Traffic Regulation Order Report:

Gloucestershire County Council On-Street Parking Order 2017 (Lansdown Place Lane) (Cheltenham Borough) (Variation) Order 2019

[Ref: HBL/67252]

March 2019
Traffic Order Report:
Traffic Regulation Order Lansdown Area Order 2017
[Ref: HBL/67252]

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Traffic Regulation Order Title:
Gloucestershire County Council On-Street Parking Order 2017 (Lansdown Place Lane) (Cheltenham Borough) (Variation) (Remove the Uncontrolled Parking Along The Section of Lansdown Place Lane; East of Lansdown Walk to its Junction with Lansdown Crescent in the Lansdown ward of Cheltenham) Order 2019

Case Officer: Kevin Mather, Parking Consultant, Atkins Ltd on behalf of Gloucestershire County Council

Senior Case Officer: Alexis Newport, Traffic Regulation Order Manager, Gloucestershire County Council

1. Purpose of Report
This report provides the information and findings of the Traffic Regulation Order (TRO) consultation for the proposal to introduce a Permit Parking Area (PPA) parking zone. The PPA is proposed on the section of Lansdown Place Lane; east of Lansdown Walk to its junction with Lansdown Crescent.

To detail the representations made during the consultation period between 1st February - 1st March 2019.

To make a recommendation on whether the Council should proceed to make the TRO permanent.

2. Recommendation
It is recommended that, for the reasons given in this report and after consideration of the consultation responses, the County Council make the TRO permanent, as advertised between 1st February and 1st March 2019.

3. Background and Purpose of the Scheme
Lansdown Place Lane is in the Zone 13 parking zone towards the west of Cheltenham town centre. The roads are occupied by a mixture of residential and business users. The character of the lane means that predominantly the properties have limited off street parking, with sections of the carriageway too narrow to allow two-way traffic. Although, vehicles tend to park considerately in this area to maintain the movement of traffic between parked cars.

This proposal has been informed by the responses gathered during the recently completed Experimental TRO (ETRO) that covered the Lansdown Crescent Lane area from August 2017 to February 2019. The ETRO which has now been made permanent since 1st February, introduced uncontrolled parking on Lansdown Place Lane, Lansdown Crescent Lane and Lansdown Walk.

The ETRO was brought in to try to avoid an adverse impact on local businesses from the new Zone 13 Permit Parking Area (PPA) when it was introduced in August 2017.

Feedback was generally supported for the ETRO arrangements in most parts, but within the eastern section of Lansdown Place Lane, between Lansdown Walk, and Lansdown Crescent, there is a wish to go back to the permit holder parking arrangements of the original Zone 13. This TRO therefore aims to address this request by reintroducing permit holder parking on the eastern section of Lansdown Place Lane.

4. Law and Policy
The Road Traffic Regulation Act 1984 sets out the legal basis for making TROs and the specific sections of the Act which the County Council are using for the implementation of the Order is Section 1

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,
(f) for preserving or improving the amenities of the area through which the road runs.

Thorough consideration has been given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 in proposing this Traffic Order. This requires the local authority to secure the expeditious, convenient and safe movement of traffic (including pedestrians). In carrying out this exercise the County Council must have regard to:

(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.

Any changes are made in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996. Under this procedure, local authorities are expected to consult local community groups and the Police together with other organisations listed where appropriate, such as the other emergency services and transport operators.

The County Council is required to advertise the draft Order it intends to make to allow a period for representations of support or objection to be submitted. After this consultation, the County Council must consider any representations received and having done so, to either:

a) Resolve to make an Order in the form originally intended and advertised.
b) Modify the Order from advertised.
c) Abandon the proposal altogether.

Significant modifications to the proposed Order would need to be re-consulted on to provide further opportunity for comments.

Traffic Authorities have the flexibility to implement restrictions that are appropriate for an individual road, reflecting safety and road user needs whilst taking into account all local considerations.

