

# **Proposed Decision to be made by the Portfolio Holder for Transport and Planning on or after 14 June 2019**

## **The Warwickshire County Council (Borough of North Warwickshire) (Waiting Restrictions and On-Street Parking Places) (Consolidation) (Variation No.2) Order 2019**

### **Recommendation**

That the Portfolio Holder for Transport and Planning approves the Warwickshire County Council (Borough of North Warwickshire) (Waiting Restrictions and On-Street Parking Places) (Consolidation) (Variation No.2) Order 2019 as advertised.

### **1.0 Key Issues**

- 1.1 Planning permission (ref NWB/18CC007) has been received for Michael Drayton School situated in Hartshill on the Woodlands. This includes the construction of four new classrooms and one teaching space with internal reconfiguration to the other area, associated drainage and ground works, and the installation of cycle and scooter shelters. Notice and permission for the above development has been given, subject to certain conditions.
- 1.2 This report refers to the planning condition whereby the parking situation on Church Close, Hartshill (situated in the vicinity of Michael Drayton School) is improved. The condition states "The development shall not be occupied until Church Close (D271) has been improved with a scheme to deter on-street parking that obstructs resident's driveway accesses, which shall have been submitted and approved in writing by the County Planning Authority. This report discusses the proposed Traffic Regulation Order advertising the waiting restrictions.
- 1.3 The Statutory Criteria for decisions on making Traffic Regulation Orders and Parking Orders is included as Appendix A.

### **2.0 Options and Proposal**

- 2.1 Church Close is a single carriageway road with street lighting and a width of approximately 4.6 metres. The majority of residents in Church Close are mainly elderly residents. The installation of "H" markings to resident's driveways would meet the Planning Condition, however these markings are only advisory carriageway markings and have no legal powers. It is therefore our intention to introduce a small section of waiting restrictions on Church Close to improve access for emergency and utility vehicles, and allow vehicles to turn in the turning head in a safe and unimpeded manner.

The “H” markings and waiting restrictions are to alleviate the problems of vehicles parking in Church Close, throughout the day, but especially at school times from both Hartshill School and Michael Drayton Junior School. The section of No Waiting at Any Time on the south side of Church Close (from a point 98 metres from its junction with Church Road, south eastwards for the remainder of its length), is to assist vehicles to be able to turn around in the turning head and exit the south east of Church Close unimpeded.

2.2 A plan detailing the proposed waiting restrictions is included in Appendix B.

### 2.3 Consultation on the Proposal

2.3.1 Formal, statutory consultation for the proposed waiting restrictions was carried out between 21<sup>st</sup> March 2019 and 12<sup>th</sup> April 2019. Notices were placed on-Street, at North Warwickshire Borough Council, Council House, South Street, Atherstone, and at the Public Library, Long Street, Atherstone. Letters were also delivered to those properties directly affected by the proposals in Church Close.

2.3.2 During this period one formal objection, on behalf of 5 properties signed by 10 residents of Church Close has been received from a resident of Church Close.

### 2.4 Objection received from Residents of Church Close

2.4.1 With reference to the following order we would like to make the following points: We are not objecting to parking restrictions in the turning circle at the bottom of Church Close. However, we would like you to consider the following

2.4.2 As per your letter stating that the need for parking restrictions in Church Close is to enable emergency vehicles to turn in a safe and unimpeded manner. We can see no reason why this has been extended to the building line of number 16. The vehicles parking opposite the south east building line of number 23, up to the building of number 16 have no effect whatsoever on the ability to turn in the turning head. This we do object to. The vehicles that would normally park there will probably park on Church Road, which will be detrimental to the safety of vehicles and pedestrians on Church Road which is already congested, and at times is often at a complete standstill.

2.4.3 With regard to these restrictions, including H markings for us all, this comes as a surprise as we feel that are not needed. Where is the evidence of the need for this as we have never been consulted? In all the time we have been here, which is thirty years, no one can remember a single parking ticket being issued. As you are aware this is a cul de sac of bungalows with the majority of residents being elderly. We read daily about the mental health and wellbeing of the population, integral to this is the ability for friends and relatives and health care workers to visit anytime. Any parking restrictions will have a negative effect on people`s abilities to visit properties in Church Close.

