

**SOUTH ESSEX PARKING PARTNERSHIP SUB COMMITTEE**

**14<sup>TH</sup> FEBRUARY 2024 – 1.30 PM**

**AGENDA ITEM 9**

<b>Subject</b>	<b>The Essex County Council (Maldon District) (Prohibition of Waiting, Loading and Stopping) And (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.10) Order 202*</b>
	Relating to <b>Dorset Road, Viking Road and Cumberland Avenue, Maldon</b>
<b>Report by</b>	South Essex Parking Partnership Manager

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**Purpose:**  
 To report the receipt of representations made on part of The Essex County Council (Maldon District) (Prohibition of Waiting, Loading and Stopping) And (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.10) 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.
3. to agree that the proposed Order be withdrawn in its entirety.

**Recommendation(s)**

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

<b>Consulters</b>	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.

<b>1.</b>	<b>Background</b>
<p data-bbox="181 259 236 293"><b>1.1</b></p> <p data-bbox="181 394 236 427"><b>1.2</b></p> <p data-bbox="181 797 236 831"><b>1.3</b></p> <p data-bbox="181 999 236 1032"><b>1.4</b></p> <p data-bbox="181 1469 236 1503"><b>1.5</b></p>	<p data-bbox="271 259 1388 360">The purpose of this Order is to amend The Essex County Council (Maldon District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019 as set out below:</p> <p data-bbox="271 394 1388 763">In 2022, an application from was received from Councillor Carlie Mayes (previous SEPP Joint Committee Member), requesting 'No Waiting at Any Time / No Loading at Any Time' restrictions on the junction of Viking Road and Dorset Road, Maldon. A letter of support was provided by County Councillor Jane Fleming, as well as the Head Teacher at Wentworth Primary School. Several other correspondences were provided from local residents regarding inconsiderate parking by parents. It was stated by the applicant that vehicles parking at the junction in question obstruct sightlines and therefore restrictions have been requested to ensure pedestrians can cross the road safely especially during school drop off and pick up times. There is a Bus Stop in Dorset Road and so it was hoped that that restrictions can allow Bus drivers to clearly see passengers getting on and off buses.</p> <p data-bbox="271 797 1388 965">Following the receipt of this application, the SEPP Technicians carried out several site visits. From the site visits conducted, it appears that parking issues relate to Wentworth Primary School, especially during pick-up times. At the site visit conducted during school pick up time, vehicles were parked on the bends of the junction, obstructing sightlines.</p> <p data-bbox="271 999 1388 1413">Consultation with ECC Passenger Transport confirmed that there are issues relating to access for buses in the wider area and that ECC / Essex Highways are currently investigating these. However, it was felt by the SEPP Joint Committee Member and Lead Officer for Maldon that a SEPP parking scheme is likely to reach fruition before a larger scheme by Essex Highways would be implemented. Therefore, following discussions, it was agreed with the SEPP Joint Committee Member and Lead Officer for Maldon to cost a scheme to introduce 'No Waiting at Any Time' on the junction of Viking Road and Dorset Road. Additionally, it was also agreed to include the adjacent junction off Viking Road ('the Proposal'). Loading restrictions were not to be included as they do not prohibit the setting down or picking up of passengers. The purpose of 'the Proposal' is to maintain sight lines at the junctions and access, as well as enforcing the Highway Code.</p> <p data-bbox="271 1469 1388 1610">Furthermore, the request for funding was agreed in May 2023 to proceed with the necessary Traffic Regulation Orders. The cost of the scheme was estimated at £3,000. This cost would be reduced if incorporated with other roads in Maldon to publish one Traffic Regulation Order.</p>
<b>2.</b>	<b>Relevant excerpts from SEPP Policy (Version 6 December 2020)</b>

