## Proposed Decision to be taken by the Portfolio for Transport and Environment on or after 17November 2017

## Various Roads, Warwick District -Proposed Waiting Restrictions – Variation 2, Variation A, & Variation B

### Recommendations

That the Portfolio Holder for Transport and Environment approves that:

- The Warwickshire County Council (District of Warwick) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation A) Order 2017 be made as advertised. In addition, further analysis of Cherry Street to be carried out with a view to advertising the introduction of additional parking places wherever it is safe and practical to do so.
- 2. The Warwickshire County Council (District of Warwick) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation B) Order 2017 be made as advertised.
- 3. A decision on The Warwickshire County Council (District of Warwick) (Permitted Parking Area And Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation 2) Order 2017 be deferred to the December 2018 Portfolio Holder decision session, pending further discussions with objectors.

## 1. Introduction

- 1.1. Proposals for waiting restrictions and resident permit eligibility in Warwick, Learnington Spa and Kenilworth, Warwick District were published in the local press on the 20<sup>th</sup> July 2017, in accordance with statutory procedure. Objections and comments to the proposals have been received.
- 1.2. Further to residential development of land to the rear of long-standing properties on Cherry Street, Warwick, proposals for changes to waiting restrictions were advertised as Variation A.
- 1.3. Further to residential development of land adjacent to Common Lane, Kenilworth, and the introduction of a signal controlled junction giving access

to the development, proposals for the introduction of waiting restrictions were advertised as Variation B.

- 1.4. As part of the standard response to various requests for new and changed parking restrictions, proposals forming the annual programme at multiple locations across Warwick District were advertised as Variation 2.
- 1.5. The comments and objections that have been received relating toCherry Street, Warwick, and Common Lane, Kenilworth, are discussed below together with reasons for the proposals. The numbers of comments and objections received for each proposal are also given in the corresponding sections.
- 1.6. The statutory criteria for decisions on making Traffic Regulation Orders are included as **Appendix A**.
- 1.7. Copies of objections received in **Appendix B**.

## 2. Cherry Street – No Waiting at any Time and Limited Waiting / Residents' Parking

- 2.1. Land to the rear of properties on Cherry Street, Warwick, has previously been developed, with the construction of approximately 9 residential dwellings. Planning permission had been granted for the site, including access to the properties via a revised road layout with an access road running between two existing properties on Cherry Street. Footway build outs and a revised junction layout were conditioned as part of the planning approval.
- 2.2. To maintain the free-flow of traffic and to maintain visibility for reasons of road safety, double yellow lines (no waiting at any time) are proposed in the vicinity of the revised junction.
- 2.3. A plan showing the proposals as advertised is included as Appendix C.
- 2.4. The following tables detail the objections and/or comments received along with the officer recommendations.

Emails/letters	
Total objections	7

Ref	Objections and comments received	Total number of responses containing the comment
Α	One way along the whole length of Cherry Street would allow for parking both sides of the road in the section currently two-way, restoring and possibly increasing capacity	4
В	Priority flow should be for vehicles travelling down Cherry Street, with traffic entering from Saw Mill Close giving way – restoring and possibly increasing parking capacity	4
С	Parking is limited in Cherry Street – there should be no reduction in overall capacity	6

D	Will not ease the traffic flow, but will cause disruption to a crowded street	2		
Е	Replacing the single yellow line with double yellow lines 3 reduces capacity			
F	Permits have increased in price and provide no guarantee of parking spaces; further reduction in capacity makes for even less value for money from the residents' parking scheme	3		
G	Parking by non-residents makes for very limited availability of spaces – time limit for non-permit holders should be reduced or made for residents only	4		
Н	Businesses require parking directly outside their premises	2		
I	Build outs as traffic calming are not safe, with children playing on the paved areas set in the carriageway	1		
J	Causing residents to park further from home is a safety issue	1		
к	Reduced levels of parking will negatively impact on property values	1		

Ref	Officer Comments		
A	When the one-way Traffic Regulation Order was originally introduced in Cherry Street, the southern section of Cherry Street (between Coten End and the new Saw Mill Close, formerly the entrance to a large business) remained two-way to allow access for larger vehicles from Coten End without having to perform the loop around Broad Street and Cherry Street in a southern direction. This removes the need for a number of tight turns. While there are no longer businesses in Saw Mill Close, there are still a number of businesses on Cherry Street itself which have regular deliveries by larger vehicles.		
В	Prior to the development of Saw Mill Close, priority was still with vehicles entering Cherry Street from the business access since visibility is restricted by buildings. If priority was reversed and given to southbound vehicles on Cherry Street, visibility would need to be increased to the right for vehicles exiting Saw Mill Close, which would necessitate the removal of parking spaces.		
С	The overall reduction in capacity is considered as part of "Additional Comments", see below.		
D	Traffic flows for vehicles travelling south on Cherry Street are minimally affected – priority remains unaffected, and an increase in the number of vehicles entering from Saw Mill Close is not considered substantial due to the limited size of the development.		
Е	The single yellow line and overall reduction in capacity is considered as part of "Additional Comments", see below.		
F	A permit is no guarantee of a parking place, and many zones across the county have limited capacity in relation to the number of permits issued. The scheme is intended to increase turnover of spaces and promote availability of spaces in areas close to places of interest which would attract a large number of non-resident vehicles if left unrestricted. The reduction in overall capacity is considered as part of "Additional Comments", see below.		
G	Residents only parking is not Council Policy; residents' parking schemes are not intended to reserve the road solely for residents, but to promote availability of spaces. The two hour limit provides a balance between the		

	needs of residents and visitors to local facilities.	
н	Parking immediately outside the businesses remains unchanged; for short term loading and unloading or for dropping cars off, as previously the areas in front of the accesses protected by 'H' markings can be used.	
I	The build outs with overrun areas are of a standard design, having been given technical approval as part of Section 278 works.	
J	The public highway has a primary function as a thoroughfare for vehicles – there is no absolute right to park immediately outside the home using on-street facilities.	
К	Changes to waiting restrictions on-street are not expected to have any impact on property values.	

