



## **ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE**

**Tuesday, 5 December 2023**

<b>REPORT TITLE:</b>	<b>EXPERIMENTAL MOTORCARAVAN PARKING RESTRICTION SCHEME</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF NEIGHBOURHOOD SERVICES</b>

### **REPORT SUMMARY**

This report considers direct feedback from local ward Members, a petition signed by 11 people, 36 objections and 9 representations of support submitted during the statutory 6-month consultation period for the Experimental Traffic Regulation Order (ETRO) relating to Motorcaravan Parking, that was introduced on Coastal Drive and Kings Parade in July 2022.

A plan detailing the measures introduced is attached in Appendix A to this report. Consultation summary results and key themes are illustrated within Appendix B of this report.

One of the key themes in the Wirral 2021-26 Plan is to provide safe and pleasant communities. By generally making roads safer for cyclists, pedestrians and other road users, this scheme will contribute to the key priorities set out within the current plan.

This matter affects the following wards; Wallasey, New Brighton and Hoylake & Meols.

This matter is a Key Decision.

### **RECOMMENDATIONS**

The Environment, Climate Emergency and Transport Committee is recommended to:

- (1) Note the consultation feedback received on the Experimental Traffic Regulation Order relating to Motorcaravan Parking, that was introduced on Coastal Drive and Kings Parade, New Brighton in July 2022. and the officer's responses as set out in Appendix B; and
- (2) Approve the introduction of a permanent Traffic Regulation Order relating to:

- (a) the prohibition of overnight Motorcaravan parking for Coastal Drive and Kings Parade, New Brighton in accordance with the process set out in paragraph 5.4 of this report ; and
- (b) a prohibition on overnight parking by Motorcaravans on all sections of unrestricted carriageway on North Parade and Meols Parade to deal with Motorcaravan parking displacement in accordance with the process set out in paragraph 8.3 of this report.

## **SUPPORTING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATIONS**

- 1.1 Whilst the concerns raised are noted, and considered, before the introduction of the ETRO, the parking situation with regards to motorcaravans in the vicinity of the New Brighton seafront was such that it is largely unregulated and motorcaravans were often parked sporadically about the area. Measures were felt necessary to regulate and control the location of this type of parking. The Council has a legal duty to maintain the safe flow of traffic on its network under the Traffic Management Act 2004.
- 1.2 The primary function of the public highway is to allow for free and expeditious passage for all road users and parking on the highway is an additional benefit afforded only where it can be safely accommodated. It should be noted that maintaining access to, from and along the public highway is a statutory duty of the local authority and this sometimes requires the introduction of parking controls and other traffic management measures.
- 1.3 The measures were also imposed to help to preserve or improve the amenities of the local area through which the scheme affects, as part of the aim is to manage waste and related issues generated largely by the motorcaravans and assists the existing Public Spaces Protection Order that operates in the area.
- 1.4 An ETRO prohibiting overnight parking for motorcaravans for North Parade and Meols parade has been proposed as per recommendation 2b to address the concerns raised by ward Members from Hoylake & Meols and local residents that motorcaravans are being displaced from Kings Parade and Coastal Drive and parking up overnight.
- 1.5 There are various viable options for progression, based on scheme monitoring and feedback from the public and ward Members.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 To reduce the parking fee If the parking fee is to be amended, this will incur an additional cost of approximately £3,000 to advertise and amend the legal order and to change the wrap around sticker signage detailing fees and how to pay, which is currently located on posts on site . The majority of Members from the affected wards would prefer the charge be kept at £20 and not changed at the present time and are keen for the Council to find alternative sites for off road parking for Motorcaravans.
- 2.2 To remove the scheme and revert back to the previous state is an option. The cost of this will be approximately £5,500 for a legal advert to inform the public of the revocation of the scheme and the removal and disposal of associated signs and road marking material.

This option is not recommended. The local ward Members believe that the scheme has been successful and that the majority of residents are more content.

