

		AGENDA ITEM 6
		PSEG/17/16
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	12 September 2016	
REPORT OF CALL IN: DECISION OF THE NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE ‘THE ESSEX COUNTY COUNCIL (UTTLESFORD DISTRICT) (PERMITTED PARKING AND SPECIAL PARKING AREA) (AMENDMENT NO.40), AKA “TRO-5523’ Decision Reference FP/556/07/16		
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On 26 July 2016 Councillor Chris Pond called in, on behalf of Councillor John Lodge, decision FP/556/07/16 relating to Minute 6 of the North Essex Parking Partnership Joint Committee meeting held on 30 June entitled ‘The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40),- Consideration of objections’.

In line with the procedure for handling the call in of a decision, an informal meeting was held on 16 August 2016. A copy of the Notification of Call-In form and the formal note of that meeting are attached at the Appendices A and B.

The outcome of the informal meeting was that Councillors Pond and Lodge decided that they wanted this call in to be considered by the full Committee.

A copy of the North Essex Parking Partnership decision is set out in the Joint Committee Minute 6/ June 2016 as reproduced below.

Minute of NEPP Joint Committee dated 30 June 2016

6. The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40) Order – Consideration of Objections

Councillor Robert Mitchell introduced the report on the Essex County Council (Uttlesford District Area) (Amendment No.40) Order and highlighted the e-mail correspondence from Essex County Councillor for Saffron Walden Councillor Jon Lodge.

Councillor Susan Barker stated that the Essex County Council Order was required to remove the number of parked cars along the roads which cause a number of blind spots. The Traffic Regulation Order would allow for the traffic on the affected roads to run without the obstruction of parked cars. Councillor Barker also highlighted that the scheme was created following a traffic assessment of committed development on the east side of the town which indicated the need to improve traffic flow and air quality in the air quality management area covering the central part of the town.

Councillor Mitchell highlighted that many of the comments received were not necessarily objections, and that a high number of residents on the roads affected by the Traffic Regulation Order have Off-Street parking.

A member of the Committee questioned whether there had been a risk assessment on the introduction of this scheme given the cost of a potential challenge to the scheme. In response Richard Walker, Parking Partnership, stated that every Traffic Regulation Order is challengeable 6 weeks after it is made.

A member of the Committee also highlighted concern that different tiers of local government were not necessarily in agreement about the proposed Traffic Regulation Order.

Councillor Barker stated that there is no issue with those using the leisure centre to park when accessing local services.

RESOLVED that the Essex County Council (Uttlesford District)(Permitted Parking and Special Parking Area)(Amendment No.40) Order restrictions be approved.

Aside from the Minute itself, the report submitted to the NEPP Joint Committee on 30 June 2016 contains background information on the proposed waiting restrictions at Saffron Walden. While the main body of the NEPP report is reproduced at Appendix C to this report, it should be noted that there are references to a several large appendices, including representations received, that have not been reproduced here but may be accessed via the links identified to the North Essex Parking Partnership website. For ease of reference the link to that website is as follows:

<https://www.parkingpartnership.org/north/committee.aspx>

Please note that at every Joint Committee meeting there is an opportunity for the public to address the meeting, and at Minute 4 'Have Your Say!' of that meeting there is a record of three individuals who spoke in respect of the proposed new Traffic Regulation Order at Saffron Walden.

A copy of the Notice of Decisions and Joint Committee Minutes for 30 June 2016 can also be found via the Essex County Council website, or via the following link: http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6850/Default.aspx

The NEPP Group Manager has prepared a briefing paper, attached at Appendix D to this report, which sets out various information requested by Councillors Pond and Lodge. In summary it provides an overview of the TRO process, and the history behind the proposed waiting restrictions at Saffron Walden. The paper itself refers to a number of items that may be accessed electronically via the ECC website prior to the meeting on 12 September. Appendix D includes a timeline for Amendment 40.

Format for the Committee's consideration of this Call In

The focus of the Committee's consideration at today's meeting is the NEPP Joint Committee decision that proposes to introduce a new TRO implementing a range of waiting restrictions at Saffron Walden, and the specific reasons given for the call in itself as set out at Appendix B to this report.

In line with the Call In Procedure, the format for consideration of this call in will be held according to the following stages:

1. Councillor Pond as the councillor responsible for the call in will be given the opportunity to make the case for calling in the decision, including an allocation of time to any other contributors whom they wish to call as set out in 2 and 3 below. An allocation of 30 minutes in total is allocated for stages 1, 2 and 3
2. Councillor Lodge the local member associated with the call in will then be invited to speak, as he has indicated it is his wish to do so.
3. Other interested parties will then provide evidence to the Committee – maximum of three minutes for each individual to address the Committee and up to three witnesses, subject to the discretion of the Chairman.
4. As the decision maker the NEPP will then be given the opportunity to answer the case and seek to justify the decision taken, including time given to any other contributors whom they wish to call. An allocation of up to 30 minutes is allocated for this stage.
5. There will then be an opportunity for other members of the Committee to ask questions in open debate.
6. The Scrutiny Committee shall then consider whether:
 - to refer the decision back to the person who made it (ie the NEPP Joint Committee); or
 - to refer the matter to the full Council to decide whether to refer the decision back to the NEPP Joint Committee which made it; or

- to accept the decision be implemented.
7. A member of the Committee must move a motion to do one of the above actions, and another member must second that motion. The Committee will the vote upon that motion.

Action required by the Committee:

To consider the reasons given for the call in of decision FP/556/07/16 on the decision of the North Essex Parking Partnership Joint Committee 'The Essex County Council (Uttlesford District) (Permitted Parking And Special Parking Area) (Amendment No 40), aka "TRO-5523'.

List of information circulated with this report including website links to pertinent information:

Appendix A	Notification of Call In
Appendix B	Note of Informal Call In Meeting held on 16 August – sets out nine reasons given for the call in
Appendix C	Joint Committee report on Saffron Walden proposals dated 30 June 2016 Includes details of the proposed TROs, representations received in response to consultation upon proposals, and links to plans, public notice and statement of reasons.
Appendix D	Briefing Paper prepared by Richard Walker, Group Manager, NEPP
Web Links	
NEPP Website, and Joint Committee agenda 30 June 2016	Joint Committee agenda for 30 June 2016 Joint Committee agenda for 30 June 2016 https://www.parkingpartnership.org/north/committee.aspx
Essex County Council	Published notification of NEPP decisions http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6850/Default.aspx

Appendix A to report PSEG/17/ 16

Notification of Call-in

Decision title and reference number FP/556/07/16 North Essex Parking Partnership Agenda item 8. The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40), aka "TRO-5523"	
Cabinet Member responsible Cllr Johnson <i>(Nb It is in fact the NEPP Joint Committee that is responsible for this decision)</i>	Date decision published 21 st July 2016
Last day of call in period 26 th July 2016	Last day of 10-day period to resolve the call-in 9 th August 2016
Reasons for Making the Call in <ol style="list-style-type: none"> 1. The obligations under the Road Traffic Regulation Act 1984 we not met; 2. The process by which the TRO was brought forward was not correct or fit for purpose and was flawed; 3. No supporting evidence was produced or brought forward to justify the scheme; 4. The scheme itself is does not meet the needs or priorities of Saffron Walden; 5. The consultation responses of local residents, schools and businesses, and implications of those responses, were not properly considered; 6. The needs, wishes and consultation responses of the Town Council, Town, District and County Councillors that were elected to represent Saffron Walden, and the and implications of their responses, were not properly considered; 7. NEPP's process requires the prior approval of the Saffron Walden Town Council for such a scheme, and it was not sought; 8. The Committee was deliberately misled on at least 5 occasions by the Applicant during the debate, which did have a direct outcome on the decision; 9. At the Committee Meeting Cllr Susan Barker guided the Committee that Cllr Lodge should Call-In the decision so that ECC could amend the scheme, fix the safety and traffic-calming and other flaws in the proposals, because they were outside the remit of the NEPP and this was the only way to have the scheme amended; 	
Signed: Cllr Chris Pond on behalf of Cllr Lodge	Dated: 26 th July 2016

Appendix B to report PSEGSC/17/16

Note of Informal meeting held on 16 August 2016 regarding the Call In of the decision FP/556/07/16 relating to Minute 6 of the North Essex Parking Partnership Joint Committee meeting held on 30 June entitled 'The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40),- Consideration of objections'.

