

**SOUTH ESSEX PARKING PARTNERSHIP
(TRAFFIC REGULATION ORDERS) SUB COMMITTEE**

TUESDAY 1ST NOVEMBER 2022 – 10.30AM

AGENDA ITEM 16

Subject	THE ESSEX COUNTY COUNCIL (CHELMSFORD CITY) (PROHIBITION OF WAITING, LOADING AND STOPPING) AND (ON-STREET PARKING PLACES) (CIVIL ENFORCEMENT AREA) (AMENDMENT NO.29) ORDER 202*
	Relating to Clarence Close and Henniker Gate, Chelmsford
Report by	South Essex Parking Partnership Manager

Enquiries Contact
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Purpose
 To report the receipt of representations made on part of The Essex County Council (Chelmsford City) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.29) Order 202*

Options
 The Joint Committee has the following options available:

1. to agree that the proposed Order be made as advertised.
2. to agree that the proposed Order be made subject to modifications which result in less restrictive provisions or reduced scope; or
3. to agree that the proposed Order should not be made.

Recommendation(s)

1. The Order be made as advertised.
2. The people making representations be advised accordingly.

Consulters	South Essex Parking Partnership
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Policies and Strategies
 The report takes into account the South Essex Parking Partnership Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.

1.	<u>Background</u> The purpose of this proposed Order is to amend The Essex County Council (Chelmsford City) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019 as set out below:
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1.1	On 23 August 2021, the SEPP received a completed application form from a local resident requesting a Permit Parking Area Monday to Friday 8-10am and 2-4pm on Clarence Close. The request was to prevent inconsiderate and obstructive parking from non-residents particularly during school drop off/pick up times. The application was supported by Cllr Neil Gulliver and included a petition of 15 signatures from residents of Clarence Close.
1.2	Following receipt of the application the SEPP carried out a number of site visits at various times of the day/week. During the site visits conducted, between 4 and 7 vehicles were observed parking in Clarence Close, some of which were commercial vans due to works being carried out at one of the properties. No vehicles were observed parking across dropped kerbs. On all the site visits conducted vehicles were observed parking on the junction with Henniker Gate within 10 metres. Parked vehicles on the junctions hindered visibility when exiting Clarence Close onto Henniker Gate.
1.3	The SEPP will avoid introducing parking restrictions to combat short term invasion parking i.e. parking for the purpose of dropping off and picking up passengers or goods at a known organisation such as a school or convenience store and will only be for short periods of time. The enforcement of any restriction that is introduced to tackle a short-term parking issue requires a concentrated enforcement presence and is therefore not practical or cost effective. Both Barnes Farms Infants and Barnes Farms Junior School are part of a SEPP parking initiative, 3PR. The 3PR School Parking Initiative aims to prevent inconsiderate, illegal and dangerous parking around schools by changing attitudes and behaviours towards parking. The 3PR scheme has been launched at many schools in the six areas that the SEPP covers and has received very positive feedback and has proven to be effective.
1.4	However, to prevent obstructive parking on the junction of Clarence Close and Henniker Gate it has been agreed with the SEPP Joint Committee Member and Lead Officer for Chelmsford to cost a scheme to propose that 10 metres of 'No Waiting at Any Time' restrictions be introduced on the junction; in line with rule 243 of the Highway Code. The cost of the scheme is estimated at £2,000 but will be reduced if incorporated with other roads in Chelmsford to publish one Traffic Regulation Order.
1.5	The request was placed before the South Essex Parking Partnership Joint Committee on 13 th December 2021 for funding. It was agreed at the meeting to proceed with the necessary Traffic Regulation Order.
1.6	The Order was originally published in the Essex Chronicle and on site on 18 th August 2022, and copies of the Draft Order were sent to a number of organisations including Essex Police, Essex County Council (the highway authority), Essex Fire & Rescue Service, Essex Ambulance Service, the Road Haulage Association, the Freight Transport Association, and the Chamber of Commerce and Industry.
1.7	When the Order was published on 18 th August 2022 a 21-day period of formal public consultation commenced.
2	<u>Comments</u>
2.1	The details of the representations are summarised in Appendix 2 to this report together with the comments of the Technicians.
3	<u>Conclusion</u>
3.1	Although the correspondents have made a number of points which lead them to believe the Order should not be pursued in whole or part, the SEPP Joint Committee Member, Lead Officer and Technicians consider that none of them are of sufficient weight to warrant the Order not being made.

