

Economic Development, Transport and Climate
Emergency Scrutiny Commission

Date of meeting: 15th December 2021

**Consideration of Objections to Clarendon Park Area,
Experimental Short Term [Residents Only Parking]
Permit Scheme Traffic Regulation Order 2021**

Lead Director/Officer: Martin Fletcher
City Highways Director

Useful information

- Ward(s) affected: Castle, Knighton
- Report author: Martin Fletcher/Chris Middleton
- Author contact details: 374965/373721
- Report version number: 01

1. Purpose of Report

To enable the EDTCE Scrutiny Commission to consider unresolved objections to the **Clarendon Park Area, Experimental Short Term [Residents Only Parking] Permit Scheme Traffic Regulation Order 2021** and give their views to the Director of Planning, Development and Transportation, who will take them into account when reaching a decision on whether or not to make the provisions of the experimental scheme permanent.

2. Summary

Leicester City Council ('The Council') has introduced a pilot residents' parking scheme (residents' permit holders only between 9.30 & 10.30am, Monday to Friday) under an Experimental Traffic Order (ETO) in the areas of terraced residential streets either side of Queens Road, between Victoria Park Road and Clarendon Park Road, henceforth to be referred to as the 'Phase 1' scheme. The scheme was advertised on-street and in the Leicester Mercury on 15th January 2021 and came into effect on 1st February 2021. The area(s) are shown within by the blue boundaries in Appendix A, Plan 1.

The scheme was introduced as an experiment as it was not clear if the proposed restrictions would prove effective in reducing commuter parking in the area.

The City Council has 12 unresolved objections to the Phase 1 scheme being made permanent, up to the end of the 6 month objection period on 31st July 2021 - see Section 5 of this report. Officer consideration of these objections is provided in the report and EDTCE member's comments are requested before a final decision is made on whether or not to make the experimental scheme permanent.

An extension (Phase 2) to the original Phase 1 scheme has now also been introduced in the areas of streets surrounding Phase 1 and is subject to a separate consultation exercise, albeit there are linked considerations. Phase 2 has the same restriction as Phase 1, and came into operation on 1st October 2021 following the same ETO process used in Phase 1. Phase 2 has been introduced to address concerns that were received following the introduction of Phase 1 about displacement parking from residents of the streets surrounding Phase 1, as well as commuter parking generally in the area, (See Appendix B, Plan 2, which shows the extension area(s) within the blue outline).

3. Recommendations

It is recommended that the members of the EDTCE Commission give their views for the Director of Planning, Development and Transportation to take into account when reaching a decision on whether or not to make the provisions of the Phase 1 (ETO) residents' parking scheme permanent.

4. Scrutiny / stakeholder engagement

The Phase 1 pilot residents' parking scheme was introduced in February 2020 following ongoing discussions with Castle Ward Councillors over continued commuter parking concerns in the Clarendon Park area.

In accordance with the statutory ETO process, proposals were sent by e-mail to Ward Councillors for Castle Ward, and the Chief Officers of Police, Fire and Ambulance Services and other consultees, including the lead member for Highway and Transportation, the representatives of local bus companies, the freight transport association and officers within the City Council, for example those responsible for school and cycling issues, on 26th November 2020, with a 3-week period to receive replies.

The Police replied by e-mail on 11th December 2021 with no objections to the proposals. Leicester City Council's Public Transport section responded, suggesting the scheme could move inconsiderate parkers into the bus stop on Queens Road. No other replies were received.

Leaflets informing residents about the scheme were sent to properties within the scheme area and in a surrounding area (See Appendix C, Plan 3) during the first week of December 2020. The Traffic Order was made on 13th January 2021 and was advertised on street and in the Leicester Mercury on 15th January 2021 (to come into operation on 1st February 2021).

The leaflets and the advert gave details of how stakeholders could provide feedback to the experimental scheme to the tro-yorkhouse@leicester.gov.uk e-mail address. In particular, in accordance with Traffic Order procedures, objections to the scheme being made permanent could be submitted during the 6 month period from when the scheme started on 1st February 2021 to the closing date for objections of 31st July 2021.

Letters about how to apply for permits were sent to all residents and businesses within the scheme area in the week beginning 19th December 2020.

