

REPORT TO THE HEAD OF HIGHWAY MANAGEMENT

REPRESENTATIONS TO AN ADVERTISED TRAFFIC REGULATION ORDER

The Metropolitan Borough of Solihull (Grandborough Drive and Adjoining Roads, Solihull) (Total Prohibition of Waiting, Restriction of Waiting and Loading) Order 2022

28 APRIL 2022

LEAD OFFICER: JANE WILLIAMS

1 Purpose of Report

- 1.1 To consider representations received to a permanent traffic regulation order (tro) to introduce new parking restrictions on Grandborough Drive and connecting roads, St Alphege.

2 Background

- 2.1 Solihull Council's 'School Streets' is an innovative project which seeks to aid and promote active travel to school whilst addressing a number of traffic related issues which are a common sight at the school gate at the beginning and end of each day. Through phase 3 of the scheme, measures will be introduced to discourage obstructive parking practices whilst creating a more pleasant environment for everyone around schools. The scheme will apply to all road users and promote active travel to school by walking and cycling, which in turn, will help to reduce congestion and improve air quality in the area.
- 2.2 On Grandborough Drive and connecting roads, this will be achieved through the introduction of amended parking restrictions, including the introduction of a new loading ban at the start and end of the school day. The intention being to prevent obstructive parking on the main spine of Grandborough Drive. The introduction of a no loading ban will enhance the Authority's ability to proactively enforce the restrictions in place which will benefit both residents and school children as they walk to school.
- 2.3 The Order is expected to have a positive impact by reducing instances of obstructive and dangerous parking, improving the quality of life for residents, and providing enhancing road safety for school children.

3 Matters for Consideration

- 3.1 The proposals were formally advertised on 27th January 2022 and the closing date for receipt of representations was 17th February 2022.
- 3.2 All comments received have been fully considered. Over eighty representations were received, with approximately half of these being from residents and other half from parents of children at local schools.
- 3.3 Whilst there was some support for amended restrictions from residents the majority felt that the proposals did not go far enough and proposed a range of additional measures the intention of which was to restrict all school related parking. Parents on the other hand felt that the restrictions were excessive.
- 3.4 The table below summarises the representations in relation to the proposed order: -

Representations from Residents	Officers Comments/ Response (Refer to paragraph)
<p>The restrictions do not go far enough.</p> <p>Requests for:</p> <ul style="list-style-type: none"> • Full time parking restrictions. • More parking restrictions. • Double yellow lines on the whole estate. • Times of the proposed 'no waiting' restriction to be increased. • Times of the proposed 'no loading' restriction to be increased. • Changes won't make a difference. • Permit holders only. 	3.5 & 3.6
Traffic will be pushed onto the side roads.	3.7
Vehicles will park on grass verges.	3.8
<p>How will the restriction be enforced?</p> <p>There is currently a lack of enforcement.</p>	3.9
<ul style="list-style-type: none"> • Parents should be guided to park elsewhere. • There should be dedicated parking facilities for parents. 	3.10
<ul style="list-style-type: none"> • Monkspath Hall Car Park should be free for parents to use at drop off/pick up times. 	3.11
<p>Requests for:</p> <ul style="list-style-type: none"> • New bollards. • Speed humps on Whitefield Road. • Pelican Crossing to replace the existing zebra crossing. • Open the path from Monkspath Hall Car Park. • Open up the path to Tudor Grange Park Car Park. • School should have a private road. • Create a car park for the school. • Create a backdoor service road. • These proposals should be the first part of a bigger initiative. 	3.12 & 3.32
Detrimental to the aesthetics of the road and I do not want 'yellow lines' outside my house.	3.13
<ul style="list-style-type: none"> • The restrictions will force cars to come onto our private drive. • What can the council enforce to ensure private property is respected and my driveway not used. • Damage to people gardens, how will this be addressed. • Breach of privacy and land law. 	3.14
The restrictions do not stop traffic coming into Grandborough Drive.	3.15
There is a risk of blocking emergency vehicles.	3.16
The restrictions do not address the junction of Grandborough being used as a turning circle.	3.17
Parents block driveways.	3.18
I will have to move my vehicle off the road, or I will get a fine outside my own house.	3.19
Residents unable to leave their homes at peak pick up and drop off times some to drop their children at school.	3.20
Parents will not understand the restrictions.	3.13
Proposals increase risk to children and other pedestrians on Grandborough estate. It is dangerous for kids to walk along Monkspath Hall Road.	3.12 & 3.21
Open up Whitefields Gate and Linton Avenue.	3.22

