

Proposed decision to be taken by the Portfolio Holder for Transport and Planning on or after 16 November 2018

Various Roads, Stratford-on-Avon District – Proposed Waiting Restrictions, On-street Parking Places and Residents’ Parking Permits – Variation 04

Recommendation

That the Portfolio Holder for Transport and Planning approves that the Warwickshire County Council (District Of Stratford On Avon) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places and Residents’ Parking) (Consolidation) (Variation 04) Order 2018 be made as advertised.

1. Introduction

- 1.1. Proposals for the ‘No Return’ times to be extended on parking bays and disabled bays at various locations in Stratford District to assist with the enforcement of these restrictions were published in the Stratford Observer on 26 July 2018 and consultation was carried out in accordance with statutory procedure. The purpose is to remove the opportunity for drivers whose vehicle is found in the same location after the permitted parking period has expired to claim that they moved it just after the civil enforcement officer (“CEO”) first saw it and returned it shortly before the CEO next saw it. If the No Return period is longer than the permitted parking period, then it can be proven that the vehicle must either have remained parked for longer than the permitted period or have been moved and returned before the end of the No Return period.
- 1.2. The following proposals received objections however it is recommended to implement them as advertised, these are discussed in sections 2 & 3:
 - **Maidenhead Road, Stratford- upon – Avon 2 Hrs No Return 4 Hrs Mon-Sat 8am-6pm Except Permit Holders (S2) & (S3)**
 - **Bridge St, Church St, High St, Sheep St & Union St, Stratford-upon-Avon – Disabled Badge Holders Only At All Times, 3 hrs No Return 4 hrs 8am- 6pm**
- 1.3. A number of other proposals were included in the advertisements but received no objections. It is therefore recommended that those proposals be implemented as advertised.
 - **Limited Waiting 4 hrs No Return 8 hrs Mon-Fri 8am – 6pm**
 - Fordham Avenue, Stratford-upon-Avon

- Grange Park, Stratford-upon-Avon
- Larch Close, Stratford-upon-Avon

- **Limited Waiting 2 hrs No Return 4 hrs 8am – 6pm**
- Saxon Close, Stratford-upon-Avon

- **Limited Waiting 2 hrs No Return 4 hrs Mon-Sat 8am-8pm Except Permit Holders (S7)**
- Broad Street, Stratford-upon-Avon
- Broad Walk, Stratford-upon-Avon
- Bull Street, Stratford-upon-Avon
- Cherry Street, Stratford-upon-Avon
- College Lane, Stratford-upon-Avon
- College Street, Stratford-upon-Avon
- Holtom Street, Stratford-upon-Avon
- Mill Lane, Stratford-upon-Avon
- New Broad Street, Stratford-upon-Avon
- New Street, Stratford-upon-Avon
- Rylands Street, Stratford-upon-Avon
- Sanctus Street, Stratford-upon-Avon
- West Street, Stratford-upon-Avon

- **Limited Waiting 2 hrs No return 4 hrs Mon-Sat 8am-6pm Except Permit Holders (S2) & (S3)**
- Rowley Crescent, Stratford-upon-Avon
- St, Gregory's Road, Stratford-upon-Avon

- **Limited Waiting 2 hrs No return 4 hrs Mon-Sat 8am-6pm**
- Avenue Road, Stratford-upon-Avon
- Benson Road, Stratford-upon-Avon
- Maidenhead Road, Stratford-upon-Avon
- Welcombe Road, Stratford-upon-Avon

- **Limited Waiting 3 hrs No return 6 hrs Mon-Sat 8am-6pm**
- Clopton Road, Stratford-upon-Avon

2. Maidenhead Road, Stratford-upon-Avon – Extension of No Return time from 2 Hours No Return 2 Hours to 2 Hours No Return 4 Hours.

- 2.1. A request was received by Warwickshire County Council Parking Enforcement Team to extend the 'No Return' times at this location to assist with the efficient enforcement of the 'No Return' restriction.

A plan showing the consulted restrictions can be found in Appendix B as TR/10887-01, TR/10887-02

- 2.2. The following tables detail the objections and/or comments received during the consultation along with the officers' comments and recommendations.

