

HEDGE END, WEST END AND BOTLEY LOCAL AREA COMMITTEE

Monday 2 March 2020

CHELTENHAM GARDENS, HEDGE END - EXPERIMENTAL TRAFFIC REGULATION ORDER

Report of the Traffic Management Engineer

Recommendations

It is recommended that

- (1) **the Committee delegates authority to the Head of Legal Services to make a permanent Traffic Regulation Order in Cheltenham Gardens, Hedge End. This order would have the effect of replicating on a permanent basis the effects of the current Experimental Traffic Order, with the following amendments:**
 - (a) **the removal of the “no waiting Monday to Friday 2 - 3pm” restriction from the scheme**
 - (b) **the removal of “no waiting Monday to Friday 10 - 11am & 2 - 3pm” restriction from the marked parking bays and layby outside Cranleigh House, and the marked parking bays adjacent to No 52 Cheltenham Gardens, pending a possible further scheme to propose time limited parking (e.g. one or two hours Monday to Friday 8am – 6pm) on these parking places.**
 - (c) **The removal of the “no waiting Monday to Friday 10-11am and 2 - 3pm” restriction from outside Nos 42-44 Cheltenham Gardens**
 - (d) **The replacement of “no waiting at any time” restrictions to “no waiting Monday to Friday 10-11am within Cheltenham Gardens, with the exception of “no waiting at any time” restrictions at the junction of Cheltenham Gardens and Maunsell Way, which should remain in place.**

Summary

Waiting restrictions were introduced on an experimental basis in Cheltenham Gardens on 24 September 2018. A number of representations were received following the introduction of the restrictions. This report summarises the responses received and recommends how to proceed

Statutory Powers

Road Traffic Regulation Act 1984; Traffic Management Act 2004.

Legal Agreements

Agency Agreement dated 10 September 2019 between Hampshire County Council and Eastleigh Borough Council

Strategic Implications

1. Creating an Excellent Environment for all, by removing obstructive and inconsiderate parking attributed to users of Hedge End railway station.

Introduction

2. Cheltenham Gardens is a residential cul-de-sac off Maunsell Way in Hedge End, serving approximately 100 dwellings. It is close to Hedge End Railway Station, and in recent years a number of commuters have been parking in Cheltenham Gardens during the working day. Complaints have been received that much of the parking attributed to commuters has been inconsiderate and obstructive to larger vehicles such as refuse collection vehicles. Residents requested that the Council introduce waiting restrictions to prevent obstructive and inconsiderate parking. Waiting restrictions were proposed in 2015, and again early in 2018, however both of these schemes resulted in objections and were not progressed. The HEWEB committee subsequently resolved at its meeting on 23 July 2018 to introduce a new scheme of waiting restrictions on an experimental basis, and to review that scheme after 6 months. A drawing showing the experimental restrictions can be found in Appendix 1.

The consultation process

3. Initial consultation was undertaken with the statutory consultees, including the emergency services and public transport operators, along with Borough and County Councillors. None of these have made any objection to the proposals.
4. The formal consultation was advertised in the Hampshire Independent newspaper, on the Eastleigh Borough Council (EBC) website, the Hampshire County Council Public Notices Portal and on public notices placed throughout the affected areas on 14 September 2018, with a closing date for receipt of representations of 14 March 2019.
5. Representations were received from eight residents, four of whom are in favour of the scheme. A further objection was received almost three months after the closing date for receipt of responses. The objections and Engineer's responses are detailed below:

	Objection	Engineer's response
6	<p>One resident is in favour of the restrictions, but is unhappy that displaced vehicles now prevent friends and family parking near his house. He requests a permit scheme and further extensions to the single yellow lines.</p>	<p>Parking permit schemes are aimed at areas where the majority of residents have no offroad parking and where they frequently have difficulty in parking close to their homes, owing to on-street parking places being occupied by non-residents. All the properties in Cheltenham Gardens are provided with off-road parking for at least one vehicle, the majority have two or more off road spaces. A permit scheme would therefore cater largely for residents' second or subsequent vehicles, and for visitors. Hampshire County Council (the highway authority) has a policy that permit parking schemes should be self-funding; such a scheme in Cheltenham Gardens is unlikely to be viable.</p> <p>Further extensions to waiting restrictions are likely to simply displace parked vehicles further afield. Residents can apply for an access protection marking to be installed if they find that vehicles regularly obstruct their dropped kerb access.</p>