Ref	Additional Officer Comments		
	The developer of Saw Mill Close installed the double yellow lines prior to the consultation on the introduction of the Traffic Regulation Order (TRO), and without prior knowledge of Parking Services at Warwickshire County Council. Multiple comments have been received from residents querying the validity of a consultation after the fact.		
	It is accepted that the double yellow lines do not have a legal standing without the related TRO. Enforcement of Cherry Street has continued in the meantime on all areas where the restrictions on street are consistent with the current Traffic Regulation Order in place. Should the recommendation for the introduction of the TRO not be upheld, the lines on street would need to be removed.		
	The revised road layout was conditioned as part of the planning approval for the site. This consultation is only concerned with the application of double yellow lines on the revised road layout as previously approved.		
A	Given the resultant narrowing of the carriageway, the need to maintain visibility for reasons of road safety, and the need to maintain remaining carriageway width to allow turning movements and preserve the free flow of traffic, it is the Officer's opinion that a No Waiting At Any Time restriction is appropriate in the vicinity of the junction.		
	It is accepted that there is an overall reduction in number of parking places within Cherry Street as a result of these works. In total, two to three formal parking places are lost, with a further three spaces previously available overnight and weekends (previously subject to a single yellow line restriction – no waiting Mon - Fri 9am - 5pm).		
	The scheme is designed to provide safe access and egress from the development as constructed, and all variants considered have a reduction in overall on-street capacity.		
	However, from discussions with businesses analysing the needs and requirements of access for larger vehicles, additional parking places have been identified which could be safely accommodated within the carriageway of Cherry Street without obstructing the turning movements of the reduced		

	numbers of larger vehicles. The introduction of these spaces, potentially restoring overall parking capacity, would be subject to further consultation and the advertising of a revised Traffic Regulation Order.
В	Additional comments were received relating to the possibility of introducing a 20mph speed limit for further safety reasons. This is beyond the remit of this consultation and report, and will be investigated as a separate issue.

#### Recommendations

It is recommended that The Warwickshire County Council (District of Warwick) (Permitted Parking Area And Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation A) Order 2017 be made as advertised.

In addition, further analysis of Cherry Street to be carried out with a view to advertising the introduction of additional parking places wherever it is safe and practical to do so.

### 3. Common Lane – No Waiting at any Time

- 3.1. Land adjacent to Common Lane, Kenilworth, is currently under development. Planning permission has previously been granted for the site, including access to the site via a new junction created adjacent to the railway bridge on Common Lane.
- 3.2. Separate consultation has been carried out regarding the provision of traffic signals at the new junction.
- 3.3. To maintain the free-flow of traffic, prevent parked vehicles from causing traffic to change lanes late on approach to the junction and to maintain visibility for reasons of road safety, double yellow lines (no waiting at any time) are proposed on the approach and exit of each arm of the junction.
- 3.4. A plan showing the proposals as advertised is included as **Appendix D.**
- 3.5. The following tables detail the objections and/or comments received along with the officer recommendations.

Emails/letters			
Total ob	jections		1

Ref	Objections and comments received	Total number of responses containing the comment

A	Queuing traffic from the junction will cause difficulty with access to and from driveways to adjacent properties, as demonstrated by queues formed as a result of site deliveries for construction.	1
В	Double yellow lines will change the character of the neighbourhood, and reduce property values.	1
С	Cause parking problems for tradespeople with large vans working on nearby properties.	1
D	The development would be better served by access from Coventry Road, with no traffic signals and/or double yellow lines.	1

Ref	Officer Comments		
A	Large construction machinery gaining access to the site via the temporary access is not representative of the eventual permanent traffic flows. Traffic signals combined with no waiting at any time restrictions are intended to minimise queuing lengths and promote the free flow of traffic.		
В	Nearby properties all have access to off street parking facilities, therefore the presence of waiting restrictions on-street is not expected to have any impact on property values.		
с	Nearby properties all have access to off street parking facilities. In addition, double yellow lines allow short-term loading and unloading, allowing tradespeople to deliver materials and tools for any work in the area.		
D	Alternative access were considered as part of the planning process; permission has previously been granted for the road layout, and this consultation is only concerned with the application of double yellow lines on the revised road layout as approved.		

#### Recommendations

It is recommended that The Warwickshire County Council (District of Warwick) (Permitted Parking Area And Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation B) Order 2017 be made as advertised.

## 4. Background Papers

None

## 5. Financial Implications

5.1. All work will be carried out within the existing 2017/2018 budget allocations.

	Name	Contact details
Report author	Phil Mitton	philmitton@warwickshire.gov.uk
Head of service	Mark Ryder	markryder@warwickshire.gov.uk
Strategic director	Monica Fogarty	monicafogarty@warwickshire.gov.uk
Portfolio holder	Jeff Clarke	cllrclarke@warwickshire.gov.uk

This report was circulated to the following elected members prior to publication.

