

**SOUTH ESSEX PARKING PARTNERSHIP
(TRAFFIC REGULATION ORDERS) SUB COMMITTEE**

WEDNESDAY 14TH FEBRUARY 2024 – 3.15PM

AGENDA ITEM 5

Subject	THE ESSEX COUNTY COUNCIL (CHELMSFORD CITY) (PROHIBITION OF WAITING, LOADING AND STOPPING) AND (ON-STREET PARKING PLACES) (CIVIL ENFORCEMENT AREA) (AMENDMENT NO.56) ORDER 202*
	Relating to Henniker Gate, Springfield
Report by	South Essex Parking Partnership Manager

Enquiries Contact
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Purpose
 To report the receipt of representations made on part of The Essex County Council (Chelmsford City) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.56) Order 202*

Options
 The Joint Committee has the following options available:

1. to agree that the proposed Order be made as advertised.
2. to agree that the proposed Order be made subject to modifications which result in less restrictive provisions or reduced scope; or
3. to agree that the proposed Order should not be made.

Recommendation(s)

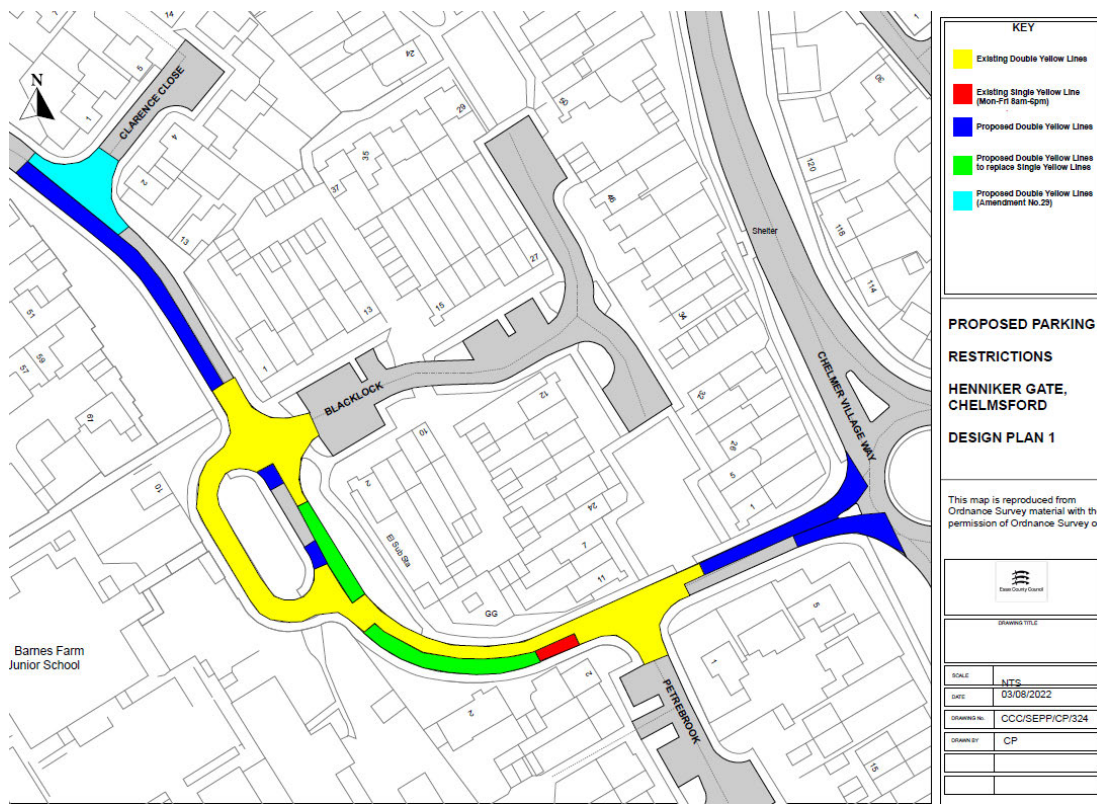
1. The Order be made as advertised.
2. The people making representations be advised accordingly.

Consulters	South Essex Parking Partnership
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Policies and Strategies
 The report takes into account the South Essex Parking Partnership Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.