7	<p>Another resident objects to the inconsistency of installing single rather than double yellow lines on the winding sections of Cheltenham Gardens, where it would have most impact on access, and of installing single yellow lines in parking bays, because this does not cause obstruction.</p> <p>The parking bays remain largely unused, but inconsiderate parking still occurs on the carriageway, making access more difficult. If the charges were removed from the railway station car park, the commuters would park there.</p>	<p>The introduction of “No waiting at any time” restrictions could be seen as a disproportionate response to an issue relating to parking by commuters only during the working day. The recommendation is therefore to replace the “no waiting at any time” restrictions with a “No waiting Monday to Friday 10-11am” restriction, with the exception of the junction of Cheltenham Gardens and Maunsell Way, where the “No waiting at any time” restriction would remain, since Maunsell Way as a distributor road is designed for higher traffic flows and speeds.</p> <p>Cheltenham Gardens, along with the other residential roads on this estate, was designed with curves and <i>culs-de-sac</i> to maintain low vehicle flows and speeds.</p> <p>A further recommendation is to remove the waiting restrictions from designated parking places, since parking here does not cause obstruction or danger. Consideration could be given to introducing a time limit in these parking places, in order to allow for short term visitors to Cheltenham Gardens. However, this is outside the scope of the current considerations.</p> <p>There are no current plans to remove the charge for parking in Hedge End station car park, and this would in any case be outside the scope of this report.</p>
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		<p>Unfortunately, the extent of the commuter parking issue has not been made clear; there appear to have been no surveys carried out to provide evidence for the extent of the issue and on which proportionate solutions could have been proposed. On anecdotal evidence, it appears that whilst the available spaces in the cul-de-sac closest to the railway station have generally been fully occupied during the working day, there have been kerbside spaces available elsewhere in Cheltenham Gardens. Moreover, much of the kerbside space in Cheltenham Gardens is generally not required by residents or their visitors during the working day.</p> <p>It is therefore recommended that, in addition to the recommendations detailed in paragraph 7, that the “no waiting Monday to Friday 10-11am and 2 - 3pm” restriction outside Nos 42 and 44 Cheltenham Gardens be removed, which would allow parking on a “first come, first served” basis. It is hoped that this would assist in resolving some of the objector’s difficulties.</p>
8	<p>Another resident objects on the grounds that the original proposal was for “no waiting” restrictions to apply only for 1 hour during the daytime Monday to Friday. The restrictions are now for 1 hour in the morning and 1 hour in the afternoon. This is doubly inconvenient for residents and ignores the objections to the original plan.</p> <p>The assumption is that there is adequate off-road parking for residents, but some residents rely on the kerbside to park second or additional vehicles which</p>	<p>Experience elsewhere has shown that a “no waiting” restriction for an hour during the working day has the effect of deterring the majority of non-resident parking in the vicinity of railway stations; it is therefore recommended that the single yellow line restriction is amended to remove the afternoon “no waiting” restriction, leaving the restriction as “no waiting Monday to Friday 10-11am”. This would be consistent with the treatment of other nearby roads in the vicinity of Hedge End railway station</p>