Emails/letters	
Total objections	1
Total comments	0

Ref	Objections and comments received	Total number of responses containing the comment
A	The proposal to change the No Return time is a waste of public money and should be spent elsewhere.	1

Ref	Officer Comments
A	The order will make parking restrictions more enforceable, which saves public funds and improves the availability of parking spaces. The cost of making the order is modest and justified by the expected benefit.

Recommendations
That the proposed restrictions be implemented as advertised.

Members Comments

3. Bridge St, Church St, High St, Sheep St, Union St, Stratford-upon-Avon – Extension to the No Return times from 3 hours no return 3 hours to 3 hours No Return 4 hours on Disabled bays at these locations.

- 3.1. A request was received by Warwickshire County Council parking Enforcement Team to extend the 'No Return' times at this location to assist with the efficient enforcement of the restriction.

A plan showing the consulted restrictions can be found in Appendix B as TR/10887-03, TR/10887-04 & TR/10887-05

3.2. The following tables detail the objections and/or comments received during the consultation along with the officers' comments and recommendations.

Emails/letters	
Total objections	1
Total comments	0

Ref	Objections and comments received	Total number of responses containing the comment
A	Even adding one hour will make using these bays harder for some users. As an example if a bay has been used for a visit to the RSC or Picturehouse Cinema the initial parking time will have almost expired at the end of a visit and if the blue badge user can't return for 4 hours and can't find another appropriate parking bay nearby they will have to leave.	1
B	It is not only parking but it is loading and unloading their wheelchairs and other equipment which all takes time. It is already difficult in not returning for 3 hours and you are making it worse	1
C	As the responsible authority you should be assisting and enabling all users of blue badge parking bays to make their parking as easy as possible not more difficult	1
D	I appreciate the CEO's have a job to do which in my opinion in Stratford upon Avon they do quite well but they are not actual users so cannot understand about the change of return times and the difficulties it incurs.	1
E	With the changes from January 2019 of more blue badges being issued as the criteria is extended and only the existing bays parking will be even challenging. As a town [Stratford upon Avon] and County we must encourage parking for all users not put more obstacles in their place of a mix of parking hours allowed, stay times and return times.	1

Ref	Officer Comments
A	These proposals will not change the length of time vehicles can park. Whether the 'No Return' time is 3 hours or 4 hours the vehicle user would still have to leave the area to find a free parking space. Not being able to return for 4, rather than 3, hours is a minor detriment to vehicle users but this is outweighed by the benefits of improved enforceability of restrictions intended to make parking spaces available for all eligible users through regular turnover.

B	<p>These proposals will not change the length of time vehicles can park.</p> <p>Extending the 'No Return' time does not affect the time available for vehicle owners to load and unload their wheelchairs and aids for walking.</p> <p>As explained in A, the detriment from a longer No Return period is considered to be outweighed by the benefit of regular turnover.</p>
C	<p>These proposals will not change the length of time vehicles can park.</p> <p>The change is intended to promote regular turnover, making parking spaces more frequently available for blue badge holders.</p>
D	<p>A balance needs to be found between the disadvantage to blue badge holders of increasing No Return periods and the benefit to blue badge holders of more frequent turnover. The increase in the No Return period has been kept to the minimum possible in recognition of the impact on blue badge holders.</p>
E	<p>These proposals will not change the length of time vehicles can park.</p> <p>Extending the 'No return' times on the disabled bays will help keep the turnover of vehicles constant, which will help accommodate increased demand.</p>

Recommendations

That proposed restrictions be implemented as advertised.

Members Comments

4. Background Papers

- 4.1. Letters and email objections along with large scale plans that can be produced if required.

5. Financial Implications

- 5.1. All work will be carried out within the existing 2018/19 budget allocations.