Councillors Chattaway, Clarke, Singh Birdi, Shilton and Horner

### Statutory Criteria for Decisions on Making Traffic Regulation Orders and Parking Orders

- 1. The Road Traffic Regulation Act 1984 enables the Council to implement Traffic Regulation Orders (TROs) for one or more of the following purposes:-
  - (i) avoiding danger to persons or traffic;
  - (ii) preventing damage to the road or to buildings nearby;
  - (iii) facilitating the passage of traffic;
  - (iv) preventing use by unsuitable traffic;
  - (v) preserving the character of a road especially suitable for walking and horse riding;
  - (vi) preserving or improving amenities of the area through which the road runs;
  - (vii) for any of the purposes specified in Section 87(1)(a) to (c) of the Environment Act 1995 in relation to air quality.
- 2. TROs are designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. Permanent TROs remain in force until superseded or revoked.
- 3. TROs must not have the effect of preventing pedestrian access at any time, or preventing vehicular access for more than 8 hours in 24, to premises on or adjacent to the road. This restriction does not apply if the Council states in the order that it requires vehicular access to be limited for more than 8 hours in 24.
- 4. The Road Traffic Regulation Act 1984 also enables the Council to make orders authorising the use of part of a road as a parking place without charge, for the purpose of preventing or relieving congestion, and enables the Council to make orders designating parking places on highways with a charge. In determining what parking places are to be designated, the Council shall consider both the interests of traffic, and those of the owners/occupiers of adjoining property and in particular:-
  - (I) The need for maintaining the free movement of traffic;
  - (ii) The need for maintaining reasonable access to premises; and
  - (iii) The extent to which off-street parking is available in the neighbourhood.
- 5. In deciding whether or not to make any order, the Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable, having regard to the matters specified in Section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway.
- 6. The matters to which the Council must have regard are:-



- (i) The desirability of securing and maintaining reasonable access to premises;
- (ii) The effect on the amenities of any locality affected, and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run;
- (iii) The national air quality strategy prepared under Section 80 of the Environmental Protection Act 1995;
- (iv) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles;
- (v) Any other matters appearing to the Council to be relevant
- 7. Therefore, whilst the overall objective of the Council must be to secure the expeditious, convenient and safe movement of vehicular traffic, this will sometimes need to give way to the objectives in Section 122(2), and a balance has to be achieved between the overall objective and the matters set out in Section 122(2).



31/10/2017 WARWICKSNIFE COUNTY COUNCILINALI - FWC: FW: FW: PROPOSED TRAFFIC SIGNALS AT COMMON LANE/NEW ACCESS RUAD, RENILW...



PMC WCC <pmc@warwickshlre.gov.uk>

# Fwd: Fw: Fw: PROPOSED TRAFFIC SIGNALS AT COMMON LANE/NEW ACCESS ROAD, KENILWORTH

1 message

Shirley Reynolds <shirleyreynolds@warwickshire.gov.uk> To: PMC WCC <pmc@warwickshire.gov.uk> 30 August 2017 at 15:03

Hi Phil,

Please see the objection from **Constant and the email below.** 

Thanks

Shirley

Shirley Reynolds Team Leader - Highways

Tel: 01926 412110 Email: shirleyreynolds@warwickshire.gov.uk

Design Services | Communities | Warwickshire County Council PO Box 43 | Shire Hall | Warwick | CV34 4SX

----- Forwarded message -----

H .gov.uk" or

Dear Shirley,

Has any decision been made as yet re the above proposed traffic signals please ? What is the state of play regarding the objections & counter-proposals ?

We got a timely reminder of what our access situation would be like if your proposed scheme goes ahead without any changes - photo attached of queue back from Bloor's new access, including bus blocking access to/from our driveway. This took place for about 10 minutes on 25th August when a large machine (digger?) was being manoeuvred in the vicinity of the new access so traffic was backed up both ways at lunch-time. My wife was trying to return to work in Kenilworth but had to wait for ages to get out of our driveway - her's is the car to the right of the photo.

I can confirm I did <u>not</u> receive a copy of your separate consultation document on the double yellow lines issue - as this is the 2nd time such documents have not got to me (not to mention other neighbours' similar experiences), it would seem there are serious lapses in your circulation system you will want to rectify.



## Double Yellow Lines on Cherry Street

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

22 July 2017 at 10:35

Dear Mr Mitton

Many thanks for your letter regarding the proposed changes to the Traffic Regulation Order on Cherry Street.

Ignoring the complete shambles that was the construction of the actual junction in question, which required multiple adjustments – meaning the road being dug up multiple times causing havoc for the residents and ultimately leaving the area looking like a complete mess, the proposed changes will not ease the traffic flow, but merely cause more disruption to an already overcrowded street.

Parking on Cherry Street is and always has been a lottery – for those of us that work and predominantly get back home after rush hour, I would suggest the chance of finding a legal parking space on the road itself would be less than 20%. The creation of the additional junction further removed potential spaces to park further compounding the issue. Additionally, replacing the single yellow line (where parking was allowed overnight and weekends) with a double yellow line has made it almost impossible to find somewhere to park.

The residents of Cherry Street (and Guy Street for that matter) have no choice but to park on the double yellow lines in order to park within a 'reasonable' distance of their property. My choice on an almost daily basis is to risk parking on the double yellow lines or find a space on a 'nearby' road and walk home. Having an 8 month old son, and therefore all the paraphernalia that comes with a child makes returning home a particularly difficult situation. Given that Cherry Street has a number of young families, I am sure I am not alone in the frustration of having to struggle back from parking elsewhere (Broad Street if I'm lucky) screaming child, car seat, push chair etc.

I appreciate the number of cars per household has increased significantly since the houses were initially built, and therefore there is not an easy solution to this issue, however, we just have 1 car in our household and still cannot find a place to park.

Given the cost of a permit has also increased this year, I do not see the value in paying for a permit that I incredibly rarely get to actually use.

Surely a better solution for Cherry Street would be to make the whole road 1 way. I.e. Guy and Broad Street would be to allow entry from Coten End, and Cherry Street would be to allow exit back on to Coten End. This would mean all roads would be 1 way, making it safer for parking to be allowed further along both sides of Cherry Street. Whilst I appreciate, there needs to be a small gap in parking to allow for cars to safely exit from the new junction (as well as for access to the businesses at the bottom of the road), however the give way junction prior to the new junction does allow for cars exiting the new junction to have right of way and if that bottom section of the road was also 1 way, you would not need the additional gap in parking for cars exiting the junction to safely see whether there were any oncoming vehicles. As a separate note, making the entire road 1 way would allow for the removal of the incredibly bright no entry sign (that 'replaced' the old no entry sign – that is actually still in place just behind the new sign) that shines a bright light into my bedroom window – despite a net and full curtains, it constantly feels like the middle of the day.