Representations from Parents	Officers Comments/ Response (Refer to paragraph)
<p>The restrictions are not feasible because: -</p> <ul style="list-style-type: none"> • I live too far to walk / I have to drive. • There are not enough footpaths by where I live to walk safely to public transport and the speed is 50mph. • Disallow parents to get their children to school in a timely manner. • The catchment area is greater for a faith school. • Bus fares for four is too expensive. • Public transport is not good enough. • I will be forced to move schools. • I am a working parent and I have to drive. • Pushing more people onto buses will increase covid. • They are detrimental to children and parents' mental health in the wake of covid. • Elderly relatives who provide childcare need to drive. • Parents cannot be expected to take time out of their busy day to walk their children to school. • They are not supportive to parents, children, staff, or the wider community. • There is too much crime in the area to be able to walk safely. • Primary school children cannot be expected to walk or cycle. • Primary school children cannot be expected to walk cycle on their own. • The school will not allow children to leave the premisses without a parent collecting them. • Detrimental to lives and businesses. 	3.23 & 3.24
<p>I do not believe that the Order addresses my needs or those with mobility issues. I regularly have to take taxis to and from the school. It appears that they will be caught by the Order. I will have to walk further, and my taxi costs will increase.</p>	3.23
<p>Whitefields Road will become unsafe as people will stop to drop their children off.</p>	3.24
<p>On Whitefields Road the footpaths are not wide enough to accommodate further pedestrians and there is a covid danger if new variants appear.</p>	3.21 & 3.25
<p>The surrounding roads are not bike safe with cycle lanes (nearest bike lane is on Blossomfield road). The roads are also heavily congested with commuters into and out of Solihull town centre.</p>	3.26
<p>Displacement in to surrounding streets.</p>	3.7
<p>Residents purchased houses near to a school and the schools were there before the houses.</p>	3.5 & 3.33
<ul style="list-style-type: none"> • Make Monkspath Hall car park available for parents. • I should not have to pay to park. • Provide parking for parents in covid test centre. • The 'pitch and put' car park is not big enough. • Please create a solution for parents as there is no alternative to park. • Where can parents park 	3.10, 3.11 & 3.12
<p>Catholic children are being directly and indirectly discriminated against.</p> <p>I feel it must be considered that the proposal could have a prejudice, based on the faith of the school. Either by SMBC or the local population and neighbours that have made their representations to SMBC.</p>	3.27
<p>Parking on Grandborough is not a problem as it's not that congested. Grandborough Drive is an overflow for parking and is a safe space.</p>	3.5 & 3.28
<ul style="list-style-type: none"> • Put a turning circle in school grounds or allow access from Tudor Grange Park. • Create a car park in school grounds. • A one-way system. 	3.12

<ul style="list-style-type: none"> Remove the strip of green outside school to allow parking. 	
<ul style="list-style-type: none"> Senior school parents should be discouraged from dropping their children. Allow children to be dropped earlier 	3.29
The council failed to inform the schools of the proposals.	3.30
The land where the schools are located was donated for education, limiting children's ability to get to the school gate goes against the original agreement.	3.31
Instead, we should be supporting initiatives around active travel, improved routes, and safe roads for families.	3.32

3.5 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 a difficult balance between the needs of parents dropping and picking up primary aged children and the quality of life for residents.