<p><b>2.1</b></p> <p><b>2.2</b></p>	<p><b>SEPP Policy – 1.6</b>  ‘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><b>SEPP Policy – 7.1</b>  ‘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>
<p><b>3</b></p>	<p><b>Traffic Regulation Order</b></p>
<p><b>3.1</b></p>	<p>The proposed Order was published in the Maldon and Burnham Standard on 29 June 2023. Additionally, public notices were erected on the affected parts of the roads. Copies of the draft Order were sent to a number of organisations including Essex Police, Essex County Council (Essex Highways, the highway authority), Essex Fire &amp; Rescue Service, Essex Ambulance Service, the Road Haulage Association, the Freight Transport Association, and the Chamber of Commerce and Industry</p>
<p><b>3.2</b></p>	<p>When the Order was published on 29 June 2023, a 21-day period of formal public consultation commenced.</p>
<p><b>4</b></p>	<p><b>Comments</b></p>
<p><b>4.1</b></p> <p><b>4.2</b></p> <p><b>4.3</b></p>	<p>During the consultation two objections were received. One comment was received in support and one general comment.</p> <p>Some of the concerns raised included:</p> <ul style="list-style-type: none"> <li>• Lack of facilities for school transport.</li> <li>• The removal of parking areas will cause difficulties for nearby residents wanting to park.</li> <li>• Implementing ‘the Proposal’ could displace vehicles, causing other problems.</li> <li>• The existing parking restrictions are already ignored during School peak times.</li> </ul> <p>The full details of the representations are summarised in Appendix 2 to this report together with the comments of the Technicians.</p>
<p><b>5</b></p>	<p><b>Conclusion</b></p>
<p><b>5.1</b></p>	<p>Some correspondents have made several points which lead them to believe ‘the Proposal’ should not be pursued in whole or part. However, the SEPP Joint Committee Member and Lead Officer for Maldon, and SEPP Technicians recommend proposed Order be made as advertised.</p>

**List of Appendices**

Appendix 1 – List of people making representations.

Appendix 2 – Summary of objections or support and Technicians comments.

Appendix 3 – Photos

**APPENDIX 1**

<b>Ref.</b>	<b>List of people making representations</b>	<b>Type</b>
<b>1</b>	Email from Integrated Passenger Transport Unit (Essex Highways) dated 28/06/2023	Support
<b>2</b>	Emails from resident of Dorset Road dated 27/06/2023 - 30/06/2023	Objection
<b>3</b>	Emails from local resident dated 28/06/2023 and 04/07/2023	Comment
<b>4</b>	Email from Essex and Suffolk DaRT / Arrow Taxis Essex Ltd / Arrow Group dated 29/06/2023	Objection

