

Report to Norwich highways agency committee
17 September 2015
Report of Head of city development services
Subject Prince of Wales Road (side road) access restrictions

Item
8

Purpose

This report asks members to note the effects of an experimental traffic regulation order to restrict access to residential side roads on Prince of Wales Road to tackle issues arising from the night time economy. A permanent traffic regulation order is proposed to be advertised whose effects will be informed by lessons learnt from the experimental order.

Recommendations

(1) To authorise the head of city development services to carry out the necessary statutory procedures for a permanent traffic regulation order that will have the following provisions:

a) to prohibit motor vehicle access:

Friday 11.00pm – 12.00 midnight

Saturday 12.00am – 06.00am and 11.00pm – 12.00 midnight

Sunday 12.00 - 06.00am

and from 11.00pm on any day that is the night before any bank holiday, public holiday or major public event to 6am of the following day

From the junction of Prince of Wales Road with:

- i) Cathedral Street
- ii) St Faiths Lane
- iii) Recorder Road

b) With the following exemptions:

- (i) Emergency vehicles
- (ii) invalid carriages (mobility scooters) (Class, 1, 2 and 3 vehicles)
- (iii) pedal cycles
- (iv) motor vehicle displaying a valid disabled persons parking badge (blue badge)
- (v) motor vehicle with a valid residents or visitor parking permit and such use meets the terms and conditions of such a permit
- (vi) motor vehicles visiting a resident whose properties entitles visitor parking permit entitlement
- (vii) motor vehicle for the access/egress of a private parking spaces

- (viii) in the service of local authority or water authority in the pursuance of statutory powers or duties
- (ix) in connection with the maintenance, improvement or reconstruction of that length of road or the laying, erection, alteration or repair in or adjacent to that length of road of any sewer, water, gas or electricity apparatus of any telecommunications apparatus as defined in the Telecommunications Act 1984
- (x) any other vehicle that requires access as deemed by a police officer in uniform;
- (xi) Any vehicle leaving the affected streets may do so without restriction at any time.

d) to amend pay and display times on bays on Cathedral Street, Recorder Road and St Faiths Lane as follows:

- (i) Cathedral Street (west side/two bays near its junction with Prince of Wales Road)

*Mon-Sat 8am-10pm: Short Stay Parking Places for 120 Minutes,(pay and display parking) Return Prohibited Within 180 Minutes
Permit Holders Parking Places At All Other Times Mon-Sat,
No Restriction At Any Time Sunday and Christmas Day*

- (ii) Recorder Road (bay on the south side, adjacent to the James Stuart Gardens), (bay on the west side adjacent to Foundry Court)

- (iii) St Faiths Lane (two bays on the north side opp. junction with Recorder Road)

Mon-Sat 8am-6pm Short stay parking places for 120 Minutes (pay and display parking), Return prohibited within 180 Minutes

Permit holders parking places at all other times Mon-Sat and Any Time Sunday and Christmas Day

e) to continue with the informal arrangement to allow private hire vehicles or taxis to wait in Castle Meadow and Bank Plain only when the access restrictions are in operation.

- (2) To note that any written objections made to the advertisement for consultation of a permanent traffic regulation order will be reported to future meeting of The Norwich Highways Agency committee. If no written objections are received the TRO may be implemented as a delegated officer matter.
- (3) To approve as an informal measure private hire vehicles or taxis to wait at Castle Meadow and Bank Plain during restricted hours associated with the operation of the access restrictions.
- (4) To seek authorisation from the Department for Transport for the design and content of the proposed permanent highway signage.

Corporate and service priorities

The report helps to meet the corporate priority” A safe and clean city” and the service plan priority to implement the Local Transport Plan

Financial implications

The cost of the Traffic Regulation Order and associated signage will be met from the highways budgets this will not exceed £5,000.

Ward/s: Thorpe Hamlet

Cabinet members:

Councillor Bremner – Environment and sustainable development

Councillor Keith Driver - Neighbourhoods and community safety

Contact officers

Kieran Yates, transport plan	01603 212471
------------------------------	--------------

