

AGENDA ITEM

**REPORT TO APPEALS &
COMPLAINTS COMMITTEE**

10 SEPTEMBER 2013

**REPORT OF CORPORATE
DIRECTOR OF DEVELOPMENT &
NEIGHBOURHOOD SERVICES**

PROPOSED 24 HOUR WAITING RESTRICTIONS – YARM TOWN CENTRE AREA

1.0 SUMMARY

The purpose of this report is to seek Members' views on the unresolved representations received following statutory advertising of the proposal to introduce no waiting at anytime restrictions on various roads surrounding Yarm town centre; Bentley Wynd, West Street, Bridge Street, High Church Wynd, The Old Market and Atlas Wynd. No changes are proposed to the other roads listed within the advertised Order, the existing waiting restrictions have been included in order that all of the restrictions in the Yarm town centre area are contained within a single document for ease of reference and efficiency. The proposed new waiting restrictions will have minimal impact on the overall supply of practicable on-street parking in Yarm but will address the on-going issues of obstructive parking and reduce the enforcement burden.

Dangerous and obstructive parking practices on the surrounding roads have an impact upon traffic movements and local residents. These issues are reported to the Council directly and were raised at meetings held with residents in summer 2012. The waiting restrictions detailed in this report take account of concerns/objections raised previously and have been amended accordingly. On Atlas Wynd they now cover an increased length of highway and on The Old Market they cover a reduced extent. Formal waiting restrictions represented on the ground by double yellow lines will reduce the instances of obstructive parking by giving greater clarity to motorists particularly where they are proposed to replace 'Keep Clear' markings.

In January 2013, Cabinet authorised the Head of Technical Services in consultation with the Cabinet Member for Regeneration and Transport to proceed through the statutory process for the implementation of the agreed changes to parking arrangements in Yarm. A review of the impacts of the scheme was agreed to be conducted 12 months following implementation.

The representations received during statutory advertising principally related to the proposed charges for car parking in Yarm, just 7 representations would seem to be specifically relating to waiting restrictions/off street proposals/displacement issues or a request for residents permit outside of the High Street. Comments in support have also been received for the proposed waiting restrictions.

This report presents the response of the Head of Technical Services.

2.0 RECOMMENDATIONS

It is recommended that:-

- (i) Members give consideration to the comments, objections and representations received during the statutory process, and also to the comments of the Head of Technical Services and the comments in support as detailed in the report.

3.0 BACKGROUND

3.1 A public meeting held in Yarm on 25 January 2010 considered the option of providing long stay parking on Brickyard Allotment site.

3.2 The meeting in 2010 also heard from Yarm residents and traders who felt some measures arising from the 2009 consultation could be brought forward quickly whilst the longer term goal of providing additional long stay off street car parking was being pursued. These measures were essentially:

- to introduce waiting restrictions to help control the worst cases of obstructive parking in the Wynds and Streets surrounding the High Street
- to introduce some medium term car parking (for longer than the 2 hour stay permitted by the disc zone system) via pay and display.

3.3 Authorisation to advertise these proposals was given on 26 August 2010 (Decision record TS.T.44.10). Statutory advertising ran from 6 January 2011 until 27 January 2011 during which time the Council formally received 296 individual statutory objections, in addition to 8 petitions containing a total of 1131 names. Whilst 8 petitions were received, it is worthy of note that the lead petitioner was in most instances already a statutory objector and the petition header was a repetition of their own objection letter. The matter was referred to Appeals & Complaints Committee, in March 2011. In view of the assertions and concerns voiced about the proposals, the Committee recommended that a decision be deferred for 6 months as Yarm Town Council had indicated that long stay car parking sites could be brought forward in that time.

3.4 The proposed waiting restrictions, which do have a degree of community support, have been held in abeyance since that time.

3.5 Complaints of obstructive parking continued to be received and the restrictions advertised in 2011 have been amended accordingly.

4.0 PROPOSED MEASURES (see drawing TM2 / 136D in Appendix 1)

4.1 A permanent Traffic Regulation Order has been advertised to introduce no waiting at anytime restrictions in the streets surrounding Yarm town centre to cover areas where white advisory 'Keep Clear' / 'H' markings already exist or where parking should not occur for road safety reasons or obstruction to traffic movements. The double yellow lines to indicate formal waiting restrictions are clearer for motorists to understand which should reduce the instances of obstructive parking and the burden on Enforcement Officers. Lining only is required to indicate these restrictions on the ground; no associated new posts/plates are needed.