1.	<p><u>Background</u> The purpose of this Order is to amend The Essex County Council (Chelmsford City) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019 as set out below:</p>
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- 1.1 The SEPP received a completed application form on 29 April 2022 from a local resident requesting 'No Waiting at Any Time' restrictions on Henniker Gate at the junction of Chelmer Village Way and the bend of Henniker Gate (adjacent to the Barnes Farm schools). The request is to prevent obstructive parking which in turn creates unsafe movement of vehicles and pedestrians as well as access and egress problems. The application was supported by 62 signatures from various residents of Henniker Gate, Blacklock and Petrebrook. The application was also supported by Cllr John Spence and Cllr Rose Moore.
- 1.2 Following receipt of the application the SEPP carried out a number of site visits. During the site visits conducted it was noted that up to 5 vehicles were parked near the junction of Henniker Gate and Chelmer Village Way. Although no vehicles were observed parking within 10 metres of the junction, it is acknowledged that vehicles parking too close to the junction could cause sightline issues and congestion onto the roundabout. It is likely that many of the parked vehicles belong to school staff or other local workers. On occasion vehicles were observed parking on the bend of Henniker Gate; both during and outside of the operational times. It is not felt necessary to remove all parked vehicles on Henniker Gate, as parked vehicles are a form of traffic calming. However, it is felt that sightlines could be improved near the school entrance.
- 1.3 It has been agreed with the SEPP Joint Committee Member and Lead Officer for parking matters for Chelmsford to cost a scheme to amend the parking restrictions on Henniker Gate, as per the image below. The cost of the scheme is estimated at £3000 but will be reduced if incorporated with other roads in Chelmsford to publish one Traffic Regulation Order.



- 1.4 The request was placed before the South Essex Parking Partnership Joint Committee on 28 July 2022 for funding. It was agreed at the meeting to proceed with the necessary Traffic Regulation Order.

1.5	<p>SEPP Policy - 1.6 It is acknowledged that all requests for a parking restriction will carry some form of merit and may be beneficial to the particular area. The requests will be submitted for a variety of reasons and depending on the circumstance will be considered as a high or low funding priority to the Partnership. As the amount of funding available for new schemes is limited it is the intention of this policy to provide a criteria, which if met, will be considered a high priority scheme for the Partnership and therefore stand a greater chance of receiving the available funding. Schemes that do not meet all the criteria can still be progressed and considered by the Joint Committee, but schemes with a higher priority will take precedence. All schemes will be subject to available funding.</p> <p>SEPP Policy - 7.1 The SEPP will receive all parking restriction requests that do not meet the criteria of ECC safety and congestion policies, detailed above. Although these schemes do not meet the ECC criteria the Partnership may decide to implement parking restrictions to improve safety and sight lines, if the Partnership consider that the restriction will be beneficial to the area.</p>
1.6	<p>The Order was originally published in the Essex Chronicle and on site on 5th October 2023, and copies of the Draft Order were sent to a number of organisations including Essex Police, Essex County Council (the highway authority), Essex Fire & Rescue Service, Essex Ambulance Service, the Road Haulage Association, the Freight Transport Association, and the Chamber of Commerce and Industry.</p>
1.7	<p>When the Order was published on 5th October 2023 a 21-day period of formal public consultation commenced.</p>
2	<u>Comments</u>
2.1	<p>The details of the representations are summarised in Appendix 2 to this report together with the comments of the Technicians.</p>
3	<u>Conclusion</u>
3.1	<p>Although the correspondents have made a number of points which lead them to believe the Order should not be pursued in whole or part, the SEPP Joint Committee Member, Lead Officer and Technicians consider that none of them are of sufficient weight to warrant the Order not being made.</p>
<p><u>List of Appendices</u> Appendix 1 – List of people making representations Appendix 2 – Summary of objections or support and Technicians comments</p>	

APPENDIX 1

Ref	List of people making representations	Type
1	Email from a school parent dated 04/10/2023.	Object
2	Email from resident of Henniker Gate dated 15/10/2023.	Support
3	Email dated 19/10/2023.	Support
4	Letter from resident of Petrebrook dated 26/10/2023.	Object

