

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 7 MARCH 2019
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND
CULTURAL SERVICES)

INTRODUCTION OF WAITING RESTRICTIONS, RESIDENT PERMIT PARKING
SCHEME AND VERGE PROTECTION ORDER IN VARIOUS ROADS, ROE GREEN,
CENTRAL AND EAST WARDS, HATFIELD

1 Executive Summary

- 1.1 In recent years a large number of complaints have been received from residents in the Roe Green area of Hatfield, about people parking in the residential roads when visiting the Galleria rather than pay for parking in the Galleria car park. The Council in October 2016 started the parking consultation in the Roe Green area of Hatfield. The scheme was split into two, with Area One including the roads to the west of Lemsford Road being engaged in the first round. As a result of the consultation, on the 3rd July 2017 a resident permit parking scheme (RPPS) together with additional waiting restrictions was introduced in various roads in Roe Green. The resident parking permit scheme operates Monday - Saturday, 8am – 6pm. Following the successful implementation of the scheme, a number of complaints continued to be received from residents concerning vehicles either parked on the footway or grass verge. A further letter was sent to residents informing them that they would be consulted on a verge protection order (VPO) during the second round of consultation.
- 1.2 The Council are receiving more and more requests all over the borough, to address vehicles parking on the verge and pavements. Until recently, enforcement of parking on the pavement was within the remit of the Police as this could be classed as obstruction; however this is now regarded as a low priority for the Police due to other work pressures. Without a VPO in place, vehicles who park 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. The introduction of a VPO will provide the Civil Enforcement Officers with the means to effectively and robustly enforce vehicles parking in these areas, by issuing a Parking Ticket.
- 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 cases is the boundary of the private property, this could include verges and/or pavement. Yellow line waiting restrictions also share the same boundary.
- 1.4 In January 2018 the Council started the parking consultation in Area Two with the remaining roads predominantly to the east of Lemsford Road, Hatfield.
- 1.5 This report sets out the results of the informal consultation, the statutory consultation and the recommended course of action. Approximately 1800 properties and businesses have been consulted. This report also outlines an

amendment the Council is proposing and the objections which were received in response to the advertised Orders.

- 1.6 Twelve objections have been received relating to the proposed RPPS. One objection has been received relating to the proposed VPO; please see **Appendix A**.

2 Recommendation(s)

- 2.1 That the Panel consider the objections received in 4.1 and 4.3; and in addition the issues raised in Section 15 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 VPO (**Appendix B**) and the RPPS (**Appendix C**), for the reasons set out in this report.

3 Explanation

- 3.1 This particular section of Roe Green centres around Lemsford Road which extends from the A1001 Hatfield Business Park to the north, and to the Town Centre at the south. Other than double yellow lines on junctions leading off Lemsford Road, there are no other waiting restrictions in the surrounding area.
- 3.2 Work is due to commence on the redevelopment of Hatfield Town Centre, including proposals to construct a new multi-storey car in The Common car park, a road within the consultation area. It was recognised beforehand that a degree of parking displacement was likely both during and after the construction of the new car park. Residents were therefore offered the opportunity as to what, if any parking restrictions they would like would like to address this.
- 3.3 Residents in this area complained largely of non-residential parking, which they have mainly alluded to local workers from the nearby business park to the north and the town centre at the south. The parking situation along the length of Lemsford Road was considered to be extremely dangerous with poor visibility and few passing points.
- 3.4 Further complaints concerned parking on the footway and lack of available parking due to the current road layout. A number of investigations are now currently underway in the area to see if the Council could increase parking provision.
- 3.5 Residents were given the choice of do nothing (leaving it as it is), opting for additional yellow line restrictions or a RPPS.
- 3.6 The majority response received from residents indicated they would like to see the introduction of a RPPS, favouring operating times of Monday to Saturday, 8am-6pm. Additional double yellow line restrictions are proposed in places along the length of Lemsford Road and other locations to improve road safety.

Traffic Regulation Order (TRO)

- 3.7 On the 16th January 2019 the public notice proposing “**The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield) (Restriction of Waiting and Permit Parking Zones) Order 2018**” (See Appendix B) and “**The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield) (Prohibition of Stopping and Waiting on Verge or Footway) Order 2018**” (See Appendix C)

was advertised in the Welwyn Hatfield Times. Notices were also erected in the lengths of roads affected and letters delivered to residents and businesses.

4 Objections

4.1 One objection has been received from a resident in Area One relating to the verge protection order which can be summarised below:

- The verge on Pond Croft is constantly used for parking and is a necessity for residents. The massive verge should be widened so that cars can park on both sides.

4.2 Response to 4.1

- The land in question is not suitable for land improvements due to the presence of a mature tree with a large canopy. There are also underground utilities bisecting the plot preventing construction.