The intention is not to prohibit all on-street parking as there is a demand for parking at school drop off and pick up times. Further restrictions at this location would be overly restrictive and lead to poor compliance.

3.6 Residents parking schemes are typically introduced when the required criteria is met and following an application from residents indicating their agreement to meet both the initial cost of joining the scheme and the ongoing annual permit renewal cost. This process sits outside the annual TRO priority process and would not be considered under this Order. However, if a subsequent application was made it would be considered accordingly. Further information can be found at <https://www.solihull.gov.uk/parking/residentparkingpermit>

3.7 It is acknowledged that the proposals as set out may result in some displacement parking into adjacent side roads. The proposals will however discourage obstructive parking on critical junctions, which should aid the flow of traffic and ease concerns over congestion and access restrictions to emergency vehicles caused by obstructive parking.

3.8 It is not currently against the law for a vehicle to be parked on a footway/verge, it is however against the law for a vehicle to cause an obstruction on a footway/verge or drive along a footway/verge. The police currently have the responsibility to enforce this under various statutory provisions.

Where a yellow line parking restriction has been proposed, it would apply to the full width of the highway including the adjacent verge and footway. The council's Civil Enforcement Officers can therefore take enforcement action in certain circumstances with regard to footway parking.

3.9 Enforcement is carried out in line with our commitments across the whole borough. If the proposals are subsequently implemented there will be a proactive push to drive compliance with the new restrictions.

3.10 Parking in a safe and appropriate location remains the choice and responsibility of the individual motorist.

3.11 The Council's policy is to apply charges at all its town centre parking facilities. To change the terms and conditions of Monkspath Hall Car Park would also impact car parks charges at nearby council operated car parks, the financial impact over the year could be considerable and not something that can be supported.

3.12 Providing engineering works both on the public highway and on private land such as traffic calming, or the creation of new roads are outside of the scope of this scheme. Whilst separate to this scheme, the Council have recently submitted a grant funding application to support improved walking and cycling access to the Whitefield's Road Area. Details of this scheme will be shared later this year if the funding bid is successful.

3.13 All parking/waiting restrictions require the necessary lining and must be clearly signed in accordance with current legislation and guidance so that they can be interpreted correctly. While to some they are not aesthetically pleasing they are a legal requirement.

- 3.14 Trespass and damage to private property is a civil matter which would have to be dealt with privately.
- 3.15 Grandborough Drive is a public highway and therefore has to remain publicly accessible.
- 3.16 Colleagues in the emergency services have been consulted as part of this process. No objections have been received in relation to the proposals as advertised.
- 3.17 Parking restrictions cannot stop manoeuvres such as turning in a junction, instances of dangerous driving can be reported to the police who have full powers of enforcement to deal with such matters.
- 3.18 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>
- 3.19 Parking restrictions apply to all motorists and cover the extent of public highway including the carriageway and adjacent footway or grass verge.
- 3.20 The proposal aims to regulate parking and the amendments to parking-restrictions should improve compliance and reduce instances of obstruction. Any obstructive parking outside the operation times of the restrictions can be addressed by West Midlands Police.
- 3.21 The Monkspath Hall Road Footway has recently been upgraded to a shared use 3m wide facility which provides enhanced pedestrian and cycle connectivity for all. It is considered that this improvement will aid active travel journeys whilst improving connectivity to adjacent car parks.
- 3.22 The restrictions on Whitefields Gate and Linton Avenue were introduced in 2012 and 2016 respectively to prevent all-day commuter parking. As the road layout or demographic of this area has not changed it is reasonable to assume that the restrictions are still required.
- 3.23 It is understood that travelling to and from school by car is necessary for some families. The scheme is not intended to cause problems for parents of children attending any of the local schools and unfortunately has come forward because of the obstructive parking demonstrated by some parents. It is important to remember that the proposal does not seek to remove all on-street parking from the Grandborough Drive estate, simply to regulate parking in response to community concerns. The council has received representations for additional parking restrictions to be introduced at this location as part of this consultation; officers recognise the demand for school parking and do not recommend any further restrictions here at the current time.
- 3.24 There are several areas on Whitefields Road where the restriction is 'No Waiting, Monday to Friday, 9.30 – 10.30am and 1.30 – 2.30pm' outside of these times it is permitted and for motorists to stop to drop their children off.
- 3.25 The Government and Solihull Council are aware of the changing situation regarding covid and will act accordingly if necessary. Social distancing, at present, is not required.
- 3.26 Cycle facilities are available on Monkspath Hall Road where an off carriageway shared use facility is provided. This provides good connectivity to both the Monkspath and Hillfields residential areas. Whilst we recognise that cycling may not be appropriate for some families, it can, in certain circumstances be an option, alongside other sustainable travel modes including walking and scooting. The Solihull Local Cycling and Walking Infrastructure Plan (LCWIP) will enable a long-term approach to develop a local cycling and walking network within the borough. The overall aim of the Solihull LCWIP will be to improve cycling and walking infrastructure across the borough over the next 10 years.