A press release was published on 27th February 2021 when full enforcement of the restrictions came into operation.

Note that there is a separate consultation exercise currently underway for the Phase 2 scheme noted above.

5. Detailed report

The Phase 1 scheme covers the areas of terraced residential streets either side of Queens Road, between Victoria Park Road and Clarendon Park Road shown by the areas within the blue borders in Appendix A, Plan 1. It is intended to prevent all day commuter parking during the week by introducing a one-hour residents' permit holders only parking restriction, between 9.30am and 10.30am on weekdays, that would have a minimum impact on residents, their visitors, shoppers and businesses. There are no restrictions at the weekend.

There are 12 unresolved objections to the Phase 1 scheme (please refer to Appendix D – unresolved objections (with personal details removed)).

The objectors raised various concerns some of which were common to more than one objector. Where different objectors raised a common issue, the same response was used. Therefore, we have listed the objectors that raised a particular issue and given the common response that was sent (with additional information where appropriate).

The objectors either responded to say that they wished to continue with their objection or we replied to say that if they did not reply then we would consider that they wished to continue with their objection.

Unresolved Objections

Objectors 1, 2, 3, 6 & 10: Introducing the scheme during the pandemic has not provided a true reflection of how the scheme would operate during normal times.

Regarding the issue of introducing a scheme during the covid pandemic, this has enabled us to establish parking availability in Clarendon Park without too much disruption. The number of permits issued has confirmed the parking requirement for residents and enabled us to consider extending limited waiting spaces for visitors and shoppers. Enforcement was not affected by lockdown as Civil Enforcement Officers (CEOs) were operating in a covid-secure way. Therefore, as lockdown restrictions have eased, commuters have been discouraged from parking in the area. Our parking surveys have measured any change in the parking situation within the area and the level of displacement parking to the adjoining area. This has helped in evaluating the scheme, in the decision-making process and also the decision to widen the experiment to include streets outside the area who may wish to join the scheme.

Objectors 1, 6 & 10: More consultation.

Officers replied to say that the scheme was introduced in response to representations to the City Council and Ward Councillors. (Although not mentioned in replies, the covid situation restricted the opportunity for wider consultation before the scheme was implemented). An information letter was distributed to the scheme area and a larger surrounding area in December 2020, 6 weeks before the scheme came into operation.

Officers also replied to say that the experimental scheme must run for a minimum period of 6 months and can continue for a maximum period of 18 months. Parking surveys have shown an improvement in the available parking in the experimental area. The results of the parking surveys as well as feedback and objections from residents and businesses will be used to evaluate the effect of the scheme.

Letters were sent (18th August 2021) to ask for feedback to the original scheme. This feedback, as well as consideration of all outstanding objections that we have received to the scheme is used as part of the evaluation process for whether or not to make the current scheme permanent. The objectors' e-mails have been taken as formal objections and will be included in the final report to Director for Planning, Development and Transportation to consider when deciding whether or not to make the scheme permanent.

Objectors 1, 6 & 10: The Objectors asked for more information about how the scheme would be evaluated.

Officers replied to say that parking surveys and feedback from the local community will be used to evaluate the scheme, as well as the requirement that all objections received during the first 6 months of the scheme and that remain unresolved will be considered by the Director of Planning, Development and Transportation in consultation with elected members and City Mayor before a decision is taken on whether to make the scheme permanent.

A summary of parking surveys that showed an improvement in average available parking within the area from 19% before the scheme to 37% after the scheme was sent to objector 6. The results of the surveys, which were carried out between June 2020 and May 2021

both inside the scheme area and on the streets surrounding the scheme area, are shown in Appendix E – parking survey results.

Objectors 2 & 5: There are no visitor permits for residents or businesses

Officers replied to objector 2 to say that the resident permit restriction only applies between 9.30am to 10.30am from Monday to Friday, that the area is unrestricted outside of this time when visitors can park and that the restriction does not apply at all on Clarendon Park Road and Queens Road as well as in the wider area outside the scheme. Limited waiting parking spaces within the scheme are unaffected by the restriction.

Officers replied to objector 5 to say that Officers and elected members were working on a suitable provision of visitor permits to be implemented following the end of the initial 6 month period, however, the resident wished to continue with their objection to the scheme being made permanent.