### **3.0 BACKGROUND INFORMATION**

- 3.1 In order to prevent obstructive parking practices and to better control waste management, an ETRO was imposed to introduce an overnight prohibition of parking for Motorcaravans on parts of Kings Parade, small sections of parking prohibitions (at all times) at junctions in the area and the implementation of paid for on-street parking bays on Coastal Drive, where Motorcaravans are permitted. This meant that those motorcaravans that chose to park on the highway were contained to specific areas and parking was better controlled. The parking bays were introduced on Coastal Drive and there are alternative routes available in the area for other traffic, such as Kings Parade. There are also alternative off-road parking facilities available within the area for motorcaravans, should their drivers / owners not wish to park on-street during the day.
- 3.2 These measures were introduced on an experimental basis so that they could be brought in swiftly and elements such as times of operation etc could be modified quickly if necessary, depending on demand for the facility. The experimental route also gave the opportunity for the effects of the measures to be monitored before deciding on whether to make them permanent or not.
- 3.3 During the consultation exercise referenced in section 8.0 below, individual objections were received as well as comments of support. The points raised and officer's responses are detailed within Appendix B.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The cost of implementing the scheme was approximately £17,000 which was funded from network management revenue budgets.
- 4.2 As a result of the scheme, a total of £40,000 has been added to the annual parking income target. To date, the scheme has generated approximately £1,600 in income, which has so far created a budget shortfall.
- 4.3 The cost implications for the recommendations and other options are as below, these costs would be met from utilising existing staffing resources and funded from existing network management revenue budgets:
- If the scheme is to be made permanent (recommendation 2), there will be an additional advertisement cost in the region of £1,000 for the sealing of the permanent order.
  - If the scheme is to be removed, this will cost in the region of £5,500 for a legal advert and removal and disposal of associated signs and road marking material.
  - If the parking fee is to be amended, this will generate an additional cost of approximately £3,000 to advertise and amend the legal order and to change the wrap around sticker signage detailing fees and how to pay, which is currently located on posts on site.
  - If North Parade and Meols Parade are to have an overnight Motorcaravan Parking Ban imposed for the full length of approx. 2.5km (recommendation 2b), then this will incur a cost of approximately £6,000 for the legal process and the associated signage needed on site.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The maintenance of highways, promotion of road safety and the management of traffic are statutory duties for the Council.
- 5.2 The Council has a statutory duty to communicate and consult specific customers for highway improvement schemes where the Council intends to implement Traffic Regulation Orders (restricting access, waiting or parking); or to alter the speed limit under the Road Traffic Regulation Act 1984.
- 5.3 The Experimental Traffic Regulation Order on Coastal Drive and Kings Parade will be progressed or amended in accordance with the decision taken at this Committee.
- 5.4 As per The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, if this committee decides to make the scheme permanent as it was originally introduced, then officers will arrange for the order to be sealed with a permanent operative date. This effectively overwrites the experimental TRO. Officers will also include a notice in the Wirral Globe informing the public of the decision to adopt the ETRO on a permanent basis before the end of the ETRO expiry date. All objectors will be informed of the decision to make the scheme permanent within 14 days of the public notice. The public notice specifies, that any member of the public has 6 weeks from the date of the notice to apply to the high court, at their own cost, to object to the validity of the order on the grounds that the Council has acted outside their powers. As all of the relevant signs and road markings are in place, then the scheme is complete.
- 5.5 The proposed Experimental Traffic Regulation Order on North Parade and Meols Parade will be progressed in accordance with the decision taken at this Committee and paragraph 8.3.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 Existing staff resources along with assistance from specialist advisors, will be used to deliver this project.

## **7.0 RELEVANT RISKS**

- 7.1 Failure to adopt one of the recommended options would be a reputational risk to the Council and could result in a failure to support the Wirral 2021-26 Plan.
- 7.2 The existing ETRO expires on 8 January 2024, therefore, if a decision on how to progress is not made and legalities resolved before that date, then the scheme will no longer be legally enforceable and would need to go through the legal process again in order for it to be reactivated. There would be a cost of approximately £1500 for this plus lost income revenue from the overnight charge.
- 7.3 Approval of the recommended options will support the management and control of parking for motorcaravans on the highway and the safe flow of traffic.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 As part of the consultation exercise for this scheme, consultation was undertaken with Party Spokespersons, Ward Members, Emergency Services, Freight Transport Association, Road Haulage Association and Merseytravel.
- 8.2 The statutory advertising process for the proposal included publication of notices on the roads and in the press on the 29 of June 2022 with an operative date of the 8 of July 2022 and an objection period lasting until 8 January 2023.
- 8.3 If this Committee approves recommendation 2b a statutory advertising process for the proposed ETRO on North Parade and Meols Parade would follow. There would be a 6-month feedback period which is statutory for an experimental order. This would likely commence in the spring of 2024 to allow for the traffic signs to be ordered and erected on site. After the initial 6-month period, there is up to a further 12 months permitted where an ETRO can be in operation before a decision is made on whether to adopt on a permanent basis, amend or remove.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 An Equality Impact Assessment (EIA) has been compiled. A copy can be found at: - <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 This scheme has been introduced to maintain safe access to, from and along the highway, so as to assist road safety for all pedestrians and promote active travel modes.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 The scheme will help to preserve or improve the amenities of the local area through which the proposal affects, as part of the aim is to manage waste and related issues generated largely by the motorcaravans and will assist the existing Public Spaces Protection Order that operates in the area.

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## **APPENDICES**

Appendix A – ETRO Plan  
Appendix B – Key findings and officer responses to feedback

## **BACKGROUND PAPERS**

The Road Traffic Regulation Act 1984, RTRA  
The Traffic Management Act 2004, TMA

## **TERMS OF REFERENCE**

This report is being considered by the Environment, Climate Emergency and Transport Committee in accordance with Section d of its Terms of Reference, in relation to parking, including on and off-street parking and civil parking enforcement;

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Policy and Resources	15 February 2022
Budget Council	28 February 2022