

## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	TRAFFIC MANAGEMENT SUB-COMMITTEE		
DATE:	25 <sup>th</sup> JUNE 2014	AGENDA ITEM:	7
TITLE:	PETITION UPDATE - DOUBLE PARKING ON THE WOKINGHAM ROAD		
LEAD COUNCILLOR:	TONY PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	TRANSPORTATION & STREETCARE	WARDS:	PARK
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#### 1. EXECUTIVE SUMMARY

- 1.1 To update the Sub-Committee on the investigation carried out by officers following the submission of a petition to Council on 25<sup>th</sup> March 2014. The petition, titled 'Petition for action against dangerous double parking on the Wokingham Road' asks that we 'investigate what options can be pursued to keep this stretch of the road safe for all users.
- 1.2 This report explains what our powers are (by the way of national legislation) and what we, as the local highway authority, could change to manage the parking more effectively in this area.
- 1.3 Appendix 1 provides the exemptions to enforcement of double parking as defined by national legislation.

#### 2. RECOMMENDED ACTION

- 2.1 That the Sub-Committee notes the report.
- 2.2 That officers carry out a review of the parking bays, within this area of Wokingham Road, as a part of the next 6-monthly waiting restriction review.

### 3. POLICY CONTEXT

- 3.1 The provision of waiting/parking restrictions and associated criteria including parking enforcement is specified within existing Traffic Management Policies and Standards.

### 4. THE PROPOSAL

- 4.1 A petition was received from Josh Williams at a meeting of the Council on 25<sup>th</sup> March 2014. The petition reads:

“Double parking on the Wokingham Road, outside the shops, between the junctions with Grange Avenue and St Peter’s Road is hazardous for all road users especially cyclists. It can also create a chaotic and unpredictable environment in this area which is of particular concern as this is directly opposite Alfred Sutton Primary School.

Please can the Council investigate what options can be pursued to keep this stretch of road safe for all users.”

- 4.2 Councillor Page as Lead Councillor for Strategic Environment, Planning and Transport thanked Mr Williams for the petition and asked officers to investigate the parking within this area and provide a response to the next Traffic Management Sub-committee to be held on 25<sup>th</sup> June. This report is the response as requested.
- 4.3 Double parking has been taking place at this location for some time and clearly there is concern from other road users as the petition demonstrates. However, it is worth pointing out that there is no evidence that double parking itself is causing road accidents resulting in people being injured. Although, double parking can cause traffic flow issues and certainly make the area uncomfortable to negotiate for cyclists.
- 4.4 Whilst we have civil enforcement powers to deal with most parking issues these powers are largely restricted to contraventions of locally promoted traffic orders. The Traffic Management Act (TMA) 2004 introduced additional powers in 2008 to enable civil enforcement of double parking that was not previously possible. There will always be exemptions to parking restrictions enabling, for example, the emergency services to carry out their duties. In the case of double parking there are a number of exemptions that limit enforcement action as a part of our civil enforcement powers. Appendix 1 lists the exemptions taken directly from the 2008 revision to the TMA.
- 4.5 As can be seen from the exemptions vehicles being used for the purposes of delivering goods to, or collecting goods from, any

premises, or loaded from or unloaded to any premises are permitted. The exemptions go on to state that this activity allows a vehicle to double park for no longer than is necessary and for no more than 20 minutes. The exemptions also allow stopping where the vehicle is stopped, for no longer than is necessary, for the purpose of allowing people to board or alight from it.

4.6 The combination of these exemptions results in double parking being very difficult to enforce against. From site observations the activities allowed by the exemptions are being carried out at this location and double parking, from the perspective of an enforceable contravention, are not taking place. However, none of the activities that result in double parking should result in an obstruction of the public highway which may be an offence that the police can deal with. Obstruction is difficult to prove as blocking half of the road where drivers will have to wait for a gap in oncoming traffic to proceed is not an obstruction. Where the road is completely blocked and there is no prospect for drivers to proceed is clearly an obstruction but only the police can deal with this and not us under our civil enforcement powers.

4.7 Our only opportunity, as highway authority, to reduce instances of double parking is to review the waiting restrictions within this area and create space for deliveries. All of the lay-by space created for parking is dedicated to short term 30 minute parking, no return within 30 minutes, Monday to Friday. Weekends are free to park all day. There is no delivery provision within the parking bays at all and consequently deliveries take place by double parking. There are a number of possibilities in re-organising the parking provision at this location. Although any change from the current limited waiting is not likely to be popular with businesses. In absence of any other civil enforcement opportunities it is recommended that a review be carried out of the use of the parking bays, at this location, within the next 6-monthly waiting restriction review. The next list of locations to be reviewed is expected to be presented to TM Sub Committee in September 2014.

## **5. CONTRIBUTION TO STRATEGIC AIMS**

5.1 To promote equality, social inclusion and a safe and healthy environment for all.

## **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 The lead petitioner will be informed of the findings of the Sub-Committee.

## **7. LEGAL IMPLICATIONS**

7.1 None arising from this report.

## **8. EQUALITY IMPACT ASSESSMENT**

8.1 In addition to the Human Rights Act 1998 the Council is required to comply with the Equalities Act 2010. Section 149 of the Equalities Act 2010 requires the Council to have due regard to the need to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The Council will carry out an equality impact assessment scoping exercise prior to submitting the update report to a future meeting of the Sub-Committee.

## **9. FINANCIAL IMPLICATIONS**

9.1 None arising from this report.

## **10. BACKGROUND PAPERS**

10.1 Minutes of Council meeting held on 25<sup>th</sup> March 2014 where the petition was originally presented.