In attendance

Essex County Council representation:

Councillor Chris Pond (Councillor responsible for calling the decision in)

Councillor John Lodge, Local Member

Councillor Andy Wood, Vice Chairman of Place Services and Economic Growth Scrutiny Committee

Christine Sharland, Scrutiny Officer

North Essex Parking Partnership Joint Committee representation:

Uttlesford District Councillor Susan Barker

Richard Walker, Parking Partnership Manager,

Trevor Degville, Parking Technical Manager

Jonathan Baker, Democratic Services Officer

Roger Harborough, Director of Public Services, Uttlesford District Council

David Sprunt, ECC Highways Officer

As Vice Chairman of the Place Services and Economic Growth Scrutiny Committee, Councillor Wood welcomed everyone to the informal meeting that had been convened in line with the County Council's Call In procedure to consider the above decision. He invited Councillor Pond to present his call in.

Councillor Pond explained that he had called in the decision on behalf of Councillor John Lodge. Under the Essex County Council's (ECC) Call In procedures Councillor Lodge had sought the Scrutiny Committee Chairman's agreement to call in the decision as his Division is particularly affected by the decision. However, as the Chairman was on holiday during the call in period Councillor Pond had interceded as a member of the Committee to call in the decision on behalf of a fellow County Councillor. He proceeded to ask Councillor Lodge to explain the call in.

Councillor Lodge questioned the number of NEPP representatives present. The Scrutiny Officer confirmed that it was not unusual for the decision taker to be supported by officers at an informal stage so that they could be called upon to answer questions and clarify points on the decision. In turn everyone present at the meeting introduced themselves and their roles.

Councillor Lodge proceeded to explain why he had called in the decision to introduce new waiting restrictions in Saffron Walden. He indicated that he would go through the nine reasons set out in the notification of call in and nine pages of the NEPP briefing paper circulated prior to the meeting in response to the points raised in the call in.

In setting the scene Councillor Lodge claimed that the proposals affected one mile of road and suppressed 200 parking spaces. He was immediately challenged on his claim by District Council representatives as parking in the affected roads are not marked parking spaces and the actual number of spaces alluded to. The discussion highlighted the ongoing disagreement that existed among those parties present.

Councillor Lodge focussed upon his claim that if the restrictions were imposed residents would be forced to find alternative parking facilities as well as adversely affecting other motorists wishing to park including parents dropping off their children to school. This had not been properly studied by those Authorities promoting the traffic regulation order (TRO), and no action had been taken to secure alternative facilities even at the Leisure Centre, as claimed by Councillor Barker, which he felt was too far away from the schools and currently had a sign on the premises to prohibit private parking. On the other side of the argument the NEPP claimed that these matters had been considered, and pointed out that the District Council is in a working partnership with the Leisure Centre and so was confident some parking facilities would be available there for instance for parents taking their children to school.

Councillor Lodge then talked about the magnitude of the problem maintaining that 200 car parking places would be lost that in a larger town like Chelmsford would equate to 2000 places. As mentioned in his reasons for the call in there must be a purpose for introducing a TRO and the NEPP had failed to take account of this requirement. He challenged whether or not a cohesive scheme had been presented to the NEPP and if required processes had been properly followed such as the completion of application forms.

Councillor Barker drew attention to the original wording of a Section 106 Agreement where the introduction of waiting restrictions was envisaged, and how the Essex County and Uttlesford District Councils and the NEPP had agreed to amalgamate various new proposals for waiting restrictions at Saffron Walden for the purpose of taking forward a more co-ordinated approach to the making of a TRO to amend restrictions in the town.

Cllr Barker also drew attention to ongoing discussions about highway matters and waiting restrictions in Saffron Walden including the notes of a meeting in July 2015 that Councillor Lodge had attended, pressing the point that he had been aware of how proposals had emerged. He disagreed with any suggestion that

everyone who had been party to the discussion including the Saffron Walden Town Council and himself, had given any approval for taking forward any proposals as items had only been for discussion.

Nevertheless Councillor Lodge sought to clarify how smaller individual TRO applications had been handled with particular reference to the unique numbers attributed to individual proposals, and challenged the authenticity of TRO-2253 and how the particular TRO (Amendment no 40), the subject of the decision, had been developed. He also referred to a Freedom of Information request submitted to the NEPP seeking proposal TRO 5523, which could not be traced. However, he was advised it was an ECC rather than NEPP proposal.

Councillor Wood interjected to seek the NEPP's advice on whether or not the TRO that was the subject of the decision called in had been formally advertised and consulted upon. In response Trevor Degville, the Parking Technical Manager, confirmed that the proper legal processes have been complied with in the way that the proposed TRO has been taken forward. The proposed new Order ECC *(Uttlesford District)(Permitted Parking Area and Special Parking Area) (Amendment No40) Order* comprises a number of individual new waiting restriction proposals that have come forward and are proposed to be consolidated into an existing Order that includes all waiting restrictions in Saffron Walden, ie the current *ECC (Uttlesford District)(Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008*. While informal consultation around the new waiting restrictions took place when individual proposals first emerged, further proper formal consultation has taken place on the formal TRO as advertised that combines all the new proposals into one document. The formal consultation was initiated in January 2016, which included the publication of a public notice that had generated representations from the public (referred to in the NEPP Joint Committee report), and stakeholders were formally consulted too. As a stakeholder the Saffron Walden Town Council had been formally consulted and had indeed submit objections to the proposals.

Councillor Lodge referred to the flow chart produced by the NEPP that illustrates the process whereby applications for new waiting restrictions can be submitted, and to the provision that 50% residents need to be in favour of the proposal. He was of the opinion that the proposed TRO contradicted that requirement.

Richard Walker, NEPP Manager, clarified the policy and how proposals could come forward. The application process that Councillor Lodge had referred to was one of a number of routes that could give rise to a new proposal for waiting restrictions, and was an opportunity for members of the public to put forward a request. ECC and NEPP, as an agent, can take forward the making of TROs. The policies include reference as to how the process will work and the requirements, and they co-incide with legislation and Government guidance.

Councillor Lodge referred to a Joint Committee Sub Committee meeting in April 2013 where consultation with the District and Parish Councils was mentioned, and an amendment to an application form to show local support. Furthermore he challenged the lack of supporting evidence for the TRO. In response Councillor Barker referred to the way representations submitted to proposals are handled. Where representations may raise minor issues the NEPP Manager can determine the outcome, otherwise proposed TROs will be referred to the NEPP Joint Committee. She referred to the aim of trying to route traffic away from the town centre and improve local air quality.

Councillor Lodge directed his attention to David Sprunt, ECC Highways Officer, and sought clarification on ECC involvement. Mr Sprunt advised that the introduction of waiting restrictions had arisen as a part of the consideration of individual planning applications, and also the local highway network as part of the Local Plan process. The waiting restrictions are in response to the need to address existing local issues and growth, and improved air quality.

Councillor Lodge challenged the origin of studies that show that air quality would be improved, the scheme would encourage lorries in the town, and what evidence existed for the TROs? In response Mr Sprunt referred to an Air Quality Study that had been carried out by Ringway Jacobs across the whole town of Saffron Walden. He emphasised that the Study looked at the whole picture rather than being concentrated entirely on individual schemes. Junction improvements had been considered as part of the development taking place and took into account various issues including traffic flow and air quality. He stressed that proposals were based on logical argument and were not anecdotal.

Councillor Pond enquired about future development at Saffron Walden and if the TRO was proposed in response to future development, and did Uttlesford District Council have a Local Plan? Mr Sprunt confirmed that further development was going ahead in the town. However, existing development too would affect congestion and air quality in Saffron Walden that needed to be addressed now. Traffic signals were needed because of growth and current pressures upon the local highway network in the town. Councillor Pond was given confirmation that air quality data was already available, and that the TRO is part of the whole highways approach that is being developed across Saffron Walden.

Councillor Lodge challenged the validity of the TRO proposal because the Saffron Walden Town Council had not given its approval to the waiting restrictions, and he believed that the NEPP was obliged to have that approval before it could proceed.

In response Councillor Barker confirmed that the Town Council's approval was not required in order to take the TRO forward. She acknowledged that proposals can give rise to differing opinions. However, in accordance with the NEPP's approved policies, the NEPP was obliged to consult the Town Council but it did

not require its agreement to TRO proposals. ECC and NEPP officers had liaised on various waiting restriction proposals that had emerged for Saffron Walden over a few years, and agreed that the best way forward was to amalgamate all the restrictions into one TRO as now proposed.

Nevertheless Councillor Lodge emphasised that it remained his extant belief that the TRO was not a valid scheme. His legal advice was that the Town Council's agreement was required.

