

<b>Central and South Mid Sussex County Local Committee</b>	<b>Ref: CSM02(18/ 19)</b>
<b>26 June 2018</b>	<b>Key Decision: No</b>
<b>Mid Sussex – Penland Road &amp; Various Roads Traffic Regulation Order</b>	<b>Part I</b>
<b>Report by Director of Highways and Transport &amp; Head of Highway Operations</b>	<b>Electoral Division: Haywards Heath Town and Cuckfield &amp; Lucastes</b>

### **Executive Summary**

During a previous Central Mid Sussex County Local Committee meeting, it was agreed to approve the progression of a Traffic Regulation Order to resolve parking issues raised by local residents and businesses concerning out of date restrictions, inconsiderate and obstructive parking affecting several roads north end of Penland Road and The Spinney, also southern end roads including Pasture Hill Road and Sydney Road. The support of Local Members led to an extension to other surrounding roads for a more strategic view of the demands.

The residents' concerns included general all-day parking in residential areas, which are adjacent to business, educational and community hubs including Haywards Heath Railway Station. Business concerns raised lack of customer parking for smaller businesses who had to compete with larger stores with dedicated parking facilities.

The three week statutory public consultation for the TRO ran between, 24th Aug - 14th September 2017.

Following advertisement 119 comments were received specifically relating to the parking scheme, as a result the local members agreed to reduce certain elements of the original proposal and maintain the measures that addressed safety concerns, lack of business parking and some general all day parking.

### **Recommendation**

That the Central and South Mid Sussex County Local Committee authorises the Director of Law and Assurance to make the Order as advertised except for amendments outside 38/40 Penland Road, 43/45 Penlands Road, 94/96 Turners Mill Road, 24/26 Turners Mill Road, opposite 18/22 Pasture Hill Road, as detailed in paragraph 1.12 and Appendix C highlighting revised plans.

## 1. **Background and Context**

- 1.1 This Haywards Heath area has historically experienced several parking schemes, including the potential proposal of a Controlled Parking Zone. However this failed to garner sufficient local support to progress. As a result, the alternate past parking schemes were designed with a bias to the local residents' demands, making nearby hubs secondary to utilise what was left of the on street parking. This has had a negative affect over time and this Traffic Order scheme was seen as an opportunity to address the balance of these wider issues for all users.
- 1.2 These factors were brought to the attention of the local members, Sujan Wickremaratchi and Pete Bradbury. Several Ward Members of other councils also had an interest and also agreed to support this wider scope approach, which included the removal of outdated restrictions and the introduction of new restrictions to ensure safety for the public highway user.
- 1.3 We also engaged with the wider community, including businesses in Sydney Road, Harland's Primary School, Central Sussex College, bus operators servicing Bannister Way and general residents in the area.
- 1.4 The renovation of Haywards Heath Railway Station and the introduction of a new Waitrose Store, with its own parking provisions, has increased the profile of this area making the existing parking opportunities more competitive for all, particularly for the smaller local businesses, hence the attraction of revising the existing restrictions, by increasing capacity and turn-over for customers where possible.
- 1.5 Although Central Sussex College is currently closed, it may well reopen as an educational base. Therefore, a student presence could still be a continual factor in the local area. The railway station improvements would naturally invite further commuter attraction, which would inevitably grow over time.
- 1.6 The bus service operation in Bannister Way has always been popular however, discussions with WSCC Highways and MSDC Parking Team raised concerns regarding the unsafe congestion build up fronting Sainsbury's entrance. As a result, discussions with the bus operator resulted in a revision of their time tables, and further to this a Bus Stand facility has been proposed in-conjunction with this scheme. The combination of these changes has and will improve future sustainable transport in the long term.

