

REPORT TO THE HEAD OF HIGHWAY MANAGEMENT
REPRESENTATION TO AN ADVERTISED TRAFFIC REGULATION ORDER
The Metropolitan Borough of Solihull (Neville Road, Shirley)
(Restriction of Waiting) Order 2020

20/01/21

LEAD OFFICER: JANE WILLIAMS

1 Purpose of the Report

- 1.1 To consider representations received to a permanent Traffic Regulation Order (TRO) to introduce new parking restrictions on Neville Road and adjoining Roads in Shirley.

2 Background

- 2.1 Through the council's established Traffic Regulation Order Framework process Neville Road was identified as a priority location in the 2020/21 works programme to be considered for the introduction of new or amended parking restrictions.

The restrictions are proposed in response to concerns from local residents regarding obstructive and all-day parking associated with nearby businesses and Shirley station. They aim to regulate on-street parking and help to facilitate the free passage of traffic.

The proposals as advertised are detailed on plan 8672 in Appendix A.

3 Matters for Consideration

- 3.1 The proposals were formally advertised on 26 November 2020 and the closing date for receipt of representations was 17 December 2020.
- 3.2 A number of representations to the Order were received during the consultation period; 10 generally supportive, 2 objections. The objections, comments and suggestions received have been fully considered. The tables overleaf summarise these representations.

Table 3.2.1 Supportive/Other Representations to Proposed Parking Restrictions.

Representation	Numbers Received	Supporting Commentary	Officers Comments/ Response
Support/other	10	<ul style="list-style-type: none"> • I support the proposed increase of traffic restrictions. • I would like to support the proposals for the above Traffic Regulation Order. • I'm extremely pleased to read your proposals and give my full support. • I would like to register my support for the proposed restrictions. • I have pleasure in confirming that there are no objections to these waiting proposals. (Fire Service) • Can a permit to park for a specific time/date be obtained for contractors who are doing repairs or major work on a house. • The proposed lines for Hawkesbury Road do not go far enough. They should be extended to the driveway of no. 3 and no. 4. • Hawkesbury Road is not a wide road and cars parked cause problems for people residents reversing off their driveways resulting in several minor accident taking place over a number of years. • There is a problem with cars parking along the fence line of 2 Hawkesbury Rd on the pavement causing an obstruction for pushchairs and wheelchair users. • Request to extend restrictions on the south side of Binton Road opposite no. 1. The road is quite narrow and lorries turning into it cannot straighten up until further up the road. • Has consideration been given to extend the parking ban from 8-00 am until 6-00 pm on one side of the road rather than the current proposals? My thoughts being this may be easier to enforce than the partial restrictions. • There is a need to encourage local businesses to provide more parking for their employees. E.H. Smith being an example whose employees use local roads • In normal times rail commuters use these roads due to inadequate provision at Shirley and Whitlock's End Stations. As housing is due to expand in the area it is essential that more parking spaces are planned for the future. It is incumbent upon the local authority, West Midlands Combined Authority and West Midlands Railway to act on this now before the problem grows. Earlswood Station has great potential for park and ride. 	<p>n/a</p> <p>n/a</p> <p>n/a</p> <p>n/a</p> <p>n/a</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p>

		<ul style="list-style-type: none"> Some people may suggest the parking situation in these roads is no longer a problem but these proposals need to be judged for “normal times”. As normality returns so will the parking problems. 	3.11
		<ul style="list-style-type: none"> I agree they should be in place but looking at the plan the area outside our house on our side of the road has NO restrictions. I already have to get up at 6.30 to park my car outside to stop people parking outside – which happens every day if I don’t. What is the point of leaving our side free as it will make it far worse for us. 	3.12

Table 3.2.2 Objections to Proposed Parking Restrictions.

Representation	Numbers Received	Supporting Commentary	Officers Comments/ Response
Objection/other	2	<ul style="list-style-type: none"> Please advise what has instigated this? Three houses in close proximity have been having extensions which has caused congestion, but 2 of these have completed now. 	3.13
		<ul style="list-style-type: none"> I do not want these restrictions. We are a 3 car family and at times park outside our home to avoid blocking one of the cars on our drive if another person is due to go out. 	3.14
		<ul style="list-style-type: none"> As a resident of Neville Road I am not aware of any excessive parking in the road, especially as I have been stuck at home for the last 9 months. I not seen any additional parking. The parking in the road has been residents or visitors to residents. Has there been a large demand for the above? I was certainly not canvassed if it was something I required. I do not see any needs for these restrictions and therefore voice my object and wish the measures be withdrawn. 	3.13 & 3.14

3.3 Parking restrictions apply to all residents and their visitors, including contractors, and cover the extent of the public highway including the carriageway and adjacent footway or grass verge. Permits to exempt residents and visitors, including contractors from any restrictions could not be provided under existing legislation relating to prohibition of waiting parking restrictions.

