

Southend-on-Sea Borough Council

Report of Corporate Director of Enterprise, Tourism and
the Environment

to

**Traffic and Parking Working Party and Cabinet
Committee**

on

12 February 2009

Agenda
Item No.

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Streets in the Area Around the Royal Bank of Scotland Offices – Dangerous and Obstructive Parking

A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To advise the Working Party of parking problems identified in streets in the area around the Royal Bank of Scotland's offices in Thanet Grove and to obtain authorisation for the advertising of a Traffic Regulation Order for the implementation of Waiting Restrictions, as listed at **APPENDIX A** and shown on the plans at **APPENDIX B**, to reinstate highway safety and unobstructed vehicular traffic flow in the area.

2. Recommendation

- 2.1 **That the Working Party recommends to the Cabinet Committee that it authorises Officers to advertise the Council's proposal to make Traffic Regulation Orders, as necessary, to facilitate the implementation of waiting restrictions and school "keep clear" areas, as described in this report, to remove the obstructive and dangerous parking in the streets in the area around the Royal Bank of Scotland's offices in Thanet Grove.**
- 2.2 **That the working party further recommends to the Cabinet Committee that if the Council receives no objection to the proposal to make the Traffic Regulation Order, within the statutory period, then it authorises officers to make the Traffic Regulation Order and implement the waiting restrictions.**

3 Background

- 3.1 On 26 December 2002, in support of its application to the Council for planning consent to construct new offices on land north of Thanet Grange, the Royal Bank of Scotland (RBS) entered into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (abbreviated to "Sec106" for the remainder of the report).

- 3.2 Part 6 of the agreement headed “Arrangements in connection with a Controlled Parking Zone” set out the details of an agreed procedure to determine the need for the introduction of measures to remedy any adverse effects of increased on-street parking in the local area.
- 3.3 In the event of that need being established the agreement required RBS to guarantee a sum, not exceeding, £100,000 to cover, or contribute towards, the cost of those remedial measures.
- 3.4 The Sec106 agreement set up a “Measurement Zone” which covered an area of streets where employees of RBS might park if they were unable to enter the RBS staff car park.
- 3.5 The agreement required a “Baseline Parking Survey” to be carried out before “Occupation” of the offices. The baseline survey was carried out on Thursday 30 September 2004 when the number of vehicles parked on each street within the zone was recorded.
- 3.6 The agreement stipulated that the numbers of vehicles shall be “Monitored” at agreed intervals throughout a five year period following “Occupation” of the building and compared with the baseline survey. If any monitoring survey indicated that the numbers of vehicles in the measurement zone had increased by 40 or more then RBS would become liable for the cost of implementation of remedial measures.
- 3.7 Indications are that the date of “Occupation” was on or around the 22 March 2004, although the Council has no knowledge of the levels of staffing at RBS on that date.
- 3.8 The first monitoring survey was carried out during January 2005 by a specialist Contractor supervised by Consulting Engineers appointed by RBS. The survey showed an average increase in on-street parking of 139 vehicles, well above the 40 vehicle trigger level stipulated in the Sec106 agreement.
- 3.9 A letter dated 26 April 2005 from the Consulting Engineers retained by RBS confirmed that RBS agreed, under the terms of the Sec106 agreement, to:
- “the drawdown against the Guarantee a sum of £100,000 against costs reasonably incurred by the Council in respect of a CPZ implementation project, should such a scheme be favoured by the Council.”*
- 3.10 In June 2006 waiting restrictions were implemented in Westbourne Grove and Eastbourne Grove.
- 3.11 Bishop House, Western Approaches**
- 3.11.1 A report presented to the Traffic and Parking Working Party and Cabinet Committee of 17 December 2008 advised that a petition had been submitted by residents of Bishop House, Western Approaches.

- 3.11.2 The petitioners claimed that parking by RBS employees made it difficult and unsafe for them and their visitors to drive in and out of their car park.
 - 3.11.3 Officers have carried out investigations and have met representatives of the petitioners at the problem location and can confirm that the parking that takes place, as reported by the petition, is of significant detriment to highway safety.
 - 3.11.4 Officers can further confirm that the parking occurs only during the day and that local residents do not normally park within 30 or 40 metres of the junction. The residents in the immediate area will be consulted giving them the opportunity to let the Council know if they are disadvantaged by the proposals.
- 3.12 Officers are currently continuing a detailed review of the off-street parking problems in the area with the intention of seeking the authorisation of the Cabinet Committee to carry out a consultation later in the year. The consultation will seek residents' views on proposals to remove non-resident parking from streets where parking problems have been identified.