4.2 As agreed at Cabinet in January 2013, there would be a review of the impacts of the scheme 12 months after it's introduction. Traffic surveys to inform the review would be conducted in 2013/14 on the roads surrounding Yarm High Street and would cover areas further afield to address concerns raised regarding wider displacement issues.

5.0 DISCUSSION

Enforcement

- 5.1 In 2009 and 2010, Neighbourhood Enforcement Officers were called to five of the streets covered by the originally proposed waiting restrictions on in excess of 400 occasions resulting in over 730 actions, mainly the issue of Removal Notices. This is an onerous and really an unsatisfactory way of dealing with obstructive parking since the issue of Removal Notices is intended to educate motorists on the problems caused by their obstructive parking, but the problems persisted and are indicative that 'Keep Clear' markings and Removal Notices are thereby not as effective as formal waiting restrictions, indicated by yellow lines. Furthermore, there is anecdotal evidence that repeat offenders simply disregard the Removal Notices.
- 5.2 The problems caused by obstructive parking continue to be reported and Enforcement Officers are thereby requested to attend the Yarm town centre area by Ward Members and directly by local residents. In summer 2012 Stockton Borough Council held three meetings with residents of the area surrounding Yarm town centre to discuss their requirements for parking. Several points were raised relating to obstructive parking including on Atlas Wynd where residents highlighted they had campaigned for years for double yellow lines, The Old Market and West Street where residents requested that the implementation of waiting restrictions is re-visited following the advertised proposals in 2011 to address their on-going issues.

Displaced Parking

- 5.3 A significant number of objectors to the restrictions advertised in January 2011 were concerned that the proposals would result in a reduction of approximately 170 on street spaces (35% of the total spaces available to the general public in Yarm town centre). In the 2013 Statutory consultation similar concerns were again raised, citing 1.4km of yellow lining being proposed, thus reducing on street opportunity by 142 spaces. However, this suggested figure is a gross exaggeration since, as the following discussion will illustrate, the proposals would in reality result in a reduction of on street parking capacity of a maximum of 20 spaces. It should be noted that currently daily occupancy of these areas is generally 12 vehicles or less. **Table A** below, summarises the extent of existing waiting restrictions and 'Keep Clear' markings and the proposed new waiting restrictions which cover areas where parking is already restricted or should be avoided.
- 5.4 Members should be aware that there are no proposed changes to Low Church Wynd, Central Street, Castle Dyke Wynd, Yarm Wharf or Silver Street. However, the existing waiting restrictions on these roads have been included within the advertised Traffic Regulation Order in order that all of the restrictions in the Yarm town centre area are contained within a single document for ease of reference and efficiency. Furthermore, the existing waiting restrictions and keep clear markings along the other roads (see **Table A**) have also been included in the advertised description for the same reason, yet they are not actually removing practicable on street current parking opportunity.

Table A

Street Name	Existing waiting restrictions approx. length (metres)	Existing 'Keep Clear' markings approx. length (metres)	Proposed additional restrictions approx. length (metres)
Bentley Wynd	118	101	130
High Church Wynd	158	13	98
The Old Market	0	0	187
West Street	307	68	352
Atlas Wynd	0	0	253
Bridge Street	60	35	116