**APPENDIX 2**

**REPRESENTATIONS & RESPONSES FOLLOWING FORMAL ADVERTISEMENT –  
29 June 2023 – 21 July 2023**

<b>Representations &amp; responses relating to Viking Road, Dorset Road and Cumberland Avenue</b>		
<b>Ref</b>	<b>Representation -</b>	<b>Technician response -</b>
<b>1</b>	<p><b>Email (in Part)</b> The Dorset Rd, Viking Rd and Milton Road proposals we are supportive of as these will aid bus movements through these difficult residential areas.</p>	Support noted.
<b>2</b>	<p><b>Email 1</b> I live in the above named road and have today seen a notice on the lamp post about parking restrictions in the road. Could you please clarify exactly where the restrictions will be and how far they will extend, as the directional description is not clear. Also, has any consideration been given to the affect on residents? Obviously, the road is near a school and traffic at certain times of the day can be significant. These restrictions will force people to park further down the road moving the issue on and greatly impacting on residents. We have a disabled child so the inability to park our car near to our house will be dangerous and cause a huge issue for us. I hope you will be able to clarify this for me.</p> <p><b>Email 2</b> Further to my previous email I have considered the information and would like to object to the plans. I fully appreciate that parking is an issue in the area and could cause a concern over safety. However, I object for the following reasons:</p> <ul style="list-style-type: none"> <li>• There are already double yellow lines at other junctions close to the school and they make no difference to the way people park at school times as they are constantly ignored</li> <li>• Although there is an issue with parking this is only twice a day on school days and is most acute at pick up time as</li> </ul>	<p>A plan was provided to the representee showing the extent of the proposal</p> <p>Objection noted.</p> <p>It is acknowledged that parking restrictions around Schools requires a concentrated enforcement presence. Unfortunately, it is not possible for SEPP Civil Enforcement Officers (CEOs) to attend every School to address parking issues, however introducing restrictions means that when the CEOs do attend, they can issue a Parking Charge Notice for vehicles parked in contravention. However, if the proposal proceeds, the area would be incorporated into a route undertaken by SEPP CEOs.</p> <p>If a vehicle is parked across an approved dropped kerb and obstructing the driveway a CEO can issue a Penalty Charge Notice (PCN) for obstruction of a dropped kerb, provided the vehicle is not parked in a designated parking place. Enforcement of this type will only take place if the resident of the property reports the obstruction to the SEPP.</p> <p>Specific parking issues can be reported on the website below: <a href="https://www.chelmsford.gov.uk/parking-and-travel/parking-restrictions/report-a-parking-issue/">https://www.chelmsford.gov.uk/parking-and-travel/parking-restrictions/report-a-parking-issue/</a></p>

<p>drop off is slightly more staggered. Double yellow lines would restrict parking for residents at all times.</p> <ul style="list-style-type: none"> <li>• There will still be the same number of cars needing to park and I believe the school intake is increasing. The addition of double yellow lines at the junction will extend the inconsiderate parking further down the road. This is already an issue as Dorset Road is a bus route and parents regularly park in a way that obstructs the bus.</li> </ul> <p>I believe a better solution would be to use single yellow lines and have restrictions at certain times of day which do not impact the residents at evenings and weekends, also to only extend the restrictions on each side of the road as far as the bus stop. Or to have double yellows but not to extend them so far into Dorset road. This would still allow some space for parking but allow clearer sight lines at the junction. Ultimately, whatever you do will be ignored by those who feel it is their right to park near the school to collect their child, such as parking on the pavement on the corner. I would also be concerned that people may start to block driveways to try to get nearer.</p> <p>I hope my objections and reasoning are clear.</p>	<p>It is acknowledged that introducing 'No Waiting at Any Time' restrictions would remove parking for road users. 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. Therefore, it is the aim of SEPP to try and balance the needs of road users. Most of the affected roads would still remain unrestricted.</p> <p>It is acknowledged that displacement of vehicles may occur, however it is difficult to determine where this would be. As with any new parking scheme, its effect will be monitored. Additionally, ECC / Essex Highways are currently investigating issues relating to access for buses in the wider area.</p> <p>Rule 243 of the Highway Code states (in part): 'DO NOT stop or park.....near a school entrance...[or]...opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space'. 'The Proposal' has been designed in line with this rule to ensure sight lines, better facilitate the passage of traffic, including the local buses. This would apply to all Highway users, a concession cannot be made for residents to park in an unsuitable location.</p> <p>The SEPP Sub Committee can decide whether to implement the Order as advertised, reduce it, or withdraw it completely.</p>
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<p><b>3</b></p>	<p><b>Online Query</b>  With regard to the proposed 'no waiting at any time' restriction for the Maldon area specifically those for Cumberland Avenue, Dorset Road and Viking Road, there does not appear to be a map showing the proposed restrictions accompanying the PDF order on the website.</p> <p><b>Email 1</b>  Many thanks for your reply. I had another look over the weekend and found the relevant map; I don't think it could have opened correctly when I first looked - my apologies.</p> <p>The only comment I would make about the proposed restrictions near to Wentworth Primary School in Maldon is that they will be no use unless they are enforced.</p> <p>I've attached two examples of poor parent parking just from one day last week. Parking around the junction of Dorset Road and Viking Road, and on the pavement, is commonplace. In the five years my son has attended the school, we have never seen anyone enforcing parking restrictions or regulations.</p> <p><b>Email 2</b>  Many thanks for your comments. I appreciate that recourses are such that the CEOs are not able to attend all schools all of the time but if they could attend the Viking Road vicinity by Wentworth Primary School occasionally at 3pm that would be appreciated.</p> <p>In relation to the proposed 'no waiting at any time' restrictions, I have no objection and consider that the proposals would improve visibility and pedestrian safety at the relevant junctions.</p>	<p>Comments noted.</p> <p>The PDF document was checked and confirmed that the drawings were included. A plan was provided to the representee showing the extent of the proposal.</p> <p>If the proposal proceeds, the area will be incorporated into a route undertaken by our Civil Enforcement Officers (CEOs). Unfortunately, it is not possible for our CEOs to attend every School to address parking issues, however introducing restrictions means that when the CEOs do attend, they can issue a Parking Charge Notice for vehicles parked in contravention.</p> <p>Specific parking issues can be reported on the website below:  <a href="https://www.chelmsford.gov.uk/parking-and-travel/parking-restrictions/report-a-parking-issue/">https://www.chelmsford.gov.uk/parking-and-travel/parking-restrictions/report-a-parking-issue/</a></p> <p>Images mentioned included in Appendix 3</p> <p>The SEPP Enforcement Team were notified of the comments received.</p>
<p><b>4</b></p>	<p>While the proposed Order 202 is extremely logical and indeed necessary to reduce the growing traffic congestion and improve safety at many of the points covered, We are</p>	<p>Objection noted.</p> <p>It is outside the remit of the Proposal to include Bus/Taxi/Minibus</p>



