

EAST HERTS COUNCIL

THE EXECUTIVE – 5 FEBRUARY 2008

REPORT BY EXECUTIVE MEMBER
FOR PLANNING POLICY AND TRANSPORT

16. BUSINESS PERMIT PARKING SCHEME –
SOUTH STREET, BISHOP'S STORTORD

WARD(S) AFFECTED: Bishop's Stortford Central

'D' RECOMMENDATIONS: that (A) the summary of objections received in respect of the above proposed scheme, as now detailed, be noted;

(B) the actions of Officers in overruling these objections, as now detailed, be endorsed;

(C) the recommendations of the Highways Joint Member Panel meeting held on 14 January 2008, in respect of the Council's proposals, be considered; and

(D) the continued implementation of the proposed business permit parking scheme and ancillary single yellow line restriction, be supported.

1.0 Purpose/Summary of Report

1.1 This report details the history and context of the development of a proposed business permit parking scheme in the South Street area of Bishop's Stortford, linked to a nearby development - in particular the creation of a new public footbridge over the River Stort.

1.2 The report summarises the objections received during the statutory process and Officers' proposed response to these objections.

1.3 The report details the outcome of a meeting of the Highways Joint Member Panel on 14 January 2008, at which Members supported an alternative proposal for a peak hour (single yellow line) restriction, to be implemented at the same location. This restriction

was requested in an 89-signature petition received by the Joint Member Panel on 15 October 2007.

2.0 Contribution to the Council's Corporate Priorities/Objectives

2.1 **Caring about what's built and where**

Care for and improve our natural and built environment.

2.2 **Shaping now, shaping the future**

Safeguard and enhance our unique mix of rural and urban communities, ensuring sustainable, economic and social opportunities including the continuation of effective development control and other measures.

3.0 Background

3.0 In partnership with others, East Herts Council is undertaking a major redevelopment of land in the vicinity of the River Stort in Bishop's Stortford. To accommodate the building of a new pedestrian bridge across the River Stort, it will be necessary to appropriate an area of land, currently owned and used by businesses in a development known as "Millars Three", as a car park for their tenants. Thirteen parking spaces will be lost as a result.

3.1 To compensate for the loss of this land, East Herts Council has agreed to make provision for alternative parking for up to 13 vehicles and to use its best endeavours to achieve this through the creation of a small business permit parking scheme on South Street in Bishop's Stortford. This scheme would allow permit parking for approximately thirteen vehicles and thirteen permits would be issued per annum, free of charge, to the owner/landlord of Millars Three who would distribute them to his tenants.

3.2 Authorisation to proceed with the design and advertisement of this proposed scheme was given at a meeting of the Executive on 6 February 2007. On the advice of the Council's consultant, Arup, two Traffic Regulation Orders were advertised on 22 November 2007 – one in respect of the proposed permit bays and a second in respect of a proposed single yellow line restriction to link the permit bays with existing restrictions in South Street. For the purpose of this report and the decision sought, these may be regarded as a single entity.

3.3 A plan of the proposed scheme is attached as **Appendix 'A16'** (page 16.7).

4.0 Report

- 4.1 The development of the new bridge across the River Stort is being portrayed as a landmark development for the town. The previous bridge was privately owned and could be used only with the consent of the owner. In addition, the approach was wholly unsuitable for pedestrians with disabilities or cyclists. The new bridge, as well as forming part of the highway network (and therefore in public ownership) will enjoy approaches that will enable disabled and cyclist access for the first time.
- 4.2 To create this much improved access, an area of privately owned land, currently used as a car park, has been taken into public ownership and to compensate the owner for this, the Council has agreed to replicate this facility elsewhere. The agreement advises that the Council shall use its “best endeavours” to replicate these lost spaces on street, by means of a small-scale business permit parking scheme.
- 4.3 East Herts Council acts under an agency agreement with the Highways Authority in the promotion of parking schemes and controls on the public highway. Officers of the County Council have advised that the creation of a business permit parking scheme such as the one currently under discussion, is unusual in the context of its current policies for designating use of the public highway. The County Council has, at the same time, acknowledged the bigger picture in terms of the new bridge and has acquiesced over the Council’s proposal to create this scheme in this area in order to secure the ‘greater good’.
- 4.4 Small areas on both sides of South Street are currently subject to no parking or traffic controls. The continued existence of this small, uncontrolled area surrounded by areas already subject to controls is anomalous and unsustainable.
- 4.5 By means of a Traffic Regulation Order that came into force on 5 October 2007, Hertfordshire County Council created an enforceable night time taxi rank to operate in the previously uncontrolled area of South Street adjacent to the bowls club, to operate from 2200 – 0600, Wednesday to Sunday. Although at the same location, this taxi rank would not conflict with East Herts’ proposed business permit parking scheme.

