

**TITLE OF REPORT: PARKING ISSUES IN CEMETERY ROAD, HITCHIN**

## REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

**1. PURPOSE OF REPORT**

- 1.1 To consider the options for parking restrictions in Cemetery Road, Hitchin and if appropriate to refer the preferred option to Hertfordshire Highways Joint Member Panel on 25 January 2010.

**2. FORWARD PLAN**

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

**3. BACKGROUND**

- 3.1 Reference is made to Minute 58 of the Hitchin Committee meeting held on 17 November 2009, where it was suggested that in order to progress the parking issues in Cemetery Road there should be a report to the Hitchin Committee on 12 January 2010 with the possibility of a referral to the Hertfordshire Highways Joint Member Panel (JMP) on 25 January.
- 3.2 The Standhill Road Area including Cemetery Road suffers from all day non-residential parking mostly during the weekdays. A modest amount also occurs on Saturdays. This in turn causes difficulties for local residents wishing to gain access to and from their own properties, for access to the Highbury Infants School, for visitors to the Cemetery as well as access for the emergency services.
- 3.3 This area has been on the Council's list for several years in terms of seeking the most appropriate form of on street parking control. This area is similar to other areas that surround the District's town centres and railway stations. Locally based proposals for a permit parking scheme were formulated in 2009 to seek to meet the needs of residents in the Standhill Road area.
- 3.4 At the same time work was underway on a Parking Strategy review which was reported to Cabinet in September 2009 with an action plan agreed in October 2009. One of the policies in the Strategy is to examine the Council's approach to on and off street parking controls, including resident permit parking schemes. When preparing the Parking Strategy, the Council considered that it would be more appropriate to look at a more comprehensive set of parking controls over a wide geographic area around each of its stations and town centres in order to overcome issues such as non-residential parking (i.e. commuter parking and local all day worker parking) and the likelihood of displacement into neighbouring residential streets as parking controls are implemented. This approach is to ensure that the Council is offering the best solution in dealing with on street parking issues and value for money when implementing the most appropriate scheme for the affected areas.

- 3.5 It was agreed by Cabinet in October 2009 that with the current level of resources and funding arrangements available that one town-wide review is undertaken per annum. The anticipated programme for this work is set out in the agreed Action Plan, which recommends that the town-wide review in Hitchin takes place in 2011/12. If more resources become available or there is a significant change in circumstances, this programme could be reviewed.
- 3.6 In light of the changes in circumstances (both with regard to the Council's financial position and evolving policy position) Councillor Brindley considered that it was appropriate to review the implementation of the Standhill Road scheme.
- 3.7 To this end, officers have been asked to work together with the local residents, the school, and the emergency services in progressing an alternative parking restriction scheme for the Standhill Road Area.
- 3.8 There have been a series of meetings with local residents, officers and Councillors in the intervening period to find an alternative and more cost effective solution. A proposal has been drafted which includes restrictions in Standhill Road, Sandy Grove, Standhill Close and the northern junction of Standhill Road with Cemetery Road. These restrictions in the officers view go some way in meeting the needs of the local residents and the school in restricting and formalising parking in the area. The issue of not including a parking restriction along the remainder of Cemetery Road as part of the overall revised scheme is the reason for this Report, and the issues are outlined below.

