



Leicester
City Council

WARDS
AFFECTED: Stoneygate Ward

**Report for consideration by the
Planning Development and Control Committee**

21st August 2019

**THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006
(AMENDMENT) (HERSCHELL STREET AND MUNDELLA STREET) ORDER 2019
OBJECTORS REPORT**

Report for the Director, Planning, Development and Transportation

1. Purpose of Report

- 1.1** To enable the Committee to give their views (if any) for the Director of Planning, Development and Transportation to take into account when considering the recommendations herein and for the Director to approve, or otherwise, the proposals.

2. Summary

Following receipt of requests for a residents' parking scheme, including a petition from residents of Herschell Street and Mundella Street, a subsequent patch-walk with local Ward Councillor Master and a consultation carried out by Leicester City Council, TRO proposals for a residents' parking scheme on Herschell Street and Mundella Street were advertised in the Leicester Mercury on 25th February 2019.

The city council received 8 formal objections to the proposals, all of which are from residents of Kimberley. Officers wrote to the objectors to explain the reasons for the proposals. All of the objectors either replied to say that they wish to continue with their objection or did not reply, in which case the Council takes this to mean that they wish to continue with their objection.

3. Recommendations

3.1 It is recommended that:

- a. the members of the committee give their views for the Director of Planning, Development and Transportation to take into account when considering whether or not to make the proposed traffic regulation order.

4. Background

Herschell Street and Mundella Street are two streets south-east of the City Centre close to Victoria Park and adjacent to the existing Highfields South residents parking scheme.

At present, residents of Herschell Street, Mundella Street and Kimberley Road, must compete for parking with visitors to the area such as commuters to the City Centre and customers of the garage located at the junction of Mayfield Rd and Kimberley Road. An engagement took place in early 2017 about the possibility of introducing a residents' parking scheme in Stoneygate Ward. The engagement showed that there was some support in the area of streets surrounding Herschell Street for residents' parking. However, for the Ward as a whole, there was not overall support for residents' parking, a decision was taken not to pursue residents' parking at that time.

A petition was then received in December 2017 from residents of Herschell Street and Mundella Street asking for residents' parking. Because residents of these streets had shown support for a scheme at the engagement stage, and following a subsequent patch walk with residents and the local ward councillor, a consultation was carried out by the City Council. All residents that replied were in favour of a residents' parking scheme, and TRO proposals for a scheme were advertised on 25th February 2019. (See proposals Appendix A, OBJECTORS REPORT PLAN)

A total of 8 objections to the TRO proposals were received before the closing date for objections which ended on 18th March 2019.

A petition has also been received from one of the objectors in December 2018 before the Herschell Street proposals were advertised asking for the scheme to be extended to Kimberley Road. The City Council will treat this as a request for residents' parking for Kimberley Road. If the proposed scheme extension on Herschell Street and Mundella Street comes into operation, then a consultation about residents' parking on Kimberley Road will then be carried out.

5. Report

5.1 Objections

The objections, 1 – 8, all from residents of Kimberley Road, are described below and shown in Appendix B. Of these, objection 4 was signed by 3 family members and objection 5 was signed by 2 family members. All objections had the same basic concern:

At present, residents of Kimberley Road, Herschell Street and Mundella Street must compete for parking with visitors to the area such as commuters and customers of a garage located at the junction of Mayfield Rd and Kimberley Road.

Residents of Kimberley Road can park on Herschell Street or Mundella Street if there is no space available on Kimberley Road. Introducing residents' parking on Herschell Street and Mundella Street will prevent this and Kimberley Road residents will be restricted to parking on either Kimberley Road or other unrestricted streets further away (such as Lyme Rd or Devana Rd) whilst still having to compete for parking places with commuters and garage customers.

In addition, the individual objectors made the following points:

Objector 1, resident of Kimberley Road between Mayfield Rd and Mundella St

The objector made several additional points as part of their objection:

- With reference to the decision not to carry out further work on residents' parking in Stoneygate Ward following the engagement in 2017, the objector was angry that the City Council had now proposed a scheme on Herschell Street and Mundella Street
- The objector was also angry that the City Council had not included Kimberley Rd in the Herschell Street and Mundella Street consultation
- The scheme may cause unrest and stress for Kimberley Rd residents and reduce community cohesion in the area it is unfair to have a scheme on one street and not the other.
- This objector and other properties on Kimberley Rd have a rear access on Mundella St which may affect their ability to load or unload items to his back garden.
- The objector asked for evidence of an impact assessment of the scheme on surrounding streets.

The objector also made a formal complaint and complained to the City Mayor regarding his objections.

City Council officers replied to these points as follows:

Whilst no formal impact assessment was carried out apart from feedback from the 2017 engagement, Officers are aware that implementing a scheme on Herschell Street may cause unrest and stress for the residents of Kimberley Road, however the residents of Herschell Street submitted a petition and the City Council made a commitment to implement a scheme on Herschell Street as a result of the petition and subsequent consultation.