- 2.4.4 In August 2017 one of the residents of Church Close asked all other residents to join in a protest, whereby we were all asked to park our vehicles on the road at school collection time on the first day of term, I still have a copy of the letter. Not one residents was supportive of this request. This surely shows how the majority feel. Police have also been present on a number of occasions and although traffic is heavy there was no access problems.
- 2.4.5 There is heavy parking in Church Close for a ten minute period Monday – Friday in term time. We do live by two large schools which everyone knows before living here. Therefore, we feel that twenty four hour parking restrictions will have an extremely negative effect on our lives rather than ten minutes mild inconvenience. Surely, if this goes ahead it will have implications and costs for the council due to the fact that **all** schools have parking issues.
- 2.4.6 We would therefore like to register our objection to parking restrictions along the length of Church Close both now and in the future.

## 2.5 **Engineers Response**

- 2.5.1 The introduction of “H” bar markings to residential driveways in Church Close are proposed to meet the Planning Condition to deter on-street parking that obstructs resident’s driveway accesses in Church Close as part of the new development at Michael Drayton Junior School. In addition to the “H” markings, it is our intention to introduce a small section of waiting restrictions on Church Close to improve access for emergency and utility vehicles, and allow vehicles to turn in the turning head in a safe and unimpeded manner. The proposal for No Waiting at Any Time on the south side of Church Close between the building line of number 16 to the south east building line of number 23, is to enable vehicles to be able to turn around in the turning head and exit the south east of Church Close unimpeded. This restriction is 24/7 as emergency access could be required at any time. The introduction of these markings takes into account the needs of people with physical disabilities to ensure equality of opportunity and access.
- 2.5.2 Previous requests for parking restrictions have been received from residents of Church Close since January 2013 at the North Warwickshire Transport Seminar by the Local County Councillor at that time which were supported by Hartshill Parish Council.
- 2.5.3 It is recognised that all schools in Warwickshire suffer from parking issues at school start and finish times, as part of the new development at St Michael Drayton School, we are initiating measures that will reduce the parking problem by introducing “H” markings, and limited waiting restrictions in Church Close to deter parents parking in this cul-de-sac.

## 2.6 Support

- 2.6.1 County Councillor Margaret Bell and Hartshill Parish Council have been engaged with these proposals, who both support the proposal.
- 2.6.2 Warwickshire Police have no objections to the proposed order.
- 2.6.3 Two residents of Church Close have expressed support to these proposals.
- 2.6.4 Copies of the letters of objection and support correspondence are included at Appendix C.

## 3.0 Financial Implications

- 3.1 Funding for the implementation of the Waiting Restrictions will be from the Safer Routes to School Programme 2019/2020.

## 4.0 Timescales associated with the decision and next steps

- 4.1 Subject to approval for the Traffic Regulation Order to proceed, the next step is to seal the Order and arrange for the No Waiting Restrictions to be installed.

## Background papers

Copy of Planning Permission Ref: NWB/18CC007.

## Appendices

- 1. The Statutory Criteria for decisions on making Traffic Regulation Orders Appendix A.
- 2. A plan detailing the proposed waiting restrictions Appendix B.
- 3. Copies of the letters of objection and support correspondence Appendix C.

	<b>Name</b>	<b>Contact Information</b>
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Portfolio Holder	Cllr Jeff Clarke	cllrclarke@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member: Cllr Bell

Other Members: Cllr Clarke, Cockburn, Phillips, Shilton, Fradgley, Roodhouse, Chilvers and Chattaway

