

**Proposed Decision to be taken by the
Portfolio Holder for Transport and Planning
on or after 25 July 2014**

**St Peters Way and Spillers Close, Stratford-upon-Avon
Proposed Waiting Restrictions**

Recommendations

That the Portfolio Holder for Transport and Planning approves that:-

- (i) The Warwickshire County Council (District of Stratford on Avon) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places and Residents Parking) (Consolidation) (Variation No 20) Order 2014 be withdrawn; and
- (ii) Further consultation is undertaken with residents directly affected, on the revised proposals for St Peters Way, as shown in **Appendix B**.

1.0 Key Issues

- 1.1 Proposals for parking restrictions (no waiting at any time) in St Peters Way and Spillers Close, Stratford upon Avon were published in the Stratford Herald on 27 February 2014. Ten objections have been received. The report considers the objections and comments received and recommends how they should be dealt with.
- 1.2 The statutory criteria for decisions on making Traffic Regulation Orders/Parking Orders is included as **Appendix C**.

2.0 St Peters Way, Spillers Close, Stratford upon Avon – Proposed No Waiting At Any Time (Plan in Appendix A)

- 2.1 St Peters Way and Spillers Close are residential roads situated off Bishopton Lane to the west of Stratford-upon-Avon. The estate is adjacent to the recently constructed Stratford Parkway. Commuters are parking around bends and close to junctions causing obstructions to traffic. In the interests of road safety, Warwickshire County Council proposed to introduce sections of 'No Waiting At Any Time' upon sections of both of those lengths of road.

2.2 Councillor Keith Lloyd (Elected Member) comments:

I forward my comments to support the majority of residents of St Peters Way No's 144-174 and 145-179 and Spillers Close No's 1, 2 and 3 as per correspondence in your possession and a survey as WCC Divisional Member for Avenue and Newtown, Stratford carried out 17/03/14.

The introduction of car parking charges at Stratford Park and Ride and Parkway Station has caused major parking issues for residents who live in St Peters Way. This is due to both passengers and even more so staff from businesses situated nearby on Timothy's Bridge Rd parking on St Peters Way, but for a Variation to implement Double Yellow Lines from Bishopton Lane to Thomas Bland Road I feel is far too extreme and unfair to local residents. I do however agree to an extension of double yellow lines on the junction of St Peters Way and Bishopton Lane as per drawing C Latham dated 16/04/14. The current arrangement with vehicles parking close or even on the junction is extremely dangerous to both pedestrians and motorists.

As previously stated I carried out a survey with a local resident, as well as objecting to the this variation residents supported the possibility of the implementation of single yellow lines with No Parking between 10am and 3pm Mon to Fri, this would then prevent non- resident parking and would not inconvenience the majority of residents.

May I ask the Portfolio Holder Cllr Peter Butlin to consider both my request and comments and those of the residents of St Peters Way and Spillers Close. May I also forward on behalf of the local residents my sincere thanks to him for his time during his site visit of 09/04/14 it is most appreciated.

2.3 The following objections have been received:

Objection 1: *I am disappointed to see that the restrictions will affect residents when the real culprits are users of the Stratford Parkway.*

Response 1: The proposed waiting restrictions are considered appropriate for the layout of the road. Vehicles should be parked in accordance with the rules and advice contained within the Highway Code, the extents of the restrictions reinforces these rules.

Objection 2: *When people in the affected area bought their homes there were no restrictions in place. The restrictions will devalue our property.*

Response 2: Circumstances change over time. The Road Traffic Act 1984 allows a Traffic Authority to introduce waiting restrictions where they are considered necessary to control parking. Encouraging drivers to park appropriately could make the location more appealing to potential purchasers.

Objection 3: *We live on a residential estate; we therefore have a reasonable expectation of being able to park outside our house. There are currently no parking issues in front of our house, where will family and friends park?*

Response 3: There is no given right to park on the highway. The proposed restrictions are considered appropriate for the road layout. Areas of the road will remain unrestricted. Vehicles are permitted to stop on yellow lines to drop off and pick up passengers or to load/unload.

Objection 4: *We have young children and need to safely and practically load them into the vehicle.*

Response 4: Areas of the road will remain unrestricted. Vehicles are permitted to stop on yellow lines to drop off and pick up passengers or to load/unload.

Objection 5: *It will be necessary to apply yellow lines throughout St Peters Way. The restrictions will cause parking problems if you can call it that to move to other areas it will not solve the problem.*

Response 5: The situation will be monitored and further measures may be required in the future.