- 4.6 An 89 signature petition was submitted to the Highways Joint Member Panel on 15 October 2007, requesting the implementation of a peak hour parking ban (achieved by means of a single yellow line), to apply to the most of the area proposed for the East Herts business permit parking scheme. This restriction would operate for one hour each day – for example between 0930 and 1030 and would primarily deter commuters from parking at this location, whilst leaving it free to all-comers outside of these hours. The creation of this restriction would be fatal to the proposed business permit parking scheme.
- 4.7 At its meeting on 14 January 2008, the Joint Member Panel voted by a majority of five to three to support the petition for a peak hour restriction over the District Council’s proposal for a business permit parking scheme. Members will be aware that the recommendations of the Joint Member Panel are not binding on the Executive.
- 4.8 The main concerns expressed by those opposed to East Herts’ proposals appeared to centre around:
- (a) The inadvisability of restricting use of the highway to one particular business or group of businesses.
 - (b) Additional difficulties the scheme might create for members of the local bowls club.
 - (c) Additional difficulties the scheme might create for residents of Kings Cottages, adjacent to the Bowls Club.
- 4.9 In respect of (a), it is suggested that this concern has been addressed in S4.3 above. In respect of (b), at the JMP, it was recognised that a significant length of the north side of Havers Lane, also adjacent to the Bowls Club, is restricted only between the hours of 0830 and 1030, Monday to Friday. Outside of these hours, members of the Bowls Club would be free to occupy this length of the highway on an equal basis with every other user.
- 4.10 In respect of (c), Kings Cottages lie close to the boundary of an existing resident permit parking scheme (the “Newtown Scheme”). Two roads almost opposite Kings Cottages, Stort Road and Wharf Road, lie within the scheme. With Member agreement, Officers could grant Kings Cottages eligibility for resident permits, at first informally and to be ratified in due course by means of an amendment to the existing Traffic Regulation Order. This would enable residents to obtain permits to park within the boundary of the

scheme. A plan of the scheme in this immediate area is attached as **Appendix 'C16'** (page 16.10).

5.0 Consultation

5.1 East Herts Council has consulted extensively with the County Council in its capacity as Highways Authority and as a result, has reached the accommodation identified in (4.3) above.

5.2 An earlier advertisement of the Council's proposals, which was terminated for technical reasons, elicited formal and informal inquiries and will have brought the Council's plans to the attention of the local community at that time.

5.3 The re-advertisement of the Council's proposals elicited eleven objections to the Council's proposals and these are listed as **Appendix 'B16'** (pages 16.8 – 16.9). East Herts Council has written to all objectors, placing this proposed permit parking scheme in its full context and has invited objectors to consider whether on the basis of this explanation they might wish to withdraw their objection. No withdrawals have been forthcoming. Officers propose to overrule these objections.

5.4 In response to one of the above letters, the Council agreed to shorten the length of the proposed permit parking bay adjacent to the bowls club, in order that vehicular access and egress might continue unimpeded.

5.5 The discussion of the Council's proposals at the JMP on 14 January 2008 has also allowed wider consultation and debate of the Council's proposals.

6.0 Legal Implications

6.1 A Traffic Regulation Order, once made, can be the subject of a challenge to the High Court within six weeks of its making.

7.0 Financial Implications

7.1 Funding for the implementation of this small-scale scheme can be found from within a small, current underspend on the existing budget for the implementation of resident permit parking schemes.

8.0 Human Resource Implications

8.1 None perceived.

9.0 Risk Management Implications

- 9.1 The development of these proposals has attracted considerable public interest – particularly from members of the adjacent Bishop’s Stortford Bowls Club and residents of nearby Kings Cottages. Should this scheme proceed it is likely that public and media interest will continue.
- 9.2 It will be noted that should they agree the Officer recommendations in this report, the Executive is declining to support the recommendations of the Highways Joint Member Panel on 14 January 2008.
- 9.3 It will be noted that the original agreement commits East Herts Council to replicating this parking provision for 13 vehicles and advises that the Council will use its “best endeavours” to do so by means of an on-street business permit parking scheme. Should this proposed on-street scheme not proceed for whatever reason, East Herts Council will remain obliged to identify and provide at no cost to the beneficiary, the equivalent of 13 parking spaces in the vicinity of the site.

Background Papers:

The East Hertfordshire District Council (South Street and Southmill Road) Bishop’s Stortford (Permit Parking Places) Order 2007.

Minutes of the meeting of the East Herts Council and Hertfordshire County Council Highways Partnership held on 14 January 2008.

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