

**TITLE OF REPORT: CONVENT CLOSE, HITCHIN, CONTROLLED PARKING ZONE – TRAFFIC REGULATION ORDER**

REPORT OF THE CORPORATE STRATEGIC PLANNING &amp; ENTERPRISE MANAGER

**1. PURPOSE OF REPORT**

- 1.1 To update the committee on the Convent Close Traffic Regulation Order (TRO) and to seek agreement from the Committee on the way forward.

**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 Convent Close was advertised as part of the CPZ for the Triangle Area in Hitchin in August 2008 in accordance with the Local Authorities Traffic Orders (Procedure) Regulations 1996 (LATO Regs).
- 3.2 At the time of advertising the Council's intent to publish the Triangle TRO, a number of objections were received from the residents of Convent Close including a signed petition.
- 3.3 The grounds of their objections were along the lines that they considered the proposed parking restriction for residents permit parking only between 8am and 6pm Monday to Friday to be too restrictive and to be an over-reaction against any potential displacement of commuter parking into Convent Close.
- 3.4 Following discussion with the Chair of Hitchin Committee, The Chair of North Hertfordshire Highways Partnership and the Portfolio Holder for Transport and Planning in September 2008, the Head of Planning & Building Control through his delegated powers agreed in November 2008 to proceed with the main Triangle TRO in part, excluding Convent Close.
- 3.5 Part IV, Section 19 (1) of the LATO Regs, enables the authority to make an order in part, which would allow the majority of the order to come into force, thereby giving the Council the opportunity to reassess the restrictions for Convent Close. The majority of the Triangle TRO for permit parking with restrictions came into force in February 2009.
- 3.6 When submitting their objection to the proposed TRO in August 2008, the residents of Convent Close requested that the proposed TRO be amended to only allow residents parking in Convent Close between the hours of 11am and Midday Monday to Friday. This could be achieved by installing a sign on either side to the entrance of the cul-de-sac similar to those at the entrance of St. Anne's Road and Forge Close in the Triangle area. These are specialist signs for cul-de-sac locations that show the restriction without having to put line markings on the street, and require DfT approval.

#### 4. Issues and Considerations

4.1 While officers have had some initial discussions with the residents of Convent Close regarding their request as outlined in paragraph 3.6 above, the matter has not been progressed due to other work pressures in key project areas namely Baldock town centre and progressing other TRO work.

4.2 Although resources are restricted at present due to the recent retirement of the Principal Engineer, efforts will be made to try and progress the work for Convent Close. Essentially there are three options available:

(i) Option 1: is to leave as is with Convent Close unrestricted and to include it as part of the Hitchin town-wide parking review in 2011/2012. This option would delay progress by at least a year.

(ii) Option 2: is to proceed with the original TRO as advertised, i.e. having a parking restriction for residents permit parking only between 8am and 6pm Monday to Friday. This would mean drafting and republishing the deferred part of the main order, to then be followed by the 6 week period in which an application can be made to the High Court challenging the process before installing the signs, as set out in the LATO Regs. This would take approx 2 to 3 months, assuming there is no challenge to the process.

(iii) Option 3: is to proceed with the request of the Convent Close residents at the time of their objection, i.e. to have *'No waiting 11am to Midday Monday to Friday, except permit holders.'*

This third option would result in this section of the original TRO having to be re-drafted and re-advertised for Convent Close. This means giving a 28 day objection period from the date the Council publishes its intent to make the order, then subject to objections, formally publishing the order to be followed by the 6 week High Court challenge period, before erecting the signs and the TRO coming into force. This would take a minimum of 5 to 6 months depending on the receipt of objections and any challenge to the process.

4.3 It is the officers' view that Convent Close is suffering from displaced parking and that the option for including Convent Close within permit parking Zone F (The Triangle Area) should be pursued. However, consultation will be required with the local residents to ensure that their original request for the one hour restriction during the day is still their preferred option.

4.4 The estimated cost, other than increased officer time, would be an increase of approximately £500 between Options 2 and 3. This difference relates to the fact that Option 3 requires re-drafting and re-advertising the Council's intent to make the order. The remainder of the process is as per Option 2.

4.5 It is the officers' view that, if the Hitchin Committee indicates it would be prepared to support option 3 financially, further consultation be pursued with the residents of Convent Close as to their current preference for either Option 2 or 3 as outlined in paragraphs 4.2 (ii) and (iii) above,. If the Hitchin Committee is not willing to support Option 3, it would be beneficial if it could indicate a preference for Option 1 or Option 2.

## **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 Convent Close 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 Funding for pursuing Option 2 as outlined in paragraphs 4 (ii) above can be found within current budgets. If Members were mindful to pursue Option 3, a contribution of £500 from the Area Committee or Ward discretionary budget for the difference would be required.
- 6.2 There is some reputational risk in not progressing and coming to a conclusion on the Convent Close scheme.

## **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 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.
- 7.3 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 a TRO 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 previously considered alternatives for Convent Close as part of the consultation of the Triangle TRO proposals. The current Portfolio Holder for Planning & Transport has been consulted on the revised options.

## **9. RECOMMENDATIONS**

- 9.1 That the Hitchin Committee indicates if it is prepared to assign £500 to support Option 3 as outlined in paragraph 4.2 (iii) above prior to consultation with residents.
- 9.2 That officers consult with the residents of Convent Close on the options outlined in paragraphs 4.2 (ii) and 4.2 (iii) above and proceed with the appropriate parking restriction.

- 9.3 That if the Hitchin Committee is not prepared to assign £500 to support Option 3 as outlined in paragraph 4.2 (iii), it indicates a preference for Option 1 or Option 2.

**10. REASONS FOR RECOMMENDATIONS**

- 10.1 In order to ensure that a solution is reached for Convent Close that best meets the needs of the local residents.

**11. ALTERNATIVE OPTIONS CONSIDERED**

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

**12. CONTACT OFFICERS**

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