#### cherry st. Proposed traffic regulation order 1 message

To: pmc@warwickshire.gov.uk

23 July 2017 at 19:01

17 Cherry St, Warwick

PROPOSED REGULATION ORDER - CHERRY ST.

Dear Phil

I have lived here for 30 years and over this time it has been increasingly difficult to park a car in Cherry St. I do understand changes in population, ratios of cars and housing needs, but I believe that planning and traffic regulations are exacerbating problems for original residents in a largely victorian terraced area.

Historically, land use in Cherry St. was different. The land (now developed as housing) used to be occupied by businesses that required a turning point for heavy goods vehicles into the access point opposite no.17 and 19 (turning inches from my front window - once crushing a hanging basket). There was therefore a justifiable restriction on parking (9-5pm mon-fri) between 13 - 19 cherry st. That justification for restriction appears to have changed substantially, and clearly not appropriate for original purposes. I would appreciate your thoughts on this matter?

A few years ago the council introduced parking permits, I argued at a public meeting at Coten End School that the council meet the residents half way and increase parking. The result being partial pavement parking in Cherry St. - Thank you for listening. I however request a further Public meeting before you implement a restriction on parking rights for original residents. Again I would appreciate your thoughts ?

Over the last year the residents. particularly around the aforesaid junction in question, have experienced untold disruption in terms of noise, dust, access to properties, loss of parking etc. Now we appear to be informed that we will losse further spaces to park, for the privilege of paying 60+% more for supplementary parking permits! Surely more parking can be gained by changing the junctions priorities, and flow of traffic. At this point of time, there is two way traffic from Coten End into Cherry St - Priority, two way to the nine houses (Saw Mill Close). yet there are about 200 houses using the one way system. If Cherry St. was one way with a stop priority on Saw Mill Close (a close with a dead end) being a normal subsidiary to a main road, partial pavement parking (leaving 144mm of pavement - similar to the pavement on the opposite side of the road to 17,) could be given in Cherry St. Affording up to 7 spaces to the entry of the garage. This would not affect access to emergency services or business.

On a further matter, some consideration could be given to an allocation of residents ONLY parking and a 20 mile an hour speed limit of the entire area leading into and including Cherry St.

Please take away this mess on a junction. I hope that a decision can be made that would suit all parties.

Yours Sincerely



С



## Proposed parking changes Cherry Street, Warwick

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

9 August 2017 at 12:10

Dear Mr Mitton,

I am writing to you regarding the proposed changes to the current parking regulations for Cherry Street, Warwick. Firstly I would like to express my extreme disappointment and frustration at not having received any notification of this. It is my understanding that other residents have been informed through a postal letter, which I have not received. I find this considerably concerning as a resident of Cherry Street who is paying for a parking permit and whereby the proposed changes will directly affect myself. This is just not good enough.

With regards to the proposed changes I am whole heartedly objecting to them. The new development of houses has caused many problems on Cherry Street. The changes to the road layout, which cost an outrageous amount of money, are unnecessary and cause more issues than are needed. We as permit holders have therefore lost 4 parking spaces which is affecting the residents of Cherry Street. The residents from the new development are using Cherry Street to park when they have their own parking spaces and a private road to park on.

It is also my understanding that 300 parking permits are issued when there are only 90 spaces available. This in itself is not ideal.

The changes you are proposing are just not realistic. There are businesses on the street who require the need to park outside their place of work. For the majority of residents it's not an issue to have cars parked where the double yellow lines are as most people are out at work in the day. If residents from the new development are complaining about their access they should of thought about that before they moved there. This should also of been considering before they were actually built. It is also concerning that there is now another proposal to build a further 5 dwellings to the rear of the Millwright public house as this will no doubt have a knock on effect in Cherry Street. Surely you need to be providing more places to park not taking them away.

Yours sincerely

Cherry Street Resident



## variation to TRO for Cherry Street Warwick

1 message

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

7 August 2017 at 14:54

Dear Mr Milton,

Given that we have already lost three parking spaces in Cherry Street following the development of Saw Mills, these now being the deflection built outside 25-27 Cherry Street, I would have hoped that it was obvious to the council that we can ill afford to lose any more and as such I object to the proposed revision to the TRO to lawfully instate double yellow lines as described in the notice on the west side of Cherry Street.

As residents we have continued to use these spaces following the redesign of the entrance to Saw Mills with no ill effect or road traffic collisions resulting from cars being parked there between 17:00 and 09:00 during the week and at all times during the weekend – the volume of traffic travelling north on Cherry Street from Coton End is extremely low, and generally consists of cars using the entrance to Saw Mills to turn around. Almost without exception, residents will travel south along Cherry Street through the one-way section of the road.

What we suggest, and I understand that this has also been put forward by a number of other residents, is an overall review of parking to reflect the changes created by the Saw Mills development with a view to making all of Cherry Street one way from the north and as such providing for on pavement parking along the lower east side of Cherry Street in the same manner as is currently in force through the one-way section of Cherry Street. This would ease the pressure for parking spaces and also remove the potential issues with vehicle entering Cherry Street from Coton End only to find that they have no through road and therefore must execute a U-turn using the entrance to Saw Mills, a manoeuvre that has been made quite challenging courtesy of the ridiculous and wholly unnecessary deflections around and opposite the entrance to Saw Mills.

If you are not able to consider suggestions other than those directly related to the proposed change to the existing TRO then I would be grateful if you could advise what mechanism there is for residents to take forward the concept of an overall review of parking in Cherry Street.

Separately but related, my understanding is that the deflection built outside 25-27 Cherry Street and referred to above is regarded as a traffic calming measure and as such should have been subject to a revised TRO and the associated consultation prior to being instated. I can say with absolute certainty that the residents were not consulted so I'd be grateful if you could explain what process was followed?

