

## **Community Services - Parking Services (Parking Development)**

### **New Restrictions Procedure 2019**

This document sets out St Albans City and District Council's procedures and Policy for dealing with requests for new on-street parking restrictions or amending existing controls.

## **1. Types of Parking Restrictions**

1.1. In general terms there are two types of waiting restrictions.

<b>I. Restrictions that stop waiting or Stopping;</b>	<b>II. Restrictions that allow waiting and Stopping;</b>
<ul style="list-style-type: none"> <li>• Double yellow lines</li> <li>• Single yellow lines</li> <li>• Loading bans</li> <li>• School Keep Clears</li> <li>• Verge and footway parking bans</li> </ul>	<ul style="list-style-type: none"> <li>• Disabled parking bays</li> <li>• Permit (e.g. residents or business) parking bays</li> <li>• Loading bays</li> <li>• Coach parking bays</li> <li>• Limited waiting bays</li> <li>• Pay and display bays</li> </ul>

## **2. Who Can Make Requests**

2.1. Requests for restriction changes can come from many different sources for example; residents, developers, Councillors; Town and Parish Councils and County Council. Each request for restrictions will be considered on its merits. With parking restrictions there is no one size fits all and all views of those affected by any proposed restrictions will be considered fully.

2.2. The Council has a scoring matrix which is explained in the appendix to this procedure. Within this, each type of request is allocated a score reference which is added to the overall score for each request.

## **3. Request Process and Assessment**

3.1. On receipt of a request for parking restrictions the request will be acknowledged. The request is then added to the Councils Parking Development teams list of new requests to enable a desktop review to be undertaken of the area by a Specialist Parking Officer. The area will be visited and assessed against the criteria in the appendix to this policy; The Scoring Matrix.

- 3.2. Within the scoring matrix a new request must achieve a score of 55 or over to be recommended for the work programme. Any score below 55 would mean a recommendation not to follow up on the request and not progress it any further.

#### **4. Prioritisation of Schemes**

- 4.1. Each year the District Council receives a considerable number of requests for new or for the revision of existing parking restrictions.
- 4.2. To provide an objective framework, each location or scheme is scored using the assessment scoring framework; The Scoring Matrix. The framework considers the following;
- Type of request received
  - Type of parking problem
  - Road Safety
  - Congestion
  - Proximity to parking generator
  - Funding including running costs of any restrictions
  - Level of complexity
  - Site Survey
- 4.3. The application of the assessment scoring framework will generate a score to enable the prioritisation in determining the start of The Order Making Process.

#### **5. Considering the Recommendation**

- 5.1. The recommendation will be considered by Car Parking Advisory Panel (which is a cross political party advisory forum) who will provide guidance on the recommendations to the Councils Portfolio Holder responsible. This forum is chaired by the Portfolio Holder. The decision will then be published within the Car Parking Advisory Panel Agenda Pack and / or minutes following the relevant meeting of the group.
- 5.2. The list of new requests is considered by the Car Parking Advisory Panel at their next available meeting, If the request is not received before the Agenda for that meeting is published, the request would need to be considered at the next available meeting. Meetings are held quarterly. The new requests list is a standing item on the Car Parking Advisory Panel agenda. Details of the next meeting and any minutes or Agendas can be found at:  
<http://stalbans.moderngov.co.uk>
- 5.3. Those requests agreed by the Car Parking Advisory Panel to proceed to the next stage will then be added to a list of pending requests on the existing Work Programme.

## **6. The Work Programme**

- 6.1. The work programme is the agreed list of requests to be taken forward and prepared for consultation. The Work Programme is sub-divided into the type of restrictions being implemented as some schemes such as residents parking schemes are complex and may require more consultation. The current work programme can be found at: [www.stalbans.gov.uk/request-new-restriction](http://www.stalbans.gov.uk/request-new-restriction) The Work Programme specifies the work to be undertaken in each financial year (April – March) This is also periodically reviewed and can change. For example; A scheme under consultation may be delayed due to unforeseen circumstances, this would mean the work on other schemes could be delayed and the work programme altered to reflect that.
- 6.2. The Work Programme is considered fully by the Car Parking Advisory Panel at each meeting and schemes may be added to the Work Programme either by priority or by date received. This is periodically reviewed as a standing Agenda item.