3.4 Whilst it is accepted that parking here can cause inconvenience for access to and egress from driveways of the aforementioned properties, the intention of the scheme was not to prohibit all on-street parking. There is clearly a demand for on-street parking by residents, their visitors and non-residents.

In light of the representation received we can accommodate a minor modification and extend the single yellow line by approximately 10metres south eastwards on the southern side to encompass the driveway of number 2 Hawkesbury Road.

- 3.5 The situation of residents experiencing difficulties with egress when other motorists park opposite their driveways is mirrored in many residential streets across the borough. It is the opinion of officers that this type of inconvenience is not sufficient justification for the provision of additional parking restrictions, be they single or double yellow lines.
In addition, Rule 201 of the Highway code states 'When using a driveway, reverse in and drive out if you can'. This is safer for the driver and all other public highway users including pedestrians and cyclists.
- 3.6 Rule 244 of the Highway code states 'You **MUST NOT** park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.'
The Police Authority have full powers of enforcement to deal with obstruction offences on the public highway including the footway.
- 3.7 The introduction of restrictions at the junction will discourage parking at this location. In the UK vehicles are required to drive on the left hand side of the carriageway, therefore any vehicle turning into Binton Road from Neville Road should not be affected by vehicles parked on right hand side of the carriageway.
- 3.8 The restriction proposed discourages all day parking by commuters whilst not being overly restrictive for residents. Enforcement is carried out in line with our commitments across the whole borough.
- 3.9 The council cannot compel any business to provide parking for their employees, nor if there is parking available at the business insist that it is used.
- 3.10 Whilst the comments regarding rail commuters are valid it is outside of the scope of these proposals.
- 3.11 The proposals have taken into consideration the current situation. If the proposals are successful and when we return to 'normal times', the area will be monitored and if necessary reassessed.
- 3.12 The intention is not to prohibit all on-street parking. By introducing the single yellow line on one side only, it will reduce instances of parking on both sides of the road and improve the passage of traffic.
There are other mechanisms to deal with the obstruction of private driveways including the use of informal access protection markings, also known as H-bars. Any resident who feels they would benefit from such a marking should contact the council accordingly. Further details can be found at the following location on the council's website:
<https://www.solihull.gov.uk/hmarkings>
- 3.13 Correspondence over an extended period of time has been received from residents stating the issues. The situation has also been observed by officers on more than one occasion.
- 3.14 The objector stated that they do not want any parking restrictions on their road, however we have to consider the views of all those directly affected by the proposal – the supportive representations outnumber objections and there is potentially a further silent majority who agree with the proposals but were not compelled to express these thoughts in writing. It is a constant challenge to deliver schemes that meet the needs of all stakeholders, particularly when those needs can often be contradictory to one another; the proposal, as advertised, aims to achieve the correct balance.

4 Ward Members' Views

- 4.1 The Ward Members for Shirley South were informed of the proposals prior to the advertising of the Order.

5 Officer Recommendation

- 5.1 The representations received in respect of the proposed Traffic Regulation Order have been fully considered and responded to accordingly in section 3 of the report.
- 5.2 It is recommended that the proposed parking restrictions are implemented as originally advertised with the exception of the amendment at Hawkesbury Road, as detailed on Plan 8672a in Appendix B.

6 Democratic Services

- 6.1 Democratic Services have confirmed that the proposed order was subject to statutory advertisement on the dates reported and that representations were received as noted above.

7 Risk Implications

- 7.1 The Corporate Risk Management Approach has been complied with to identify and assess the significant risks associated with this decision / project. This includes (but is not limited to) political, legislation and reputation risks.
- 7.2 The Approach is not intended to eliminate all risks and not all the risks identified can be managed all of the time. Also, risks will still exist that have not been identified.

8 For decision

- 8.1 The Head of Highway Management is asked to approve that:

The Metropolitan Borough of Solihull (Neville Road) (Total Prohibition and Restriction of Waiting) Order 2020 is implemented as originally advertised.

The recommendation as set out above is hereby approved:

P.S.Tovey

22.01.2021

Signature: **Date:**

Paul Tovey
Head of Highway Management