Thorough consideration has also been given to the County Council’s duties under Section 149 of the Equality Act 2010. A copy of the Statement of Due Regard is included in Appendix A.

5. Proposals

The TRO introduces Zone 13 Permit Parking Area (PPA) restrictions, on the section of Lansdown Place Lane between Lansdown Walk, and Lansdown Crescent. The restrictions will operate Monday – Saturday 8am – 8pm and replace the current uncontrolled parking.

6. Consultation on the proposed TROs

Formal statutory consultation was carried out in accordance with The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (REG 96), from the 1st February 2019 to the 1st March 2019. This included consultation with the Police, emergency services, Road Haulage Association and Freight Transport Association as well as the local County Councillor, Town Council and Gloucestershire County Council’s standard consultees.

It is noted that no representations were received from statutory consultees during the TRO consultation period.

Formal advertising of the proposals was carried out in line with REG 96 from the 1st of February 2019 for the TRO. This consisted of notices in the local newspaper, on site and on the County Council’s website. Please see Appendix B for a copy of the formal notice.

Responses during the TRO consultation have been closely monitored. All responses both in support and objection have been recorded as part of the TRO, with the next section summarising the representations made along with the County Council’s response.

7. Representations of Support, Objection and Enquiry

A total of nine responses were gathered during the TRO consultation period. Of the nine responses eight were in support and one objecting, to the proposed TRO changes. The council’s response to the sole objection is detailed in Table 7-1 below:
Table 7-1  Consultation Comments and Council Response

<table>
<thead>
<tr>
<th>Comment</th>
<th>Total by Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>The permit holder parking on the eastern section of Lansdown Place Lane will have a negative impact on businesses.</td>
<td>1</td>
</tr>
</tbody>
</table>

Response from the County Council

The history of parking proposals in the Lansdown Area has demonstrated the ongoing commitment of the Council to listen to all views within Lansdown. Following the Zone 13 decision (August 2017), the ETRO was implemented (August 2017 – February 2019). The ETRO removed the PPA element of the Zone 13 scheme, retaining uncontrolled parking in the lanes outside of the parking bays. Feedback was generally supportive of the ETRO arrangements in most parts. However, within the eastern part of Lansdown Place Lane there was support for a PPA.

Having considered feedback from all parties in the ETRO it wasn’t possible to achieve the desired effect in one stage. So, having made the ETRO permanent (February 1st 2019), a new consultation was opened (1st February – 1st March 2019) covering the eastern section of Lansdown Place Lane.

The responses to the TRO fully align with the feedback received previously (during the ETRO) as eight of the nine responses support the proposal. As a result of making the Lansdown ETRO permanent on the 1st of February 2019, there is unrestricted parking for businesses on Lansdown Crescent Lane, Lansdown Walk and the western section of Lansdown Place Lane.

This approach reflects the support of both local businesses and residents across the area. The opportunity to park in the uncontrolled spaces in the lanes is on a first come basis and this arrangement has been generally supported throughout the ETRO consultation.

The council has demonstrated a consistent approach to addressing the concerns of all those in the Lansdown area and considers the response to the previous ETRO and the majority support for this TRO, addresses the concerns raised. Officers will therefore recommend that the TRO be made permanent as advertised.
8. Due Regard
The County Council has had due regard to the three aims of the general equality duty under the Equalities Act 2010 in relation to the nine groups with protected characteristics and considers the proposed scheme does not adversely affect any of the groups with those protected characteristics.

The full due regard statement is contained in Appendix A.

9. Summary
The information provided within this report supports the position on which the County Council can base a decision on.

Of the nine responses gathered during the consultation period eight are in support of the TRO, introducing Zone 13 Permit Parking Area (PPA) restrictions Monday – Saturday 8am - 8pm. The council has demonstrated a consistent approach to addressing the concerns of all those in the Lansdown area and considers the response to the previous ETRO and the majority support for this TRO, addresses the concerns raised.