- 1.7 During a series of meetings with MSDC Parking Team an issue was raised concerning hazardous parking and abuse of the existing restrictions positioned on the bend in Burrell Road. HGV, general staff and customer parking associated to nearby businesses indiscriminately parked on the footway and bend causing forward visibility difficulties and unnecessary obstruction to pedestrians using the footway.
- 1.8 As a measure to reduce risk to the public using the pedestrian facilities, it is proposed the existing parking restrictions are to be upgraded to no loading at any time. This will encourage the HGV deliveries to utilise the dedicated loading points on their private grounds, and staff and customer parking to utilise private forecourts where appropriate to business and on street parking.
- 1.9 During public engagement, residents located on the north side of Balcombe Road (Fairfield Way and Oakhurst Lane) were worried about migrating commuter parking affecting their roads. Although the design of the scheme was to provide pockets of safe all-day parking and deter this activity, the residents were not convinced it would work, therefore demanded blanket measures which prevented all day parking. However, a balance was reached and the proposal included some all day and limited waiting restrictions to address these concerns.
- 1.10 Following public consultation (24 Aug – 14 Sept 2017) there were 118 comments associated with this scheme including 109 objections, 8 supports and 1 retracted their objection. Majority of objections were related to residents not supporting all day parking outside or close to their homes.
- 1.11 In light of the public consultation response, a meeting was held (12 Dec 2017) with WSCC Officers and Local Members Pete Bradbury and Sujjan Wickremaratchi to discuss options moving forward. Members agreed the scheme still provided safety and economic benefits therefore, these areas would remain. This included the restrictions proposed north side of Balcombe Road.
- 1.12 As such the scheme proposals have been scaled down addressing public feedback, but still honouring safety and areas meriting local businesses and still with an attempt to meet the challenges of capacity parking. Specific locations now not progressing include, outside 38/40 Penland Road, 43/45 Penlands Road, 94/96 Turners Mill Road, 24/26 Turners Mill Road and opposite 18/22 Pasture Hill Road.
- 1.13 Despite its selection in 2014, during the task & finish group revision for TROs, it was agreed that this legacy (Penland Road) scheme was to be included within its list of priorities for traffic regulation orders (TROs), introducing a series of measures to address the problems identified in the above mentioned roads.

## 2. **Proposal**

- 2.1 To alleviate parking pressures for all highway users and mitigate various safety and economic concerns. Existing restrictions were revised and redundant measures were removed or re-configured to suit contemporary parking trends. Despite the scheme was reduced in size, it was still considered as providing value to the area, however not on the same scale as originally designed. Therefore, recognising the future growth and attraction Haywards Heath will bring in the coming years, a strategic overview in the form of a Road Space Audit (RSA) would be recommended for the future.
- 2.2 The lengths of road that were the subject of the proposed Order are shown on plans TQ3225NES, TQ3225SEN, TQ3225SES, TQ3224NEN, TQ3224NES, TQ3324NWN & TQ3324NWS.

The advertised plans are in Appendix **A**

- 2.3 Following public consultation, the proposals have been reviewed and as a result, have been revised. This is a community led TRO and there is scope to reduce the size of this scheme without re-adverting it.
- 2.4 Regulation 14 of SI No. 2489 of 1996 allows an Order to be modified before it is made. The revised proposal would no longer include changes to areas within TQ3225SES tile plan, also outside 94-96 & 24-26 Turners Mill Road (TQ3224NEN). Opposite 18-22 Pasture Hill Road (TQ3224NES) and outside 38/40 and 43/45 Penland Road (TQ3225SES).
- 2.5 The revised restriction is shown on plans TQ3225SES, TQ3224NEN & TQ3224NES.

The revised plan is in Appendix **C**

- 2.6 The Order is proposed to avoid danger to persons or traffic using the road or for preventing such danger from arising, to facilitate the safe passage of pedestrian / vehicular traffic and improve the amenity of the area through which the road runs.

## 3. **Resources**

- 3.1 The cost to the Council for the installation of the TRO should be in the regions of £500.00 to be met from the Community Traffic Order Regulation budget.