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

Local Members: Councillors Rolf and Fradgley

Other members: Councillors Cockburn, Phillips, Shilton, Clarke

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

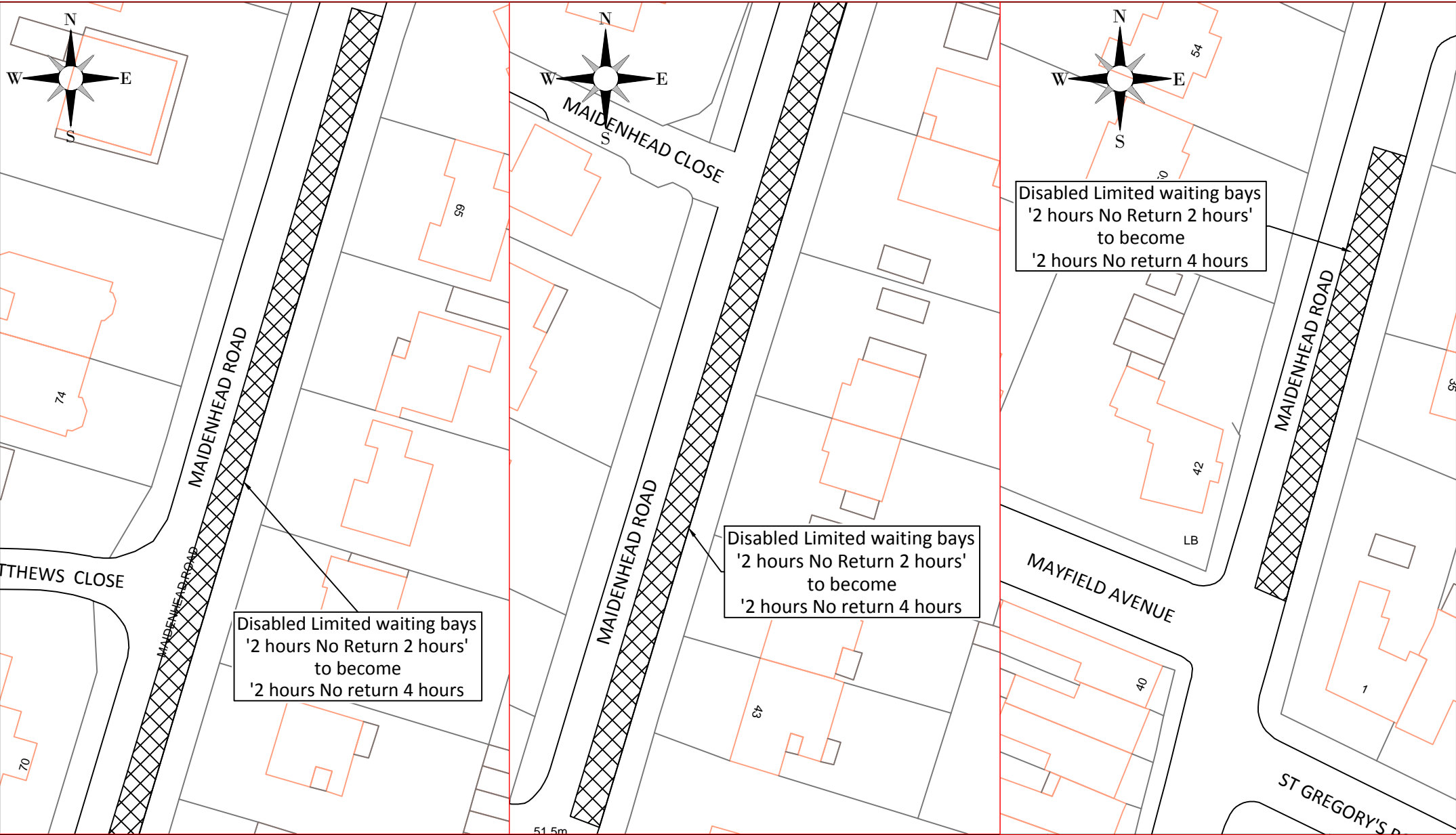
Various Roads, Stratford-upon-Avon District – Proposed Waiting Restrictions, On-street Parking Places and Residents’ Parking Permits – Variation 04

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).



Disabled Limited waiting bays
'2 hours No Return 2 hours'
to become
'2 hours No return 4 hours

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'2 hours No Return 2 hours'
to become
'2 hours No return 4 hours

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Communities, Shire Hall Post Room
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Tel: 01926 410410

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<mailto:communities@warwickshire.gov.uk>

All other existing Parking
restrictions will remain the same

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Drawing title

**Stratford upon Avon
Maidenhead Road
Limited Waiting Bays**

Project title

SoA Variation 4

Drawn by

MAL

Checked by

AP

Date

26 SEPT 2018

Scale

NTS @ A4_L

Drawing number

TR/10887-01



Disabled Limited waiting bays
'2 hours No Return 2 hours'
to become
'2 hours No return 4 hours'