10. View of the Case Officer
This report demonstrates that the introduction of the TRO has been fully consulted upon in accordance with Gloucestershire County Council procedures and followed necessary statutory procedures as set in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulation 1996.

It is considered that the results of the consultation show that there is support for the TRO arrangements and supports the Statement of Reasons and purpose of the scheme proposals.

It is therefore recommended the TRO is made permanent as advertised.
11. Recommendations by Senior Case Officer (Gloucestershire County Council)

I am satisfied that the proposed parking order has been correctly advertised in accordance with the Road Traffic Regulation Act 1984 and the procedures laid down in the Act. The necessary statutory procedures as set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulation 1996 have been followed, and guidance, including the Traffic Signs and General Directions 2016 have been considered.

After considering all the representations in this report I recommend that the TRO is made permanent under delegated authority. I further recommend that there is no requirement to take this decision to a Traffic Regulation Committee.
12. Decision by Network Manager: Network and Traffic Management (Gloucestershire County Council)

I have considered the report and your recommendations and consulted with the local County Councillors. I have also considered all the representations that we have received in relation to this matter, and whether it is necessary to refer the schemes to the Traffic Regulation Committee. Under delegated authority I authorise the Head of Legal Services to proceed as follows:

- To make the TRO as advertised.

Signed: [Signature]

Date: 18/3/19

Name and Title of Officer:

Elizabeth Kirkham, Network Manager, Network & Traffic Management, Gloucestershire County Council
Appendices:

A  Due Regard Statement
B  TRO Documents
Appendix A  Due Regard Statement
Due Regard Statement

The Council has a duty to give ‘due regard to’ the three aims of the public sector equality duty as made (section 149 of the Equality Act 2010) during the development of the ‘policy’.¹

Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:

- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

<table>
<thead>
<tr>
<th>Protected group</th>
<th>Challenge or opportunity considered and what we did</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age (A)</td>
<td>By introducing a Permit Parking Area (PPA) scheme, parking spaces will be restricted to permit holders of Zone 13. Those delivering care or assistance to local residents will be able to access local properties more easily. Carers permits are provided free of charge where required. No other impacts are expected.</td>
</tr>
<tr>
<td>Disability (D)</td>
<td>Provision for disabled and mobility impaired users is provided for on statutory basis through the blue badge scheme and all proposals fully cover these requirements. For residents with the permit scheme, carer permits are provided free of charge where required. No other impacts are expected.</td>
</tr>
<tr>
<td>Sex (S)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Race (including Gypsy &amp; Traveller) (R)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Gender reassignment (GR)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Marriage &amp; civil partnership (MCP)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Pregnancy &amp; maternity (PM)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Religion and/or Belief (RAOB)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
<tr>
<td>Sexual Orientation (SO)</td>
<td>There is no evidence to suggest a positive or negative impact in this group.</td>
</tr>
</tbody>
</table>

Signed

Alexis Newport, TRO Manager

¹ For ‘policy’: any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or decommissioning services, service design and implementation.
STATEMENT OF REASONS FOR LANSDOWN PLACE LANE, CHELTENHAM

Proposal to vary the prohibitions and restrictions to parking in the west of Cheltenham (Lansdown Place Lane), Cheltenham, to re-introduce permit parking

The Proposal

Gloucestershire County Council proposes changes to parking restrictions to Lansdown Place Lane (between the junctions of Lansdown Walk and Lansdown Crescent) in part of Cheltenham town centre under Section 1 of the Road Traffic Regulation Act 1984.

The proposed Traffic Regulation Order (TRO) will introduce a Zone 13 Permit Parking Area (PPA) parking zone, between 8am – 8pm Monday to Saturday (within Zone 13). The PPA will cover the section of Lansdown Place Lane; east of Lansdown Walk to its junction with Lansdown Crescent.

The Reasons

This proposal has been informed by the responses gathered during the recently completed Experimental TRO (ETRO) that covered the Lansdown area from August 2017 to October 2018. The ETRO which has now been made permanent, introduced uncontrolled parking on Lansdown Place Lane, Lansdown Crescent Lane and Lansdown Walk.