## **7. Residents Parking – The Process**

- 7.1. If a request comes from a resident or a group of residents, the request must demonstrate that at least 60% of residents within a road or area support a residents parking scheme or changes to existing controls. The request must support one of the reasons given for making a Traffic Regulation Order under paragraph 12 of this procedure. This percentage can be shown in a multi signed letter or petition presented to the Parking Development team either in writing or by email to

Parking Development  
St Albans City and District Council  
Civic Office  
St Peters Street  
St Albans  
AL1 3JE

Email: [parkingrestrictions@stalbans.gov.uk](mailto:parkingrestrictions@stalbans.gov.uk)

- 7.2. An example of 60% support would be;

- If a single road or group of roads has 100 properties, we would require evidence showing that 60 of those properties support some form of restriction i.e. 60%. This is calculated as one response from a single property. Any duplicate responses from a single property are not used in the calculation but are considered.

- 7.3. Following an assessment as described within this procedure, a review will be undertaken of the area and during this review other roads may be included taking into consideration such issues as, displacement (cars moving to nearby streets to find unrestricted parking), lack of available parking and any existing issues.
- 7.4. An impact assessment will be included in a Community and Equalities Impact Assessment (EIA), an EIA is explained in more detail under paragraph 10.5
- 7.5. If following consultation, a request is agreed to proceed, there are several stages which may then subsequently take place. These stages are outlined in paragraphs 8, 9 and 10.

**8. Stage 1 - Initial Consultation to Scope the Scheme** - This can involve;

- I. public meeting to which all residents would be invited along with a questionnaire to be completed. (This is only done for complex schemes)
  - II. An informational consultation letter with questionnaires which should be returned.
  - III. Both, Meetings and postal consultations. (This is only done for complex schemes)
- 8.1. The consultation questions at this stage are key to understanding what the residents believe are the issues and what they believe is the right solution. The questions put to residents will reflect the relevant area consulted and the issues highlighted. These questions will be key in gathering the percentage response. This will be highlighted within the consultation documents at the relevant questions.
- 8.2. The Consultation documents will include a map highlighting the geographic area being consulted. This area is likely to include areas that may not be included in any final proposal.
- 8.3. **What is required** the aim of the initial consultation is to achieve a 60% response rate from the area or streets consulted. Each road within the consultation would need to meet the 60% response or the road could be removed from any final scheme proposal.
- 8.4. **What we calculate and why;** the percentage of 60% will be calculated from individual properties only. For example, if two residents from the same property both respond, even if the views are different, this will only be calculated as one response from a household. The only exception is where a property has multiple dwellings such as Flat 1 and Flat 2. What this means is, if we receive 50 responses and out of those 50 responses two properties send in a response from two individual residents within the same property. The overall response would be 48 as we would remove the extra two responses from the calculation. One from each of the two properties.

8.5. A majority of residents responding (50%+1) will be required to determine the way forward for any scheme. i.e. 51% for or against a scheme. A majority will only be considered once the response rate of 60% or above is achieved. Follow up consultations may be agreed to achieve the response rate to ensure all residents have had an opportunity to respond. To illustrate this a worked example is set out below;

- **Example calculation:** If the Council consult 1000 properties, they would require at least 600 responses (60%). Out of those 600 responses 301 (50%+1) would need to be in favour of a proposed scheme for it to proceed. This calculation may be done by individual roads or as an overall area. The consultation process and the needs of individual roads will be considered when making the final calculations.

8.6. If the majority of residents support the need for controls, a draft scheme proposal (possible residents permits or other restrictions) will be prepared based on the most favored option, if no favored option is clear, further consultation on the options may be required. There is no majority percentage needed for the scheme option/s, i.e. restriction type, times and days of the restriction, this will be determined by the most chosen option/s.

8.7. A final proposal for restrictions will consider the responses, the Councils Parking Strategy and The Traffic Regulations Act 1984  
<https://www.legislation.gov.uk/ukpga/1984/27/contents>

8.8. Roads removed from a scheme can still be added at any stage up to and including the Formal stage in paragraph 10. However, once the formal stage is underway a road cannot be added but a road can be removed.

8.9. All scheme design documents including map designs will be checked by a minimum of two officers prior to publication to ensure accuracy.

**9. Stage 2 - Informal Consultation or Informal Proposals** - Following the initial consultation a draft scheme will be prepared based upon officer and Highway assessment of the area. The scheme will take account of resident feedback received during the initial consultation process. Details of the draft scheme will be circulated to residents and interested parties for further comments.