The resident will still be able to stop in the proposed parking bays for as long as it takes to load and unload items to their vehicles from their rear access.

The objector submitted a petition (see below) in December 2018 asking for Kimberley Road to be included in with the Herschell Street and Mundella Street proposals. This was too late to include Kimberley Road with the Herschell Street proposals. However, the petition asking for residents' parking on Kimberley Road is being dealt with under the City Council's petitions process and the proposed course of action is to carry out a further residents' parking consultation with residents' of Kimberley Road to see if there is sufficient support to propose residents' parking there also. If there is, then residents parking can then be proposed, however this would still take a number of months to complete.

The objector is still not satisfied with the reply and the City Council's proposals and he wishes to continue with his objection as do all other objectors 1 - 8.

Objector 2, resident of Kimberley Road between Mayfield Rd and Mundella St

Along with the general effect on their ability to park, the resident may not be able to park on Mundella Street to access the back entry to their garden for loading and unloading goods and removing waste.

The resident will still be able to stop in the proposed parking bays for as long as it takes to load and unload items to their vehicles from their rear access.

Objection 3, resident of Kimberley Rd between Mayfield Rd and Beckingham Rd

The objector asked for permits to park in the Area E parking scheme.

Objection 4a, b and c, residents of the same property on Kimberley Rd between Mayfield Rd and Beckingham Rd, members of the same family.

The objectors asked for permits to park in the Area E parking scheme.

Objection 5a and b, residents of the same property on Kimberley Rd between Mayfield Rd and Beckingham Rd

The objector finds it particularly difficult to find parking in the morning when returning from their night-shift.

Objection 6, resident of Kimberley Rd between Beckingham Rd and Lyme Rd

They also asked for residents of Kimberley Rd to be consulted on residents' parking.

Objection 7, resident of Kimberley Rd between Beckingham Rd and Lyme Rd

Objector 7 suggested that some parts of Kimberley Rd and possibly Mundella Street could be left un-restricted to allow some overflow from Kimberley Road.

Objection 8, resident of Kimberley Rd between Beckingham Rd and Lyme Rd

The objector highlighted problems with emergency and delivery vehicles that must stop in the middle of the road due to the lack of parking.

5.2 Other information

Kimberley Road Petition

Objector 1 had submitted a petition in December 2018 asking for Kimberley Road to be included in the Herschell Street and Mundella Street consultation.

The petition was received too late to include Kimberley Road with the Herschell Street scheme, however, in response to the petition the City Council' proposed course of action, which is still to be agreed by the Scrutiny Chair is to carry out a further consultation about residents' parking with residents of Kimberley Road. If there is sufficient support then a scheme can be proposed.

Conclusion

- 5.3** A residents parking scheme was proposed as a result of a consultation with residents of Herschell Street and Mundella Street. A majority of the respondents to the consultation were in favour of such a scheme.
- 5.4** 8 objections have been received from residents of Kimberley Road , Appendix B.
- 5.5** The TRO plan for Herschell Street and Mundella Street is attached in Appendix A.
- 5.6** Officers recommend that the objections be overruled.
- 5.7** A further consultation about residents parking should be carried out as soon as possible with residents of Kimberley Road

6. Financial Implications

The cost of the Traffic Regulation Order is estimated at £11,000 including the cost of a pay and display machine. The costs are to be funded from the Transport Strategy residents parking feasibility budget (N111636C). The income from the pay and display machine based on half occupancy is estimated at £240 per annum. Income from permits based on half the properties purchasing a permit is £1,125 per annum (45 properties x £25). Visitor permit income is estimated at £790 per annum. Ongoing running costs will be funded from this income.

Paresh Radia, Finance Manager, internal tel: 37 4082

7. Legal Implications

Traffic Regulation Orders are introduced under the 1984 Road Traffic Regulation Act and the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996. All aspects of that legislation will be complied with in the making of the Order. The legislation requires that all objections made and not withdrawn are taken into consideration before an Order is made. All objections received have been taken into consideration in preparation of this report.

The legal implications are written and confirmed by John McIvor, Solicitor, Legal Services.

8. Powers of the Director

Under the constitution of Leicester City Council, delegated powers have been given to the Chief Operating Officer to approve the advertisement of Traffic Regulation Orders as covered by the 'Road Traffic Regulation Act 1984 and the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996'. The Chief Operating Officer has arranged for this power to be exercised by the Director; Planning, Transportation and Economic Development

9. Decision Making

The power to make a Traffic Regulation Order is delegated to the Director Planning, Development and Transportation having regard to comments made by the Planning Development and Control Committee.

10. Decision of the Director Planning, Transportation and Economic Development.

I approve the recommendations set out in Section 3

Signed **Date.....26/07/2019.....**

Andrew L Smith, Director, Planning, Development & Transportation

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