4.3 Eleven objections have been received in relation to the proposed waiting restrictions which can be summarised below:

- a) Double yellow all of Lemsford Road and have the housing association put up 'Resident Parking Only – Clamping in Progress' signs.
- b) I believe the scheme as proposed will have a detrimental effect on patients registered at this surgery (Wrafton House).
- c) Whilst it is unsatisfactory parking on the grass verge and walkway, where else can the overflow of vehicles park at St Lukes Court?
- d) I believe that my visitors and I should be able to park for free outside my own house. A restriction between 12pm-2pm Monday to Friday would suffice. The majority of residents didn't respond which tells us they did not see or read the letters you sent out; this is another case of councillors behaving underhandedly, beguiling residents and pretending that we wanted these changes.
- e) As I will be paying for a permit, how can you guarantee me a parking place? Are you going to put bollards up to stop people parking on the green? Stockbreach Road residents often use the (Stockbreach) Close to park on. What will you do to solve this?
- f) Banning commercial vehicles from parking overnight in residential streets would reduce the number of vehicles in the road. The road verges etc need to be altered to include off-road parking. Limit the number of vehicles allowed at a property to the number of spaces available for that property.
- g) If your scheme causes non-residents to park in our car park, then we will be forced to implement parking access controls in our private car park (Wordsworth Court). If that's the case I expect the Council to help with these additional costs.
- h) If a scheme is to be introduced, then Monday to Friday 11am to 12noon would be more sensible. Also what about visitors, deliveries etc ?

- i) I wish to object to the subject draft order on the grounds that it will operate on Saturdays when there is likely to be less demand for commuter related on-street parking, but greater demand by family and social visiting.
- j) I do not think it is fair to pay for a permit for the first car.
- k) I strongly object to residents having to pay for visitor permits. You should be insisting that companies on the Business Park provide sufficient car-parking for their employees. Build a multi-storey car park there instead.
- l) We have never had an issue with non-residential cars on our road who were not invited guests of our neighbours or ourselves and thus feel this scheme is not appropriate for the area.

4.4 Responses to 4.3

- a) The removal of all parking would lead to increased vehicle speeds. Clamping signs are illegal. Resident Parking Only signs are not enforceable and routinely ignored in other locations.
- b) Complaints from residents concern the parking of vehicles on the footway outside the surgery leading to obstruction to pedestrians and a dangerous loss of visibility to vehicles emerging from minor roads. Several patient parking bays are available within the curtilage of Wrafton House. Blue badge holders can park without limitation for free in RPPS and on yellow lines for 3 hours (where no obstruction is caused). Additionally, Parking Services have committed to review the restrictions with residents in nearby roads, with a view to providing limited waiting bays similar to those provided in The Common outside another Surgery. (nb this objection was received from a local resident/patient unconnected with Wrafton House)
- c) St Lukes Court is a private development. The verge protection order in this location is restricted to the public highway. It is the responsibility of the landowner to manage parking on their own property.
- d) Fees and charges are set by Cabinet. These charges cover the cost of administration and if there is any surplus contributes to the cost of enforcement. This information is included in the correspondence sent to residents, they are urged in the survey letters to engage in the consultation, thus ensuring their views are taken into consideration as part of the decision making process.
- e) The Council is in no position to guarantee anyone a parking place. However, with the removal of the non-residential vehicles residents should be in a better position to find a parking space within a reasonable distance to their home. Parking on the Green will be addressed with the introduction of the verge protection order. One of the benefits of a resident scheme is that roads within the same scheme are available for use by all residents. This is particularly important in some high density roads where parking is already at a premium.

- f) Vehicles with a gross plated weight in excess of 3.5 tonnes are subject to Goods Vehicle Operator Licensing. The licences are issued by the Traffic Commissioners with stipulations on where vehicles should be parked overnight. These matters are the responsibility of the Police. This particular location (Stockbreach Close) is currently being considered for parking improvements.
- g) Many similar locations within the survey area are already subject to private parking enforcement. This is for private landlords, housing associations etc to consider and manage.
- h) Residents may purchase visitor vouchers. A 50% discount is available to residents in receipt of a DHS Pension. Standard exemptions exist for loading and unloading. Experience elsewhere has shown that a very short restriction as suggested may lead to tidal parking and further inconvenience.
- i) This particular location (Jasmine Gardens) had an almost equal amount of properties voting for both Mon-Fri & Mon-Sat. As the surrounding roads had chosen Monday to Saturday, this option was chosen to maintain parity. Bespoke options for separate roads often lead to criticism from the Parking Adjudicator. Motorists unfamiliar with a location are entitled to expect a uniform approach specific to that area.
- j) See response at (d) concerning fees and charges.
- k) Although parking in the Business Park is close to capacity, many choose to park in neighbouring residential streets to avoid congestion on leaving the business park at the end of the working day.
- l) A large majority of residents in Stockbreach Close who engaged in the consultation have requested a permit parking scheme.

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 and Parking Improvement 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 known security & terrorism implications 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 known procurement implications in relation to the proposals in this report.

13 Climate Change Implication(s)

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

14 Link to Corporate Priorities

- 14.1 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

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. There is an inbuilt exemption to the Verge Protection Order which allows for the unloading and loading of goods and passengers. Blue badge holders also benefit from an exemption allowing them to park without a permit in resident permit parking schemes.

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Date	18 th February 2019

Background papers to be listed (if applicable)