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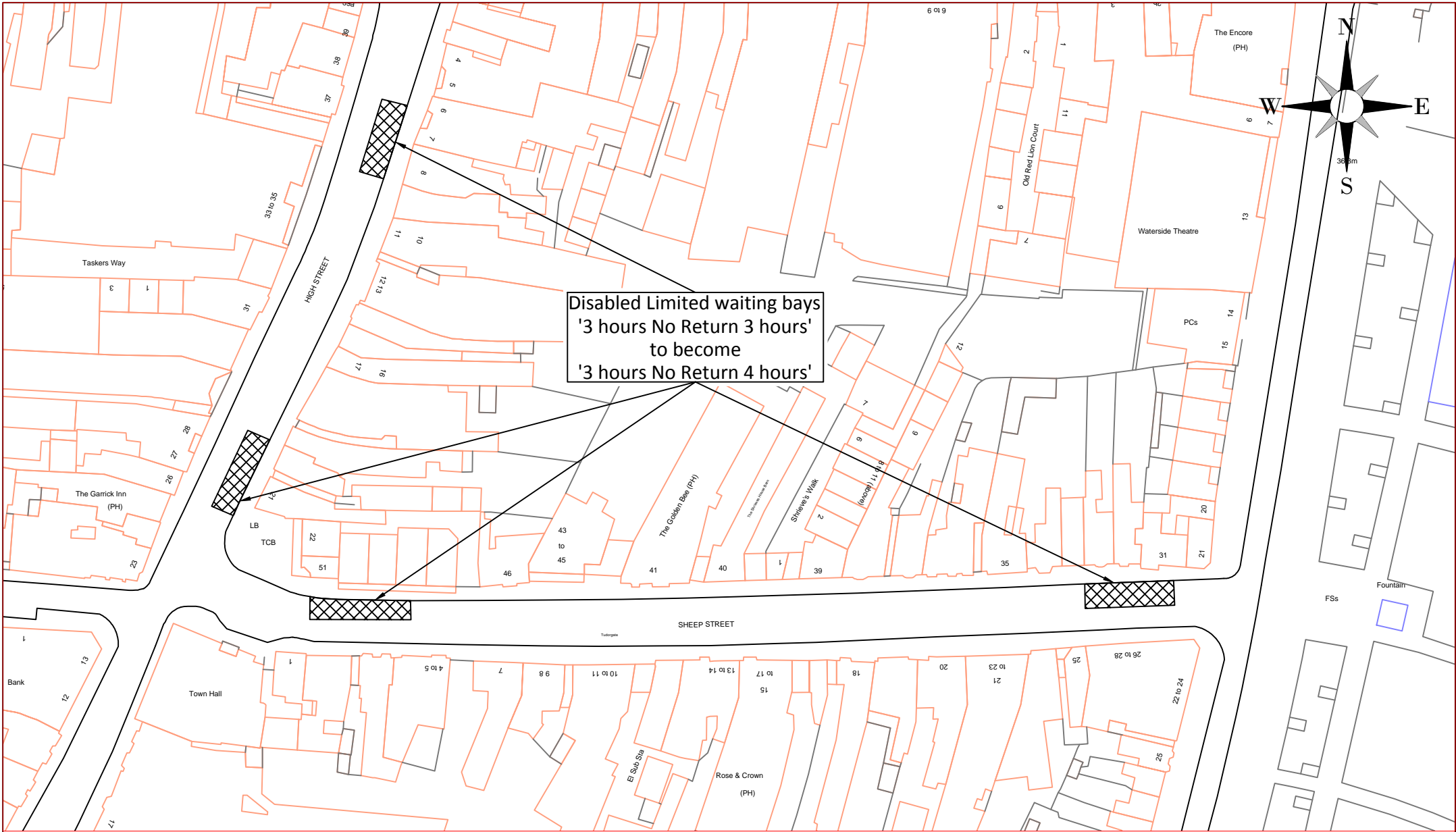
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Drawing title	Stratford upon Avon Maidenhead Road Limitd Waiting Bays
Project title	

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MAL	AP
Date	26 SEPT 2018
Scale	NTS @ A4_L
Drawing number	TR/10887-02