4 Other Options

- 4.1 To do nothing – This would be an unacceptable option because of the severity of the parking congestion and the resultant inconveniences and hazards for the local businesses, residents and highway users which include emergency vehicles, mobility vehicles, public transport (Carlton Avenue) and pedestrians including the handicapped, the elderly and children.

5 Reasons for the Recommendation

- 5.1 Whatever the outcome of the current investigations, in respect of the removal or reduction of non-resident parking in the streets in the area around the RBS offices, it is important that measures to reinstate highway safety and remove obstructive parking are implemented as soon as possible.
- 5.2 The increased demand for parking in the area has led to a prevalence of inconsiderate, unsafe and obstructive parking. The Police have powers that enable them to issue Penalty Notices to those who, in their view, park their vehicles dangerously or unsafely. Unfortunately, the Police do not have the resources to sustain the levels of enforcement required to eradicate the problem.
- 5.3 Currently, the Council do not have powers to enforce obstructive or dangerous on-street parking unless waiting restrictions have been implemented at the location.
- 5.4 The implementation of double yellow lines will give a clear, explicit and unambiguous indication to drivers of where parking cannot take place offering the most effective remedy of the existing parking problems.

5.5 For the above reasons this report recommends that officers are authorised to advertise the traffic regulation order and if no objections are received implement the proposals.

6 Corporate Implications

5.1 Contribution to Council's Vision & Critical Priorities

The management of on-street parking to properly balance the various needs of all road users contributes to the Council's vision and Critical Priorities.

5.2 Financial Implications

The cost of investigation, design and implementation of any proposals resulting from this matter will be borne by RBS under the terms of an existing agreement between the council and RBS under Section 106 of the Town and Country Planning Act.

5.3 Legal Implications

The Council may implement Waiting Restrictions under the Road Traffic Regulation Act 1984.

5.4 People Implications (staff)

None

5.5 Property Implications

None

5.6 Consultation

5.6.1 Before completing this report the Ward Members for the St. Lawrence, Prittlewell and Blenheim Park Wards were consulted.

5.6.2 The making of the Traffic Regulation Orders in advance of the implementation of the waiting restrictions will require Statutory Consultation.

5.6.2 In addition, in line with the Council's policy, a letter and plan, as shown at **APPENDICES B and C**, will be sent to residents and businesses in the immediate vicinity of the proposed restrictions. The letters will be delivered not later than the date of commencement of the statutory consultation period and will draw attention to the formal notices in the local paper and on the public highway. This will give them the opportunity to make formal objections should they wish, and also offer the opportunity to make informal comments on the proposals.

5.6.3 Any written formal objections to the proposals will be reported to the Traffic and Parking Working Party/Cabinet Committee for determination.

5.7 Equalities and Diversity Implications

- 5.7.1 Waiting restrictions have been provided where possible without loading prohibitions. Blue badge holders can park for limited periods on yellow lines that do not have associated loading prohibitions.
- 5.7.2 Where loading prohibitions have been proposed consideration has been given to the provision of alternative parking facilities for blue badge holders.

5.8 Risk to the Council

Some members of the public will perceive parking restrictions as an unnecessary imposition by the Council.

5.9 Value for Money

The waiting restrictions will contribute to the proper operation of the public highway in a large heavily trafficked residential area at relatively small financial cost.

5.10 Community Safety Implications

Highway safety will be significantly improved by the proposals.

5.11 Environmental Impact

The yellow lines associated with waiting restrictions add to “street-clutter” but following legislation in 2002 double yellow lines, as proposed here, would not need “no-waiting” signs.

6 Background Papers

- 6.1 A copy of the agreement between the Council and the Royal Bank of Scotland under Section 106 of the Town and Country Planning Act 1990.
- 6.2 Earlier reports and minutes of the Corporate Director for Enterprise, Tourism and the Environment on related matters as follows:

Cabinet

27 September 2005

Transport and Parking Working Party and Cabinet Committee:

18 June 2007

20 September 2007 (minutes only)

1 November 2007

17 December 2008

7 Appendices

Appendix A – List showing location of each required waiting restriction.

Appendix B – Plans showing layout of waiting restrictions.

Appendix C – Typical letter of consultation.