Richard Walker tried to reassure Councillor Lodge that the NEPP policies and procedures take account of DCLG (Department for Communities and Local Government) advice, and correspond with the South Essex Parking Partnership policies and procedures. He drew attention to page 8 of the NEPP briefing paper circulated beforehand that set out an extract from the NEPP TRO policy (2015) including the statutory consultation process.

Councillor Lodge held a different interpretation of the policies and would consult his lawyers. Nevertheless on philosophical grounds the scheme was under researched without any necessary benefits, and would be tested in Court. The Saffron Walden Town Council, and those County and District Councillors who represented the town were all opposed to the proposals. He suggested that further consultation should be undertaken in the town as residents would have to live with the waiting restrictions. ECC and the NEPP should reconsider the TRO and come back with a new scheme.

Roger Harborough, Head of Public Services, Uttlesford District Council, reminded those present that the District Council is the Local Planning Authority, and in that role it had taken into account what mitigation measures were necessary as part of proposed new development. In turn Councillor Barker drew attention to an extract from the Bell College planning application and ECC reference to the need for waiting restrictions. Councillor Lodge indicated that he would challenge that separately.

Councillor Wood intervened in the meeting pointing out that issues were being repeated, and it was important to move the informal meeting forward.

Councillors Pond and Lodge referred to the complexity of the issues under consideration, and need to establish antecedence on proposals.

Richard Walker drew attention to documentation that was published and available on the internet including the TRO proposals, Joint Committee papers, and planning applications in Saffron Walden.

As Councillor Lodge was not satisfied that he had been given the information he wanted and did not understand how proposals fitted together, Councillor Pond indicated that he would discuss the call in further with his colleague and would

decide within the next seven days what action he now proposed to take in respect of the call in of the NEPP decision.

In the meantime Councillors Pond and Lodge requested that the NEPP provide a clear schedule of all the elements that make up the unified TRO, which was approved on 30 June. Furthermore they wanted the schedule to show who initiated the proposal and the reason for it, together with the date and details of the process followed.

Appendix C to report PSEG/17/16



North Essex Parking Partnership

June 30th 2016

Title:

The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment No.40) Order – Consideration of Objections

Author:

Trevor Degville

1. Decision(s) Required

- 1.1. To approve, reject or defer the restrictions advertised in The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) Order Amendment No. 40 proposals

2.0 Introduction

- 2.1 The NEPP has a delegated authority from ECC to introduce Traffic Regulation Orders (TROs). There is a legal process that must be followed when permanent TROs are introduced which involves a formal consultation period of 21 days during which objections may be made to the proposals. Any objections that are received must be considered before any restrictions are introduced.
- 2.2 The Joint Committee delegated powers to the NEPP Group Manager to be able to consider objections that are received and to decide whether the advertised proposal should become a sealed order, should be amended or should not progress. The delegated powers enable NEPP officers to introduce restrictions more quickly, although the overall time it can take to introduce parking and waiting restrictions can still be substantial.
- 2.3 A proposal being considered has generated a large response, with the majority of correspondence being received objecting to the proposal.
- 2.4 It has been suggested that from a traffic management perspective these restrictions remain important as part of overall transport improvements to the town and improvements in air quality. In view of this it is not felt

appropriate that officers decide the outcome of the proposals and that instead the responses are considered by the Joint Committee members before deciding whether the proposals should be progressed or not.

3.0 Saffron Walden Proposals

- 3.1 In January 2016 NEPP advertised a Notice of Intention for The Essex County Council (Uttlesford District) (Permitted Parking Area and Special Parking Area) (Amendment No. 40) Order. Maps showing the proposed restrictions can be found in Appendix C - <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20C.pdf>

4.0 Objections

- 4.1 162 objections have been received. One of the objections contains a petition with 122 names and addresses against the proposal. 15 correspondences in support of the proposals have been received. Notices of Intention only give details of how to make an objection to the proposals rather than how to show support for schemes.
- 4.1 When considering objections, the Joint Committee do not have to decide based on the number objections or supporting comments but on the validity or otherwise of the arguments that have been made.
- 4.2 It is not possible to discuss in detail every objection and comment that has been received in the main body of the report. Nonetheless, a brief description of the correspondence can be found at the end of the report. Redacted copies of all correspondence received can be found in Appendix A and B to this report. All appendices can be found at <https://www.parkingpartnership.org/north/committee.aspx>
Direct links to Appendix A and B can be found below -
- Appendix A – <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20A%20Optimised.pdf>
 - Appendix B – <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%20District%20Council%20Amendment%2040%20Consideration%20of%20Objections%20Appendix%20B.pdf>
- 4.3 Correspondence in support of proposals has included the following themes and comments.

- Ashdon Road is a bottleneck due to parked cars. This is one of two roads that are used for access to Cambridge, Bishops Stortford and motorways. It is suggested that most of the population of Saffron Walden uses those routes and there is need for the restrictions as if introduced they would improve both traffic flow and air quality
- Vehicles that are currently parking on the roads should be directed to park in Swan Meadow car park
- Additional restrictions to those proposed are needed in Ashdon Road
- "I am delighted that you are intending to put restrictions on parking in several Saffron Walden streets. Saffron Walden has a medieval street layout and can't cope with the heavy usage of vehicles"
- "I write in support of the parking restrictions proposed for Saffron Walden. They are long overdue, and I welcome them wholeheartedly"

4.4 The large majority of correspondences received have been objections. These include objections from Saffron Walden Town Council, Uttlesford District Councillors and Essex County Councillors. A petition objecting to the proposals has also been received with 122 signatures:

- The restrictions would have the effect of increasing the speed of traffic along residential roads. There will be less places for pedestrians to cross and the restrictions are generally designed purely for the benefit of motorists
- The removal of large amounts of on-street parking will adversely affect local residents, school users and commuters
- An urban clearway is not needed as delays are only for limited periods of the day during peak times (an urban clearway was not advertised but the principle of the objection would remain)
- NEPP has not followed its own procedures and so the scheme should be withdrawn
- Other actions are required instead of traffic regulation orders such as a by-pass being built
- Displacement of vehicles from those areas where restrictions are proposed will cause traffic flow problems and parking issues in other areas of the town
- Many residents who would no longer be able to park outside their properties live in Victorian terraced housing. The loss of on-street parking will cause problems for residents who have not got off-street parking or require visitors/deliveries.
- There will be a decrease in house values due to loss of parking
- Congestion only happens for a limited time at peak periods
- There has been no consultation with residents about the proposals
- The increase in the speed of traffic flow will make it more difficult to exit forecourts and driveways
- GPs and dentists have expressed concern about less parking for their patients

- 4.5 The WeAreResidents political group has published a response to the proposals which was available on the group's website during the consultation and also submitted as an objection. A copy of this objection can be found in Appendix D.
- <https://www.parkingpartnership.org/north/uploads/committee/Uttlesford%2040%20Consideration%20of%20Objections%20Appendix%20D.pdf>

5.0 Summary of Correspondence

Identification	Support/Object/Comment	Reasons
A	Support	Traffic flow - removal of bottle neck caused by parked cars
B	Support/Comment	More yellow lines and residents parking required than proposed
C	Support/Comment	Support but concerned about problems dropping off/collecting pupils at local schools
D	Support/Comment	Additional restrictions also required when joining Ashdon Road from Shepards Way
E	Support/Comment	Restrictions need to be patrolled. Request additional restrictions in Peal Road
F	Support	Removal of daytime parking is an excellent plan
G	Support	Improved traffic flow
H	Support	Would have preferred no waiting at any time on Borough Lane
I	Support	Improved traffic flow
J	Support/Comment	Support but concerned about pedestrians crossing on Peaslands Road
K	Support/Comment	Support but suggests a resident permit holder restriction on Springhill Road
L	Support	Suggests night time resident permits along Ashdon Road
M	Support/Comment	Support but suggests that there is a lack of safe areas to pick up and drop school pupils
N	Support	Currently inconsiderate parking causing problems. Parents not parking safely when collecting children
O	Support	Supports proposals affecting Mount Pleasant, Peaslands Road and Borough Lane
C1	Comment	Asks what provisions are being made for residents with no off-street parking
1	Objection	Town Council objections - various reasons including the proposed benefits are tenuous and ignore the nature of the roads in S.W.
2	Objection	Various reasons including the restrictions ignoring the nature of the roads, danger to pedestrians and increased traffic speeds
3	Objection	Various reasons including the proposals are unreasonable, disproportionate and unwanted
4	Objection	Parked cars do not cause any real problems. No proposal for displaced vehicles
5	Objection	Proposals unreasonable. Loss of amenity to residents and visitors to town. Failure to consider local plan
6	Objection	Traffic flow problems only occur at peak times. Local