Disabled Limited waiting bays
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to become
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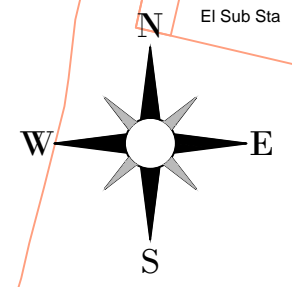
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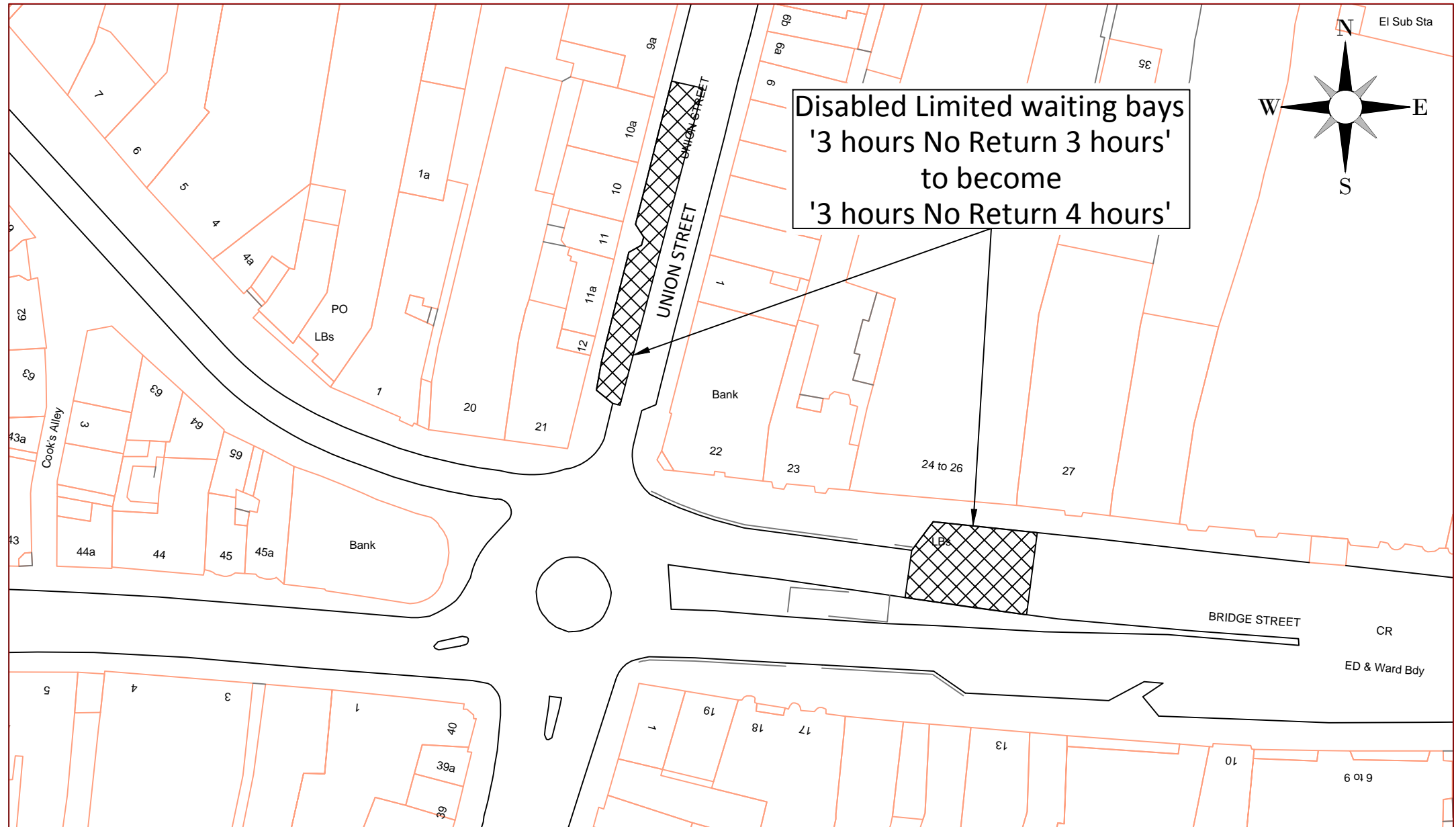
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Drawing title	Stratford upon Avon Sheep Street, High Street Disabled Parking Bays
Project title	SoA Variation 4