- 5.5 Using the data from **Table A**, there are approximately 850 metres of additional waiting restrictions once the existing 'Keep Clear' markings are subtracted from the total, thereby objectors would insist this is potentially displacing parking opportunity for 142 cars (at 6 metres per parking space). However, in practice the new restrictions cover areas where parking would in reality be obstructive or a road safety hazard, rather than remove practicable on street capacity. Further details for each specific street are as follows;
- 5.6 **Bentley Wynd (see Appendix 2)**
The proposed restrictions will have no impact on parking opportunity that takes place partially on the footway on Bentley Wynd or at Snaith's Field which is already appropriately marked out on site. The new restrictions, as proposed, largely replace existing 'Keep Clear' markings. Parking adjacent to the Old Police House would restrict traffic flow due to the road width and no footway provision on that side (south). The parking spaces off the carriageway near the Community Centre are also unaffected.
- 5.7 **High Church Wynd**
The 2011 advertised proposals were intended to reinforce the general practice of parking on the south side of High Church Wynd and to replace the advisory white 'Keep Clear' / 'H' markings with formal waiting restrictions. 4 vehicles regularly park on the 2011 advertised restrictions. These vehicles have been subject of many complaints regarding them causing obstruction for vehicles exiting Yarm Mews and entering High Church Mews. Residents with no private parking facilities are keen to maximise parking opportunity. Analysis using track templates/swept paths has demonstrated it is practicable to relax the extent of the proposed restrictions to allow an additional 2 vehicles to park on the south side (**see drawing TM2/125 in Appendix 3**).
- 5.8 **The Old Market**
The 2011 advertised proposals for The Old Market were to cover the entire length of The Old Market with daytime (8am to 6pm) waiting restrictions. Site observations indicate this would thereby have resulted in a potential loss of 20 on-street spaces. Following objections from 4 residents in 2011 that have no private parking facilities, an amended extent of restrictions has been developed using track templates/swept path analysis to determine the minimum extent of restrictions required in order to maintain an unobstructed route for large vehicles (**see drawing TM14/104 in Appendix 4**). The advertised proposals protect the route for large delivery, cleansing and emergency vehicles from obstruction whilst retaining on-street parking opportunity in addition to the existing lay-by for 3 cars. The 24 hour waiting restrictions will remove the need for new posts and signs that would otherwise have added to street clutter and the maintenance burden.
- 5.9 **West Street (see Appendix 5)**
24 hour waiting restrictions were proposed on both sides of West Street at the double bend through the viaduct arches, where there are existing 'Keep Clear' markings. The advertised restrictions regulate where parking generally should not occur because of the parked vehicles on the opposite side of the road or because of access to private parking areas.
- 5.10 **Atlas Wynd (see Appendix 6)**
Some objectors in 2011 requested the extent of restrictions be increased to cover the entire length of Atlas Wynd which has subsequently been included within these amended proposals. This aspect has the support of affected residents, local Ward Councillors Chatburn and Sherris, Yarm Town Council and the Minerva Mews Management Company. The restrictions apply to the carriageway only in order to retain the parking spaces used by residents on the cobbled verge area on the south side at the western end. There are a number of private off street parking accesses and a turning head where parking should not occur as it would be obstructive to traffic movements leaving in practice approximately 50 metres (8 cars) of parking opportunity. Current observations indicate that actually fewer than 8 cars regularly park in this street.

5.11 Bridge Street

The proposed restrictions are intended to duplicate the 'Keep Clear' markings near the viaduct and on the approach to the junction with West Street reinforcing general parking practices. There will be no impact on the off carriageway parking in front of the fire station.

5.12 In summary the maximum number of on street parking opportunities that would be removed as a result of the outlined proposals is 20, as follows:

Table B

Street Name	Parking opportunity removed	Vehicles displaced
Atlas Wynd	8	0
High Church Wynd	2	2
The Old Market	2	2
West Street	8	8
Bentley Wynd	0	0
Bridge Street	0	0

Note: On a typical day 12 parked vehicles would be displaced.

6.0 CONSULTATION

6.1 During the Statutory consultation in 2011, 15 representations were made requesting additional waiting restrictions in Atlas Wynd that have been incorporated into these proposals as advertised. A reduced extent of restrictions on The Old Market was also recommended in the Appeals & Complaints Committee report 2011 which again has been included within these proposals.

6.2 At Appeals and Complaints Committee in 2011, it was clear that a significant proportion of the objectors were under the false impression that the proposed waiting restrictions would result in a significant / unreasonable reduction of the total on street parking opportunity available to the public in Yarm town centre. This suggestion appears to have arisen by double counting loss of parking opportunity where vehicles cannot physically park on both sides of the narrow streets simultaneously. Some of the 2011 restrictions (on Bentley Wynd) were intended to be carriageway only so had no impact on parking opportunity. The 2013 advertised proposals for Atlas Wynd are therefore specified as carriageway only and are advertised in a separate schedule to make that clearer. The proposals for Bentley Wynd are also clarified by removing areas from the 2011 proposals that had been intended to have been carriageway only restrictions.

6.3 Following the variation to the Order granted by the Judicial Review, consultations with residents to inform the proposals were arranged; three meetings were held with residents in summer 2012. All those that had previously expressed a desire to be involved in formulating proposals for the operational conditions of a residents' parking scheme were invited to one of the sessions and their comments regarding the waiting restrictions are covered in **Table C** (points 6-8 refer).