List of Appendices

Appendix 1 – List of people making representations

Appendix 2 – Summary of objections or support and Technicians comments

APPENDIX 1

Ref	List of people making representations	Type
1.	Email from resident of Clarence Close dated 17/08/2022.	Objection
2.	Email from resident of Henniker Gate dated 17/08/2022.	Support
3.	Online submission from resident of Clarence Close dated 20/08/2022.	Support
4.	Email from resident of Clarence Close dated 23/08/2022.	Objection
5.	Online submission from resident of Clarence Close dated 25/08/2022.	Support
6.	Email from County Councillor dated 25/08/2022.	Objection

	<p>If parking permits will be issued for [REDACTED] in order to have access to the properties, I will support the proposal.</p> <p>This will make the situation worse on Clarence Close as the school is going to lose spaces and they will park down the street.</p> <p>There was a very stressful situation when residents could not access properties due to the close being blocked by parked cars. For more details of the incident please contact the school office manager as she was fully involved , also witnessing the abuse towards the residents by the drivers. Hope this is helpful.</p> <p>Kind regards.</p> <p>[REDACTED]</p>	<p>and enforce Rule 243 of the Highway Code.</p> <p>Comments regarding enforcement have been noted and passed to our Enforcement team. Instances where a vehicle is illegally parked where there is a parking restriction can be reported to us - Report a parking issue (chelmsford.gov.uk).</p> <p>The proposed restrictions will apply to all highway users, a concession cannot be made for residents to park in an unsuitable location.</p> <p>The scheme will be monitored for its effectiveness. However, it should be noted that the Committee have the option to abandon the scheme.</p> <p>Concerns regarding anti-social behaviour is a matter for the police.</p>
2.	<p>Dear Sirs,</p> <p>RE: Amendment No. 29 - Clarence Close</p> <p>Thank you for dealing with this matter and my question so promptly. My [REDACTED] and I can confirm that we are in full support of the proposal.</p> <p>For some years both Teachers from the School and Parents of children attending the school have been parking dangerously and obstructing the cycle/disabled pavement access.</p>	<p>Support noted.</p>

	<p>Yours sincerely,</p> <p>██████████</p> <p>████████████████████ ████████████████████ ████████████████████ ████████████████████ ████████████████████</p>	
<p>3.</p>	<p>Regarding Scheme: SEPP_Chelmsford Street name: HENNIKER GATE</p> <p>████████████████████ ████████████████████ ████████████████████ ████████████████████ ████████████████████</p> <p>Comment type: Agree Comment: Good can't happen soon enough!</p>	<p>Support noted.</p>
<p>4.</p>	<p><u>Email 1:</u></p> <p>Hello,</p> <p>My name is ██████████ and I own the property ██████████ Clarence Close. I am in receipt of a copy of an email that your TRO Technician sent to my neighbour ██████████ relating to the proposed parking restrictions in Clarence Close, Chelmsford, and would comment as follows.</p> <p>As you are aware we initially applied for residents parking because of the problems caused by the inconsiderate parking of the teachers and parents associated with Barnes Farm School. You turned our proposal down on the most spurious grounds and it now appears that you want to prevent us parking in front of our own homes.</p> <p>Whilst I am in favour of the concept of the proposed 'No Waiting at Any Time' double yellow lines on the corner junction of Clarence Close, I believe that they need to be foreshortened so as not to restrict</p>	<p>Objection noted.</p> <p>Concerns have been raised by residents and Councillors regarding obstructive and inconsiderate parking in Clarence Close. It was noted during the assessment that vehicles frequently park on and near to the junction of Clarence Close and Henniker Gate. This is creating problematic and unsafe movement of vehicles as well as access and egress problems. This issue is</p>

residents parking in front of their own homes. With regard to [REDACTED] Clarence Close the double yellow lines appear to run the whole length of the frontage of the property (with the exception of the garage) thus preventing parking in front of my own home.