Objection 6: *Introduce a single yellow line or a residents parking scheme.*

Response 6: The extents of the proposed waiting restrictions are considered appropriate for the road layout. A vehicle parked within these areas could be considered as causing an obstruction irrespective of the time of day. The location does not fulfil the criteria for the introduction of a residents parking scheme as the majority of properties have off-road parking facilities.

Objection 7: *The restrictions on Spillers Close stop at the beginning of our driveway; a vehicle parked opposite will obstruct access. In severe weather conditions it is impossible for cars to move down the slope, the roads are not gritted; in these conditions people park where the restrictions will be in place.*

Response 7: The proposed restriction is considered appropriate for junction protection.

2.4 Recommendation

Due to the number of objections received, the elected member's comments and the considered unsuitability of a single yellow line restriction, the recommendation is that the advertised proposals be withdrawn and that further consultation takes place for double yellow lines on St Peters Way as shown on the plan in **Appendix B**.

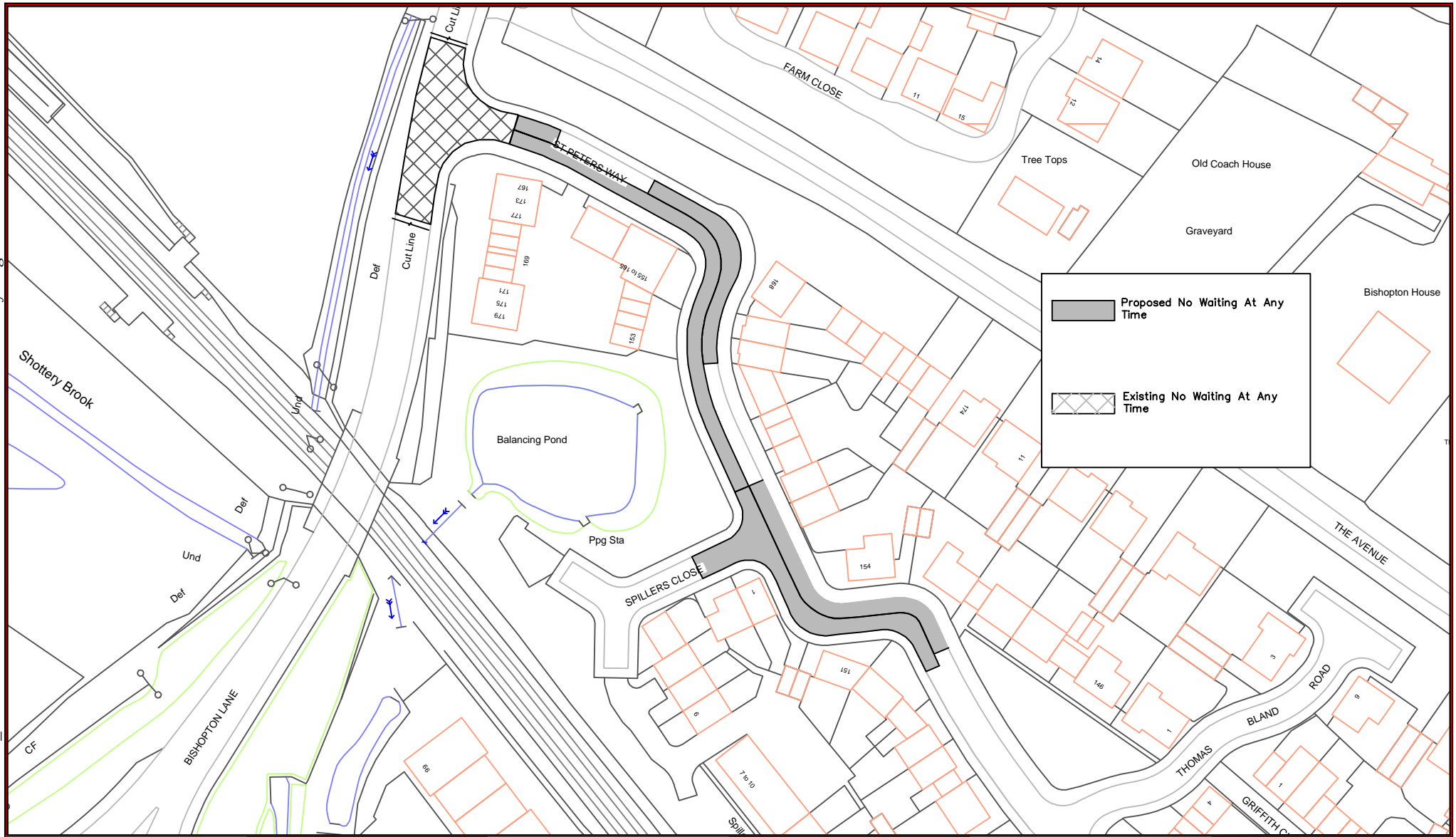
3.0 Background papers

3.1 Various letters, emails and parking survey.

4.0 Financial Implications

4.1 All changes will be implemented from within existing budgets.

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	Proposed No Waiting At Any Time
	Existing No Waiting At Any Time

