

Meeting:	Cabinet member transport and regulatory services
Meeting date:	Thursday, 28 February 2019
Title of report:	Hereford City Centre Improvements - Residents Parking - Geoffrey Avenue and Lingen Avenue (part of)
Report by:	Parking Strategy & Processing Manager

Classification

Open

Decision type

Non-key

Wards affected

College;

Purpose and summary

To consider and decide upon objections to permit parking proposals for Geoffrey Avenue and Lingen Avenue (part), for which a council decision was deferred, as part of the 26 September 2018 decision for the *Hereford City Centre Improvements - Residents Parking Order 2017*.

As part of this Order, Zone 15 in College Ward was extended into roads neighbouring Geoffrey Avenue and the western section of Lingen Avenue on 5 November 2018 (see TRO Plan at Appendix 2).

Given objections from residents, it was considered appropriate to defer a decision on the inclusion of Geoffrey Avenue and the northern section of Lingen Avenue. A survey of residents' views in January 2019 has been conducted following implementation of the surrounding areas to assist the council in deciding this matter.

Recommendation(s)

That:

- (a) the introduction of permit parking restrictions in Geoffrey Avenue and the northern section of Lingen Avenue, with a revised 2 hour waiting limit (see Appendix 2) to take effect from the 1 April 2019 is approved.

Alternative options

1. The proposals for permit parking restrictions in Geoffrey Avenue and the northern section of Lingen Avenue could be withdrawn. This is not recommended as there is now convincing resident support for the restrictions to be implemented.
2. A decision on the objections to the proposals could be further deferred. Whilst any Order making date for these proposals does not expire until 27 September 2019, this option is not recommended as an extended time period is unlikely to yield any further information on which a decision could be based. There are also resident concerns over obstructive parking that would benefit from an early implementation of the restrictions.

Key considerations

3. Resident parking policy generally aligns to taking an area wide approach to implementing schemes due to the creation of displacement issues if individual streets are assessed independently.
4. As part of the Hereford city centre improvement project wards and selected streets were surveyed to establish if residents would support permit parking and waiting restrictions. On 28 September 2017, in line with statutory requirements, a Notice of Proposal was published giving 21 days consultation for comments and objections to be made.
5. Following a review of the responses where concerns over the impact on visitor parking were raised, a supplementary consultation was undertaken with residents within the area of the Zone 15 extension on a revised permit parking proposal with an extended 2 hour waiting limit. This did not however significantly change residents' opposition to permit parking restrictions in Geoffrey Avenue and the northern section of Lingen Avenue.
6. A report on the public consultation and objections to Hereford City Centre Improvements - Residents Parking Order 2017 was decided upon on 26 September 2018 (see Background papers). The outcome of which was that whilst the *no waiting at any time* restrictions were introduced in Geoffrey Avenue and the northern section of Lingen Avenue, the decision on proposed *permit parking* restrictions was deferred.
7. As outlined in the September 2018 report a further survey was undertaken of households in Geoffrey Avenue and the northern section of Lingen Avenue post implementation in January 2019, to see whether they now wished the proposed permit parking restrictions to be implemented or withdrawn. The survey letter and survey form are shown in Appendix 3
8. There is now a clear majority, following the new survey which supersedes previous ones, of residents that wish for permit parking to be introduced. The survey results are outlined below.

Community impact

9. The introduction of these restrictions is intended to improve the overall amenity for the local community.
10. These recommendations and the purpose of this scheme is in line with the council's Local Transport Plan 2016 – 2020, which states "*Review the operation, management and charging of Residents Parking Schemes to ensure residents can park within a reasonable distance of their home and that commuters and short stay users are discouraged from using residential streets*".
11. These recommendations are also in line with the council's corporate plan 2016 – 2020 key priority of "*support the growth of our economy*". Better management of parking in residential areas will not only benefit residents in the immediate vicinity but seek to ensure that vehicles are not using these areas to simply avoid parking charges. Parking charges in the city centre are in place to encourage sustainable travel and promote a turnover of spaces. Allowing free parking on residential streets close to the city centre may seek to encourage vehicle movements into the city which negatively impacts on the overall air quality and congestion.