A yearly allowance of 25 x £1.00 visitor permits is now available to all residents (from 1st October 2021) Residents with vehicles are eligible for 5 free visitor permits to cover times when residents change their vehicle.

Objectors 2 & 12: The limit of 4 permits per business is too small and will add costs to the business if the scheme is made permanent and permits are charged for.

Officers replied to say that businesses within the scheme area are entitled to a maximum of 4 permits which should be sufficient to provide for the travel needs for a large proportion of their staff. Officers suggested that a significant number of workers may live locally and that limiting the number of permits for each business will encourage their workforce to explore alternatives to a single car occupancy commute.

If the scheme becomes permanent, business permits will cost £100.00 per year for permits for a particular vehicle and £150.00 per year for permits that can be used in any vehicle. Whilst this cost is higher than residents permits it is favourable when compared with costs of parking elsewhere, for example in the City Centre. This cost may also encourage employees to investigate alternatives to single car occupancy commuting.

Objector 12 was told that as an estate agent based in the area, they were entitled to apply for additional permits during the experimental phase. In line with other residents' parking schemes operating in the city, this provision is given for estate agents as their workforce are reliant on their vehicles to attend property appointments within the area, which would be difficult without the use of their vehicle. This situation will be reviewed if the scheme is made permanent, taking into account evidence of need and scheme capacity. If the scheme were made permanent, it is expected that the additional available on-street parking capacity will support creation of limited waiting parking spaces, mitigating the need for the further issuing of exceptional additional permits.

Objectors 3, 6, 7, 8, 9 & 11: Raised the issues that residents' parking had been rejected previously in the area on two occasions or that there was only limited support or need for a scheme (City Council officers have previously reported that they have received 14 requests for residents' parking in the past 5 years).

Officers replied to say that whilst we understand that the larger area of Clarendon Park has rejected parking schemes previously, the City Council and Ward Councillors have continued to receive requests to address parking issues. These requests indicate that a lack of parking

is a particular problem for residents in the areas closest to the Queens Road shopping area. Ward Councillors had received more requests directly and had been liaising with local organisations on this issue.

The experimental scheme is significantly different from other permit zones that exist in other parts of the city and schemes that have been proposed previously in Clarendon Park.

Previous proposals in Clarendon Park were for a scheme which operated 24 hours a day 7 days a week. The experimental scheme is for one hour a day Monday to Friday between 9.30am and 10.30am to deter commuters. Only qualifying residents and businesses with a permit will be able to park in the experimental areas during those times. Outside of these 5 hours a week, anyone can park in the experimental zone as usual.

Objectors 3, 6, 8 & 9: The scheme only covers part of the area and has caused displacement parking to roads just outside the area.

Officers replied to say that they were aware that the scheme had caused displacement of vehicles to nearby streets and that surveys were continuing to measure this effect. The Council was looking into the possibility of extending the scheme to a wider area of surrounding streets within the next 12 – 18 months, to see if this would reduce or eliminate any further displaced commuter parking in the area beyond that extension. Officers replied to say that was likely that their road will be included in the extension area if it goes ahead.

The area for the extension (“Phase 2”) that is now in operation under a separate experimental order and is subject to separate consultation process. The Phase 2 area is shown by the areas surrounded by the blue on in the Appendix B, Plan 2 (the original “Phase 1” scheme is shown by the areas surrounded by the green lines). See also ‘Phase 2 extension’ in Other supporting information, below.

Objectors 9, 10 & 11: The Objectors had signed an on-line petition created before the scheme began calling for the implementation of the scheme to be stopped.

Officers replied to say that the final petition had not yet been received, but that it would be dealt with in accordance with the Council’s petitions process if and when it is received. Although not mentioned in replies the final petition has not been submitted yet and it is now too late for it to be considered as an objection to the scheme being made permanent, as the final date for the receipt of formal objections was 31st July 2021.

Objector 1: What provision for electric vehicles is there within the area?

Officers replied to say that a number of electric vehicle charging points and associated bays where only electric vehicles will be able to charge during the daytime are being introduced in the area.