APPENDIX 2

**REPRESENTATIONS & RESPONSES FOLLOWING FORMAL ADVERTISEMENT
05 OCTOBER 2023 – 27 OCTOBER 2023**

Representations & Responses relating to Henniker Gate, Springfield		
Ref	Representation	Technician Response
1	<p>Good morning. My name is [REDACTED] I noticed this sign on the lamppost as I dropped my asd child of to school (barns farm) We park along that road where there are no restrictions or yellow lines, also not blocking any cars go to and from down that road. There is no where else to park the car and I'm not close enough to walk and even if I was I wouldn't be able to as my child doesn't understand road safety or any dangers around him while also walking with a pram. My car is only there for 20 minutes in the am and 20 minutes in the pm if that. Please can you provide any additional information as to where we are meant to drop our children to school on time as well as picking them up. The only people that seem to have such a problem is the old lady's at the local parish who caused a fuss this morning outside the school.</p> <p>Kind regards [REDACTED]</p>	<p>Objection noted.</p> <p>Concerns have been raised regarding obstructive parking on the bend of Henniker Gate and also on its junction with Chelmer Village Way. Vehicles that park on or near to the junction, on the bend and near the school entrance create problematic and unsafe movement of vehicles and pedestrians as well as access and egress problems. Therefore 'No Waiting at Any Time' restrictions have been proposed in this area. This will improve sight lines for all road users and pedestrians, better facilitate the passage of traffic and enforce Rule 243 of the Highway Code.</p> <p>It is acknowledged that if the proposal goes ahead, it will limit on-street parking in the vicinity of the school. However, it should be noted that the majority of Henniker Gate will remain</p>

		unrestricted and much on-street parking will still be available.
2	<p>I support the changes but express concern that people will now park further into Henniker gate possibly on the corner near Cawkwell close and make it impossible to drive round the corner safely.</p> <p>██████████ Resident of Henniker gate.</p>	<p>Support noted.</p> <p>It is difficult to determine exactly where vehicles will be displaced. However, the scheme will be monitored for its effectiveness.</p>
3	<p><u>Email 1:</u> Dear Sirs,</p> <p>I have tried to leave comments about the above proposed parking restrictions but have been unable to access the relevant form on your website. Please can you assist.</p> <p>Yours faithfully ██████████</p> <p><u>Email 2:</u> Dear Sirs,</p> <p>I would like to add my Support to all of the proposed parking restrictions for Henniker gate. However I would also like to point out that without regular enforcement these schemes will be a waste of time and money. The current parking restrictions are just ignored.</p> <p>Yours faithfully ██████████</p>	<p>Support noted.</p> <p>Restrictions will be enforced as part of a rota as other roads in Chelmsford currently are.</p>
4	<p><u>Email:</u> Dear Madam or Sir,</p> <p>I wish to register my objection to the proposed extension to waiting, loading and stopping restrictions proposed under Amendment 56, Order 202, applying to a section of the road known as Henniker Gate in the vicinity of Barnes Farm Schools, Springfield, Chelmsford.</p> <p>My objections are set forth in the accompanying letter, and are primarily on the grounds of disproportionality, prejudicial effects to the nearest local residents, and arising unintended consequences.</p>	<p>Objection noted.</p>

I trust that you will give due consideration to the concerns that I have raised, and agree that the current restrictions when correctly enforced are entirely appropriate and adequate to deal with the intermittent parking difficulties that only arise in the subject area during school term time opening hours.

Attachments: Waiting Objection Henniker Gate.docx

Yours faithfully,

██████████

Letter:

Dear Madam or Sir,

I note your proposed variation to waiting, loading and stopping restrictions affecting the road known as Henniker Gate, Springfield, Chelmsford in the vicinity of Barnes Farm Schools, and the adjoining cul-de-sac roads, Blacklock and Petrebrook under Amendment No. 56, Order 202.

I wish to object to the proposed changes as they will be unduly prejudicial to the nearest residents of Henniker Gate and Petrebrook, and will generate unintended consequences if adopted.