Regards





#### **OBJECTION: TR/10211-02**

1 message

To: pmc@warwickshire.gov.uk

18 August 2017 at 16:50

A 100

#### Dear Sir/Madam,

The Warwickshire County Council (Warwick District) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variations 2, A & B ) Order 2017

#### **Objection.**

#### Reduction in number of spaces for parking for the residents of Cherry Street.

Parking places in Cherry Street are in great demand and were reduced this year at the time of the traffic calming measures being introduced and the proposed reduction in parking spaces seems to be particularly unfair on the residents of Cherry Street. As you will be aware, residents can apply for Resident's Permits allowing them to park for more than the current restriction of two hours, however at the times when residents really need to park in their street – ie in the evenings, overnight and at weekends, the parking becomes unrestricted meaning that any non-resident can occupy these spaces. We would have thought that Residents Permits were designed to allow residents to park near their homes.

This area is increasingly used by non-residents especially in the evenings and weekends when parking is unrestricted, leaving the residents of Cherry Street, who have paid for their parking permits, nowhere to park. Cherry Street being the only road in the area with two-way traffic for part of its length, it is also used for people using the local shops, bringing their children to Coten End Primary School, working in Warwick etc for short and long term parking. The proposals under this scheme would further reduce the availability of parking for the residents of Cherry Street. Having paid for parking permits the residents increasingly find they cannot park in the road – especially in the evenings and at weekends.

The traffic calming appeared to be introduced as a result of the private estate that was built around the same time, Saw Mill Lane, which saw parking space reduced for over 50 residential properties for the sake of the 9 that are contained within the new development. The traffic from three roads flows down Cherry Street and yet priority has been given to the small amount of traffic emerging from a private estate on an unadopted road! So it therefore appears that a private road is deemed by the council to be more important than a public road. This junction is also increasingly used for vehicles turning round after driving up the short section of Cherry Street that is two-way causing delays to traffic coming down Cherry Street.

In addition to this, the recent alterations to the flow of traffic down Cherry Street has increased the risk to children by creating an area of traffic calming which is shared by children and heavy vehicles. The paving of the traffic calming area means that children happily run on it but, as the council's representative explained to us at the time of the alterations, it is there to allow large vehicles such as fire engines to be able to use the road.

Having lived on Cherry Street since 2009, and since 2013 living opposite Saw Mill Lane where the traffic claiming measures have been introduced, we can honestly say that the traffic calming measures have only served to make it more problematic for traffic, rather than less or indeed safer, as was meant to be achieved. We see and experience the impacts of the new road layout every day and it is without doubt, an alteration that has not resulted in the required outcome.

Finally, it is worth noting at this point that the cost for a Residents Permit has increased by 40% this year, which has added to the frustration of the residents with this newest proposal, particularly as the process for renewing a permit is riddled with issues and errors in data management, problems which have arisen since the administration was outsourced a couple of years ago.

We would therefore like the Council to consider:

- · Cherry Street become one way for it's entire length
- · The traffic calming measures removed in order to provide more parking on both sides of the street
- · Removal of all double yellow lines where the width of the road permits
- A 20 mph limit of Cherry Street
- · Parking limited to 30 minutes 24 hours a day, seven days a week, except for permit holders

Please get in contact with any queries on the points raised above, our address and telephone number is as follows:

30/10/2017



PMC WCC <pmc@warwickshire.gov.uk>

#### Cherry Street, Warwick 1 message

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

2 August 2017 at 09:36

Dear Mr Mitton,

I am a resident of Cherry Street in Warwick and I have received notification of the parking proposals and wondered if you might be able to assist with a couple of queries which I have regarding these.

Are you able to provide any information regarding the application and / or justification for the proposals, other than those contained within the Statement of Reasons? In particular, I note that 'to preserve visibility for reasons of road safety' is referred to as a justification, but I am unsure what visibility issues exist despite living on the junction in question.

Also, is there any WCC guidance available regarding grounds which can be used for objections?

I understand objections must be made and received by you by 18 August.

Many thanks.

Kind regards,



### Cherry Street, Warwick - objections

1 message

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

17 August 2017 at 22:05

Dear Sir / Madam,

#### Cherry Street, Warwick - Objections to parking proposals

We live on the road junction affected by the proposals.

Our objections are as follows:

- 1. **Congestion** the proposed parking changes will cause parking congestion in the vicinity and reduce the parking available for residents impacting on safety and causing undue stress and inconvenience.
- 2. More sustainable solution would a more sustainable, long-term and resident-friendly solution to be for the East and West sides of Cherry Street to be converted to partial footway parking as per the rest of Cherry Street?
  - a. In reality, this has been how that stretch of the road has been operating without incident.
  - b. Has or can a road traffic survey (or whatever appropriate analysis is needed) be undertaken to evaluate whether this would be a better solution to the parking in Cherry Street?
  - c. If partial footway parking was implemented, then this could assist with the dangerous congestion in Guy Street as some of those residents could park on Cherry Street.
- 3. Safety of residents of Cherry Street restricting parking outside of our home is likely to lead to us having to park at least a street or two away. In particular, if Emma is returning home late at night, a safety risk arises from her having to walk around the adjacent roads on her own. If she was able to park outside our home by the parking being maintained or increased, this risk would be minimised.
- 4. Local businesses on Cherry Street we understand our local businesses have concerns their custom will be detrimentally affected by these changes. Respectfully, these should be taken into account, particularly when we have seen no impact analysis or evidence to support the alleged 'visibility and safety' concerns, despite requesting these on two occasions (please see point 7 below).
- 5. Double-yellow lines by developer we understand from fellow residents that the developer of Sawmill Close put the yellow lines down outside our house without permission. We consider this retrospective consultation to be unfair on the residents of Cherry Street. When the construction work was finished, Cherry Street should have been returned to its original condition at the contractor's expense. We believe this has not been done because it enhances the environment and value of Sawmill Close at the expense of the residents of Cherry Street. The contractor lives in a property in Sawmill Close and we consider this retrospective consultation to be an example of the Council prioritising a commercial entity's profits over the lives of the residents of Cherry Street, many of whom have lived here for a great number of years.
- 6. Parking wardens sent to Cherry Street w/c 7 September, a parking warden was patrolling Cherry Street and the area specifically covered by the consultation. He reported that he had been sent to Cherry Street



#### Residents Parking in Cherry Street Warwick - Objections. 1 message

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

16 August 2017 at 20:56

Dear Jane Williams and Phil Mitton,

I feel that I must strongly object to the proposed changes in the parking restrictions in Cherry Street, Warwick, for a number of reasons.