## **Factors taken into account**

## 4. **Consultation**

- 4.1 **Members** - At the design stage, the local members Sujan Wickremaratchi and Pete Bradbury were consulted together with ward members of other councils, including Sandra Ellis, Jonathan Ash-Edwards and Clive Laband, who all supported the original proposals.
- 4.2 **External** - Sussex Police and Mid Sussex District Council Parking Team were consulted at design stage and raised no objection. Consultation and discussion were carried out with representatives of various hubs who did not object to the original proposals.
- 4.3 **Internal** – WSCC Safer Routes to School Team were consulted at design stage and raised no objection.
- 4.4 **Public** - The three week statutory consultation for the TRO ran between 24th Aug – 14th Sept 2017. Notification of this was sent directly to a range of stakeholders including the Police and emergency services, bus companies. During the consultation period notices were erected on site, a copy of plans and a statement of reasons were placed at the local library, and the Notice advertised in the West Sussex Times and on the County Council’s website.
- 4.5 During the consultation period 109 comments of objection were received in relation to the proposals. The objections have been summarised in Appendix **B** attached to this report together with comments from the Director of Highways and Transport.
- 4.6 Comments made by residents were reviewed by the Local Members Sujan Wickremaratchi and Pete Bradbury who confirmed their continued support for the proposals, however agreed modifications to the original proposal to mitigate the objections through the Delegated Officer reporting procedure.

## 5. **Risk Management Implications**

- 5.1 Due to obstructive parking at junctions, on pavements, on verges and bends, should the proposed TRO not be made, the risk to the County Council is that vehicles will continue to perform this negative and hazardous activity, inhibiting the public highway user from utilising the highway as it was intended to be used.
- 5.2 Should the TRO be made the risk to the County Council is that car drivers will need to find alternative safe parking provision, also encourage those to utilise dedicated safe areas, with some possible migration into neighbouring roads.

## 6. **Other Options Considered**

- 6.1 A Road Space Audit for Haywards Heath with a view to analyse and recognise the continual development in this area so a more robust strategic solution can better manage parking within the town.
- 6.2 The extent of the advertised parking restrictions was based on a number of site visits and community engagement by officers. In consideration to comments received the advertised proposals for Penland Road scheme has been revised and reduced. This will still result in a prohibition of parking on the junctions to improve visibility and safety and will allow parking provision where it is safe to do so.

## 7. **Equality Duty**

- 7.1 The protected characteristics as defined in the Equality Act were duly considered in the course of the development and design of this TRO proposal. Any vehicle is permitted to stop on double yellow lines to load and unload, including passengers, providing it is safe to do so. Those with a blue disabled badge can park for up to three hours, provided it is safe to do so.
- 7.2 The comments and objections received about the proposals did not raise Equality Act issues but were assessed in relation to the protected characteristics and no relevant impact emerged.

## 8. **Social Value**

- 8.1 The proposals to deter obstructive parking at junctions and on pavements align with the County Council's policy on Social Value insofar as they aim to improve the local network environment for existing and future users.
- 8.2 It is acknowledged that removal of free parking as allocated in the original parking design will not fully address the growing demands and may be regarded as having an adverse impact to all users of this area and those who use nearby amenities. The primary concern of the Council must be to discharge its statutory duty to manage the highway network and ensure the safety of all road users.

## 9. **Crime and Disorder Act Implications**

- 9.1 The County Council does not consider there to be any foreseeable Crime and Disorder Act implications associated with this proposal. The view of Sussex Police has been sought, who confirm they believe there are no issues in relation to the Crime and Disorder Act.

## 10. **Human Rights Implications**

10.1 It is unlawful for a public authority to act in a way that is incompatible with a convention right. The policy objective to avoid danger to all road users and reduce congestion should then be set against these rights. Taking these points into consideration it is believed that the introduction of this Traffic Regulation Order is still justified.

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**Appendices**

Appendix A – plans of existing restrictions and advertised proposals

Appendix B – summary of objections

Appendix C – plan of revised proposals

**Background Papers**

None