Equality duty

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
13. A public authority must, in the exercise of its functions, have due regard to the need to -
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
14. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
15. As a proposed waiting period applies, drivers that display a blue badge may park without time limit.

Resource implications

16. The budget for implementing the Resident Parking scheme in Geoffrey Avenue and the North of Lingen Avenue is £5K and is contained within the £140,000 budget BBLP public realm annual plan, funded from local transport plan grant funding.
17. Income from the introduction of this extension to the current permit zone is anticipated to be in the region of £1k per annum.

Revenue or Capital cost of project (indicate R or C)	2019/20	2020/21	2021/22	Future Years	Total

	£000	£000	£000	£000	£000
<i>Geoffrey Avenue and North of Lingen Ave. (C)</i>	5	0	0	0	5
TOTAL	5	0	0	0	5

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2019/20	2020/21	2021/22	Future Years	Total
	£000	£000	£000	£000	£000
BBLP public realm annual plan funded from local transport plan grant funding (C)	140	0	0	0	140
TOTAL	140	0	0	0	140

Revenue budget implications	2019/20	2020/21	2021/22	Future Years	Total
	£000	£000	£000	£000	£000
<i>Increase in permit income (R)</i>	1	1	1	1	3 (plus £1K per year after)
TOTAL	1	1	1	1	3 plus £1K per year after)

Legal implications

18. This is an executive function but is a non-key decision and as such the Chief Executive has the authority delegated to him to delegate to officers (Part 2 Article 10 in exercise of its functions in the Part 3 Functions Scheme Section 7 officer functions of the Constitution Economy and Place Scheme of delegation to officers part 27) to act on behalf of Herefordshire Council in highways and transportation matters
19. The proposed Traffic Order is in the form of an 'amendment order'. The amendment order will revoke and replace elements of the 'principal order' The County of Herefordshire District Council (Hereford Residents Parking) Order 2018 in order to achieve the desired changes.
20. The Council as the local highway authority has the powers to make Traffic Regulation Orders

under the Road Traffic Regulation Act 1984 (“RTRA”) and to modify, amend or revoke TROs in accordance with the RTRA, where appropriate.

21. Under Section 122(1) of the RTRA the Council as a traffic authority has a duty to secure expeditious, convenient and safe movement of vehicular traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
22. The procedure for proposing and introducing TROs is set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, as amended, (“The Regulations”). This includes the requirements for consultation and the publication of a notice in a local newspaper. Anyone may object in writing to an order by the date specified on the notice.
23. Following the consultation period the authority must consider all objections made and not withdrawn. The decision is then taken to make the Order as originally advertised, modify the proposed Order provided it that the modification is not a substantial change or to abandon the proposals.
24. Where a modification to the proposed Order is considered a substantial change, then steps must be taken for those affected by the proposed modifications to be further consulted and any responses must be considered (Regulation 14 of The Regulations).
25. If objections are made and not withdrawn then a further report will be produced to assist the decision maker in considering the objections and deciding how to proceed. This report follows the consultation under Regulation 14 of the Regulations

Risk management

26. As outlined in this report the risks associated with each recommendation have been mitigated through the explanation provided in the alternative options above.
- 27.

Risk / opportunity	Mitigation
Risk – Decision deferred and not approved prior to the expiry of the Sept 2017 public notice.	This is mitigated by the reasons outlined in the report. The ward councillor has been consulted and supports these changes; as do the majority of residents affected.