Joanne Deverick, transportation network	01603 212461
---	--------------

Background documents

None

Background

1. As members will be aware a report concerning the experimental late night road closure of Cathedral Street, St Faiths Lane and Recorder Road between 11.00pm and 6am on Fridays and Saturdays was submitted to the 12 June 2014 meeting of the Norwich Highways Agency Committee
2. This experimental order formed part of a package of measures developed by the City Council in conjunction with the Norfolk Constabulary, to reduce the impact of the night time economy on local residents, businesses and visitors.
3. The order came into effect on 19 September 2014 for a period of up to 18 months to enable the effects of these road closures to be evaluated, any written feedback is accepted as part of the consultation process.
4. To raise awareness of the experiment a press release was issued and information provided at www.norwich.gov.uk/nighttimeeconomy, see Appendix 1 for scheme plan, a letter was hand delivered to local business and residential addresses by Constabulary officers. Transportation officers dealt with enquiries and logged all written representations received by letter or email.
5. The purpose of the experimental order was to promote the safe and effective movement of traffic on affected side roads which has the intended benefit of improving the amenity of residents at night who live in in close proximity to the evening economy area of Prince of Wales Road. The problem of traffic (and associated noise) was particularly associated to the presence of private hire vehicles who were waiting to be deployed from nearby private hire offices on Prince of Wales Road.
6. Traffic and parking problems from private hire vehicles has been particularly acute on the side roads through the nights of Friday to Saturdays and Saturday to Sundays and attempts to resolve these problems through council parking enforcement and informal advice to private hire drivers has not been succesful. The police have statutory powers to deal with moving traffic offences, but without clear parameters for reasonable driving and driver conduct with regard to noise nuisance this has proven difficult to police in practice.
7. Evidence from other cities across England indicated that part time access restrictions can work well in managing traffic and parking problems associated with the night time economy. For these reasons the experimental order was considered to be a reasonable action to be undertaken by the city council as highway authority, with the police using their statutory powers to enforce moving traffic offences.
8. The effect of the experimental order was to prohibit motor vehicles from entering Cathedral Street, St Faiths Lane and Recorder Road during restricted hours with the following exemptions to enable essential access:
 - emergency vehicles
 - invalid carriages (mobility scooters)
 - pedal cycles
 - any vehicle with a valid resident or visitor permit
 - local authority vehicle
 - utility vehicle (gas, water, electric) doing works in the highway

- any disabled persons vehicle (with a blue badge)
9. The affected site roads had a temporary metal barrier with signage installed by the police during the hours of operation specified by the order. Police staffed the barriers at Cathedral Street which was closest to the busiest part of Prince of Wales Road adjacent to private hire offices where customers congregate and wait for their private hire vehicle.
 10. If the police prosecuted a moving traffic contravention (i.e. if an unauthorised vehicle entered the side roads) this would entail 3 penalty points and a £100 fine.
 11. Although initially described as road closures, the order and the way it was implemented did not seek to close the side roads completely as essential access is needed at all times for residents and businesses. The policing of the access restrictions was proportionate and in accordance with the terms of the order.
 12. As a pragmatic measure, the city council allowed private hire vehicles to wait in Castle Meadow and Bank Plain which provided an area away from residential properties.
 13. Norwich city council civil enforcement officers have continued to patrol the evening economy area and the affected streets to carry out their normal duties.
 14. After five months of the experiment, in February 2015 a feedback survey was issued to residents and businesses adjacent to roads affected by the experimental order, the responses are summarised in this report.
 15. As a complimentary measure advisory 'Owl' signs have been installed on the side roads to remind revellers that this is a residential neighbourhood, see Appendix 2 to see the 'night owl' sign. This sign is not part of the experimental traffic regulation order.

Monitoring the effects of the experiment

16. Officers of Norfolk Constabulary and Norwich City Council transportation officers have carried out site visits and monitored CCTV recordings during the its hours of operation making observations on the traffic and parking effects of the experimental access restrictions.
17. The first weekend of the experimental access restrictions caused some difficulties for private hire operators as they adjusted to the new arrangements. The result of which was that passengers had to be set down or picked up from a private hire vehicle pulling into the junction of Cathedral Street and Prince of Wales Road or on the main road itself. Despite initial concerns from private hire operators, this new arrangement has worked well as private hire despatchers work via personal radio to the office and private hire vehicles are then called down from where they are waiting at Castle Meadow.
18. As a result of the combined effects of the access restrictions on the side roads and the layover of private hire vehicles on Castle Meadow, private hire vehicles have in the majority ceased parking in the side roads.

19. Some unauthorised vehicles have continued to enter and drive through the affected roads during restricted hours to pick up passengers near to the private hire offices on Prince of Wales Road especially late in the morning (around 3am to 5am).
20. However, as the restrictions have been generally effective in preventing private hire vehicles from waiting for long periods of time through the night, it has not been necessary for the police to prosecute any driver for contravention of the access restrictions.
21. Recorded injury accident police data for the area have been assessed; no recorded incidents associated with the experiment have occurred from mid Sept 2014 to the end of June 2015. See Appendix 4 for details injury accidents history. This demonstrates that the experiment has not adversely affected road safety.

Norfolk Constabulary viewpoint

22. Norfolk Constabulary have operated the experimental access restrictions according to the provisions of the order. Barriers with signs have been deployed and officers have controlled access as required.
23. Dave Marshall Superintendent, Policing Commander of Norwich Policing Command (Bethel Street) of Norfolk Constabulary has provided their appraisal of the experiment:
24. *The instigation of the road closures has had a positive effect in reducing the movement of people and vehicles from Prince of Wales Road into the neighbouring residential areas that were subject to anti social behaviour (noise, vehicle doors, engines, taxi queuing and vehicles playing music, public urination and other activities). Due to the closures there has been a movement of taxi queuing onto Prince of Wales Road where it is more visible to CCTV and officers to monitor. There is no reason for those leaving the Night Time Economy area to congregate in the residential streets and as such dispersal is along main routes and more effective.*
25. *The number of complaints from residents to me as the policing lead had reduced to nil for the best part of a year, this is against regular letters previously complaining of noise and public urination within the closure areas.*
26. Norfolk Constabulary have advised transportation officers that they wish the provisions of the experimental order to be made permanent subject to inclusion of public holidays, bank holidays and other such events that trigger high levels of activity in the night time economy on Prince of Wales Road.