#### **Objections:**

1) My daughter and her husband have recently purchased **and the state of the state** 

2) There are also a couple of small businesses operating in Cherry Street. Has there been any thought or risk assessment as to the impact that these draconian parking restrictions will have on these businesses? I thought that it was National and Local Government's strategy to help small local businesses not to think up ways to burden them with unnecessary restrictions and penalties.

3) I understand that it was actually the developer of Sawmill Close who took it upon himself to mark a section of Cherry Street with double yellow lines. I personally think this is outrageous. I assume the Council intends to take the Contractor to Court for blatantly ignoring due process, guidelines and causing the residents to Cherry Street undue stress. I would like some parking restrictions outside my house, **Council intends** especially in School Term time. Is ok for me to get a pot of yellow paint and do exactly what I like?.....

#### Conclusion:

I understand that the proposal for the change in parking is based on concerns of visibility and safety. In reality, because the street is rather narrow, people only tend to drive at 10 or 15 MPH in Cherry Street. I have never seen anyone even approach 30



#### **Residents Parking in Cherry Street Warwick - Further Objections.** 1 message

To: "pmc@warwickshire.gov.uk" <pmc@warwickshire.gov.uk>

17 August 2017 at 14:36

Dear Jane Williams and Phil Mitton,

I would further like to strongly object to the proposed changes in the parking restrictions in Cherry Street, Warwick, for the additional following reason:

Today I was speaking with a friend of mine who is a Director of a high quality specialist building firm. I had mentioned the "rogue" double yellow lines that had been put in place by the contractor for Sawmill Close and how it seemed bizarre, especially as the contractor had not gone through the correct process. Her thoughts were that because it was a narrow road the contractor had taken it upon himself to put those double yellow lines in place to facilitate the movement of large trucks, heavy equipment and materials during the building of Sawmill Close. This seems to have been done without any regards to the wishes of the residents of Cherry Street. My friend is of the opinion that when the construction work was finished Cheery Street should have been returned to its original condition, at the contractor's expense. I am of the opinion that this has not been done because it enhances the environment of Sawmill Close at the expense of Cherry Street. The contractor lives in a property In Sawmill Close. He has also placed a fence along the boundary of 18 Cherry Street, with a "No Parking" sign. Is this "No Parking" sign legal and enforceable?

I will await your comments with interest.

Kind regards,

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## Fwd: Fwd: Fwd: PEM Reference No: 429251 Cherry Street

1 message

Phil Mitton <philmitton@warwickshire.gov.uk> To: PMC WCC <pmc@warwickshire.gov.uk> Cc: Jane Williams <janewilliams@warwickshire.gov.uk> 10 August 2017 at 11:39

Phil Mitton Senior Engineer Traffic & Road Safety Engineering 01926 412142 www.warwickshire.gov.uk

----- Forwarded message ------

Date: 9 August 2017 at 16:39 Subject: Re: Fwd: Fwd: PEM Reference No: 429251 Cherry Street To: Phil Mitton <philmitton@warwickshire.gov.uk>

Phil,

The residents of Cherry Street and the other two streets adjacent have lost several car parking spaces due to the development. This was also a development that was initially opposed by the Highways department itself.

We were then promised that a consultation would take place after the election to go over all our concerns. Can you tell me why that has never happened and only a very limited amount of people were contacted ? Because I don't think the reasons detailed below are anywhere near good enough.

It seems to me and many others in the street that once again we are just being ignored so hopefully the problem you allowed will go away. I can tell you It wont. We have had to deal with since the shambolic handling of this whole development since it was first started.

In fact it just goes to show you much you value our opinion, is that you have already painted the double yellow lines. You said to me I had to submit my objections by the 18th of August. Well I do object as do many other residents and want a proper consultation.

Then we can go over the many failings that have occurred and get some proper answers to who is responsible for this complete and utter mess and what is going to be done to prevent this from ever happening again.

One of my neighbours has also written to Councillor Birdi asking for assistance. Because as it seems to us all you and your team do just what you want to do when you want to do it.

Regards

This morning I have seen a letter written to one of my neighbours regarding a consultation. Could you please explain to me why I haven't been written to when I raised this matter to you all at the time.

Please can you contact me about this as a matter of urgency. As I think this whole matter is being swept under the carpet by being so secretive about who you actually contact so the issue all the residents have had to deal with goes away.

Please can you ask either Jane Williams or Phil Mitton to contact me on the or write to me at the provide the so we can discuss this whole fiasco in more detail.

Regards

From: Contact Communities GRP <contactcommunitiesgrp@warwick shire.gov.uk>

Thank you for your further email. I apologise for the delay in providing a response to your enquiry dated 12 January 2017. I am writing today to provide a response to your outstanding points of enquiry.

#### 12 January 2017

Conflict Callett stadentistication anoncom>

Point 1 - I can confirm that there has been no cost incurred to the County Council relating to the works in Cherry Street at all. All costs are met by the developer, via inspection fees.