9.1. Details of the informal consultation will be fed into the final restriction proposals (Scheme design) once agreed and the scheme map designs will be drafted.

9.2. All Traffic Regulation Order documents including map designs will be checked by a minimum of two officers before the final stage 3 process.

- 10. Stage 3 - Formal Consultation** – Once the legal documents (the Traffic Regulation Orders (TRO'S)) have been checked the draft TRO or TROs are ready for formal consultation. Formal consultation of TROs takes the form of an advert in the local paper and Public Notices placed near the proposed restrictions (where appropriate). Local residents and any other interested bodies will also be sent consultation letters which include a copy of the public notice. The views of Local Councillors, Emergency Services, The Freight Transport Association, The Road Haulage Association and local public transport operators are also sought.
- 10.1. The consultation period is for at least 21 days from the start of the notice. Full details of the scheme will be made available at the Civic Centre during normal office hours and on line at: [www.stalbans.gov.uk/troconsultations](http://www.stalbans.gov.uk/troconsultations)
- 10.2. Objections to the proposals and comments of support **must be made in writing** to the address specified in the notice or submitted via email during the consultation period. All objections **must** and will be considered. Objections **cannot** be considered over the telephone or in person.
- 10.3. The results of the consultation will be considered by local ward Councillors and Members of the Car Parking Advisory Panel, their views on the scheme will be sought on the consultation responses. The consultation could also be discussed at one of the Car Parking Advisory Panel meetings if it is considered contentious or complex.
- 10.4. A report is then drafted which will recommend whether the scheme is to proceed, be amended or abandoned.
- 10.5. Within the final report we will include a Community and Equalities Impact Assessment (EIA), this assessment will look in detail at the impact to all community groups. It will also look at possible displacement from parked vehicles. The assessment will provide details of how benefits to the community can be enhanced and negative impacts minimized or eliminated? The EIA will be made available within the final report which will be published on the Council's website for the relevant scheme here [www.stalbans.gov.uk/troconsultations](http://www.stalbans.gov.uk/troconsultations)
- 10.6. The decision to formally seal a Traffic Regulation Order will be made by the Head of Community Services in consultation with the Portfolio Holder.** Both will need to be satisfied all required procedures have been followed and the proposal is supported by either the local Councillors or the Car Parking Advisory Panel or both. All objectors or those who responded, made representations to the formal notice of making, will be notified of the Council's decision on the Order. The Council's response will be made in the same way as the representation was received. i.e. if the representation was by email, the Council's response will be to the same email address. All responses are summarised and responded within a summary table which is provided to all respondents.

- 10.7. If the scheme is to be implemented, any lining and signing works need to be arranged and then the Order can be sealed. A made Order Notice is then advertised in the local press and on the St Albans City and District Council website [www.stalbans.gov.uk/parking](http://www.stalbans.gov.uk/parking)
- 10.8. Residents will be notified of the start date of the restrictions and in a case where residents permits are required, the Council will provide a minimum of 4 weeks to allow residents to obtain permits before a scheme is in operation. During this period a two-week warning notice period will be in place to warn drivers of the new restrictions.

## **11. Non-permit parking schemes**

- 11.1. The Traffic Regulation Order process is slightly different for these schemes as the initial consultation stage may not be necessary. There is no need for the initial consultation stage unless the scheme is likely to be contentious in any way. A majority response or majority support is also not required for non-permit schemes, this is because these schemes are usually considered on grounds of safety, congestion or both. Other grounds can be considered and are detailed below.
- 11.2. Residents and businesses in any affected area will be consulted on any proposals but such proposals do not require any type of majority support.

## **12. Traffic Regulation Orders**

- 12.1. List of relevant legislation;
- I. Road Traffic Regulation Act 1984 (“the 1984 Act”)
  - II. The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (“the procedure regulations”).
  - III. Traffic Management Act 2004 (“civil parking enforcement”).
- 12.2. The introduction of parking controls requires the preparation and completion of a Traffic Regulation Order. Traffic Regulation Orders are legal documents which allow restrictions to be placed on the road and enforcement to take place.
- 12.3. Traffic Regulation Orders are usually made under the Road Traffic Regulation Act 1984 (“the 1984 Act”) and the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (“the procedure regulations”). These apply in England and Wales. Several minor amendments have been made to the procedure regulations since 1996.
- 12.4. The 1984 Act sets out the legal powers in broad terms, the procedure regulations lay down the processes to be followed when using those powers.