Resolved/withdrawn objections

3 other objectors withdrew their objections when they were offered exceptional permits to park in the scheme area. 1 objector withdrew their objection when they were provided with exceptional visitor permits as they required health visitors to visit during pregnancy and relatives to visit for child care/social visits after the birth.

There were 4 inquiries which were not clearly stated as objections. Officers replied to ask if they wished their inquiry to be treated as an objection, but if there was no response, that their inquiry would not be treated as an objection. No responses were received.

Other supporting information

The experiment has been monitored for the first six months through parking surveys and general feedback to assess if it has proved successful, together with consideration of any formal objections that have been received.

Parking Surveys

Parking surveys have shown that the on-street parking capacity within the experimental area has increased from 19% before the scheme was introduced to 37% after its introduction. The surveys were carried out between June 2020 and May 2021 both inside the scheme area and on the streets surrounding the scheme area and are shown in Appendix E – parking survey results.

Visitor & other permits:

4 inquiries were received during the experimental period that were not treated as objections but were asking for visitor permits. A booklet of 25 visitor permits (at a cost of £1.00 per permit) is now available to residents and businesses within the scheme.

The limit on the number of visitor permits is because of concerns over potential abuse of the visitor permit system and also the times of the restriction may not be a particularly popular time for visitors to residents of the area.

Carer permits are available under the scheme subject to eligibility. For landlords and contractors the City Council advises the use of contractor's permits that are available at a cost of £20.00 per day.

Phase 2 extension:

During the objection period the City Council received 16 inquiries from residents who did not wish to object but lived in the area surrounding the experimental scheme asking for the scheme to be extended to their street. The majority of the streets from which these requests were received have now been included in the additional Phase 2 (Appendix B, Plan 2) experimental scheme which is currently subject to a separate consultation.

Feedback letter sent week commencing 16th August 2021.

A letter was sent to all properties in the residents' parking scheme area from 18th August 2021, inviting feedback to the scheme.

Eleven replies were received asking for the scheme to continue permanently.

Nine replies were received that indicated that they were not in favour of the scheme however these replies were received after the end of the statutory 6 month objection period so could not be considered as formal objections as part of this report. These replies also raised various issues already raised and responded to in the unresolved objections section above, including that: proposals had been rejected previously in the area; there was no problem with parking; the scheme disproportionately affects students; asking for more visitor permits; questioning the validity of survey data; the inconvenience of the scheme, & suggesting a time later in the morning for the permit period.

Officers have responded to all of these enquiries.

The City Council is currently considering the issue of the limit on visitor permits.

Officers recommend that, following careful consideration of the objections to the scheme being made permanent described above, and all other additional information, the provisions of the Phase 1 Experimental Order should now be made permanent and formally advertised.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

The advertising cost to make the Experimental Traffic Order permanent is estimated to be £1,500 to be funded from existing budgets within the capital programme. If the scheme becomes permanent, then income in the region of £16k will be received from permits to finance the administration of the scheme.

Stuart McAvoy – Principal Accountant

6.2 Legal implications

Experimental Traffic Orders are introduced under the 1984 Road Traffic Regulation Act and the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996. All aspects of that legislation will be complied with in the making of the Order. The legislation requires that all objections made and not withdrawn are taken into consideration before an Order is made. All objections received have been taken into consideration in preparation of this report.

The legal implications are written and confirmed by John McIvor, Solicitor, Legal Services.

6.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public-Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

An Equality Impact Assessment has been carried out on the Clarendon Park Area, Leicester Experimental Traffic Order 2021 (TM2957) Phase, this will be updated to reflect any changes with the proposal going forward.

If the order is agreed and formally advertised, need to ensure this is carried out in an open and accessible format.

Sukhi Biring, Equalities Officer, 454 4175

6.4 Climate Emergency implications

Whilst the climate emergency implications of this specific scheme are likely to be relatively limited, ongoing use of permitting schemes to discourage commuter parking in residential areas may have a positive impact, if this encourages greater use of public transport for commuting purposes.

Aidan Davis, Sustainability Officer

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

N/A

7. Background information and other papers:

None.

8. Summary of appendices:

Appendix A – Plan 1

Appendix B – Plan 2

Appendix C – Plan 3

Appendix D – unresolved objections

Appendix E – parking survey results