

ST DAVID CLOSE, UXBRIDGE – PETITION REQUESTING PARKING TO BE ALLOWED ON THE FOOTWAY

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning and Transportation
Report Author	Steve Austin, Planning, Environment and Community Services
Papers with report	Appendix A

HEADLINE INFORMATION

Purpose of report	To inform the Cabinet Member that residents of St David Close have organised a petition requesting cars be allowed to park on the footway.
Contribution to our plans and strategies	The request will be considered in accordance with the Council's strategy for on-street parking facilities and make the borough safer.
Financial Cost	There are none associated with the recommendations to this report.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	Brunel

RECOMMENDATION

That the Cabinet Member:

1. **Considers the request for St David Close to be exempted from the Footway Parking Regulations.**
2. **Approves in principal the installation of a Footway Parking Exemption scheme in St David Close, subject to a detailed design and consultation with residents.**
3. **Asks officers to report back on the results of the consultation.**

INFORMATION

Reasons for recommendation

It would appear footway parking could be allowed in St David Close in accordance with the Council's criteria but, before making a formal decision, the scheme needs to be designed and residents consulted to determine the level of support.

Alternative options considered

None as the petitioners have made a specific request to be allowed to park on the footways of St David Close.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

1. A petition has been received from residents of St David Close, Uxbridge requesting permission to park on the footway. It contains 31 signatures, although only 11 of the 26 households have signed the petition.
2. St David Close is a small cul-de-sac from St Peters Road and is indicated on Appendix A. It has a narrow carriageway approximately 5.5 metres wide with standard footways approximately 2 metres wide.
3. The Council is prepared to consider parking on footways, providing it conforms with approved criteria. This requires a minimum of 1.5 metres remains for the safety and convenience of pedestrians, although in cul-de-sacs this can be reduced to 1 metre on one side only. Parking on the footway should not take place within 15 metres of a junction and the footway construction must be of a flexible nature and not surfaced with paving slabs.
4. It would appear St David Close conforms with the Council's criteria for footway parking and it would be permissible to consider parking for up to a 1 metre from a kerb on one side and half a metre from the other. This may give sufficient flexibility for residents and retain access for emergency and refuse collection vehicles.
5. If the road conforms with the Council's criteria, a scheme can be designed for consultation with residents. Following consideration of the results from this consultation, the Council will then be in a position to consider a formal decision on whether a Footway Parking Exemption scheme can be installed in St David Close.

Financial Implications

There are none associated with the recommendations to this report. A detailed scheme and consultation can be undertaken with in-house resources. If, however, the Council subsequently makes a formal decision to install a footway parking scheme in St David Close, a funding source would need to be identified, and the initial consideration would be any unallocated Parking Revenue Account surplus.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the residents of St David Close to park partially on the footway.

Consultation Carried Out or Required

None at this stage but residents will be consulted when a detailed scheme has been designed.

CORPORATE IMPLICATIONS

Legal

The Council's power to make orders permitting and regulating parking on the street (including pavements) are set out in Part 1 of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures to be followed where orders are required are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

Section 122 of the Road Traffic Regulation Act 1984 means that the Council must balance the views of any consultees with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

Any safety risks identified as part of the design and statutory consultation responses are relevant considerations in deciding whether to make an order. In considering the consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public were conscientiously taken into account.

The Cabinet member may, pending the completion of the statutory consultation for the proposed scheme, issue an executive direction not to enforce against parking infringements on St David's Close. However, an executive direction given by the Cabinet Member would not override the statutory powers that the police have in relation to parking on foot paths and therefore it would be advisable for officers to inform the police of the Council's proposal not to enforce parking infringements at St David's Close pending the making of a formal parking order if so decided following consultation.

BACKGROUND PAPERS

Petition received 22nd February 2010