Consultees

28. In 2016 residents of wards and selected streets were surveyed over their support of permit parking and waiting restrictions. This resulted in the formal consultation being carried out between 28 September – 19 October 2017 as outlined in the September 2018 report (see background papers).
29. A new survey was undertaken of 32 households, post implementation of the September 2018 decision, in Geoffrey Avenue and Lingen Avenue (part) in January 2019 to canvas views of residents of whether they wished to have the original proposals implemented or withdrawn.
30. The response from the Ward member to this recommendation is shown below.

January 2019 Survey Responses and Objections

31. The survey letter and survey form are shown in Appendix 3. The survey responses are summarised with detailed comments are at Appendix 4. There were 23 responses to the survey, a 72% response rate. 18 households support the introduction of permit parking proposals and 5 households remain opposed. This represents a convincing view from households most affected by the parking issues in support of these recommendations.
32. The main reasons for supporting the introduction of permit parking proposals highlighted by respondents was the increase in parking and obstructive parking. These issues were related to the displacement of commuter and resident parking from neighbouring roads. The main reason for opposing the introduction of permit parking proposals was that there were no substantive parking issues.
33. Whilst it is understandable that households will have different views and experiences of parking on these roads, it is evident from the survey responses that the pattern of parking has changed and is affecting many households. Of particular concern is that 6 households have highlighted issues with entering or exiting driveways, and there are concerns over an increase in verge parking since permit restrictions were introduced in neighbouring roads in November 2018.
34. Another reason highlighted for opposing permit restrictions is that this may encourage residents to pave over gardens. In an attractive locality neighbouring the Bulmer Garden Suburb, Hereford Conservation Area, this is an understandable concern. This practice, however, tends to arise most often where there is a shortage of off-street and on-street parking. Most of these properties have some provision for off-street parking and it is expected that permit parking restrictions will reduce the pressure on on-street parking.
35. There was also a view that the council should create further car parking around the train station and County Hospital to address any parking issues. Aside from any practical considerations to provide such facilities, any appropriate charge to recover the costs would continue to attract non-resident parking to free parking on unrestricted roads.
36. From the public consultation there was an objection from a resident in Penn Grove Road to the loss of available on-street parking in Lingen Avenue. If residents can show that they have exceptional circumstances, it is at the discretion of the council to extend or amend permit entitlement. These individual household issues are best addressed, where appropriate, through this facility.
37. During the extended consultations over the introduction of permit parking restrictions a number of respondents have highlighted concerns or objections to permit parking due to impact on visitor parking. Given these concerns the council did amend the initial proposals to extend the limited waiting period to 2 hours. With this facility, the permit restrictions effectively operate between 11am and 4pm, Monday to Saturday, with an exemption for Blue Badge holders. Together with the provision for a visitor permit per household and off-road parking, it is expected that most social and support activity will be unaffected.
38. There were also objections to the cost of permits and in particular the impact on low income households with multiple cars. The permit charges, however, contribute to the maintenance and administration of these schemes. The higher rate charges for 3rd, 4th & 5th permits are intended to help promote sustainable and active travel. The charges still represent a small percentage of the overall costs of car ownership.
39. There is also a request to extend the no waiting at any time restrictions at the top of Lingen Avenue. However, this is outside the scope of this consultation and decision.

Cllr Wilcox (College Ward)

40. Summary of feedback

The ward councillor is in agreement with the recommendations as outlined within this report following the January 2019 survey which demonstrates a “strong majority” now in favour, as opposed to previous survey results which were inconclusive.

Appendices

Appendix 1 – EINA

Appendix 2 – TRO Plan Geoffrey Ave & Lingen Ave (as implemented and subject to decision)

Appendix 3 – Survey Letter and Survey Form

Appendix 4 – January 2019 Survey Results and comments

Background papers

Hereford City Centre Improvements - Residents Parking Order 2017 Main Report

Hereford City Centre Improvements - Residents Parking Order 2017 Appendix 3 College

Hereford City Centre Improvements - Residents Parking Order 2017 Decision Notice

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=5358>