

March 2014	ITEM
Delegated Decision Report	
HADFIELD ROAD & FAIRVIEW AVENUE, STANFORD LE HOPE - OBJECTIONS TO CONTROLLED PARKING ZONE	
Portfolio Holder: Councillor A Gaywood – Public Protection	
Wards and communities affected: Stanford Le Hope West Ward	Key Decision: No
Accountable Head of Service: Basil Jackson, Interim Head of and Transportation and Highways	
Accountable Director: David Bull, Director of Planning and Transportation	
This report is Public	
Purpose of Report: To consider a number of objections to a proposal to extend the existing Controlled Parking Zone (CPZ) to Hadfield Road, Fairview Avenue & Fairview Chase, Stanford le Hope.	

EXECUTIVE SUMMARY

A statutory consultation was carried out on a proposal to extend the existing Controlled Parking Zone (CPZ) to cover Hadfield Road, Fairview Avenue and Fairview Chase, Stanford Le Hope to resolve an existing commuter parking problem in Hadfield Road. Following further informal consultations, a revised scheme has been devised that will address the majority residents' views.

1. RECOMMENDATIONS:

- 1.1 It is recommended that following consideration of the objections and the subsequent revised consultation referred in paragraph 2.10 & 3.5, the Controlled Parking Zone is extended to those areas where the majority view are in favour of the scheme being implemented, as identified in 3.5. It is further recommended that the objectors are notified accordingly.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 Funding was allocated within the 2012/13 Integrated Transport Programme to implement community requests at various sites around the borough where problems have been identified or requests have been received from members of the community.
- 2.2 The original proposal was to extend the existing Controlled Parking Zone (CPZ) to cover Hadfield Road and Fairview Avenue, Stanford-le-Hope. The CPZ extension was proposed to resolve an existing commuter parking problem in Hadfield Road.
- 2.3 The scheme would have involved the provision of permit-holder parking bays on both sides Hadfield Road and Fairview Avenue. These parking bays would have operated between 10am and 4pm Monday to Friday, mainly to deter commuter parking and would be available for use by vehicles displaying a valid residents' or visitors' parking permit.
- 2.4 Single yellow line parking restrictions, operating between 9am and 5pm Monday to Friday would have been provided where parking bays cannot be installed, such as near driveways, as well as double yellow line restrictions at road junctions. The bays and restrictions would be enforceable by the Council's Civil Enforcement Officers, and should mean that there will be more parking spaces available for residents and their visitors in the roads concerned.
- 2.5 In September 2012, the Council consulted the residents on this proposal and the consultation revealed that, although the majority of residents of Hadfield Road were in favour of the proposed CPZ extension, the residents of Fairview Avenue had mixed opinions about the proposal. The main issue raised by the Fairview Avenue residents was the possibility of non-residents' vehicles being displaced into their road, leading to parking difficulties. Concerns were also raised about the cost of residents' parking permits.
- 2.6 In December 2012 a further informal consultation was carried out on a proposal to extend the CPZ to Hadfield Road only.
- 2.7 A number of residents from Fairview Avenue responded opposing this decision. The objections were considered and it was evident that, a number of residents had either reversed their objection towards the inclusion of Fairview Avenue in the CPZ or had not previously responded to the consultations. The greater majority of residents in Fairview Avenue were now in favour of being included within the CPZ.
- 2.8 Early in 2013, the Council publicised a planned amendment to the charges for residents' and visitors' parking permits, which may have affected the outcome of the December 2012 consultation. The parking policy amendment means that with effect from 1st April 2013, the first 2 residents' parking permits and the first sheet of visitors' parking permits (allowing 20 visits of up to 5 hours) will be made available to residents free of charge for each eligible household each year. In view of this, the decision was collectively agreed by Ward Members to re-consult with residents.

- 2.9 A statutory consultation was therefore carried out on the 14th March 2013, on the current proposal to extend the CPZ to Hadfield Road, Fairview Avenue and part of Fairview Chase. The statutory consultation ended on 5th April 2013 and during which time, a number of objections were received from residents.
- 2.10 In November 2013, further discussions were held with Ward Members and it was felt that it should be further investigated to ascertain if a revised scheme could be introduced to the areas where residents were in the majority, in favour of the scheme.