In conclusion I object to the proposal as it stands, however, if the double yellow lines are foreshortened to enable residents to park in front of their own homes I would reconsider the matter.

I look forward to receiving your response in due course.

Kind regards,

[REDACTED]

Email 2:

Dear TRO Technician,

Thank you for your prompt response with regard to this matter. I would just like to take this opportunity to expand on certain points covered in my previous email.

- 1) We applied for residents parking initially in order to try to improve the situation in Clarence Close.
- 2) We expected that the Council/SEPP would have a duty of care to try to make the situation better for the residents and not worse. If we had known that this proposal in its present form was going to be put forward we would never have applied for residents parking in the first place.
- 3) When the provision of double yellow lines at the junction of Clarence Close and Henniker Gate was put forward it was felt that this could improve matters, however, we did not expect that the lines would extend in front of our homes. No mention was ever made of this.
- 4) I believe that your proposal is salvageable if the double yellow lines are foreshortened to enable the residents of No's [REDACTED] Clarence Close to park in front of their own homes when required. This would still keep the corners of Clarence Close clear of parked cars and keep sight lines clear for other cars and road users.

particularly heightened during school drop off / pick up time. Therefore 10m of 'No Waiting at Any Time' restrictions have been proposed on this junction; in line with Rule 243 of the Highway Code. This will improve sight lines for all road users at the junction, better facilitate the passage of traffic and enforce Rule 243 of the Highway Code.

The SEPP will avoid introducing parking restrictions to combat short term invasion parking i.e. parking for the purpose of dropping off and picking up passengers or goods at a known organization such as a school or convenience store and will only be for short periods of time. The enforcement of any restriction that is introduced to tackle a short-term parking issue requires a concentrated enforcement presence and is therefore not practical or cost effective.

It should be noted that there is no right to park on the highway – the only legal right being to pass and re-pass. Therefore, the SEPP have a duty to aid traffic flow within the highway network. Additionally, the SEPP

	<p>5) If you feel that the yellow lines cannot be foreshortened then the residents of No's [REDACTED] Clarence Close could be provided with free parking permits exempting them from the 'No Waiting at Any Time' restriction in front of their homes.</p> <p>I would be grateful if you would consider the aforementioned comments together with those that I have already provided when you come to make a decision on this matter. I would also be grateful if you could acknowledge receipt of this email.</p> <p>Kind regards,</p> <p>[REDACTED]</p>	<p>has a duty to balance the needs of all highway users and reserves the right to implement a scheme when it is deemed essential.</p> <p>The proposed restrictions will apply to all highway users, a concession cannot be made for residents to park in an unsuitable location.</p>
<p>5.</p>	<p>Regarding Scheme: SEPP_Chelmsford Street name: CLARENCE CLOSE</p> <p>[REDACTED]</p> <p>Comment type: Agree Comment: 100 percent agree with this. This school traffic is a nightmare and turns our road into a car park with people blocking our drives in Clarence close. Cant come soon enough. People dumping cars on the corner makes it dangerous to get out of the road of Clarence close. Thanks [REDACTED]</p>	<p>Support noted.</p>
<p>6.</p>	<p>Having listened to a local resident and visited the location it seems to me that the purpose of the prohibition order would best served if parking were prohibited between 08:00 – 10:00 and 14:00 – 16: 00 Monday – Friday. This would stop teachers and parents at Barnes Farm School from using the location while maximising opportunity for residents of the road to park outside their homes at other times.</p> <p>Kind regards,</p> <p>[REDACTED]</p>	<p>Objection noted.</p> <p>The SEPP will avoid introducing parking restrictions to combat short term invasion parking i.e. parking for the purpose of dropping off and picking up passengers or goods at a known organization such as a school or convenience store and will only be for short periods of time. The enforcement of any restriction that is introduced to tackle a</p>

		<p>short-term parking issue requires a concentrated enforcement presence and is therefore not practical or cost effective.</p> <p>10m of 'No Waiting at Any Time' restrictions have been proposed on the junction; in line with Rule 243 of the Highway Code. This will improve sight lines for all road users at the junction, better facilitate the passage of traffic and enforce Rule 243 of the Highway Code. The proposed restrictions will apply to all highway users, a concession cannot be made for residents to park in an unsuitable location.</p>
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