<p>can be during the working day as well as overnight, and for longer periods when they are on holiday.</p> <p>The restrictions are a serious inconvenience to weekday visitors, who will feel unable to visit or obliged to move their car during the time of the restriction.</p> <p>The only response to residents' objections were to provide access protection markings "to enable residents to park across their driveway". In the majority of cases, this would mean obstructing the neighbour's access, since the driveways are not wide enough to accommodate the length of a car. In other cases the objections are noted, but no reasonable solution is offered.</p> <p>If parking permits are to be offered, residents must be made aware, so that the cost of permits can be considered in the context of their objection or support for the waiting restrictions. Restrictions previously imposed on roads in the immediate vicinity of the railway station have had the effect of moving the perceived problem of commuter parking to Cheltenham Gardens, although it has not been a major issue here. Imposing restrictions on Cheltenham Gardens will shift the commuter parking further afield. The unrestricted parking bays are extremely limited and will only encourage use by commuters. The restrictions will have a negative impact on property prices.</p>	<p>The Traffic Signs Manual Chapter 5 instructs that an access protection marking may be laid on part of the carriageway which should be kept clear of parked vehicles. Residents who choose regularly to park across their driveway on the marking risk bringing it into disrepute and risk its effectiveness elsewhere. The presence of a dropped kerb is normally sufficient to inform road users of the presence of an access to off-road parking.</p> <p>Paragraph 6 explains why a permit parking scheme is not recommended in this situation</p>
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9	<p>Another resident complains that there have been many near misses and an accident due to commuters rushing to catch their trains. Residents are unable to park outside their own property, more cars are parking in Cheltenham Gardens to save parking fees.</p> <p>Nothing has been done about fake yellow lines at the end of Cheltenham Gardens by the pathway to the station. The resident requests single yellow lines in all parking bays or issue permits to residents only</p>	<p>The design of Cheltenham Gardens encourages low traffic speeds, and we are not aware of any injury accidents at the location. It is a driver's responsibility to drive in a manner appropriate for the environment and conditions.</p> <p>The road has been inspected following the resident's comment about "fake yellow lines"; all the yellow lines in Cheltenham Gardens have been correctly installed by EBC's contractor. Introduction of further waiting restrictions is unlikely to be of benefit to either residents or commuters.</p> <p>Paragraph 6 explains why a permit parking scheme is not recommended in this situation</p>
10	<p>Another resident objected because cars now park on the opposite side of the road to where they did prior to the restrictions being introduced. This means cars are coming from three directions on the same side of the road. Parking and safety were better before the restrictions were implemented. (The committee should note that this representation was received almost 3 months after the closing date for receipt of representations).</p>	<p>There are waiting restrictions on all the <i>cul-de-sac</i> junctions within Cheltenham Gardens, which should provide sufficient visibility for road users to see oncoming traffic and give way if necessary, given the low traffic speeds. Cheltenham Gardens has an excellent safety record with no recorded injury accidents in the last 20 years.</p>

11. Four other residents have expressed support for the restrictions.
12. The Committee needs to consider the comments received, before making a decision
 - * either to make the experimental Order permanent in its current form; or
 - * to introduce a new permanent TRO, the effect of which will be to make the experimental restrictions permanent with the recommended amendments; or
 - * to withdraw the experimental Order and allowing it to lapse on 24 March 2020.
13. A drawing showing the existing experimental restrictions is in Appendix 1, and a drawing showing the recommended amendments are in Appendix 2.

The Experimental Order will expire on 24 March 2020 if a decision is not made to confirm in its current form. Allowing the Order to lapse would require the waiting restrictions to be removed from the roads. Any new proposals would require a new Traffic Regulation Order to be advertised, which would incur additional costs in terms of staff time, advertisement expenses and road markings that were not included in the original estimate for the work. If this option is chosen, there would be no restrictions in place from 24 March until such time as the new TRO comes into effect. Requests for major changes would be better addressed as a possible future scheme.

Financial Implications

14. The cost of a new permanent TRO and associated signs and road markings are funded through the Hampshire County Council Highways Agency budget; the estimated cost is £3,000. The advertisement will cost approximately £150; the cost of amending the signing and road marking will cost approximately £2,000. The remainder is made up of officer time
15. The experimental TRO will expire on 24 March 2020 if a decision is not made either to make it permanent, or withdraw it. Withdrawing the Order or allowing it to lapse would require the waiting restrictions to be removed from the roads. Any new proposals would then require a new Traffic Regulation Order to be advertised, which would incur additional costs in terms of staff time, advertisement expenses and road markings that were not included in the original estimate for the work. Requests for major changes would be better addressed as a possible future scheme.

Risk Assessment

16. If a decision regarding the outcome of the TRO is not made, the TRO will lapse and the waiting restrictions would need to be removed from Cheltenham Gardens. This would be a costly exercise, and is likely to be unacceptable to some residents, because the previous issues with obstructive and

inconsiderate parking would be likely to recur. Making a new experimental Order would be liable to a Legal challenge because there would be no valid reason for the experiment.

Equality and Diversity Implications

17. The Equality Act is relevant to the decision and an Equality Impact Assessment (EqIA) has been carried out and attached as Appendix 3 to the report. In summary the EqIA shows that:
- The waiting restrictions will assist in improving access for pedestrians, including wheelchair users and pushchairs.

Climate Change and Environmental Implications

18. The proposals would not increase Greenhouse Gas/CO2, or damage ecology or the environment. The scheme may assist in encouraging residents of Hedge End to walk or cycle to Hedge End railway station.

Conclusion

19. The experimental Traffic Regulation Order to introduce waiting restrictions in Cheltenham Gardens received both objections and expressions of support.
20. This report takes these into account and makes a recommendation to make amendments to reduce the impact of some of the restrictions. This would address some of the objections, whilst maintaining access and preventing obstructive parking.

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Appendices Attached: 3

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.