

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 1 AUGUST 2019
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND
CULTURAL SERVICES)

INTRODUCTION OF RESIDENT PERMIT SCHEME AND DOUBLE YELLOW LINES IN
LAMBS CLOSE, CUFFLEY

1 Executive Summary

- 1.1 An existing resident permit scheme has been operating within Lambs Close since 2000. When parking enforcement responsibility passed to Welwyn Hatfield Borough Council in 2005. Lambs Close is patrolled as with all other public highway by the authorised enforcement officers on behalf of Welwyn Hatfield. The sale of permits has been being managed by Northaw and Cuffley Parish Council. The Parish Council requested that Welwyn Hatfield Borough Council takes on the responsibility for the sales management of the permit scheme, as in the same way WHBC run all other public highway permit schemes. The current permits issued by Parish Council are handwritten permits, which in the past has been open to a small amount of misuse by way of the expiry date being altered with a pen. Welwyn Hatfield Borough Council since 2017/2018 issue all resident parking permits as paperless, and is checked by the enforcement team by the vehicle's number plate meaning the permit expiry date cannot be altered.
- 1.2 In order to bring the management of the permit scheme in line with all other resident permit schemes managed by WHBC, a new traffic regulation order needs to be formally made to set the charges for resident permits as well as designate it with a zone code. Within the new Order, it will allow for the first time the residents who live within this scheme the opportunity to purchase visitor parking vouchers. Currently, any visitors to residents are restricted to no parking within the road during the operational hours of 11am to 1pm Monday to Friday. This has the potential to cause a level of isolation for those who could be partially housebound.
- 1.3 In February 2019 Parking Services consulted all residents within Lambs Close to offer the opportunity to make changes to the enforcement days and hours whilst the Traffic Regulation Order required was being designed. Residents were surveyed to see if any supported change of days or times to the current permit bays. Eighteen responses were received, with no majority in favour of making any changes to the days and times. During the consultation, several respondents highlighted the sets of 6 parking bays on the west of the road which are currently separated by short sections of single yellow lines. It was proposed when creating a new Traffic Regulation Order to recreate the parking bays within their current start to finish limits, but removing the yellow lines between the bays to increase the parking scope to 8 parked vehicles in that section of road. This would give better parking provision outside of parking restriction hours. On previous visits by Parking Services Officers, the permit bays were often observed as underused during the restriction period.

- 1.4 As part of the remedial work to create the Order, it has been identified that the single yellow lines still left in situ from 2000 are in sections of the road where it is not suitable for parking. This is due to the width of the road in those places will only allow parking on one side, otherwise a road obstruction could be caused.
- 1.5 This report sets out the results of the informal consultation, the statutory consultation and the recommended course of action. A total of 82 residents have been consulted. One objection has been received and shown within this report. See **Appendix A**.
- 1.6 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 objection received in 4.1 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 to the survey for changes to the current permit scheme days and times from the road was 18 from 82 residents. The survey was seeking opinions on any changes required before a new Traffic Regulation Order was made to bring the TRO in line with the Council's other permit schemes. Of the 18 responses, 13 wanted to keep it as Monday to Friday and 10 wanted to see no changes made to the times (11am to 1pm)

Traffic Regulation Order (TRO)

- 3.2 On the 12th June 2019 the public notice proposing "**The Borough of Welwyn Hatfield (Lambs Close, Cuffley) (Restriction of Waiting and Permit Parking Zone) 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 5th July 2019. See **Appendix B**

4 Objections

- 4.1 There has been one objection pertaining to Lambs Close, and the proposal for resident permit scheme and double yellow lines Order. See **Appendix C** for the plans.

Below is a summary of the grounds for objection.

- a) Houses 49 and 50 have been included in the addresses of those eligible to purchase permits. Those two dwellings have ample parking available off road and should be excluded and treated as are The Brooks.

- b) You are proposing 240 visitor vouchers per year to all eligible addresses at a daily rate of 50p.... it is not hard to see how easy it is to pass on these vouchers and make a profit.
- c) I suggest the maximum number of 240 should be reduced. 20 is more than adequate for most people and you have discretionary powers to issue special permits if more are necessary.
- d) At present there is more than enough room for another parking spot.