#### **4. ISSUES AND CONSIDERATIONS**

- 4.1 Cemetery Road is a narrow two way road providing access to the Cemetery, to the Standhill Road residential area and to Highbury Infants School. It is important to note that access can also be gained from Park Street to the Standhill Road residential properties, and the School can also be accessed from both Park Street via Standhill Road and also from Newtons Way.
- 4.2 The narrowness of Cemetery Road raises two issues:
- a. restricted access due to the lack of free flow of traffic in both directions, and
  - b. one of perceived safety.
- 4.3 Hertfordshire Highways (HH) are of the view that "while it may be argued that a TRO is required to facilitate passage/traffic flow, this is widely applicable to many residential roads in towns, and removing parking to facilitate passage/traffic flow does not necessarily translate into a safety case being evident. This is why each case needs to be considered holistically within a parking strategy."
- 4.4 For HH to consider preparing an Order for safety reasons, the Road Traffic Regulation Act 1984 states that 'where it appears expedient to make it for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising' they would need the evidence which would set the site in question apart from most other roads to be able to stand up to any challenge.
- 4.5 Evidence collected to date by the local police does not make this a high priority option for HH compared to other roads.
- 4.6 There are therefore two options open to the Council in progressing this as a passage flow issue in terms of our 'Parking and Traffic Order Agency' agreement with Herts Highways:
- i) The first is to consider the street as part of the town wide review in 2011/2012 where any form of restriction along Cemetery Road, such as no waiting at any

time, could be considered along with implementing restrictions in St. Johns Road to allow for restricted parking for visitors to the cemetery and the recreation ground. At present, St. Johns road is unrestricted and the implementation of a scheme in advance of the town wide review places this street at risk in taking the displaced all day non-resident parking. It is anticipated that a certain amount will be displaced to this street following the implementation of the Standhill Road Scheme.

- ii) The second is to consider the possibility of allowing for a certain amount of restricted parking to take place along Cemetery Road that will meet the needs of visitors to the Cemetery. It is to be noted that the Council regularly receives complaints from visitors who find it difficult to park near to and to access the cemetery from Cemetery Road.

- 4.7 For this second option to occur there is a need to satisfy the requirements of the emergency services, particularly the fire service, which requires a minimum access width of at least 3.6m to pass through an area. This is a national carriageway standard requirement. The introduction of a formalised TRO scheme for parking along the street with the carriageway width at present would certainly result in objections from the fire service. Officers are working with Herts Highways and are looking at the possibility of undertaking some civil engineering works to provide a limited number of restricted parking bays along the western side of Cemetery Road by excavating into the grass bank. This will allow the minimum carriageway width requirement for the Fire Service to be met, provide parking for visitors to the Cemetery, have the effect of reducing traffic speeds along Cemetery Road, and improve the visibility at the junction with St. Johns Road. (See Location Plan attached as Appendix 1)
- 4.8 The Council is not responsible for undertaking highway engineering works and an option would be to progress this proposal through the North Hertfordshire JMP, which involves joint funding. There are no budgets available for match funding this proposal within the Transport or Planning budgets, and so the only option is through the discretionary budgets held by Hitchin Committee.
- 4.9 A cost estimate for this proposal is being investigated by Herts Highways and will be verbally reported to Members at the meeting of Hitchin Committee.
- 4.10 Should members be mindful of referring this option to JMP it would be for consideration in the JMP 2010/2011 works programme. If successful this would then tie in with the town wide review planned to take place in Hitchin in 2011/2012, as there will still be a need to review the possible displacement effect of the all day non-residential parking to St. Johns Road.
- 4.11 It is the officers view that depending on the estimate for this proposal, that this latter option would best meet the needs of all parties in time. In the meantime officers will continue to work with the local residents and the School in the Standhill Road area in progressing a scheme that best meets their needs.

## **5. LEGAL IMPLICATIONS**

- 5.1 The Terms of Reference of the Area Committee state that the Area Committee may make a decision by resolution to allocate discretionary budgets within the terms defined by the Council at page 52 of the Council's current constitution.
- 5.2 There are no legal implications directly associated with this report. In the case of a Traffic Regulation Order being prepared to restrict parking in Cemetery Road in the future, the TRO must be drafted, considered and

published in accordance with the Local Authorities Traffic Orders (Procedure) Regulations 1996.