concerned that in some way it might work against other factors in what is trying to be achieved, and would ask that this other factor might be considered in the plans, specifically around safeguarding and the schools roads restrictions.

In order to achieve real results in climate change, we of course need people to do more walking and cycling, especially in regard to the school journeys. However, this is not always practical or even possible for some families, if they live a way from the school without safe walking route, especially for the younger children, or, as is quite common with some of the schools detailed, SEN student's needs have to be accommodated.

Essex County Council IPTU have a number of contracts for SEN students, which are often operated by Taxis and Minibuses, which need to stop close to the school in order for the student to be safely supervised onto the school premises. At some of the schools detailed in the proposals, there would now be no facility for this to take place. This might mean, that some Taxis etc, would need to find parking a substantial distance from the school, and walk the children to and from the school, which among other problems including behavioral issue students, would increase Operator and ECC costs for SEN transport.

In addition, as part of our mutual drive towards Net Zero (as detailed in our 'Maldon Green' proposals), we have been and are working towards trying to reduce private car movements at school times, by combining students into minibus/DRT runs, which has the potential to reduce car movements by between 10 and 40 movements per day, per minibus. However, the Bus, Taxi or Minibus driver still needs to park sufficiently close to the school, so as to, at least, observe the students entering the school, and in some cases, actually hand over the student in person, to school staff. Without this, many parents would not have the confidence to keep their car at home, and put their children on the Bus/Minibus.

As such, I would put forward the suggestion, that where there is

provisions.

It should be noted the pick-up and set down of passengers is permitted on yellow lines. Taxis are also permitted to stop in a bus stop clearway to pick up or set down passengers.

SEPP CEOs may use discretion when dealing with School Transport. However, it is important that drivers park in a sensible and safe manner.

<p>no existing Bus/Taxi/Minibus bay at certain schools, such a bay might be provided, or alternatively, an exempt vehicle 'white list' might be used, as in in force in other places, so that Buses, Taxis and minibuses might be occassioned the ability to do their job properly and safely, and help reduce the volume of car movements, in keeping with MDC's and ECC's strategies. We fully support the proposals in all other respects.</p>	
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**APPENDIX 3**  
**Photos**

**1) Images provided by Local Resident (Ref 3)**  
(Dorset Road / Viking Road junction)