4.2 The reasons for moving forward with the proposals for a resident permit scheme and double yellow lines Order are as follows:

4.2.1 Responses to 4.1

- a) At time of creating the Traffic Regulation Order, the section of road where 49 and 50 are due to be sited was under construction and it was not clear how much off street parking would be available by the end of construction. It was not highlighted during the survey stage any issues regarding the properties being eligible. If the new properties do have as much off street parking as mentioned by the objector, it is highly likely the properties will not apply for resident parking permits, therefore not utilising the option available to buy any permits, and would not create any additional vehicles onto the public highway. Based on previous experience, residents only buy resident parking permits if they require to park upon the public highway, not if they have sufficient space to park off road at their property. Any changes to remove properties from an eligible address list would need to be consulted upon and a new Traffic Regulation Order creating to amend the list as it would make it more restrictive (by way of restricting it by 2 less properties).
- b) At the current time, all resident permit schemes within Welwyn Hatfield Borough limit residents to 240 visitor vouchers within a 12 month period. Some residents may be housebound and wish to buy vouchers for their visitors to reduce social isolation, as well as residents requiring them for tradespeople to carry out works. We run 14 other permit schemes within a 5-10 minute walk of a railway station and there has been no clear indications that visitor vouchers have been misused. When permit applications are made, we can see the number of vouchers purchased, and within our terms and conditions it states "I understand that any visitor vouchers issued to me by the Council is only given to visitors visiting my household". Any residents found breaching these conditions could be subject to limitations on purchasing any further vouchers, and if in possession of paperless vouchers could have them cancelled and removed immediately.
- c) As mentioned, we offer the same allocation across ALL resident permit schemes of 240 visitor vouchers per year. It could be seen as discrimination against residents in Lambs Close if we do not offer the same allowances as all of our other 37 permit areas. Some residents may be partly housebound and wish to buy vouchers for their visitors to reduce social isolation, as well as requiring them for tradespeople to carry out works. The discretionary special permits mentioned are relating to permits for family and friends who carry out personal and

medical care duties for residents and not used for the purpose of residents who require additional visitor vouchers. Limiting vouchers to 20 per year may impact on other residents who require vouchers outside of the limits of personal and medical care by friends and family such as tradespeople or social occasions.

- d) By removing the single yellow lines between the current parking bays it will create space for an additional 2 vehicles. Parking Services Officers observed on many occasions, spare capacity in the road during the restriction's days and times; often during the weekday mornings and afternoons. The additional spaces will serve for out of restriction hours or at peak time for additional visitors. Navigation space still needs to be left available upon the highway for emergency services vehicles to successfully navigate the whole road, as well as refuse collection vehicles without impediment. Introducing additional spaces outside of the current bay limits could cause vehicle flow issues.

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 Based on Cuffley and Northaw information the Council can anticipate an income of approximately £1,500 from the sale of the permits

7 Risk Management Implications

- 7.1 Changing the parking conditions in the above mentioned road 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.
- 7.3 The amount of yellow lining and parking control continues to increase, and this increase may in due course require additional budget to ensure lining and signage is appropriate for enforcement.

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 local councillors, the county councillor, Police and Hertfordshire County Council. From this group of consultees, we received a confirmation from the Police expressing no concerns.
- 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

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 negative impacts on Age, Pregnancy and Disability. The double yellow lines will prevent parking where parking is not encouraged due to width restrictions in the road, which may force some motorists

to park further away from their destination. Parking Services believe however that the benefits gained from double yellow lines far outweigh any dis-benefits as it enhances the safe navigation of the highway for all. There is a positive impact for all by the creation of additional space on the west of the road where the yellow lines between the bays for 2 extra vehicles.

- 15.3 Disabled drivers with a valid blue badge are however allowed to park on double yellow lines without a loading prohibition for up to 3 hrs where it is safe to do so without causing obstruction to traffic. Disabled badge holders can also park without time limit in any resident permit bay.
- 15.4 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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Background papers to be listed (if applicable)