

SURREY COUNTY COUNCIL**LOCAL COMMITTEE (ELMBRIDGE)****DATE: 2 SEPTEMBER 2013****LEAD OFFICER: NICK HEALEY, NE AREA TEAM MANAGER****SUBJECT: PETITION RESPONSE – PARKING IN DOUGLAS ROAD, ESHER****DIVISION: EAST MOLESEY & ESHER****SUMMARY OF ISSUE:**

To update members on the investigations carried out, the results obtained, the conclusions and recommendations made, following the petition to the June meeting of this committee.

This report updates members following the petition received from Mr M Wheeler, accompanied by a verbal presentation highlighting parking concerns following a letter from the Police threatening to prosecute vehicles parked illegally off the carriageway. This report presents the results of those findings.

RECOMMENDATIONS:

The Local Committee (Elmbridge) is asked to agree that:

- (i) They await the outcome of the Planning permission to ascertain what the implications on parking will be and once this is known then consider a solution in isolation or combined with the School expansion.

REASONS FOR RECOMMENDATIONS:

To ensure that the best use is made of the limited funding available to the Local Committee.

1. INTRODUCTION AND BACKGROUND:

1.1 Members are reminded that a petition was submitted to the June 2013, meeting of the Local Committee, concerning parking arrangements in Douglas Road, Esher, but in particular following a letter to residents from Surrey Police.

1.2 The letter states that the Police have used their discretion in the past regarding vehicles parked on the grassed areas of Douglas Road, and being driven across footways. A recent incident however has caused them to now treat this more seriously.

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- 1.3 It is an offence under Section 28 of the Town Police Clauses Act 1847 and Section 72 of the Highways Act 1835, to drive on a footpath. To this end, the Police have advised that vehicles seen driving on a footpath, or parked in such a position where it would have been driven on a footpath, may have a fixed penalty notice issued to the registered keeper.
- 1.4 In the past the Elmbridge Housing Trust, who own many of the grassed areas, worked closely with the then Local Transportation Service, to finance and deliver local parking improvements.
- 1.5 A feasibility study was carried out of the parking arrangements in Douglas Road and Farm Road, Esher, which was completed in May 2003.
- 1.6 A full public consultation of the findings was carried out with residents on the 6th August 2003, and this resulted in a report to the Local Committee on the 22nd September 2003.
- 1.7 The report recommended elements of the proposal which had received considerable support, namely parallel bays on Douglas Road between numbers 105-123, 65-95 and 41-63, and to carry out works to the overrun areas for the S bends. Support had not been received for the Courtyard elements and this was dropped. However additional areas, which resulted directly from the consultation but did not form part of the original proposal, were recommended for further investigation between numbers 97-103.
- 1.8 The Committee approved the scheme and the works were carried out during the following months.

2. ANALYSIS:

- 2.1 A 7.5 tonne weight restriction operating between 22.00hrs and 06.00hrs was introduced some years ago by way of Traffic Regulation Order at the request of local residents. Surrey Police are responsible for the enforcement and any contravention of this restriction.
- 2.2 Outside of these restricted hours a number of HGV's use the road, and it is also a bus route between Wood End and Mill Lane, with an hourly service.
- 2.3 The residential area is a mixture of privately owned properties and residences owned by the Housing Trust.
- 2.4 A copy of the June 2013 petition has been copied to the Elmbridge Housing Trust, to enable them to consider the implications as much of the grassed areas remain in their ownership, and any additional parking provision would undoubtedly require some of this land. To date a formal response has not been received.
- 2.5 In law no one has any right to park upon any highway (including carriageway, footway and verge) in this country. Any parking could be considered an obstruction of the basic right of anyone to 'Pass and Repass' without let or hindrance. This is covered under Section 137 of the Highways Act 1980.

- 2.6 Although parking is accommodated where it can be done so in safety, when and if this is compromised, traffic management tools are used such as waiting restrictions to control this activity.
- 2.7 A proposal to expand Cranmere Primary School from September 2014 is currently in the consultation stage. The current proposal is the erection of new single storey Primary School (630 places) and Nursery (26 places) together with provision of parking for staff (37 spaces), cycle and scooter parking with access off Arran Way; layout of outdoor play areas and sports pitches and landscaping; demolition of existing Cranmere School buildings (other than caretaker's bungalow) and removal of hardstanding at The Drive; and alterations to Arran Way associated with provision of dedicated footpaths for the proposed school.
- 2.8 Highway alterations may be required to facilitate this expansion, however any such alterations would be considered and determined through the Planning process.

3. OPTIONS:

- 3.1 Limited waiting parking restrictions could be used to manage areas of carriageway where parking can be accommodated in safety during the day and /or during the hours where the 7.5T lorry restriction is in operation, whilst double yellow lines would control areas where parking must not occur at any time.
- 3.2 This would require further investigation by the Parking Team to ascertain whether this would provide sufficient parking to meet the anticipated demand. Any changes would also require formal consultation as would any Traffic Order making process.
- 3.3 It is hoped that the Housing Trust will react positively to the details of the petition, as additional land will be crucial to any possible additional parking provision together with any financial undertaking that they are able to contribute.
- 3.4 Any changes to the highway layout as a consequence of any planning application would affect both the layout and available parking arrangements. Attempting to second guess this ahead of a planning application would undoubtedly result in abortive cost and further changes.
- 3.5 It would be advantageous to await the outcome of the Planning process to determine if any highway and/or parking improvements can be incorporated in conjunction with planning application with possible Section 278 or Section 106 agreements.

4. CONSULTATIONS:

- 4.1 The Housing Trust has been alerted to this petition.

5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

- 5.1 In the absence of any external funding, such as contributions from the Elmbridge Housing Trust, Developer Section 278 or Section 106 funds, all

funding for feasibility, design, and construction would have to be met from the Committee’s Capital and Revenue allocations.

6. EQUALITIES AND DIVERSITY IMPLICATIONS:

6.1 It is an objective of Surrey Highways to treat all users of the public highway equally and with understanding.

7. LOCALISM:

7.1 Any parking arrangements considered, either as new construction or in the form of waiting restrictions would be the subject of formal consultation with residents and affected stakeholders.

8. OTHER IMPLICATIONS:

Area assessed:	Direct Implications:
Crime and Disorder	No significant implications arising from this report
Sustainability (including Climate Change and Carbon Emissions)	No significant implications arising from this report
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Public Health	No significant implications arising from this report

9. CONCLUSION AND RECOMMENDATIONS:

9.1 The expansion of Cranmere School may result in changes to the highway network.

9.2 It would not be prudent to make any changes to the area ahead of knowing the outcome of the Planning application relating to Cranmere School.

9.3 It is recommended to await the outcome of the Planning permission to ascertain what the implications on parking will be and once this is known then consider a solution in isolation or combined with the redevelopment.

10. WHAT HAPPENS NEXT:

10.1 The planning process relating to the development of Cranmere School will run its course. Residents and Members will be able to engage with this process

- 10.2 Once the Planning process has concluded, this Committee will review the implications and consider what measures should be implemented in response.

Contact Officer:

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Consulted:

Elmbridge Housing Trust

Annexes:

None

Sources/background papers:

Committee Report 22nd September 2003.

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