The ETRO was brought in to try to avoid an adverse impact on local businesses from the new Zone 13 Permit Parking Area (PPA) when it was introduced in August 2017.

Feedback was generally supported for the ETRO arrangements in most parts, but within the eastern section of Lansdown Place Lane, between Lansdown Walk, and Lansdown Crescent, there is a wish to go back to the permit holder parking arrangements of the original Zone 13.

Due to the specific requirements of the legal process around TROs, we couldn’t achieve the desired outcome of the ETRO, in one single step, so we have split it into two stages:

- Firstly, we made the ETRO permanent – this has been completed and enforceable from 1st February 2019;

- The second stage is formed through this TRO proposal, which introduces a PPA in the eastern section on Lansdown Place Lane.

We now welcome feedback on the proposal for the PPA in eastern section of Lansdown Place Lane. The County Council proposals are intended to fulfil their responsibilities under the Section 122 of the Road Traffic Regulation Act (1984). The proposed scheme will secure suitable and adequate parking provision in the neighbourhood for local residents and businesses, and visitors to the area. This will maintain good access to local properties and amenities. Parking restrictions at junctions are designed to allow safe vehicle movements.
PUBLIC NOTICE
GLOUCESTERSHIRE COUNTY COUNCIL
ON STREET PARKING ORDER 2017
(LANSDOWN PLACE LANE) (CHELTENHAM BOROUGH) (VARIATION) ORDER 2019

NOTICE is hereby given that Gloucestershire County Council intend to make a Variation Order under the Road Traffic Regulation Act 1984, the effect of which would vary the Gloucestershire County Council On Street Parking Order 2017 (the 2017 Order) by introducing the proposed restrictions described in the Schedule below along Lansdown Place Lane in Cheltenham Borough, Gloucestershire.

THE SCHEDULE

<table>
<thead>
<tr>
<th>ROAD NAME AND EXTENT</th>
<th>RESTRICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lansdown Place Lane (east) from its junction with Lansdown Walk to its junction with Lansdown Crescent for a distance of approximately 140 metres</td>
<td>Permit Holders Only Zone 13, Mon – Sat 8am – 8pm</td>
</tr>
</tbody>
</table>

The exemptions specified in Part IV of the 2017 Order will apply.

A copy of the draft Variation Order, the 2017 Order, the sealed plans that are proposed to be revoked and the consultation plan together with a copy of the Statement of Reasons, may be inspected during normal opening hours at Gloucestershire County Council, Map Room, Shire Hall, Gloucester GL1 2TG and Cheltenham Library, Clarence Street, Cheltenham, GL50 3JT or can be viewed at http://www.glooucestershire.gov.uk/tros (Please quote reference HBL/67252).

Any objections or representations in respect of the above should be sent in writing addressed to the Head of Legal Services, Shire Hall, Westgate Street, Gloucester, GL1 2TG or emailed to troconsultation@glooucestershire.gov.uk (please quote reference HBL/67252) no later than the 1st March 2019.

Any comments that you make concerning this proposal cannot be treated as confidential. For further details about how we deal with your comments and personal details, please go to http://www.glooucestershire.gov.uk/tros

Dated this 7th day of February 2019

[Signature]
For Head of Legal Services
TRO Proposal - PPA Lansdown Place Lane

This plan details the proposed consultation on the proposed TRO that covers parking restrictions in Lansdown Place Lane, between Lansdown Walk & Lansdown Crescent.

Key:

- **Permit Parking Area (Permit Holders Only)**
  - 8am - 8pm, Mon - Sat

Proposed Permit Lansdown Place Lane Parking Area (PPA) (Permit Holders Only) 8am - 8pm, Mon - Sat

Only vehicles with a valid permit or visitor voucher for the Lansdown Zone (Z13) can park in the road between the times shown.
NO WAITING AT ANY TIME
NO WAITING AT ANY TIME