7.0 STATUTORY CONSULTATION (2013) DETAILS

7.1 The Officers' Traffic Group were consulted on all of the proposals as advertised for Yarm town centre area at their meeting held on 7 March 2013 (ref 30/13). The Neighbourhood Policing Unit for Thornaby and Yarm areas have also previously indicated support for the proposals, especially around the area of The Old Market as this had been a Ward priority for some time and it is felt it will help solve this problem. The Council's Enforcement Team support the introduction of waiting restrictions to give greater clarity to motorists and indicate the location of appropriate on-street parking places.

- 7.2 The Head of Technical Services in consultation with the Cabinet Member for Regeneration and Transport agreed to the advertising of the proposals as outlined. The Head of Technical Services updated Yarm Ward Councillors, Yarm Town Council and Yarm Chamber of Trade on the position and advised of the forthcoming statutory consultation by e-mail on 26 June 2013.
- 7.3 Yarm Ward Councillors, Yarm Town Council, Yarm Chamber of Trade, Eaglescliffe Ward Councillors, Egglecliffe & Eaglescliffe Parish Council and Kirklevington & Castle Levington Parish Council were sent copies of the Statutory Notices direct by Legal Services on 27 June 2013.
- 7.4 The Statutory consultation was conducted as required by the “Local Authorities Traffic Orders (Procedure) (England & Wales)) Regulations 1989” as amended. In practice, this involved publishing a public notice in the free weekly newspaper – the Herald & Post, on 27 June 2013, notices were posted on the affected lengths of highway and maintained throughout the consultation period which ended on 19 July 2013. Copies of the site notices, plans and draft Traffic Regulation Orders were also available on the Council’s website with details of how to formally make a representation. Press reports publicising the ongoing consultation were printed in the Evening Gazette and the Northern Echo. Copies of the site Notice relating to the proposed waiting restrictions were also placed on the residents information boards within each block of Atlas Wynd as agreed with local Ward Councillors and Atlas Wynd residents at a site meeting held on 13 June 2013.
- 7.5 During the Statutory consultation support for the proposed waiting restrictions on Atlas Wynd and Bridge Street has been received from local residents, Yarm Town Council, Councillor Sherris and Councillor Chatburn. Just 7 representations would seem to be relating to waiting restrictions/off street proposals/ displacement issues or a request for residents permit outside of the High Street.
- 7.6 The main comments relating only to the proposed waiting restrictions are summarised in **Table C** below with a response from Technical Services.

Table C

Issue / concern	Head of Technical Services response
1. 1.4km of yellow lines will reduce capacity on street.	See paras 3.8 – 3.16 of this report.
2. Parking will displace to areas further afield where free on street parking is available, causing issues for residents.	There is a possibility that some motorists will park further afield and Cabinet asked that a review of the impacts of displacement be conducted after 12 months. Further waiting restrictions to address road safety concerns or areas of on street residents permit parking may arise from that review. If these are implemented before the impacts are known it could result in empty streets and/or unnecessary restrictions imposed on local residents.
3. Poor consultation.	See Sections 5-6 of this report.
4. Yellow lining will detract from the Conservation Area status/look ugly.	See ‘Environmental Implications’ section at end of report.
5. Request for areas of residents parking only in residential streets away from the High Street to enable residents	If these are implemented before the impacts of the scheme are known it could result in empty streets if permits holders

<p>to park near to their property.</p>	<p>are out at work and the spaces could therefore have been utilised by workers/shoppers/visitors to ease pressure on Yarm High Street. Long stay off-street sites have been identified and terms agreed for provision of around 80 spaces which will ease on street parking pressure from commuters. There will be a review of the proposals including displacement 12 months after implementation. Yarm Chamber of Trade agrees with the process of monitoring and places the needs of customers/visitors above the convenience of workers and students to improve and protect the trading position of Yarm.</p>
<p>6. On the north side of Bridge Street could the off road parking be demarcated to provide a couple more spaces - parking in front of No. 27 allows a couple of cars to be parked perpendicular to the road, this would then create more space further along.</p>	<p>Marking individual bays out to maximise capacity has been done elsewhere in the Borough. There are no white bay markings in this location at the moment and residents may not consider additional white markings are in keeping with the character and it may have maintenance implications. This detail can be considered with local Ward Councillors as a separate issue.</p>
<p>7. On the south side opposite no 25/27 Bridge Street there are white lines currently. These are regularly ignored so could the designated parking zone be extended slightly up to yellow lines which will be required to protect the bend.</p>	<p>Waiting restrictions were implemented to address obstruction to driver forward visibility travelling around the bend. The existing restrictions were not fully addressing the issue and vehicles were travelling around the bend on the wrong side of the road as a result of overtaking parked vehicles and into the path of oncoming vehicles. The yellow lines were extended using white keep clear markings to address this issue.</p>
<p>8. Could some of the grass on the south side of Bridge Street be used to provide additional spaces? This may be controversial for some but it has been acknowledged that some compromises will need to be made in order to address this issue.</p>	<p>This area is adopted highway and would address points raised above relating to driver forward visibility around the bend as vehicles were parked off the carriageway. A hard standing area would be lower cost than a lay-by but utility service information could add to costs. A scheme could be a future contender for local Ward Councillor Community Participation or Western Area Transport Strategy budgets.</p>
<p>9. Request for waiting restrictions to be extended on west side of West End Gardens to address obstructive parking which will be worse as a result of displaced parking.</p>	<p>Amendments to add to the advertised proposals would require re-advertising, this request would be considered alongside other amendments arising from displaced parking problems as part of a review of the impacts after 12 months. Little commuter parking other than near to the junction with Bridge Street/West Street occurs at present. It is possible that this street (and others that currently have no restrictions) may become a target for displaced commuters.</p>