Point 2 - No action has been taken against the developer with regard to closing Cherry Street illegally. The County Council gave consideration as to whether to take action, but it is our view that there is insufficient direct and hard evidence of the actual closure that allegedly took place to allow the County Council to take legal action on this occasion. The County Council has reminded the contractor who undertook the works of the legal requirement to seek permission to undertake works on the highway from the County Council as the highway authority.

Point 3 - I have put your enquiry to the Traffic & Road Safety team and I have been advised as follows:

The consultation for new and changes to parking restrictions for 2017/18 will commence after June due to the elections.

The process to advertise and install new and changes to parking restrictions involves a legal process by which we have to abide.

By March our annual programme for the coming year will have been finalised. We will at this point begin the work which is involved prior to advertising and consulting upon the proposals. As you can appreciate any consultation would fall in the 'purdah period' which is why we cannot consult until the earliest June.

We are aware that Cherry Street will receive objections which can extend the whole process by two months, which again would fall within the 'purdah period'

I really do hope there are no weekend disruptions because as I said below I will take legal action if there is. I will also request a 24 hour contact number should any occur over those weekends. If this is not forthcoming I will personally have to get involved and also involve other residents of the street.

Regards

From: Contact Communities GRP <contactcommunitiesgrp@warwick shire.gov.uk>

Sent: Monday, January 16, 2017 2:36 PM Subject: Re: Fwd: PEM Reference No: 429251 Cherry Street

Har Mr. Dollett

Thank you for your email. I am currently making enquiries with colleagues in order to answer your queries and will aim to make a response to you within 5 working days.

Yours sincerely,

Amy Hardiman Customer Liaison Manager Communities Group Warwickshire County Council

On 12 January 2017 at 16:41, Dear Amy,

Following on from your reply please can you answer the following couple points :-

Point 1 (!) Has there been any additional cost to the council and therefore the rate payers because of the errors made on the build out and if so how much.

wrote:

Point 2 (!!) Has any action been taken against the developer in regard to closing a Cherry Street illegally if not why not.

Point 3 ( !!! ) Parking restrictions and consultations. It is only January why do we have to wait to June when we could start the conversation now before the elections in May. Could you ask Jane Williams and Phil Mitton to contact me via email.

Because you have known all about this work since August 2015 when it was granted permission. Where is the forward planning in that ?

One thing I will say is that at least Western Power have written to the residents of Cherry Street. Informing us of yet more essential work starting on the 21st of March for three further weeks. This is going to take out all the parking from No 24 right up to the junction of Guys Cliffe Terrace. We appreciate that certain work has to be completed. I do hope however, that any work that is being done does not involve any Saturday working. Because I am many other residents have had enough of the constant interruptions over the weekends and will object strongly and take legal advice if this occurs.

Regards

wrote:

Communities Group Warwickshire County Council

On 13 December 2016 at 21:44, **Carlos** Dear Amy,

I have waited for a further response today following on from your delaying email yesterday. However once again nothing. I am astounded by you or your departments complete and utter lack of communication and respect shown on this matter.

You and your department are ignoring a formal request for an answer on the issues surrounding Cherry Street. I have clearly outlined the problems that have arisen and you initially confirmed those grievances will be answered with a deadline date set of Monday 12th of December 2016.

Now however it seems delaying tactics are now being used to extend that deadline. Well that is simply unacceptable and I and many other residents are no longer prepared to accept such shabby treatment for a service we actually pay for.

Even if you are waiting for clarification on a particular point, surely you have answers to the other points raised.

If not surely you could enlighten those of us who you obviously think are less worthy of an explanation. What is going on Amy? Because this whole thing highlights incompetence at all levels and now there seems to be some to be some sort of cover up going on.

Answers not ignorance please.

Regards

From: Contact Communities GRP <contactcommunitiesgrp@ warwickshire.gov.uk>

Sent: Monday, December 12, 2016 4:24 PM Subject: Fwd: PEM Reference No: 429251 Cherry Street

In the Add Tooling to

I am writing to inform you that there will be a slight delay in the provision of a formal response to your complaint. The deadline for response, in accordance with the general complaints procedure, is today. Unfortunately, there is a point that I am seeking to clarify and this will take a little longer. Please be advised that a response will be made to you by no later than close of play tomorrow.

Please accept my sincere apologies for this. I hope that this delay does not cause you inconvenience.

Yours sincerely,

Amy Hardiman Customer Liaison Manager Communities Group Warwickshire County Council

----- Forwarded message ------From: **Contact Communities GRP** <contactcommunitiesgrp@ warwickshire.gov.uk> (i) the works in Cherry Street - you want to know 'why and who was responsible for this to be built like this in the first place'. I understand that the works you are specifically referring to are the changes to the highway, referred to as section 278 works in some of the emails attached.

(ii) 'the constant interruptions' caused by the section 278 works and other works carried out by utility companies without prior notice to residents. You have advised that residents are being constantly disturbed at weekends. You want to know 'who is responsible for notifying the residents of any upcoming works'.

(iii) you want to know 'when is the consultation period starting about the parking in Cherry Street which has been promised'. You have advised that there has been no communication about this to residents from the County Council, which you consider to be unacceptable.

Please let me know if you agree that the above accurately details your complaint, or if you feel that I have misunderstood or missed something out.

Yours sincerely,

Amy Hardiman Customer Liaison Manager Communities Group Warwickshire County Council

On 28 November 2016 at 13:41, Good Afternoon,

wrote:

As a resident of Cherry Street I would like to make an official complaint about the works that has been done so far. As you can see from below I have been in contact with Amy and also just recently Graham at Avoncroft & Trevor at Rowney properties. Below those emails you will find the correspondence I have also have been having with Dan Cresswell.

What I am many other residents would like to know is why and who was responsible for this to be allowed to be built like this in the first place. Answers are required. No one seems to have taken any responsibility or had the decency to communicate what is happening and when. The constant interruptions especially on a Saturday / Sunday morning with out any prior notice is completely unacceptable.