Within Amendment No.56, Order 202, your stated reason for the introduction of the proposed variation of stopping restrictions primarily from No Stopping Monday to Friday between the hours of 08.00 and 18.00 to No Stopping at any time is based on the reported concerns of obstructive parking in the vicinity of the school and the adjacent road junctions giving rise to “problematic and unsafe movement of vehicles and pedestrians as well as access and egress problems”.

As a near neighbour of Barnes Farm Schools and a resident of Petrebrook for almost 3 decades, I have observed first-hand the stopping and parking difficulties in the subject area along with the traffic congestion that often ensues. Based on this direct experience, it is abundantly clear that the reported problematic road conditions are solely a consequence of some parents taking their children to school in the mornings and collecting them in the afternoons by the conveyance of a motor car, and stopping in the subject area to allow their children to alight from, and board the vehicle. This being the case, the problematic conditions are of a short-term duration, generally of 20 to 25 minutes in the morning, and a slightly shorter period in the afternoon. There are no such problematic road conditions outside of these times on weekdays, at weekends, nor out of school term-time.

In view of the foregoing, I object to extending the existing waiting, loading and stopping restrictions on the following grounds.

The Proposal has been
designed in line with Rule 243 of

<ol style="list-style-type: none"> 1. The current waiting, loading and stopping restrictions (Monday to Friday from 8a.m. to 6p.m.) are more than adequate to cover the times when the school is open and address the parking violations perpetuated by some of the parents when taking and collecting their children from the school. If the current restrictions are perceived as inadequate, this can only be due to a lack of rigid and regular enforcement of the current restrictions. Extending the waiting, loading and stopping restrictions to at all times is disproportionate as there are seldom cars parked in the subject area outside of the morning and afternoon school set-down and pick-up times. Any extension of the current restrictions will not address the currently observed parking issues as they already comfortably fall within the 10 hour duration period of the existing restrictions. It should be abundantly clear to highways consultants and casual observers alike that the current restrictions already cover the whole of the school day, and parking infringements perpetuated during this period are attributable to poor driver discipline and lack of enforcement of the current restrictions. Any extension to the current restrictions will not address this fundamental issue of lack of enforcement. 2. Extending the waiting, loading and stopping restrictions to at all times will remove the historical ability for local residents to occasionally park their own cars in the subject area at times when the current restrictions do not apply. Whilst not widely nor frequently adopted, this ability is valued on occasions when visitors, tradesmen or delivery vehicles have occasion to visit the nearby residents of Henniker Gate, Petrebrook or Blacklock, and existing parking places are fully occupied. By example, family celebrations and summer barbecues, often held at weekends, would fall victim to this pointless extension. 3. Extending the waiting, loading and stopping restrictions on Henniker Gate will inevitably displace vehicles that currently choose to stop in this area (despite the current parking restrictions), and many of these vehicles will attempt to park in alternative near-by locations such as the cul-de-sacs of Blacklock and Petrebrook, and as such will cause unwanted congestion in these dead-end cul-de-sacs, leading to reversing and turning manoeuvres, occupation of hitherto resident's parking slots outside their homes, and an increase in damage to residents' vehicles due to poor parking, and careless opening of vehicle doors by children (both of which have unfortunately been experienced by local residents in the past). Furthermore, displacing "school-run" vehicles into Blacklock and Petrebrook will cause animosity between local residents and parents when local residents return home from work or other excursions only to find "school-run" vehicles repeatedly and regularly occupying what residents have traditionally come to accept as "their parking place" outside their residence. 4. It should be remembered that simply imposing a no waiting, loading, and stopping restriction will not prevent school-run parents from temporarily stopping in the restricted area to permit the setting down or picking up of passengers, so the "clear zone" will not be such in reality, as the 	<p>the Highway Code which states: 'DO NOT stop park....opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space [or] on a bend'. Additionally, the width of the carriageway cannot accommodate parking on both sides of the road.</p> <p>It is acknowledged that the Proposal is aimed to ensure safety and traffic flow during peak periods. However, all vehicles, resident or otherwise should avoid parking in locations that would impede sightlines or traffic flow. It should be noted vehicles are permitted to load and unload on yellow line restrictions.</p> <p>It is difficult to determine exactly where vehicles will be displaced. However, the scheme will be monitored for its effectiveness.</p> <p>It is acknowledged that parking restrictions outside schools require a concentrated enforcement presence. However, these restrictions will work in conjunction with other SEPP initiatives such as 3PR. 3PR is designed to help manage and lower the amount of cars</p>
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drivers will use this defence if challenged, and will choose not to vacate their vehicles to escort their children to and from the school gates. This is entirely predictable human nature, particularly when short of time or during inclement weather.

