

## Report to the Cabinet

Meeting to be held on Monday, 3 December 2018

### Report of the Head of Service, Highways

#### Part I

Electoral Division affected:  
Preston North;

### Proposed Parking Controls for Various Roads, Fulwood, Preston - Objections (Appendices 'A' to 'C' refer)

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#### Executive Summary

This report sets out proposals to introduce parking controls on nine streets in the Fulwood area of Preston. There is significant daytime parking on these roads due to staff, patients and visitors to the Royal Preston Hospital using the surrounding residential roads for parking as the parking facilities within the hospital are generally oversubscribed.

The proposals, which comprise no waiting and limited waiting restrictions as set out in Appendix 'B', have been advertised in the local press and on site and a number of objections have been received, although there is a high level of local demand to address the present situation.

#### Recommendation

Cabinet is asked to approve the making of a Traffic Regulation Order as set out in the plans attached as Appendix 'B' and the schedule at Appendix 'C'.

#### Background and Advice

Complaints have been received from residents in the Fulwood area, stating that staff, patients and visitors to the Royal Preston Hospital are parking in unsuitable locations including residential cul-de-sacs. They contend that this indiscriminate and, at times, obstructive parking is creating difficulties for the general movement of vehicles along some roads and at junctions, along with problems for access and egress to and from private driveways.

## Consultations

In response to these complaints proposals for 18 roads were developed, as set out in Appendix 'A', and a preliminary consultation was carried out with the most affected properties at each location, between 15 January 2018 and 9 February 2018.

A large number of replies, (143 returned from 274 letters sent out) to the initial consultation were received. Following consideration of the representations made and consultation with the divisional county councillor, the following actions were taken to revise the proposals:

1. The proposals for Princes Drive, Hawkhurst Drive, Raleigh Road, Methuen Avenue, Yewlands Avenue, Yewlands Drive and Yewlands Crescent, were withdrawn.
2. The proposals for Beech Drive, Janice Drive, Broadway, Masonwood, Sharoe Mount Avenue, Heaton Mount Avenue, Moorfields Avenue and Longfield were amended to accommodate the resident's representations.
3. The proposals for Garstang Road were un-changed.

The revised proposals, comprising the eleven locations described in sections 2 and 3 above and shown in Appendix 'B' were taken forward to the public advertisement and consultation stage of the formal process of making a traffic regulation order.

Details of the revised proposals were advertised in the local press, notices placed on site and the affected residents notified directly.

This formal consultation process was carried out between 10 August 2018 and 7 September 2018

The divisional county councillor, Preston City Council and all of the other usual consultees in this area were also consulted.

This resulted in a total of 18 responses being returned in relation to the following seven locations.

1.Janice Drive, 2.Broadway, 3.Masonwood, 4.Sharoe Mount Avenue/Heaton Mount Avenue, 5.Moorfields Avenue, 6.Broadwood Drive, 7.Cross Green Road

The queries, comments and objections submitted by the respondents were very similar and are summarised below followed by officer comments;-

1. *Original proposal has been changed to a brand new "alternative suggestion" Where did this come from? What other options have been considered such as 2 hour parking with no return with 1 hour or similar for non-residents?*
2. *Are Bank Holidays to be exempt from the proposals?*
3. *What compensation will be available for the devaluation of property?*

4. *Is the council prepared to pay to convert my garden into a bigger drive?*
5. *Will "Blue Badge" holders be exempt from the restrictions?*
6. *Has a residential / residents only parking scheme been considered?*
7. *The proposed restrictions will prevent residents from parking on the street outside their own properties during the day and will actually exacerbate the problem. Residents will, along with hospital staff and visitors be displaced onto neighbouring streets.*
8. *Waste of tax payers money which will only enforce rules that exist within the Highway Code, anyone obstructing a junction should be given a penalty notice/and or their vehicle removed.*
9. *Failure of legal obligation to notify all residents which the proposed restrictions will impact. (An example was cited of a house falling within the proposed zone which it is alleged has not received any formal notification).*
10. *How will residents be able to have work done on their homes?*
11. *Restrictions should be extended over a wider area.*
12. *Why does the restriction have to be 8am-5pm, on what basis has this decision been made?*

## **Comment**

Comments are set out below on each of the above representations;-

1. This first point relates specifically to the proposals for Sharoe Mount Avenue and Heaton Mount Avenue where a letter providing an update on the proposals was sent out after the preliminary consultation. This indicated that the majority of respondents did not support the 'blanket' daytime parking restriction that had been suggested. However, it then went on to say that an alternative suggestion of limited period waiting bays had been put forward by some of the residents. This suggestion was accepted and the proposal revised to include several sections of limited period waiting, 2 hours no return within 2 hours, Monday to Friday, 10am to 5pm. This is what has now been formally consulted on.
2. Exemptions for, bank holidays or any other periods are not included within any of the proposed parking restrictions.
3. Property values or compensation are not material to the consideration of parking controls to maintain the safe and efficient use of the public highway.
4. No rights would be removed through the introduction of parking restrictions and the county council is not obligated to make arrangements for any vehicles that might be displaced by them.

5. The "Blue Badge" scheme allows a vehicle displaying a badge to wait on single and double yellow line restrictions for up to 3 hours, provided that a loading/unloading restriction is not also in place, and obstruction or other road safety risks are not being created. The display of the Blue Badge also allows a vehicle to wait in a limited period bay for an unlimited period.
6. The majority of properties, on the streets in the areas covered by the proposals have off road parking available. They do not therefore meet the essential qualifying criteria to be considered for permit parking.
7. Where restrictions are considered necessary in residential roads, it is the case that some residents will be directly affected. Displacement of parking may well occur as a result of this proposal and this will be monitored and any impacts addressed as they arise.
8. The Highway Code does advise that drivers should not stop or park in certain locations, including within 10 metres of, or opposite a junction. This however, does not in itself carry any legal weight. Whilst Lancashire Constabulary has powers to deal with obstruction the county council has no powers to issue penalty charge notices where no regulations are in place.
9. The correct consultation process with residents about the proposals was followed. Advertisements were placed in the local press, notices displayed on site and information sent out to all affected properties, including a resident of the property referred to above who did respond to both the preliminary consultation and then again when the proposals were publicly advertised.
10. Arrangements can be made, if considered appropriate, to allow temporary exemptions to the restrictions for such works to take place.
11. The locations that have been considered are those from where complaints have been made. It is likely that the introduction of parking restrictions over a wider area would result in strong opposition from the residents who are not currently experiencing any significant parking related problems.
12. The times of operation of the proposed additional parking controls on several of the locations is the same as the main daytime restriction, i.e. 8am - 5pm that is already used throughout the existing controlled parking zone. Using different times for the new proposals would create confusion.

### **Implications:**

This item has the following implications, as indicated:

### **Financial**

The costs of the Traffic Regulation Order will be funded from within the 2018/19 revenue budget for new signs and lines at an estimated cost of £2,500.

## **Legal**

The proposed Traffic Regulation Order was advertised under the relevant sections of the Road Traffic Regulation Act 1984.

## **Risk management**

Road safety and general traffic movement on the various roads may be compromised should the proposed restrictions not be approved.

## **List of Background Papers**

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		