8.0 FINANCIAL IMPLICATIONS

The cost of the first public press notice associated with the no waiting at anytime restrictions permanent Traffic Regulation Order was £1027.03. A second notice would also be required if the proposals progress to the Traffic Regulation Order being made and implemented so the total for the Statutory advertising element would be £2054.06.

Amendments to the lining would be required, detailed estimates have not been prepared but are anticipated to be in the region of £3,500 these costs would be met from the 2013/14 Local Transport Plan budgets. Signs/posts are no longer required for this type of waiting restriction. Further costs for the removal of the no waiting at anytime plates which are no longer a legal requirement and associated redundant posts would be incurred.

9.0 POLICY CONTENT

The Council propose to make the Order for; facilitating the passage on the road or any other road of any class of traffic (including pedestrians).

The proposals are in accordance with the Council's Parking Plan.

10.0 CONCLUSIONS

Enforcement of the existing 'Keep Clear' markings is resource intensive and is at the stage where alternative markings should be considered to address the issues. Formal waiting restrictions will result in greater clarity for motorists and less burden on the Council's Enforcement service. Furthermore, the proposals are in accordance with requests from some affected local residents to address the road safety or obstructive parking issues they experience. The proposed waiting restrictions will have minimal impact on the overall supply of on street parking in central Yarm but will create more orderly parking practices by implementing clearly understood waiting restrictions. Members are reminded that support has also been received for these proposals.

The quantity of overall on street parking opportunity in Yarm is expected to change very little as a result of these proposals and it is considered that the measures are essential to deal with the obstruction issues that continue to occur and be reported by local residents.

It is therefore recommended that the Traffic regulation Order is made and that a review of the impacts is conducted, as approved by Cabinet, 12 months following implementation.

Corporate Director of Development and Neighbourhood Services

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Environmental Implications

Yellow lines implemented would be reduced in width from the standard and applied in a paler yellow (primrose) colour more compatible with a Conservation Area status. The no waiting at anytime plates which are no longer a legal requirement and associated redundant posts would be removed as part of the scheme (estimated to be in the region of 36 plates and 11 posts for removal).

Urban Design and Historic Buildings/Conservation considerations would be taken into account prior to implementation.

Community Safety Implications

Regulation of the worst cases of obstructive parking will improve road safety for drivers and pedestrians.

Background Papers

Parking Plan

Report to Cabinet 16 December 2010 - Environment Select Committee Report

NEMS Market Research – Yarm Town Centre Car Parking Study September 2011

Borough Wide Car Parking Strategy - Report to Cabinet 8 December 2011 – Borough Wide Parking Review

Report to Executive Scrutiny 19 January 2012 – Borough Wide Parking Review Call-in Report.

Report to Cabinet 9 February 2012 – Borough Wide Parking Review Next Steps

NEMS Residents Survey Report – June 2012

Judicial Review decision – October 2012 Case Number CO/2469/2012

Cabinet Report 10 January 2013 – update on Borough Wide Car Parking Strategy

Supplementary Planning Document (SPD 3)

Officers Traffic Group meeting minutes 7 March 2013 (item ref 30/13)

Cabinet Member Report TS.T.44.10

Cabinet Member Report TS.T.118.12

Education Related Item?

No.

Ward(s) and Ward Councillors:

Yarm : Councillors M. Chatburn, B. Houchen and A. Sherris.