		residents will be forced to park in other already congested areas.
7	Objection	Loss of parking spaces, increased vehicle speed, decreased house prices and needs of traffic being put above needs of residents
8	Objection	Increased vehicle speeds, displacement of vehicles causing problems, increased risk to pedestrians including school pupils
9	Objection	Loss of on-street parking but no off-street parking with property
10	Objection	Restricting parking in Ashdon Road is not necessary for current traffic flow and loss of parking spaces would adversely affect residents
11	Objection	Loss of resident parking, greater traffic speeds, will make it dangerous to exit some driveways
12	Objection	Increased vehicle speed near school, concerns about resident parking
13	Objection	Increased traffic speeds - parked vehicles slow vehicles down when travelling on Ashdon Road. Increased danger to pedestrians including school pupils
14	Objection	As above but also including concerns about displacement of vehicles into Hollyhock Road and Sheperds Way
15	Objection	Parking spaces being lost for residents with more new homes being built. Town being ruined, nothing like the town they moved to 27 years ago
16	Objection	Loss of resident parking on Ashdon Road. Already limited parking for those that do not have off-street parking with their properties
17	Objection	Loss of resident parking, loss of property value. Shortage of car parks in town anyway so will be harder for people to visit to carry out business
18	Objection	Will lose on-street parking spaces and increase traffic speeds
19	Objection	Traffic calming needed, concerned about losing on-street parking.
20	Objection	Loss of resident parking, problems caused by displacement, problems for residents getting out of drives and increased traffic flow
21	Objection	As above but also mentions that parked vehicles have a traffic calming effect
22	Objection	Increased traffic speeds - parked vehicles slow traffic down. Displacement into side roads will cause more problems
23	Objection	Will make life more difficult for residents and increase traffic flow
24	Objection	Roads are only busy during rush hour, loss of resident parking, increased traffic flow. Problems for school parent parking will be exacerbated
25	Objection	Traffic speed increases and loss of resident parking
26	Objection	Borough Lane - parked vehicles slow traffic speed
27	Objection	Increased traffic speeds, increased danger to pedestrians and school pupils. Loss of amenities for residents
28	Objection	Proposals not needed due to effect of traffic lights. Loss of parking with no off-street parking available at property in an area where there is already pressure for the available on street parking

29	Objection	Greater vehicle speed on roads used by schoolchildren. Many houses of architectural interest and listed which will be affected by higher speeds
30	Objection	Increased traffic flows. S.W. is a residential town and should stay that way
31	Objection	Loss of resident parking, increase in traffic speeds on roads used by schools. Proposals too far ranging and affect too many people
32	Objection	Concerns about displacement effects on Springhill Road caused by loss of parking in Borough Lane
33	Objection	Restrictions will prevent parking outside property. Proposals will increase traffic speeds making route more dangerous for pedestrians
34	Objection	Restrictions will increase traffic speed, making it dangerous for school pupils to cross the road
35	Objection	Measures should be put in place to slow traffic on Borough Lane not increase speeds
36	Objection	Loss of vital resident parking, concerns about increased traffic speeds near schools
37	Objection	Loss of on-street parking, increased traffic speeds, problems for primary school access
38	Objection	Concerns about the effect of traffic lights that have been installed, the consequences of increased traffic speeds near schools and problems entering/exiting driveways
39	Objection	Proposals will cause problems for parents parking near schools. Also concerns about increased traffic speeds
40	Objection	Displacement of vehicles will cause problems in Debden Road and adjacent side roads and will lead to further restrictions being introduced
41	Objection	Concerns about increased traffic speeds
42	Objection	Proposals will cause problems when collecting/dropping off pupils. Suggests a lesser restriction to prevent all day parking
43	Objection	Proposals are overkill, a limited time scheme would be better during peak times as this would still allow parking for residents and visitors
44	Objection	Request to extend restricted times opposite school gates
45	Objection	A ring road around the town is required
46	Objection	Proposals not required. Suggests that narrow streets are not suitable for the increased traffic due to the perceived bad decisions that have previously been made
47	Objection	Concerns about South Road, Victoria Avenue, long Hedges. Suggests that restrictions are not being monitored so no use putting in additional ones
48	Objection	Removal of parking on Borough Lane will enable road users to speed and disregard pedestrians. Fears over road safety will lead to more journeys by car
49	Objection	Problems caused in Shepherds Way due to proposal in Ashdon Road - traffic speed and lose of resident parking spaces
50	Objection	Traffic speed increases near schools. Increase in congestion on side streets caused by displacement of parked cars
51	Objection	Residential area will be turned into a race track during non-peak hours. Front gardens turned into parking places will

		damage a protected area
52	Objection	All are sensible suggestions but will only move problem along. A by-pass is essential
53	Objection	Concerns about displacement of vehicles causing problems for residents in nearby roads. Parked vehicles slow traffic down which is desirable
54	Objection	Proposals will lead to increased traffic speeds and which will endanger pedestrians including school pupils
55	Objection	Don't remove parking from Peasland Road as needed when dropping off pupils at school and motorist is unable to walk long distances
56	Objection	Higher traffic speeds, other roads nearby do not have the capacity to absorb displaced vehicles. Proposals will reduce parent parking points for nearby schools
57	Objection	Proposals do not go far enough. Additional restrictions needed in Ashdon Road or the pavements could be narrowed
58	Objection	Proposals prioritise vehicles over pedestrians, will increase traffic speeds and remove places for school parents to park
59	Objection	The proposals will mean that parents dropping off children in Peaslands Road for the nearby nursery will not be able to park
60	Objection	The proposals will lead to displacement of residents vehicles into other roads which may create a congested and chaotic situation
61	Objection	Objects to the proposals for Peasland Road as neither business staff or parents dropping off children will be able to park
62	Objection	Displacement of vehicles will cause further access issues in West Road because of displacement
63	Objection	General support but raises negative points around the effect of roads near schools and increased speed monitoring. Suggests no satisfactory solution without a ring road
64	Objection	Proposals will cause issues for parent parking, asks how parents are expected to park.
65	Objection	Proposals are ill considered, will create a chaotic and dangerous situation in South Road
66	Objection	Congestion is only an issue for a short period a day, proposals will increase traffic speeds. Will cause parking problems for residents with no off-street parking. Will cause problems for parents dropping off pupils to nearby schools
67	Objection	Oppose the increase in traffic speeds, put pressures on Springhill Road and asks about proposed development on east side of Thaxted Road
68	Objection	Proposal will increase traffic speeds and increase accidents, many properties do not have off-street parking, issues for parents dropping off at school
69	Objection	No off-street parking with property and recent traffic light installation mean that they cannot park near their house; this will be made worse by the proposals. There will be an increase in traffic speeds. No justification for the restrictions
70	Objection	Various reasons including loss of resident parking, increased traffic speeds and loss of primary school access for parents
71	Objection	Road safety due to increased traffic speed, lack of alternative parking options for school drop off and no alternatives for resident parking

72	Objection	Proposals will increase traffic speeds. Requests assurances that there will be additional traffic calming and pedestrian crossings installed
73	Objection	Increased traffic speeds due to removed parking places which will increase the risk of fatal accidents
74	Objection	Should allow parking as that will slow traffic speeds in urban pedestrianised areas. Roads affected are highly populated and have 3 schools in the local vicinity
75	Objection	Concerns about displacement of vehicles from Mount Pleasant Road will make will cause chaos. There are no provisions to drop off or collect school children
76	Objection	Proposals will have an adverse effect on the school that has a wide catchment area. The proposals provide no replacement parking for parents to park whilst picking up pupils from the school gates
77	Objection	Concerns about increased speed and lack of parking
78 (78i)	Objection	Concerns about the loss of parking spaces where, it is suggested, there is inadequate parking provision. No evidence to support the proposals
79	Objection	The proposals will increase traffic speeds in Peaslands Road and force parents to park further away to children. This will put children at risk, particularly when it is dark in the evenings
80	Objection	The proposals in Peaslands and Mount Pleasant Roads will result in drivers increasing their vehicle speed. The road is used to by pupils to travel to and from schools in the area
81	Objection	Proposals are not required, traffic flow is reasonable and at a safe speed most of the time. Parking for schools and deliveries is essential
82	Objection	The effect of the proposals will be to create a rat run in a residential area where children live and walk to schools
83	Objection	Parked vehicles act as traffic calming. No alternative resident parking is being offered, particularly for residents in older properties with no off-street parking. The proposals will create a race track around S.W.
84	Objection	Problems for Primary School access, the removal of parked vehicles will reduce road safety and increase traffic speed, loss of street parking for residents, Friends school weekend clubs issues not being dealt with and suggests this is the wrong priorities for the town
85	Objection	Loss of resident parking increased traffic speeds in roads used by parents and children. Suggests a 1pm to 2pm restriction to eliminate all day parking by town centre workers
4	Objection	Parked cars do not cause any real problems. No proposal for displaced vehicles
5	Objection	Proposals unreasonable. Loss of amenity to residents and visitors to town. Failure to consider local plan
6	Objection	Traffic flow problems only occur at peak times. Local residents will be forced to park in other already congested areas.
7	Objection	Loss of parking spaces, increased vehicle speed, decreased house prices and needs of traffic being put above needs of residents
8	Objection	Increased vehicle speeds, displacement of vehicles causing problems, increased risk to pedestrians including school pupils