12.5. The 1984 Act as originally made placed the powers to enforce traffic orders with the police as a criminal matter. Many councils enforce on-street parking restrictions using powers first made available under the Road Traffic Act 1991 (“decriminalised parking enforcement”) and currently under Part VI of the Traffic Management Act 2004 (“civil parking enforcement”).

12.6. A traffic order may regulate any of the following activities: -

- movement of traffic or certain classes of traffic;
- use of a specific part of the carriageway;
- waiting or loading of vehicles;
- use by through traffic;
- overtaking;
- use by pedestrians; or
- use by heavy commercial vehicles.

12.7. Traffic Orders may be made for a variety of reasons, but in each case those reasons must include at least one that is valid under the 1984 Act. Valid reasons include: -

- Improving road safety
- Assisting the movement of traffic and/or pedestrians
- Improving the amenity of the road and its surroundings
- Providing suitable and adequate parking facilities.

12.8. The District Council within its agreement with Hertfordshire County Council only deals with parking related matters. Any issue relating to traffic movements would have to be considered by the County Council who are the Highways Authority.

12.9. A restriction cannot be implemented and enforced until a Traffic Regulation Order is in place. The introduction of a Traffic Regulation Order must follow a statutory process. The details are contained within; *The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996*

<http://www.legislation.gov.uk/ukSI/1996/2489/contents/made>

12.10. The process of introducing parking restrictions can be lengthy; this will vary depending upon the complexity, level of consultation feedback and extent of the scheme. The most complex and detailed schemes may take up to or more than 2+ years to implement. This will depend on the level and extent of consultation feedback received.

12.11. Traffic Regulation Orders require at least two stages of consultation. However, if the scheme is complex then further consultation/s may be necessary. In the case of residents parking requests, the process is different to that of other waiting restriction requests.



### **13. Final Stages to Implement a Traffic Regulation Order**

- 13.1. Once a new restriction is agreed the Council will place an order for the relevant parking signs and road markings if applicable. Any restrictions cannot be enforced without either the signs or markings or both in place. This process usually takes between four and 12 weeks. However, where possible the process will start before the final letter to residents. All signs and road marking installations are subject to weather conditions.
- 13.2. The Council will update residents in the form of a letter which will provide information on the start date of the scheme and how and where permits can be purchased. We will usually provide four to six weeks' notice of the start date of the live enforcement, this time period will include a two-week grace period where warning notices will be issued.
- 13.3. If there are any minor delays to the start date due to installation of signs and road markings, this cannot unfortunately be compensated on any permits already issued. However, if the delay is significant i.e. over six weeks, we may provide a grace period on expiry of any permit at that time.

### **14. Additional Information**

- 14.1. This Policy will be reviewed and updated, usually every three to five years or when legislation changes may influence the policy.
- 14.2. **Note:** Legislation or other legal requirements will be considered throughout every scheme and may supersede this policy.
- 14.3. All parking requests and schemes will take into consideration The Councils Parking Strategy and relevant Local Plan where appropriate. These are available on the Councils website [www.stalbans.gov.uk](http://www.stalbans.gov.uk)

## Appendix - Traffic Regulation Order assessment scoring framework

### Section A - Request Process and Assessment

1. On receipt of a request for parking restrictions the request will be acknowledged. The request is then added to the Councils Parking Development teams list of new requests to enable a desktop review to be undertaken of the area by a Specialist Parking Officer. The area will be visited and assessed against the criteria in the appendix to this policy; The Scoring Matrix.
2. Within the scoring matrix a new request must achieve a score of 55 or over to be recommended for the work programme. Any score below 55 would mean a recommendation not to follow up on the request and not progress it any further.

### Section B (1) - Type of request – Residents Parking

<i>Example</i>		
Emergency Service request action	55	To facilitate movement of emergency services
3 or more collisions	40	Where 3 or more personal injury collisions are recorded over a 3-year period and where parked vehicles have been identified as a contributory or causation factor in the subsequent report
Requests for resident permit parking schemes or review of existing	30	Where requests are received by way of petition meeting the Council criteria for petitions. Support is shown by a majority of the area or road and local members support the request
Requests for resident permit parking schemes or review of existing restrictions	20	Request from local members who support a scheme
Requests for resident permit parking schemes or review of existing restrictions	20	Support is shown but is not a majority of the area or road. Members support the request
Operational matters	55	Where a request has been received from Parking Services to amend or clarify existing Traffic Regulation Orders to allow effective enforcement, or from other internal services areas (refuse) or transport operators