5. Should you dismiss my objection, and introduce the at all times restrictions, and should everyone abide by them, eliminating the temporary parking of vehicles along Henniker Gate will increase the unimpeded flow and speed of vehicles in the vicinity of the school. Increasing vehicle speeds outside a school would be counter-productive to child safety and contrary to all road safety initiatives in proximity to schools. With the current situation of vehicles temporarily stopping and waiting along the south western side of Henniker Gate, these vehicles reduce the road width to a single carriageway which consequently forces drivers to give way to one another to support the intermittent flow of 2-way traffic, this increases driver alertness and awareness, and reduces vehicle speeds to slightly more than walking pace, benefiting pedestrian safety, particularly for those attempting to cross the road.
6. It is often difficult to change human nature, and frequently a fruitless endeavour to try. Since the opening of Barnes Farm School, parents have repeatedly chosen to take their children to and from school by car, and pick up and set down their passengers along Henniker Gate in the vicinity of the school. This precedent has been set for decades, and although inconvenient for some, has proven workable to the majority, and accepted by the community as a consequence of living in the near catchment area of a popular and highly regarded primary school, and one at which many of their own children have had the benefit of attending over many years. In this instance it would be better to accept the inevitable, rather than try to implement restrictions that have little affect on the primary culprits, yet may have indefinite implications for those who do not contribute to the problem. We should accept graciously that children need to attend school, and many parents need to convey their children to school by car. We should accommodate these modern day requirements with an open mind, rather than with the predisposition that compulsion and increasing levels of restrictions are the only option open to us. What we have currently is not a perfect solution, but it is workable, and a proportionate compromise for the short period of inconvenience that it actually creates.

If Chelmsford City Council, the South Essex Parking Partnership, and the Traffic Authority Essex County Council truly wish to achieve their stated aim of addressing “the problematic and unsafe movement of vehicles and pedestrians” along Henniker Gate in the vicinity of Barnes Farm Schools, I respectfully suggest that instead of advocating further extensions of the current parking restrictions, they firstly focus their effort into enforcement of the current restrictions, and thereafter, pursue the far more beneficial alternatives of introducing a 20 m.p.h. speed limit along Henniker Gate, and the provision of a Zebra style Pedestrian Crossing outside Barnes Farm School. These actions will prove to be eminently superior

parking in and around the school. The aim is to lower the risk of disruption to local services and communities and ultimately protect children.

It is agreed that parked vehicles can act as a form of traffic calming. Therefore, it is not proposed to remove all parking in the area; several areas will remain unrestricted on Henniker Gate.

It should be noted that the highway is intended for the purposes of passing and re-passing and that no right of parking exists. Parking provision is therefore a concession and, however desirable, should not be at the expense of the purpose of the highway. Where it is safe and desirable parking can be allowed.

It is acknowledged that if the proposal goes ahead, it will limit on-street parking in the vicinity of the school. However, it should be noted that the majority of Henniker Gate will remain unrestricted and much on-street parking will still be available.

	<p>safety enhancements than the poorly considered extension to the current waiting, loading and stopping restrictions proposal.</p> <p>I trust that you will give due consideration to each of my reasons for objection to the extension of the current waiting, loading and stopping restrictions along Henniker Gate in the vicinity of Barnes Farm Schools, and withdraw the proposal in order to avoid the detrimental effects of the unintended consequences highlighted in my response.</p> <p>Yours faithfully,</p> <p>██████████ (via e-mail).</p>	<p>Requests for other Highway improvements (i.e. speed limit reductions, Zebra Crossings) fall under the remit of Essex Highways. Residents should contact their local Councillor so that requests can be submitted via the Chelmsford Local Highways Panel.</p>
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