to depart the vehicle at an earlier stage. The decision would likely be a financial decision on the part of the fare.
7	"Bus route – This has been in operation for many years and has been running without any trouble. If you presume it is down to us residents you are mistaken it is down to Howe Dell School and their inconsiderate parents."	Numerous parties highlighted that the area outside of the school is a 'sticking point' when buses and school traffic are present. The double yellow lines are not proposed only to facilitate better passage of buses but to also ensure pupils and guardians are able to traverse the road safely and without hindrance.
8	"I am unfortunately registered disabled with a blue badge as already listed parking is difficult, you will make my life even more so."	Residents who have a valid blue badge can apply for their first resident permit free of charge, and visitors with a blue badge on display in their vehicle can also park within a permit scheme free. Vehicles with a blue badge display can also park on double yellow lines for up to three hours provided they do not cause an obstruction.
9	"I have requested that you double yellow the T junction of Barlow Close. You have proposed to only double yellow the entry points but not the whole T junction. I therefore object to the current proposal and request the whole T junction on one side is double yellowed at Barlow Close."	The proposed double yellow lines on the entrance to Barlow Close from The Runway are intended to remove the possibility of vehicles parking on the corners, preventing entry to the road itself. The proposals are <i>more</i> restrictive than what is currently in place. The verge protection order would prevent vehicles from mounting verges and footways meaning one vehicle would be able to park on one side of the road. It is not acceptable for the council to remove parking provision where it is not deemed proportionate or necessary. There is also no current known parking issue in said location and introducing a resident permit scheme would reduce demand in the road not increase it. An obstructed dropped kerb can be

		enforced upon request under legislation.
10	<p>“Refer to the recent notice about the resident permit scheme at my house area at (redacted) I would like to object about it. As my house area near to the end road of the Richards Street, I don't find it need a resident permit scheme. I have lived here for 3 year now, It is not difficult to park within a reasonable distance of their homes”</p>	<p>Richards Street could suffer ‘displacement’ if it is not included within the proposed resident parking permit scheme. This means that vehicles without permits could be drawn to the area to obtain ‘free’ parking. This would undoubtedly cause frustration and could increase tension between residents and drivers. A resident permit scheme would likely keep the status quo, whereby being excluded would likely increase the vehicles seen to be parking daytimes there now.</p>
11	<p>“I am writing to object to the above proposed permit parking zone at Richards Street. One of your reasons for the proposal is to provide adequate parking facilities. Having lived 4 years in this area, we have never had problems with parking. The street is pretty much empty during the day and there is no point having parking permit. Another concern I have with the proposed parking permit zone is that it will present nuisance for residents of Richards Street because certain parking spaces are unmarked and when parking permit zone is in place, outsiders will be vying for those spaces.”</p>	<p>Please see above relating to displacement. The picture provided with the objection showed an off-street parking area. Off-street parking will continue to be managed by the developers and the current enforcement operator, however, the road is deep into the road system and less likely to have non-residents drive so far into the estate looking for unmonitored private parking spaces The private space owners/operators can take any appropriate measures they feel such as bollards or private parking permits.</p>

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 into the proposals in this report.
- 5.2 The Council can amend proposals once advertised if they make the scheme less restrictive. This can be done without having to re-advertise the Traffic Regulation Order.
- 5.3 Through the Agency Agreement with HCC, Welwyn Hatfield can implement restrictions on any 'road' and links in with Road Traffic Regulations Act 1984 powers to make certain Orders. Therefore, whether the roads have been adopted or not isn't the overriding factor. If the public have had free and unfettered access to the area, there are no signs or barriers preventing access then WHBC can introduce restrictions with the consent of the landowner if this is not Public Highway. An example of this would be Brookmans Avenue, Brookmans Park in which the Council in consultation with the residents introduced a resident parking permit scheme in 2016.

6 Financial Implication(s)

- 6.1 The cost of TRO works, and relevant advertising of proposals recommended in this report will be funded through existing Parking Services revenue and capital budgets.

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 where no restrictions exist.
- 7.2 It is standard procedure to monitor new parking restrictions for the first 6 months after any 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.

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 (and amended by The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020) which the Council needs to adhere to. This includes consulting directly with all affected parties and statutory consultees, such as the Police and Hertfordshire County Council.

- 10.2 In addition, Public 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 Ward and County Councillors have been consulted and no objections have been received regarding these proposals.
- 10.4 The relevant developers have also been consulted and informed of the proposals. No objections have been received.
- 10.5 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

15 Equality and Diversity

- 15.1 I confirm that an Equality Impact Assessment (EqIA) has been carried out.
- 15.2 The EqIA found that there is potential for a positive impact on Disability and Age. There is an inbuilt exemption to the Verge Protection Order which allows for the unloading and loading of goods and passengers. Blue badge holders may park without a permit in resident permit parking schemes and can park on double yellow line restrictions for up to three hours.
- 15.3 Visitor vouchers can be purchased at a discounted rate for those persons in receipt of a state pension.

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Background papers to be listed (if applicable)