9	Objection	Loss of on-street parking but no off-street parking with property
10	Objection	Restricting parking in Ashdon Road is not necessary for current traffic flow and loss of parking spaces would adversely affect residents
11	Objection	Loss of resident parking, greater traffic speeds, will make it dangerous to exit some driveways
12	Objection	Increased vehicle speed near school, concerns about resident parking
13	Objection	Increased traffic speeds - parked vehicles slow vehicles down when travelling on Ashdon Road. Increased danger to pedestrians including school pupils
14	Objection	As above but also including concerns about displacement of vehicles into Hollyhock Road and Sheperds Way
15	Objection	Parking spaces being lost for residents with more new homes being built. Town being ruined, nothing like the town they moved to 27 years ago
16	Objection	Loss of resident parking on Ashdon Road. Already limited parking for those that do not have off-street parking with their properties
17	Objection	Loss of resident parking, loss of property value. Shortage of car parks in town anyway so will be harder for people to visit to carry out business
18	Objection	Will lose on-street parking spaces and increase traffic speeds
19	Objection	Traffic calming needed, concerned about losing on-street parking.
20	Objection	Loss of resident parking, problems caused by displacement, problems for residents getting out of drives and increased traffic flow
21	Objection	As above but also mentions that parked vehicles have a traffic calming effect
22	Objection	Increased traffic speeds - parked vehicles slow traffic down. Displacement into side roads will cause more problems
23	Objection	Will make life more difficult for residents and increase traffic flow
24	Objection	Roads are only busy during rush hour, loss of resident parking, increased traffic flow. Problems for school parent parking will be exacerbated
25	Objection	Traffic speed increases and loss of resident parking
26	Objection	Borough Lane - parked vehicles slow traffic speed
27	Objection	Increased traffic speeds, increased danger to pedestrians and school pupils. Loss of amenities for residents
28	Objection	Proposals not needed due to effect of traffic lights. Loss of parking with no off-street parking available at property in an area where there is already pressure for the available on street parking
29	Objection	Greater vehicle speed on roads used by schoolchildren. Many houses of architectural interest and listed which will be affected by higher speeds
30	Objection	Increased traffic flows. S.W. is a residential town and should stay that way
31	Objection	Loss of resident parking, increase in traffic speeds on roads used by schools. Proposals too far ranging and affect too many people

32	Objection	Concerns about displacement effects on Springhill Road caused by loss of parking in Borough Lane
33	Objection	Restrictions will prevent parking outside property. Proposals will increase traffic speeds making route more dangerous for pedestrians
34	Objection	Restrictions will increase traffic speed, making it dangerous for school pupils to cross the road
35	Objection	Measures should be put in place to slow traffic on Borough Lane not increase speeds
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73	Objection	Increased traffic speeds due to removed parking places which will increase the risk of fatal accidents
74	Objection	Should allow parking as that will slow traffic speeds in urban pedestrianised areas. Roads affected are highly populated and have 3 schools in the local vicinity

75	Objection	Concerns about displacement of vehicles from Mount Pleasant Road will make will cause chaos. There are no provisions to drop off or collect school children
76	Objection	Proposals will have an adverse effect on the school that has a wide catchment area. The proposals provide no replacement parking for parents to park whilst picking up pupils from the school gates
77	Objection	Concerns about increased speed and lack of parking
78 (78i)	Objection	Concerns about the loss of parking spaces where, it is suggested, there is inadequate parking provision. No evidence to support the proposals
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82	Objection	The effect of the proposals will be to create a rat run in a residential area where children live and walk to schools
83	Objection	Parked vehicles act as traffic calming. No alternative resident parking is being offered, particularly for residents in older properties with no off-street parking. The proposals will create a race track around S.W.
84	Objection	Problems for Primary School access, the removal of parked vehicles will reduce road safety and increase traffic speed, loss of street parking for residents, Friends school weekend clubs issues not being dealt with and suggests this is the wrong priorities for the town
85	Objection	Loss of resident parking increased traffic speeds in roads used by parents and children. Suggests a 1pm to 2pm restriction to eliminate all day parking by town centre workers
86	Objection	Concerns about displacement of vehicles into Highfields and suggests limited waiting restrictions
87	Objection	School concerns about removing parking, particularly in Mount Pleasant and Peaslands
88	Objection	Increased traffic flow. Proposals will push motorists into already full side roads
89	Objection	No consideration has been made for residents without off-street parking. Parents need to be catered for when dropping off and collecting pupils. Increased traffic speeds
90	Objection	Proposals will prevent residents parking outside their property and so will be forced to park in nearby roads. Concerned about an increase in traffic speeds
91	Objection	No on-street parking near property which will cause problems for child minders. There is already a shortage of parking space in the surrounding area. Drivers will be less careful when they drive along Mount Pleasant Road
92	Objection	The proposals do not go far enough, other areas should also have no waiting restrictions
93	Objection	The proposals will remove 1.7km of on-street parking places, many historic properties do not have off-street parking places. There will be nowhere else for residents to park

94	Objection	Removing parking will result in residents parking in Holly Hock Road and Highfields adding to congestion in that area. Suggests the pavement in Ashdon Road should be reduced to improve traffic flow
95	Objection	Proposals will increase traffic speeds in an area where there is not a traffic problem. No evidence to support proposals.
96	Objection	Various - in summary does not agree that there is justification for the proposals that would be of limited benefit to residents and detriment to other residents
97	Objection	Creating parking restrictions moves the problem around, it does not solve them
98	Objection	"We write to oppose the parking restrictions"
99	Objection	"I add my disapproval to the proposed parking changes in Saffron Walden"
100	Objection	The proposal will create a fast paced ring road through the middle of S.W. and past 3 schools along the main route for children walking. Removing parking will push vehicles into overburdened areas which will increase frustration between residents and motorists
101	Objection	Removing parked vehicle will increase traffic speeds along very busy pedestrian used roads
102	Objection	Various - including properties having no off-street parking, roads are already used by motorists shopping and school parent parking. Delivery drivers park on the pavement and suggests an area of pavement is removed to allow parking
103	Objection	Knock on effect would lead to increased dangers for pedestrians and road users especially at school drop offs
104	Objection	Not in favour of proposals speeding up traffic, suggests 20mph speed limit
105	Objection	Proposals will cause parking problems as displaced vehicles will have to find somewhere else to park
106	Objection	Doctor concerned about having to park along way from residential properties, concerned that they will not be able to visit patients in a timely manner
107	Objection	Proposals will create a rat run in S.W. causing danger to cyclists and pedestrians
108	Objection	Loss of resident parking, concerns about increase in traffic flow due to loss of parked vehicles
109	Objection	Proposals will cause great difficulties to residents, businesses and parents. The road has natural obstacles and is totally unsuitable as a main thoroughfare
110	Objection	Many parents have no option but to drive to drop off pupils. Proposals will remove parking spaces. Increase in traffic speeds will be detrimental to child safety.
111	Objection	Objection suggests that the proposals are a ridiculous idea
112	Objection	The proposals will mean residents are unable to park, especially those who do not have good mobility
113	Objection	The proposal will mean faster traffic speed which will make the road more dangerous and noisy for residents and children walking to school
114	Objection	Parking around the town is limited and NHS practice staff and patients rely on local accessible parking
115	Objection	The proposal will create a dangerous and untenable situation on West Road as parents struggle to drop off school children.