Once again further work was started up this Saturday morning on another project this time for BT I believe and once again without any prior notification. No signs were put up in the area prior to them just turning up.

Who is responsible for notifying the residents of any upcoming works because they should held responsible for there lack of actions. They need to come down and explain to all the residents why we are being constantly disturbed at weekends. I think if any further works are planned in Cherry Street going forward whoever is applying for them will meet with objections from across the board.

When is the consultation period starting about the parking in Cheery Street which has been promised. Once again no communication from the council to those concerned again unacceptable. Regards

AVONCROFT HOMES LTD 1a Hatton Rock Business Centre Hatton Rock Stratford-Upon-Avon Warwickshire CV37 0NQ

California 201641)

We had to enter into a 278 agreement with the WCC to carry out works in the public highway. These works were imposed as a condition on the new housing development to the rear of 22 Cherry Street.

The works were designed and conditioned by the WCC.

The works have been carried out for us by Avoncroft Homes Ltd.

Before the construction process the drawings were approved by Mr. Muhammed - WCC Assistant Development Management Engineer who also inspected the work in progress on site.

At the completion of the work Mr. Muhammed was replaced as WCC Engineer by Mr. Jahanpour who has called for alterations.

Avoncroft had to request a Permit from the WCC to carry out the required alteration work in the Public Highway. The permit has only just been issued allowing work to proceed on the 5th. December and be completed on the 9th. December.

If I can be of further assistance please let me know.

Yours sincerely

Trevor Rowney

The date of the 7<sup>th</sup> came from the contractor, who had advised that this was the date they would try and arrange with Streetworks to complete the remediation of the works. Unfortunately, I was not involved with those conversations, so was taking the contractor at their word, and I have no reason to believe that they did not intend to commence works on that date, but for whatever reason, maybe due to resources, they have then requested a later date, made later still by the BT works within the area, which I have only found out about today.

I cannot agree that the issue has been ignored. The contractor called on us to sign the works off at completion, and we subsequently made a joint inspection, with the developer, and the contractor, the remedial works were agreed, but the works were not signed off, nor will they be, until the remediation has been completed.

If there is a need to try and make a claim, then details can be found at:

http://www.warwickshire.gov. uk/highwayinsuranceclaim

I will try and arrange for a cone to be placed on the buildout to give drivers a better view, before the remedial works can be carried out.

I disagree that the issue has been ignored, and I also disagree that we are compromising anyone's health & safety. As soon as the problem, post construction, was viewed, we acted very quickly to agree remedial works with the developer and the contractor, and we are now just waiting for the developer to be given permission to start on the 28/11/16. This is the due process that must be followed.

As soon as I have word of an update, I will, of course, let you know.

**Kind Regards** 

Dan Cresswell Senior Highway Control Engineer (Section 38) Planning & Development Group Transport & Economy Communities Warwickshire County Council

Tel: (01926) 412622 Fax: (01926) 412641 Minicom: (01926) 412277 Email: danielcresswell@ warwickshire. gov.uk www.warwickshire.gov.uk

On 9 November 2016 at 22:11, Constant and the Constant of the Worker wrote:

How come the date has moved out so far ? When you said yourself that it had been provisionally booked for the 7th - 14th of November ? If I hadn't emailed you today asking you what was going on when would we have known anything. Your lack of communication says it all.

Therefore can you please explain not only to me but also all the residents of the three streets involved what is the problem because that delay is completely unacceptable. Then you say you expect them to to turn up between Christmas and New year and cause even more disruption than we have already had to put up with over a time when people are trying to enjoy a bit of peace and quiet.

In the mean time I will get a private contractor in to to quote on doing the job and send the bill to the what seems to me the completely incompetent street works team. You can never compromise on anyone's health and safety which you obviously are and this issue has been ignored for far too long because it is not on your own doorstep.

I will also contact the local papers and see what they have say about the complete and utter lack of management of this project and let the residents have their say.

Regards

From: Daniel Cresswell <danielcresswell@warwickshire.gov.uk>

Sent: Wednesday, November 9, 2016 5:27 PM Subject: Re: Cherry RoadWarwick Tel: (01926) 412622 Fax: (01926) 412641 Minicom: (01926) 412277 Email: danielcresswell@ warwickshire. gov.uk www.warwickshire.gov.uk

On 24 October 2016 at 11:55, Called Control of Control

I fully appreciate that due process must be followed.

However, how this was allowed to built like that in the first place is staggering to all concerned.

Surely highways would have had to pass the work off as being safe and to the agreed plan. If it wasn't why wasn't it put right at the time ? Because even to those who are not really in the know could see it was dangerous from the outset. Even during the build it was done the wrong way round as per my previous pictures showed.

Being as I and several others have never contacted by the contractor I wont hold my breath. The level of communication has been near enough no existent from the contractor the local council and the highways department. You only ever know what is going when something starts.

My first email about this was on the 26th of September. This safety issue now seems to be being pushed around from one person to another without any real resolution. Because no one is taking this matter or their own responsibility seriously.

I was led to believe this latest round of work was going to completed last week. Can David Cross, Shahid or you give me some indication when this is going to be made safe.

Regards



Sent: Monday, October 24, 2016 8:52 AM Subject: Re: Cherry RoadWarwick

It is up to your contractor to submit the notice to Streetworks, and I gather that has already been done.

The Highway Authority understands that these works effect various roads within the vicinity, but due process must be followed.

I am sure that your contractor will inform you of the start date that Streetworks gives them.

#### Kind Regards

Dan Cresswell Senior Highway Control Engineer (Section 38) Planning & Development Group Transport & Economy Communities Warwickshire County Council This transmission is intended for the named addressee(s) only and may contain confidential, sensitive or personal information and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All email traffic sent to or from us, including without limitation all GCSX traffic, may be subject to recording and/or monitoring in accordance with relevant legislation.

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