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MAL	AP
Date	26 SEPT 2018
Scale	NTS @ A4_L
Drawing number	TR/10887-03



Disabled Limited waiting bays
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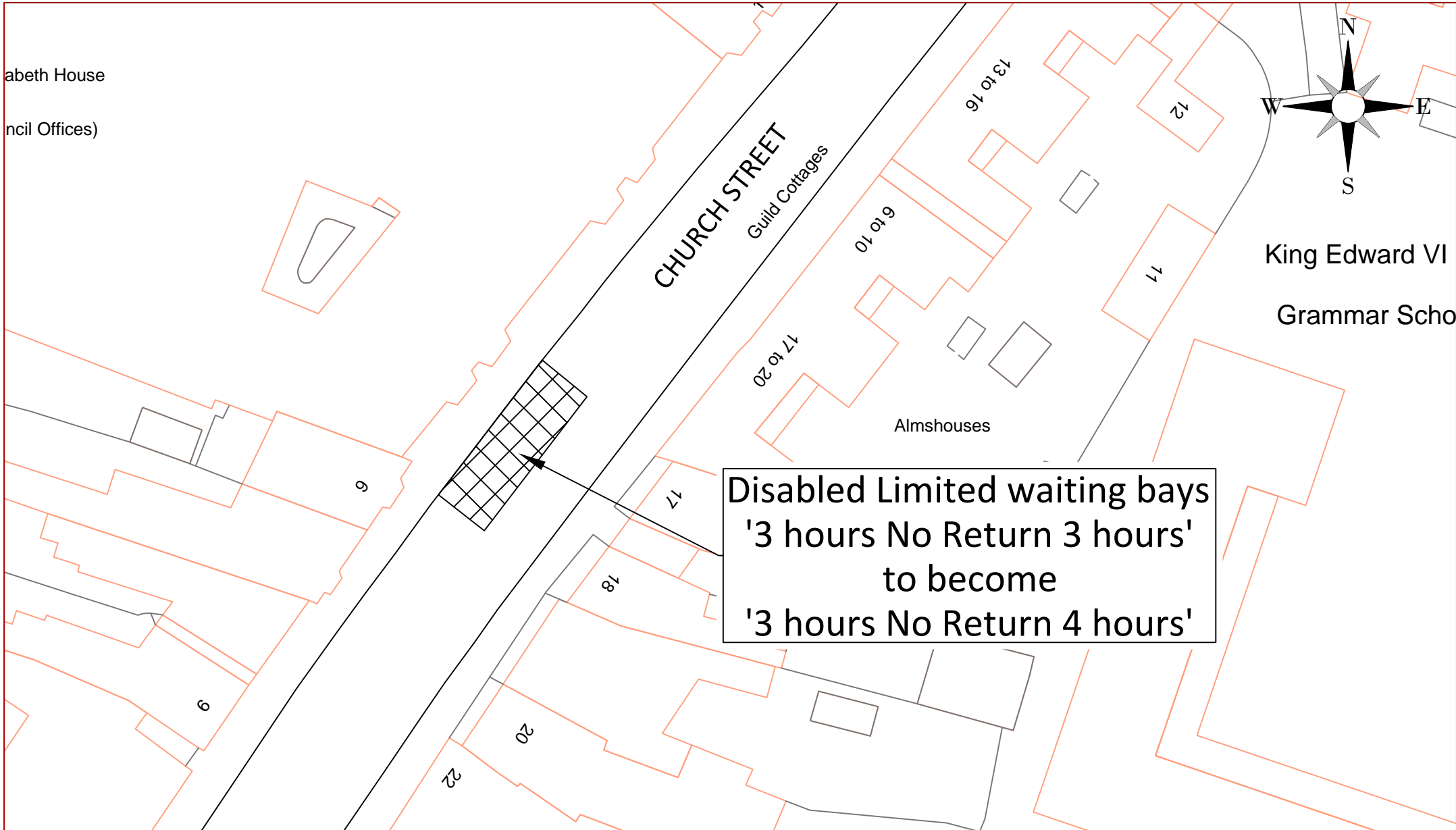
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Drawing title	Stratford upon Avon Bridge St & Union St Disabled Parking Bays
Project title	

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Drawing number	TR/10887-04



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Drawing title	Stratford upon Avon Church Street Disabled parking Bays
Project title	SoA Variation 4

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