3. ISSUES AND/OR OPTIONS:

- 3.1 The CPZ extension was initially requested by residents of Hadfield Road and Fairview Avenue to resolve a commuter parking problem in Hadfield Road.
- 3.2 Eight Objections were received to the March 2013 consultation, from residents of Hadfield Road, Fairview Avenue and Fairview Chase for reasons that they would be affected by displaced parking as a result of the parking restrictions and would no longer be able to park across their own vehicle crossovers during the hours 9am-5pm. Some residents also raised concerns towards the fact that the cost of parking permits, although free of charge in 2013, could actually cost the residents in the future as a result of the Councils' annual reviews.
- 3.3 Although the scheme would remove commuter parking, the restrictions would reduce the level of on-street parking spaces and inconvenience a large proportion of residents in Fairview Avenue who are not currently experiencing commuter parking problems. Furthermore, a considerable number of properties in Fairview Avenue do not have a formal vehicle crossover and therefore park in front of their properties. However, under the regulations of a Controlled Parking Zone, any stretch of road that is not covered by a permit parking bay must have another form of parking restriction.
- 3.4 The frequency of vehicle crossovers on Fairview Avenue would result in an insufficient number of permit parking bays and where residents currently park in front of their own vehicle crossovers, under the current proposal, residents would no longer be permitted to park in this way during the hours 9am-5pm.
- 3.5 As a result of the discussions referred to in paragraph 2.10, a further informal consultation was carried out in November 2013 in the form of a questionnaire so that those in favour could be easily identified. The results were clear and enabled a clear boundary to be defined for extending the CPZ. The roads/addresses recommended for inclusion are Hadfield Road in its entirety, Fairview Avenue, from house numbers 20-40 and 1-25 inclusive, Fairview Chase, from 1-15 inclusive.
- 3.6 The cost of implementing the parking restrictions would be approximately £4500 and would be funded from the Capital code E1750 9881 00000. There is sufficient funding available for this scheme.

- 3.7 At a general level, it is important to ensure that delegated decisions are taken by the appropriate officer, and that the origin of the delegation can be readily identified in case of future challenge.

In this instance, should parking restrictions be carried forward to implementation, they would be subject to the making of a Traffic Regulation Order (TRO). Under the provision of the Road Traffic Regulation Act 1984, local authorities can implement TROs, 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. A TRO may take effect at all times or during specified periods, and certain classes of traffic may be exempted from a TRO.

Permanent TROs are subject to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, which impose various legal requirements prior to the making of an order.

- 3.8 There are no diversity and equality implications noted in this report.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

- 4.1 A number of consultations have been carried out in order to devise a scheme that would suit most residents.
- 4.2 Ward Members were consulted on the content of this report between 26th March 2014 and 3rd April 2014. No comments were received during this period.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 5.1 These actions accord with the Council priorities to create a safer environment.

6. IMPLICATIONS

6.1 Financial

Implications verified by: Mark Terry
Telephone and email: 01375 652150
mterry@thurrock.gov.uk

Financial implications are included in the body of the report

6.2 Legal

Section 1 of the Road Traffic Regulation Act 1984 sets out a number of purposes for which traffic orders may be made. However, S122 of the Act places traffic authorities under a duty to exercise any of their functions under the 1984 Act in such a way (so far as practicable

having regard to a list of specific matters set out in s122(2)) as to secure the expeditious, convenient and safe movement of traffic (vehicle and pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The S122(2) considerations are:

- i. The desirability of securing and maintain reasonable access to premises
- ii. The effect on the amenities of any locality affected and, specifically, the importance of regulation and restricting the use of the roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run
- iii. The strategy prepared under s80 of the environment Act 1995 (national air quality strategy)
- iv. The importance of facilitating the passage of public services vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles
- v. And any other matter appearing to the authority to be relevant.

The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 prescribe the procedure to be followed by local authorities for making the main types of traffic and parking orders under the Road Traffic Regulation Act 1984 . Regulations 5 to 14 lay down the procedure to be followed before making the Order.

Implications verified by: Christine Stephenson
Telephone and email:

Financial implications are included in the body of the report

6.3 **Diversity and Equality**

Implications verified by: Natalie Warren
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01375-652186

Diversity and Equality implications are included in the body of the report

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. CONCLUSION

- 7.1 **In view of the responses received from the consultation that was carried out in November 2013. The Controlled Parking Zone is extended to those**

areas where the majority view are in favour of the scheme being implemented, as referred in paragraph 3.5.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Letters of objection
- Plan showing addresses in support of the scheme

APPENDICES TO THIS REPORT:

- None

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