## Section B (2) - Type of request – Non-Resident Parking Requests

		<i>Example</i>
Emergency Service Request	55	Where a request has been received from the Police, Fire or Ambulance services
3 or more collisions	40	Where 3 or more personal injury collisions are recorded over a 3-year period and where parked vehicles have been identified as a contributory or causation factor in the subsequent report.
Requests for Traffic Regulation Order to facilitate a development or highway scheme	20	Where it has been identified that an order would be of benefit to facilitate a development or highway scheme.
Operational matters	55	Where a request has been received from Parking Services to amend or clarify existing Traffic Regulation Orders to allow effective enforcement, or from other internal services areas (refuse) or transport operators.
Limited waiting	20	Where request is made to introduce or amend limited waiting restrictions in order to support local retailers/businesses, e.g. one hour, no return within 2 hours.
Parking controls at the request of Local Councillor	15	Where limited parking controls have been requested by the Local Councillor.
Waiting restrictions	10	Requests for single or double yellow lines.
Disabled Parking	30	Provision of disabled parking spaces.

## Section C - Type of parking problem

		<i>Example</i>
Parking at or near a junction or parking on a bend of more than 45 degrees or the brow of a hill	30	Parking is within 10 meters of the junction.
Parked vehicles on footpath/verge	15	Vehicles are parked fully or partially on footpath/verge.
Bus route	20	The location is situated on a bus route.
Inconsiderate parking associated with the school run	10	The location is situated within 100 meters of a school.

## Section D - Proximity to Parking Generators

The location is within walking distance to something that generates parking displacement	5-20	<u>Example</u>
		Score depends on location from parking generator.

## Section E – Statutory Reasons following site visits

		<u>Example</u>
Improving road safety	1–55	Junction Protection, Crossing Points and Congestion.
Assisting the movement of traffic and/or pedestrians	1–55	Junction Protection, Crossing Points. Congestion and Yellow lines
Improving the amenity of the road and its surroundings	1-55	Location to shops, residential properties, bus routes etc. etc.
Providing suitable and adequate parking facilities.	1-55	Residents Parking, Short term limited Parking, Pay and Display or shared use

## Section F - Site Survey

<i>Items considered during site work</i>	<i>Score Range</i>	<i>Example</i>
Impact of displacement from any proposals	1-50	Score is variable and dependent on issues observed. More than one site visit may be undertaken
Parking issues observed during site visit		
What is causing parking issues		
Road layout		
Percentage of road space available for parking		
Will waiting restriction assist?		

## Section G - Financial resources

<b>Fully funded</b>	<b>55</b>	The location associated with the Traffic Regulation Order is fully funded, this is likely to be from one/some of the following, Council priority, developer request, Section 106, County Highways Locality budget
<b>Partially funded</b>	<b>20</b>	The location associated with the Traffic Regulation Order is partly funded, this is likely to be from one/some of the following, Council priority, developer request, Section 106, County Highways Locality budget
<b>No Funding</b>	<b>0</b>	The location associated with the Traffic Regulation Order has no existing funding i.e. it would rely on annual Council budgets.

## Section H

During the site visit the number of roads covered by a possible scheme will be collected.

To assist members of the Car Parking Advisory Panel to differentiate between competing schemes with similar scores a complexity factor will also be allocated based upon the following criteria.

<i>Scale</i>	<i>Level of Complexity</i>	<i>Rationale</i>
<b>1</b>	<b>High</b>	High number of locations, residents affected or potential for adverse reaction. Likely to be a Controlled Parking Zone involving multiple locations.
<b>2</b>	<b>Medium</b>	Small number of locations, residents and unlikely to generate an adverse response. Likely to be a Controlled Parking Zone involving 1 or 2 locations
<b>3</b>	<b>Low</b>	Single location, unlikely to be controversial. Likely to be a safety related request, i.e. Double Yellow Lines.

A Traffic Regulation Order assessment score is calculated by allocating a score from each section above. A location may be allocated multiple scores from each section.

**NOTE; - The scoring is for indicative purposes only. - Car Parking Advisory Panel has the final say on ALL work priorities.**

Further information can be obtained from;

Gary Payne, Specialist Officer (Parking) Community Services, Parking Services Team,  
St Albans City and District Council [e-mail: gary.payne@stalbens.gov.uk](mailto:gary.payne@stalbens.gov.uk)  
Tel: 01727 819 395