## **6. FINANCIAL AND RISK IMPLICATIONS**

- 6.1 An investment bid was proposed through the Council's Corporate Business Planning process for 2009/10 and onwards relating to the implementation and monitoring of TROs district wide, £65K per annum. Due to the current economic climate, this bid was deferred by Cabinet until 2010/11. In line with the approved Parking Strategy and Action Plan, a Capital growth bid is being put forward through the Corporate Business Planning process to fund one town-wide review per annum for 2010/11, 2011/12, 2012/13 and 2013/14.
- 6.2 As stated above there are no current budgets available this or next financial year to joint fund the implementation of the Cemetery Road scheme except through the Area Committee discretionary budget. The release of such funds would be the subject of agreement of the Members of Hitchin Area Committee.
- 6.3 There is revenue funding and ward discretionary funding available to the total of £11,000 to oversee the preparation and implementation of the revised Standhill Road scheme excluding Cemetery Road.
- 6.4 With regard to risk there is significant reputational risk associated with the implementation of the Cemetery Road Scheme without taking into consideration the displacement effects on surrounding streets. The implementation of TROs are included on the Council's risk register and is updated annually.

## **7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

- 7.1 The officer time involved in reviewing, preparing and implementing TROs is identified as part of the Corporate Business Planning Process for Planning Services. This has also been included in other relevant Service plans, such as the Parking Service and Legal Service, given the requirement to bring in other officers across the council at various stages in the project.
- 7.2 The Council recognises the changing nature of equality legislation and incorporates national legislation and regulations into its scheme and services as appropriate, as set out in the Council's Corporate Equality Strategy. The Race Relations (Amendment) Act 2000 marked a very significant innovation in the legal framework. It placed much of what was previously only advisory and voluntary on to a statutory footing. The Act extends the provisions of the Race Relations Act 1976 to cover all the activities of all public authorities. It makes important extensions to public authority duties. Equivalent statutory duties have been created for disability by the Disability Discrimination Act 2005 and for gender by the Equality Act 2006. These duties divide into a general duty and specific duties.
- 7.3 The contents of this report do not directly impact on equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.
- 7.4 All efforts will be made to meet the Council's equalities plan when working together with and informing the local community on the implementation of TROs in their area.

## **8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 8.1 Officers, Local Ward Members and the Portfolio Holder for Planning & Transport have attended a variety of meetings with the local residents and Head Teacher of Highbury Infants School to discuss and understand the parking issues in the Standhill Road and Cemetery Road area and are working together to reach a solution that best meets the needs of all parties.

## **9. RECOMMENDATIONS**

- 9.1 That the Committee agree to joint fund the cost estimate for the necessary civil works to include parking bays along the western side of Cemetery Road as per the proposed sketch at Appendix 1 and refer the proposal for consideration by the Hertfordshire Highways Joint Member Panel on 25 January for the 2010/2011 works programme.
- 9.2 Should the proposal not be supported by the JMP that officers be requested to ensure that Cemetery Road is included in the Hitchin town-wide review on parking restrictions in 2011/2012.
- 9.3 That officers continue with the work in reaching a solution that will seek to alleviate parking congestion in the Standhill Road area.

## **10. REASONS FOR RECOMMENDATIONS**

- 10.1 In order to ensure that a solution is reached for Cemetery Road that best meets the needs of all parties.

## **11. ALTERNATIVE OPTIONS CONSIDERED**

- 11.1 A number of alternatives have been explored and these are set out in section 4 above.

## **12. APPENDICES**

- 12.1 Appendix 1: Sketch proposal of parking restrictions along Cemetery Road, Hitchin for submission to and consideration by North Herts JMP.

## **13. CONTACT OFFICERS**

Louise Symes, Planning Projects Manager, ext 4359

Terry Nickolls, Principal Engineer, ext 4425

John Ironside, Corporate Strategic Planning & Enterprise Manager, ext 4626

Jas Lyall, Solicitor, ext 4520

Tim Neill, Accountancy Manager, ext 4470

Rebecca Skinner, Human Resources Advisor, Ext 4481