- 3.27 As the highway authority for the borough, Solihull Council will propose measures to regulate the kerbside space at locations prioritised by our framework process. This is not discriminatory to any faith and parking restrictions can be found within the borough close to schools of other denominations, town centres and other areas where on-street parking affects the operation of the network.
We recognise that long journeys cannot feasibly be undertaken by walking and other sustainable modes of travel, however, travelling by car for most of the journey and walking the last few minutes might be appropriate for some families, rather than a number of vehicles all parking as close to the school gate as possible, which contributes to congestion, pollution and results in a generally unpleasant environment for children.
- 3.28 There are no given rights to park on public highways which are intended to facilitate the passing and repassing of traffic only.
- 3.29 These requests are outside of the scope of this consultation. However, the schools will be informed of your comments.
- 3.30 The proposed parking restrictions affect both local residents and parents who seek to park in the area. A combination of letters to households and on-street notices ensured that those with an interest in on-street parking were aware of our proposals. The high number of representations confirms that the consultation method was appropriate.
- 3.31 The intention of the measure being considered are to promote active travel and aid traffic management and parking associated with the school. Both of which will benefit the community and schools.
- 3.32 Our Sustainable Travel Team will contact the school to discuss initiatives to promote more active travel which could include looking at Park & Stride and Walking Buses schemes as well as promoting more walking, scooting, and cycling to the school.
- 3.33 The land in question is designated for educational purposes and its use is well established. Matters associated with whether the school or houses predate each other are not a material consideration relevant to the determination of this matter.

4. Ward Members' Views

- 4.1 The Ward Members for St Alphege were informed of the proposals. Ward Councillors express their support for the residents of Grandborough Drive and specifically were supportive of requests to extend the PM period restriction to 4pm to prevent school related parking in these roads.

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 Following extensive dialogue between the lead ward member subsequently confirmed that the resident's action group are minded to accept the proposals as advertised by the Council. This is on the understanding that the situation will continue to be monitored so that the impact of the new restrictions can be reviewed and assessed.
- 5.3 Whilst it is recognised that many different views and opinions on the proposals have been expressed, on balance it is considered that it is appropriate to proceed with the scheme as advertised.
- 5.4 It is therefore recommended that the proposed Traffic Regulation Order be implemented as originally advertised as detailed on Plan 8953 in Appendix A.

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.

For Decision

The Head of Highway Management is asked to approve that the traffic regulation order, as detailed on drawing no. 8953 in Appendix A, is implemented.

The recommendation as set out above is hereby approved:

P.S.Tovey

28th April 2022

Signature:Date.....

Paul Tovey
Head of Highway Management