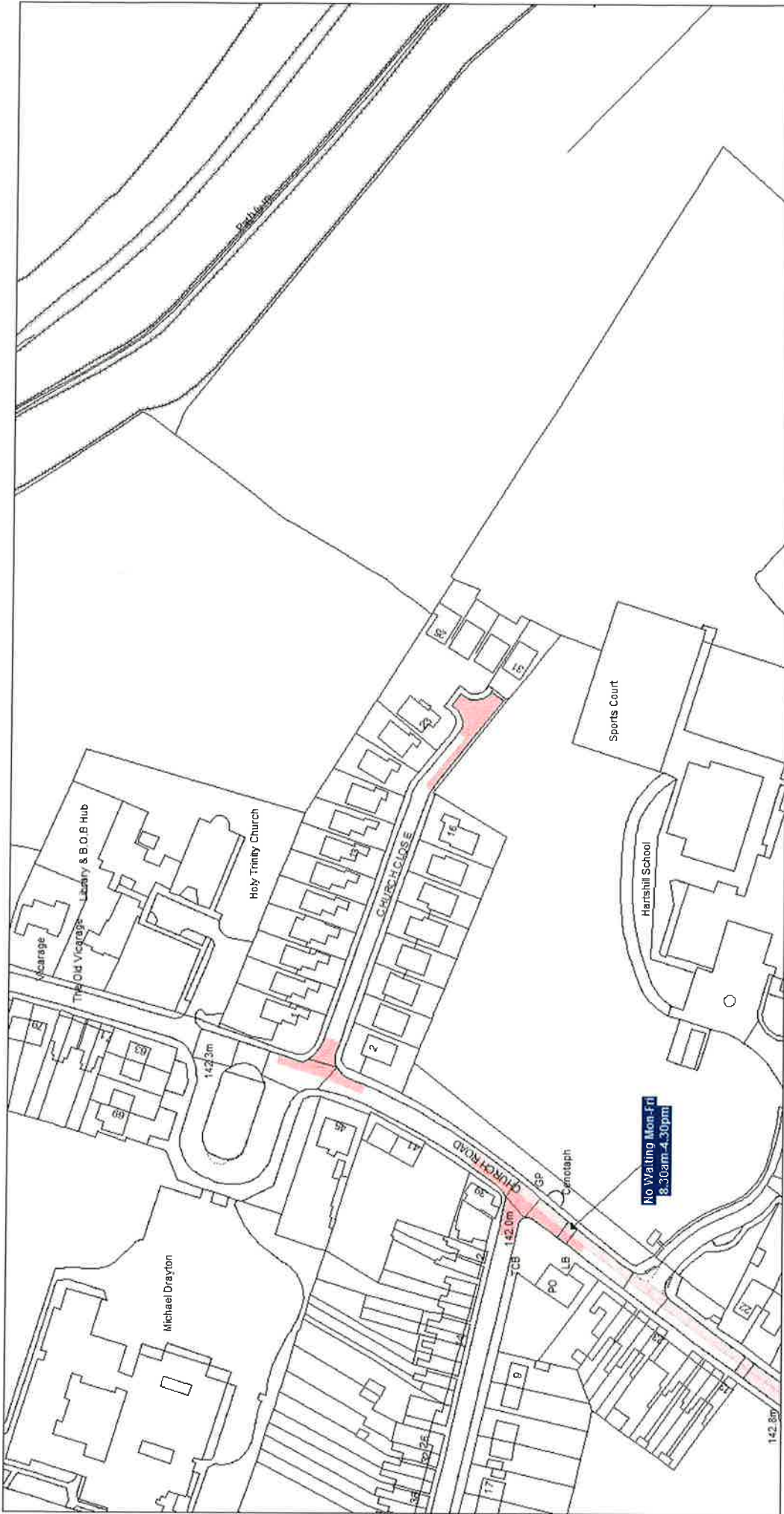
**Statutory Criteria for Decisions on Making Traffic Regulation Orders and Parking Orders**

**The Warwickshire County Council (Borough of North Warwickshire)(Waiting Restrictions and On-Street Parking Places) (Consolidation) (Variation No.2) Order 2019**

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).



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<p><b>Communities Group</b>  <b>Warwickshire County Council</b>          P.O. Box 9          Shire Hall          Warwick          CV34 4RR</p>	<p><b>Title:</b>  <b>Consolidated Road Traffic Regulation Orders</b></p>	<p><b>Area</b>          North Warwickshire</p>	<p><b>Date</b> 21/03/2019</p>
<p>PROPOSED</p>	<p><b>Area code</b>          BP62</p>	<p><b>Revision No.</b>          2</p>	<p><b>Scale</b>          1 : 1250</p>





8<sup>th</sup> April 2019

RECEIVED 10 APR 2019

COMMUNITIES GROUP

LEADERSHIP TEAM

GROUP

FAO Mr Graham Stanley

Reference order number 2019- Parking restrictions Church Close Hartshill

With reference to the order we would like to make the following points:

We are not objecting to parking restrictions in the turning circle at the bottom of Church Close. However, we would like you to consider the following