		If proposal goes ahead requests permit parking
116	Objection	Parents must park somewhere and vehicles should be allowed to park to slow traffic down and makes some suggestions about how Swan Meadow car park could be utilised
117	Objection	Parked vehicles on Peaslands Road provide necessary speed restrictions. Without allowing parking it will be necessary and dangerous to walk young children along busy roads
118	Objection	Opposed to proposals in Mount Pleasant Road as the ban would push school parking traffic and residents onto neighbouring Victorian style housing already busy with parking. The parking currently reduces traffic speeds
119	Objection	The scheme between London Road and Thaxted Road is unnecessary and has been overtaken by planning refusal for developments at the east of S.W.
120	Objection	Proposed parking restrictions will result in people parking along Debden Road and Pleasant Valley. Alternative parking provision needs to be provided to avoid knock on affects
121	Objection	Against proposals as will increase traffic speed and problems caused for resident parking
122	Objection	Proposals are encouraging more speed and complaints that officers who have devised proposals do not live in S.W.
123	Objection	Objections about loss of primary school access for parents, loss of on-street parking and increased traffic speeds causing worse road safety
124	Objection	Objection as will not be able to park in Peaslands or Mount Pleasant Road when dropping off to nearby school and gives examples of the problems this will cause
125	Objection	4 questions asked, where are cars going to park, why evidence justifies change, what is the purpose of change and what alternative proposals have been considered
126	Objection	Proposals will simply move problem elsewhere. Residents to Ashdon Road have to park their vehicles somewhere
127	Objection	Concerns about increased dangers to small children having to travel further along the roads to get to schools in the area
128	Objection	Objection from parent of local school who advises that they would have to park on Debden Road or at the Lord Butler Leisure Centre and will then have to walk with 3 children to the school. Most of the route would be along the restrictions with high speed traffic
129	Objection	The proposed waiting restrictions will speed up traffic which is undesirable, other suggestions are made but these are mostly highway rather than parking suggestions.
130	Objection	Suggests the proposed changes in Ashdon Road are ludicrous and argues that the road was congested prior to the extensive housing being built
131	Objection	The loss of parking spaces will cause problems for patients at a dentist and staff. If patients are forced to drive into S.W. it will contribute to heavier traffic and air pollution
132	Objection	Cars parked in Peaslands and Mount Pleasant Road slow down traffic. The first priority should be a ring road around that part of S.W.
133	Objection	Objects to proposals and suggests a ring road or new town should be built
134	Objection	Concerns about the problems that will be caused for parents dropping off/collecting parents caused by the loss of parking

		places. Letter comes with petition
135	Objection	Concerns about the effects of displaced vehicles
136	Objection	Concerns about displacement of vehicles
137	Objection	Concerns that carers to residents in Borough Lane will not be able to park
138	Objection	The proposals will increase traffic speed, force parents to park further from schools and nurseries. There are not enough safe crossing places
139	Objection	Proposals will increase speeds, remove parking for residents, increased noise pollution and risks when driving in and out of property
140	Objection	Proposals will cause increased traffic speeds, lack of resident parking will cause displacement of vehicles. Suggests no parking restrictions during rush hour
141	Objection	Would agree to restrictions at peak times but fears the proposals will cause a race track
142	Objection	Displacement of vehicles onto nearby roads where parking is already scarce. Suggests permit parking
143 (143i)	Objection	Proposals will mean that the resident cannot park near their house. Fears about an increase in traffic speeds. Asks where parents of pupils and nursery school children will park.
144	Objection	No evidence to suggest restriction is necessary, delays only occur at peak times. Worst delays are caused by sports events at weekends
145	Objection	Residents without off-street parking cannot park near their property. There will be displacement of vehicles into nearby streets. Traffic speeds will increase and problems will be caused for parents and pupils at nearby schools. Property prices will be negatively affected.
146	Objection	Parking problems will be moved elsewhere. Residents have purchased properties in the expectation that they can park on street. Parked vehicles make the roads safer at peak times
147	Objection	Concerns about increased traffic speed and problems caused for parent/pupils at nearby schools
148	Objection	Proposals will increase traffic speed. Vehicles will be displaced into nearby roads. For most of the day most parked cars cause no problems to traffic flow
149	Objection	Inadequate parking will be worsened by proposals, vehicle speeds will increase, and parked vehicles will be displaced to unrestricted roads nearby. Most traffic problems occur at peak times only. The new restrictions will not be enforced
150	Objection	In Peaslands and Mount Pleasant Road the proposals will increase traffic and traffic speeds creating a safety hazard near schools and a nursery. A southern by-pass is needed
151	Objection	There are properties that do not have off-street parking - where will the residents and their visitor's park? The road can have restrictions but not for all day
152	Objection	The proposals will increase traffic speed and force residents and visitors to park away from their properties
153	Objection	Various including loss of on-street parking, increased road speeds, loss of primary school access for parents
154	Objection	Parking on Peaslands Road is not a problem at the moment but if removed will create a problem for many people. Example given of problems getting to child to nursery

155	Objection	No consideration has been made for residents without off-street parking. Parents need to be catered for when dropping off and collecting pupils. Increased traffic speeds
156	Objection	Broadly in favour of proposals but concerned about increased traffic speeds
157	Objection	Moved to Peaslands Road because it was quiet but will become both dangerous and difficult
158	Objection	Concerns about the use of nearby nursery car park and staff parking near property. Proposals will increase traffic speeds. S.W. needs a bypass. Consideration will need to be given to those residents without off-street parking. The proposal will have a detrimental effect on many aspects of life including living conditions, safety, house values and pollution
159	Objection	Removing vehicles will increase traffic speeds. Delays and congestion will be more of an issue at pinch points in the morning. SW needs an infrastructure upgrade and a ring road rather than "tinkering" with already established roads. Proposals will lead to speeding near two primary schools and resident parking problems.
160	Objection	Parking on Peaslands Road and surrounding area. Proposal does not serve the needs of the town or its residents. Peaslands Road currently used for overflow parking from Old Bell language school site where residents are unable to find anywhere to park. Loss of on street parking will mean residents will be forced to park in other unrestricted areas that are already clogged with cars. Proposal does nothing to improve the lives of anyone in the town or provide a single improvement to the town
161	Objection	Request to extend time of school keep clear restriction
162	Objection	WeareResidents response report. This document contains various points – document found in appendix D

6.0 Decision

6.1 **Members are asked to consider the Objections to the schemes and other correspondences received and decide whether to progress the schemes.**

Options available are:

i-To withdraw the proposals on the basis of the strength of objections that have been received

ii-To progress the proposals having considered the objectors concerns and seal the traffic order

iii-To partially install some of the proposals, such as the school entrance marking proposals and junction protection waiting restrictions

iv-To advise ECC as the Highway Authority that NEPP will not be progressing the proposals and to ask them to consider if restrictions are required alongside traffic calming or other measures

Important notes

General Duties when considering any parking scheme

It shall be the duty of every local authority so to exercise the functions conferred on them by the Road Traffic Regulation Act as (so far as practicable having regard to the matters specified below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The matters referred to are—

- a) the desirability of securing and maintaining reasonable access to premises;
- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
- c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);]
- d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- e) any other matters appearing to the local authority to be relevant.

The duty imposed above is subject to the provisions of Part II of the Road Traffic Act 1991.

Appendix D to report PSEG/17/16

Briefing paper prepared by Richard Walker, Group Manager NEPP following the informal meeting held on 116 August 2016.

Please note that the items (attachments) referred to in this particular paper will be available electronically on the NEPP and ECC websites.

Introduction - Traffic Regulation Order (TRO) Process in Essex

The process used to start new parking restrictions varies, and depends on the origin of each type of scheme. Both Essex County Council (ECC) and the North Essex Parking Partnership (NEPP) can make new parking regulations.

A new parking restriction can originate from a number of sources. A new parking restriction might progress through one of a number of different routes, for example:

1. New Development / s.106 funding – via Essex County Council
2. Safety or Congestion schemes – via Essex County Council
3. Socially necessary schemes – mostly via the Parking Partnerships

Each route to a new **parking regulation** may use a different **approvals process**, and there are delegated powers available to speed up the processes in some cases.

1. *New development and s.106 funding*
These schemes are progressed by ECC. These would usually arise from a decision relating to a planning application where works are necessary on the highway in connection with conditions placed on the application.
2. *Safety and Congestion schemes*
These would be larger-scale schemes progressed by ECC and may be connected with schemes wider than parking restriction changes.
3. *The third strand encompasses 'socially necessary' schemes:*
These would be made to NEPP whose new parking restrictions generally pass to the Joint Committee for approval. The only exceptions to are is for temporary restrictions and urgent new schemes which can be implemented under delegation by the Chairman of the Committee in conjunction with officers. Neither of these was the case with the schemes under discussion.