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Portfolio Holder for Transport and Planning 25 July 2014

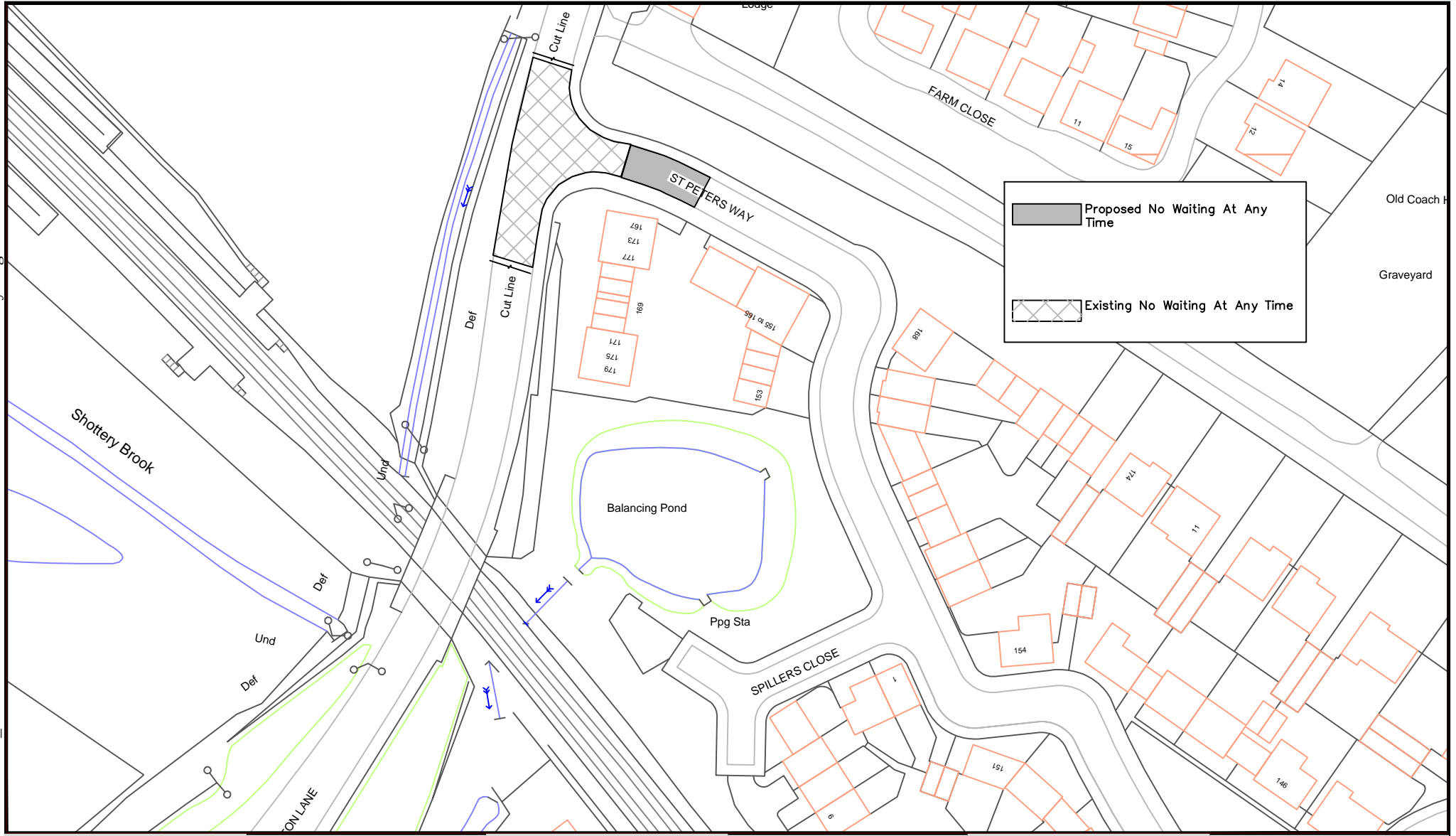
Variation 20

Proposed No Waiting At Any Time

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 Warwickshire County Council.



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Variation 20

Proposed No Waiting At Any Time

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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).