1. As per your letter stating that the need for parking restrictions in Church Close is to enable emergency vehicles to turn in a safe and unimpeded manner. We can see no reason why this has been extended to the building line of number 16. The vehicles parking opposite the south east building line of number 23, up to the building line of 16 have no effect whatsoever on the ability to turn in the turning head. This we do object to. The vehicles that would normally park there will probably park on Church Road, which will be detrimental to the safety of vehicles and pedestrians on Church Road which is already very congested, and at times is often at a complete standstill.
2. With regard to these restrictions , including H markings for us all, this comes as a surprise as we feel they are not needed. Where is the evidence of the need for this as we have never been consulted? In all the time we have been here, which is thirty years, no one can remember a single parking ticket being issued. As you are aware this is a cul de sac of bungalows with the majority of residents being elderly. We read daily about the mental health and wellbeing of the population, integral to this is the ability for friends and relatives and health care workers to visit at anytime. Any parking restrictions will have a negative effect on people's abilities to visit properties in Church Close.
3. In August 2017 one of the residents of Church Close asked all other residents to join in a protest, whereby we were all asked to park our vehicles on the road at school collection time on the first day of term, I still have a copy of the letter. Not one resident was supportive of this request. This surely shows how the majority feel. Police have also been present on a number of occasions and although admit traffic is heavy there were no access problems.
4. There is heavy parking in Church Close for a ten minute period Monday to Friday in term time. We do live by two large schools which everyone knows before living here. Therefore, we feel that twenty four hour parking restrictions will have an extremely negative effect on our lives rather than ten minutes mild inconvenience. Surely, if this goes ahead it will have implications and costs for the council due to the fact that all schools have parking issues.

We would therefore like to register our objection to parking restrictions along the length of Church Close both now and in the future.

- [Redacted Name] Rowley 15 Church Close [Redacted Address]
- [Redacted Name] Rowley 15 Church Close [Redacted Address]
- [Redacted Name] Riley 16 Church Close [Redacted Address]
- [Redacted Name] Riley 16 Church Close [Redacted Address]
- [Redacted Name] Hough 18 Church Close [Redacted Address]
- [Redacted Name] Hough 18 Church Close [Redacted Address]
- [Redacted Name] Hammond 21 Church Close [Redacted Address]
- [Redacted Name] Hammond 21 Church Close [Redacted Address]
- [Redacted Name] [Redacted Address]
- [Redacted Name] [Redacted Address]

RECEIVED 10 APR 2019	
COMMUNITIES GROUP	
LEADERSHIP TEAM	
GROUP	

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## Church Close yellow lines

1 message

22 March 2019 at 10:41

[REDACTED]  
To: grahamstanley@warwickshire.gov.uk

Dear sir,

I am resident at [REDACTED], the double yellow lines will be directly outside my driveway and surrounding area. I am fully supportive of the yellow lines being introduced for the safety of residents.

[REDACTED]



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**Re: Church Close, Hartshill- Proposed No Waiting Restrictions (Double Yellow Lines)**

1 message

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**Margaret Bell** <margaretbell@warwickshire.gov.uk>  
To: Graham Stanley <grahamstanley@warwickshire.gov.uk>

13 February 2019 at 19:50

Hello Graham

I have heard back from the PC and I am now happy to approve these proposals.

Best wishes

Margaret

On Tue, 12 Feb 2019 at 14:36, Graham Stanley <grahamstanley@warwickshire.gov.uk> wrote:  
Dear Cllr Bell,

My previous Line Manager Carolyn Burrows met you on site to discuss the introduction of Double Yellow Lines in Church Close, Hartshill.

We are currently drawing up the proposals for the Traffic Regulation Order, as part of this process I need to get the local County Councillors approval to proceed/support for these proposals.

Please see attached a Plan detailing our proposals, we are planning to install " H " markings at all other private driveways on Church Close as part of these works.

Could you please email me confirming your approval to proceed/support these proposals.

Kind regards  
Graham Stanley  
Principal Engineer  
Traffic and Road Safety Group  
Communities  
Warwickshire County Council  
Tel No 01926 412640  
Minicon 01926 412277  
Mobile 07841930586  
grahamstanley@warwickshire.gov.uk  
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