Individual **parking restrictions**, need to be incorporated into a wider document known as a **parking order**. If new parking restrictions are to be implemented, they will be included into the parking order by making an **amendment** to it. The timescale to bring in a new parking restriction can take anywhere from 18 months to 5 years.

Confusingly, any one of these items might be known as 'a TRO', so individual terms have been used in this report. The process makes a **proposed restriction** into a **parking regulation**, which has a legal standing.

For NEPP, new parking restriction applications follow a process to report to Joint Committee to be considered as individual schemes where they gain approval to proceed (or not, as the case may be). In addition, schemes approved at ECC can pass from ECC to NEPP for implementation.

Individual proposed restriction applications can be combined into larger **schemes** if they are nearby, and schemes will be considered together.

The NEPP policy allows for regulations of different types to be made, such as permissive parking for limited periods, for specific types of use such as resident parking or areas for use by specific classes of vehicles such as goods vehicles for loading – usually marked by white bays – and also restrictions on waiting – usually marked by yellow lines.

Different types of **informal** consultation might be carried out in advance of making firm plans, in order to gauge the likely support for a scheme in the neighbourhood. Formal consultation has to be carried out at a later stage when designs are ready to be **published as proposals**.

There is set of **procedure regulations** (The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996) which governs the formal process to be used when changing **parking orders** to enable new restrictions to be added.

When a **proposed restriction** or **scheme** has been agreed for progression, but prior to starting the legal work required to bring in a new restriction, a large amount of design work is required. These designs would then be **published as proposals** with public consultation in line with the procedure regulations.

This is where schemes can be brought into a **parking order** by applying an **amendment** - notwithstanding the legal **consultation** process which may result in **objections**, which in turn must be considered but may not necessarily be acceded to.

An **amendment** is a technical term for any number of parking restrictions, maybe as a scheme or group of restrictions, that all happen to be in the same area which will all be brought together and processed at the same time; an **amendment order** is simply a process which it is necessary to use to incorporate schemes into the main **parking order** for the area at the same time.

An **amendment order** is a technical legal process used to bring new parking restrictions into the **main parking order** by **publishing proposals**. The main parking order covers a geographical area the same size as the district. The proposals are contained in detail within the amendment order, which is the legal document required to make changes to the main parking order.

The proper process of **publishing proposals** and carrying out **consultation** is highly regulated (governed by the The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996), and NEPP certainly does not diverge from this.

For NEPP, publication of proposals involves **advertising** in a local newspaper and by **notice** placed in the roads concerned. The NEPP policy reflects the procedure regulations and was amended in 2015 to incorporate the new network management duty guidance “Right to challenge parking policies” issued by the DCLG.

Amendment orders are not decided by Joint Committee – approval to proceed with a scheme is made at a full Joint Committee Meeting earlier in the process.

An amendment will be advertised and documents relating to the scheme will be placed on deposit for inspection. There are two groups of consultees when it comes to consultation: statutory consultees, and non-statutory consultees.

Whilst an amendment order is advertised and at the consultation stage, people who do not agree with the scheme may **object** to it. A weight of objections, depending upon their contents (not simply number) may preclude an amendment from progressing into the full legal order (this might alternatively cause the generation of a variation which may have to be re-advertised).

On some occasions, Objections to an Amendment Order may be considered by Joint Committee; at other times an officer delegation can deal with them.

If the weight (not number) of objections is minor, these may be dealt with using delegated powers. If the objections are not acceded to (or if there are none) then the amendment would be made incorporating the new regulations into the main parking order. The delegation is in place in order to speed up the process where possible.

Where there is a large number of objections then a report will usually be made to the Joint Committee so that the objections can be dealt with in a wider forum in pursuit of greater transparency.

In either process, this is not a decision to proceed with the scheme – that decision would have been taken at an earlier meeting – instead this is a special report to deal with objections only.

A number of options is open when considering objections – depending upon the weight and the source of them. They may not be accepted (not acceded to) if the reasons given are not sufficient; the proposals may be reduced and a lesser scheme be progressed; the proposals may be altered and an alternative set of proposals advertised; a decision on the proposals may be delayed for more information to be provided in order to deal with the objections, or the proposals may be withdrawn.

If the Committee decides to reject the objections, then the amendment can continue and be passed into the main parking order; a decision at the Joint Committee may be Called In in particular circumstances.

A scheme would usually be implemented within a few days of the legal process being completed and these will become enforceable when implemented.

An appeal system is also available after the implementation of the legal order, upon application to the High Court – a timescale is set out for this in the

procedure regulations.

The TRO proposals in question

The restrictions in Amendment 40 arose from different sources.

As far as they relate to the Peaslands Road area, there are three schemes to note:

1. a scheme arising as a result of a planning decision progressed by ECC – the planning decision was UTT/0385/08/FUL;
2. a socially necessary scheme progressed by NEPP (10030); and
3. a socially necessary scheme progressed by NEPP (10031).

All three of these restrictions (i.e. NEPP schemes 10030, 10031 **and** the ECC scheme) were included in Amendment 40, along with other schemes published and requiring incorporation into the Uttlesford Order at the time.

The Amendment being proposed is to the main ECC parking order in the Uttlesford Area – called *The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Consolidation) Order 2008*, by making the Amendment Order called *The Essex County Council (Uttlesford District) (Permitted Parking and Special Parking Area) (Amendment Order No. 40) Order 20***.

The Amendment Order would be dated if it is sealed as a legal order.

NEPP Scheme and application history including planning details

There are NEPP schemes 10030 & 10031 (Peaslands/ Debden Road/ Borough Lane) and another scheme which has its roots in an Essex County Council Highways (ECC) scheme numbered **FP/556/07/16**, which has also been known as **TRO-5523** (although this is simply a map drawing reference) and became part of a package of measures under Amendment 40.

The ECC scheme known as **TRO-5523** of April 2015 is funded via s.106 contributions linked to the Former Bell Language School in Saffron Walden, planning ref. **UTT-0385-08** and BSU1052 (dated 2008). A copy of the planning application is attached in the pack (see **items A-C**). This advises that “provision of a comprehensive highway scheme that places emphasis on pedestrian safety and ease of movement without detriment to the free flow of traffic in the surrounding area” was proposed.

The rest of the scheme came about as a result of a number of requests including the school (including a front-page newspaper article) and a selection of residents. Other residents have been opposed to the scheme from the beginning (see **items D-J**).

A number of photographs exist from two separate site visits (see **item L**), conducted at various times of day. A report on the site by a NEPP officer suggests that outside the busy times there was a modest amount of parking, perhaps from building contractors working locally, and some parking by commuters and local businesses. Photographs are available to view.

The peak school time drop off and collection times seemed to pose more issues, particularly movement conflict between larger vehicles as a direct result of the continuous string of parking. A local bus operator reported having had problems with nowhere to pull in once committed to start passing the long line of parked vehicles (see **item G**).

The report by the NEPP officer lists the new development as an issue which could need managing, along with associated additional traffic. The report considered that there would be nominal displacement of parking by a scheme here. An ECC scheme was being drawn up for the location as a result of the planning and details are attached (see **item M**); it is this design upon which the NEPP proposals are based.

At the same time NEPP officers visited, the ECC Highways Liaison Officer for the area was present, to assist with any known traffic/congestion issues in the area.

Other issues

The route is a key route to avoid the town centre.

Another key issue is of Air Quality – Most of the town is covered by an Air Quality Management Area however there are specific areas where exceedances take place. These are located in the town centre area, and the ability of drivers to use alternative east west routes, will help to reduce the impact on these key areas.

Proposals

The NEPP proposals were brought about as a result of a number of emails received during 2011 and 2012 (**items D to J2** are relevant).

A meeting was held on site during June 2013 between ECC, UDC and NEPP. The notes of this meeting are contained in an email from UDC to the other parties (see **item K** of 06/06/2013). This sets out which party would progress which scheme.

As can be seen above, these initial discussions included the ECC scheme which was yet to be designed and decided, and part is a NEPP scheme which was yet to be decided.

The new NEPP schemes were decided, and agreed to, by the Joint Committee at the dates shown at **item L, L1, L2** in the pack; for example 10031 was considered by the Committee and decided on 08/08/2013 (see **item L2** for recorded minutes of the decision on page 107 of the pack) and progressed as an approved scheme.

Details of NEPP schemes are published on the website whenever they are due

to appear at Committee, for example, here:

<https://www.parkingpartnership.org/north/uploads/committee/Nepp%20Agenda%20-%20meeting%208-August-13.pdf>

The ECC scheme was the result of a s.106 contribution (see **item B**) linked to a planning application from 2008 (see **items A, C & C1**) which was designed by ECC after being agreed under ECC officer delegation (see **item M** on page 109 of the pack) on 30/03/2015.

The ECC scheme is detailed further in the documents at **item P**.

ECC then agreed that it would make sense if its scheme plus the NEPP schemes were advertised as one proposal (see **items Q, R & S**).

Of note, as it has been mentioned in the call in questions (but not relevant to the decision), is that the NEPP policy was amended at the same August meeting (the item directly following the application being approved); at this change the TRO scoring matrix and timescale to revisit any applications (see **item L1**) was changed.

Again, not relevant to the decision but included for information on its timing, the NEPP TRO Policy was updated, in line with national recommendations from DCLG especially regarding petitions, at the 18 June 2015 Meeting (see **item N**) and brought into line with the South Essex Parking Partnership policy.

The schemes in question were advertised (see **item S**) on 28/01/2016.

A Freedom of Information request was received from 'weareresidents' group, and the response as published on their website is included as **item T & T1**.

A source of some confusion might have arisen locally from the weareresidents document, as their comments (see **item T1** page 202) claim that certain NEPP schemes have been withdrawn. The document was endorsed with the phrase "*Minutes from a NEPP meeting [08/08/2013] where a previous set of parking restrictions were considered, but later abandoned*". This is not the case.

It is thought this was supposition by weareresidents and may be the cause of some misunderstanding in a number of objections and emails received by NEPP.

A similar list of questions and objections to the proposals was received from Saffron Walden Town Council as was asked by weareresidents (see **items U & V**).

The details from Saffron Walden Town Council (SWTC) in their email (**Item U**) claim (in point 2.) that NEPP has 'failed to follow its own processes' because it did not consult with the town council.

The NEPP policy is included at **item N**. The NEPP Policy does not state that prior approval of the town council is required.

The item which SWTC has repeated here has been taken out of context; this is not a policy decision, but a minute of a verbal exchange from a later meeting

talking about the policy (which had actually been agreed at the previous meeting).

The Policy itself (where it is addressing applications from the public for new yellow lines) includes a note to the following effect:

“Note: When requesting a new parking restriction it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from local Councillors and the parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group.”

As far as the proposal here is concerned, consultation has taken place, including notice on site and at least one notice in the local press as part of the formal process.

The policy (where it is addressing members of the public looking to make an application) states it is advisable for the applicant to gain support from the parish or local councillor.

The policy also states that, regardless of informal consultation, NEPP is able to introduce a scheme where it is deemed essential.

The proposals here arise from a decision to implement a scheme funded by a s.106 contribution from ECC linked to a planning decision.

Call-In

As noted in the first part of this report, the Joint Committee was not considering whether or not to progress these schemes; this has already been decided.

Neither was the Committee and considering the Amendment Order, which itself is instead a legal process.

But rather the Committee was considering a report containing details of the objections made under the published proposals, and whether to accede to them or not. As it happens, after discussion, the Committee decided not to accede to the objections.

This is the decision which has been Called In.

Questions posed in the Call In

<p>1. The obligations under the Road Traffic Regulation Act 1984 were not met;</p>	<p>Obligations were met.</p> <p>The decision to progress and advertise the NEPP proposals was made in a fully minuted and open public meeting, on 08/08/2013.</p> <p>The ECC scheme was progressed under officer delegations on 03/03/2015.</p> <p>The Proposed Order was advertised by Notice on site and in the local newspaper from 26/01/2016.</p> <p>Objections have been considered at the JPC in a full open public meeting. The Committee decided not to accede to the objections.</p>
<p>2. The process by which the TRO was brought forward was not correct or fit for purpose and was flawed;</p>	<p>The decision to progress and advertise the NEPP proposals was made in a fully minuted and open public meeting, on 08/08/2013.</p> <p>The ECC scheme was progressed under officer delegations on 03/03/2015.</p> <p>The Proposed Order was advertised by Notice on site and in the local newspaper from 26/01/2016.</p> <p>Objections have been considered at the JPC in a full open public meeting. The Committee decided not to accede to the objections.</p>
<p>3. No supporting evidence was produced or brought forward to justify the scheme;</p>	<p>Site surveys led to scoring methodology being completed. Scheme design completed by ECC Highways alongside HLO and in connection with planning application.</p> <p>Details of the ECC and NEPP schemes are included in the pack at items A, B, C, K, L, M, PQ, R & S)</p>
<p>4. The scheme itself is does not meet the needs or priorities of Saffron Walden;</p>	<p>This is a statement.</p> <p>The ECC scheme is in connection with the planning application at item A, B & C.</p>
<p>5. The consultation responses of local residents, schools and businesses, and implications of those</p>	<p>The responses were considered at an open public Joint Committee, after having been published (redacted) on the website, having been consulted in accordance with the Regulations – by Notice on site and in the local</p>

responses, were not properly considered;	<p>newspaper.</p> <p>Procedure regulations 1996: http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made</p>
6. The needs, wishes and consultation responses of the Town Council, Town, District and County Councillors that were elected to represent Saffron Walden, and the and implications of their responses, were not properly considered;	<p>Responses were considered as part of the formal consultation (see 5, above) at the Joint Committee – the objections to the scheme were referred to the Joint Committee for consideration.</p> <p>The making of Traffic Regulation Orders is for the Highway Parking Authority to consider (in this case the Parking Partnership Joint Committee under its Agreement with Essex County Council) or under officer delegations at ECC.</p> <p>The ECC scheme is in connection with the planning application at item A, B & C.</p>
7. NEPP's process "requires the prior approval of the Saffron Walden Town Council for such a scheme", and it was not sought;	<p>The Policy does not state that prior approval of the town council is required. The item which SWTC has repeated here is out of context; this is not a policy decision, but a minute of a verbal response from a later meeting talking about the policy (which had actually been agreed at the previous meeting).</p> <p>The Policy itself (where it is addressing applications from the public for new yellow lines) includes a note to the following effect: <i>"Note: When requesting a new parking restriction it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from local Councillors and the parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group."</i></p> <p>The policy also states that, regardless of informal consultation, NEPP is able to introduce a scheme where it is deemed essential.</p> <p>Procedure regulations 1996: http://www.legislation.gov.uk/ukxi/1996/2489/regulation/6/made</p> <p>NEPP TRO General Policy 2015: https://www.parkingpartnership.org/north/uploads/tro/2015%2009%20TRO.pdf</p>
The Committee was deliberately	There is no 'Applicant' to the ECC scheme – it has

misled on at least 5 occasions by the Applicant during the debate, which did have a direct outcome on the decision;	arisen as part of a development from 2008 and is funded via s.106.
At the Committee Meeting Cllr Susan Barker guided the Committee that Cllr Lodge should Call-in the decision so that ECC could amend the scheme, fix the safety and traffic-calming and other flaws in the proposals, because they were outside the remit of the NEPP and this was the only way to have the scheme amended;	LHP can consider recommendations for other traffic infrastructure. The HLO was involved during scheme design at ECC. There have been calls for action in many of the comments received by NEPP for this and other schemes.

Extract from TRO Policy (2015)

This document sets out how the arrangements work and outlines the ECC and NEPP policies which will determine the implementation of future TRO schemes across the Partnership area.

Pages 10-11 of the Policy clearly set out how the consultation will work, and what legislation is to be complied with.

All Schemes agreed locally to progress will then be presented to the Joint Committee to decide to commit the necessary funding to proceed with a proposed Traffic Regulation Order, subject to formal consultation.

A report will be created for the Joint Committee to consider and either Agree, Defer or Reject the scheme.”

If funding is agreed a TRO will be drafted and *statutory consultation* must be undertaken.

This involves obtaining the views of local stakeholders such as:

- Local City/Borough/District Council, Parish Councils and County Councillors
- The Highway Authority
- The Emergency Services
- Freight Transportation Association and Road Haulage Association
- Local public transport operators.

If NEPP agrees to proceed with the TRO, the scheme must be advertised (including on site and at least one notice in the local press). NEPP will usually

display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected.

Extract from RTRA 1984

122.

Exercise of functions by local authorities. —

(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

(2) The matters referred to in subsection (1) above as being specified in this subsection are—

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to . . . the local authority . . . to be relevant.

3) The duty imposed by subsection (1) above is subject to the provisions of Part II of the Road Traffic Act 1991.