Written representations

27. To date Norwich city council has received emails and letters from residents and business and sought feedback from a survey sent to the local area in February 2015.. 44 residents and two businesses responded to the feedback survey, results are summarised in Appendix 3.
28. Generally the experiment has been well received by local residents and businesses as essential access have been maintained, whilst excluding any extraneous traffic and parking from non-essential motor vehicles. This has made a positive impact on

local amenity at night and anecdotally has reduced antisocial behaviour from revellers.

29. Initially a number of residents raised concerns about their ability to gain access for themselves or their visitors during restricted hours, in practice access was possible at all times as the policing of the access restriction was pragmatic. Once the experiment was established over several weeks residents have indicated that they regard the arrangements to be a success in their quality of life in various respects.
30. Whilst most residents are satisfied with the policing of the access restrictions, a number of residents expressed concern that the side roads were not continuously policed which left the restrictions ineffective through the night. This issue appears to occur most often at approximately from 3am to 5am. One individual requested that Recorder Road is closed entirely at night to prevent returning private hire vehicles from entering the 'loop' going back to Cathedral Street.
31. Many residents cited that they were pleased with the experiment and wanted to make it permanent, a small number of residents cited that they wanted the access restrictions extended to every night of the week, or on Thursdays or in the run up to Christmas or for major public events. The majority of residents cited that they would welcome the restrictions extended to bank and public holidays.
32. A small number of residents cited ongoing problems with revellers from the night time economy parking in bays on the affected streets in contravention of existing restrictions, which has been tackled with enhanced civil parking enforcement patrols. However these residents also cited the waiting restrictions for some parking bays near to residential properties that encouraged pay and display parking to 10pm Mon to Sat to the detriment of residential amenity. The subsequent start time of 10pm for Cathedral permit holders was also considered to offer little if any practical use to residents and that these 'dual use' parking bays should have their times modified.
33. A private hire company who has an office on Prince of Wales Road nearest to Cathedral Street expressed concerns about the safe and effective operation of their business and that residents should expect a degree of noise and nuisance from a well established night time economy zone. In practice their business has continued to operate successfully as observed by police and council officers.
34. A hot food takeaway that offered deliveries located on Prince of Wales Road near Cathedral Street expressed concern that the access restriction would prevent their business from operating, yet they too have continued to operate successfully during the experimental period. The business cited a need for evening parking on Cathedral Street.
35. A night club has parking accessed via St Faiths Lane for staff; the experimental order include such traffic as exempt from the access restrictions and staff gained access.

Moving forward

36. With consultation feedback and direct observation of the traffic effects of the experimental traffic regulation order, it is the view of the police and Norwich city council that the effect of the experiment has been to change the driving and parking habits of private hire operators and their drivers to use Castle Meadow for layover rather than the residential side roads near Prince of Wales Road.

37. This has had a measurably positive effect on decreasing the amount of traffic on the side roads and reduced incidences of parking contraventions and associated noise from vehicles, drivers and passengers, which has the highly beneficial consequence of improving residential amenity at night on the affected side roads.
38. The use of temporary barriers with signage affixed to them has proven to be a simple and effective method of deterring non-essential access to these roads. However it is not realistic that these roads have continuous police presence, nor to close them completely due to the need of essential access. In the view of transportation officers that if the access restrictions are continued that permanent signage is installed at the side road junctions with Prince of Wales Road to give the access restrictions greater prominence throughout the week. The use of temporary barriers could continue.
39. The extension of access restrictions to nights other than Fridays and Saturdays was put to residents. There is no strong demand to do so on Thursdays, but there is strong demand for public and bank holidays and for other busy times of the year associated with major public events. This amended provision cannot be done within the extant experimental order and so either a new experimental order or a permanent order made. It is the view of transportation officers that sufficient experience and evidence is available to inform a permanent traffic regulation order.
40. The highway signage used by the experiment was adopted from the national highway signage manual (the TSRGD) issued by the Department for Transport, to reflect the proposed amendments to the days of operation of the access restrictions.
41. The experience of Norfolk Constabulary has been positive, they have expressed a desire to make the access restrictions permanent, subject to provision to extend the times of operation to bank holidays, public holidays. However it is not possible within available police resources to extend the access restriction routinely to days other than Friday to Saturday and Saturday to Sunday nights. The police would also wish to formalise their discretion to determine any vehicle that requires access.
42. The use of parking bays on the side streets by revellers and private hire vehicles is a continuing concern for residents who also cite the unfairness that the permit hours on bays on St Faiths Lane and Recorder Road do not commence until 10pm Monday to Saturday. It is the view of transportation officers that the times of these bays is amended so that pay and display times end at 6pm Monday to Saturday and are for permit holders at other times i.e. after 6pm and all day Sundays.
43. On Cathedral Street a 2hr pay and display bay ends at 6pm on Monday to Saturday and is unrestricted parking after 6pm and all day Sundays. This bay often is fully occupied by vehicles who park for long periods of time, some are revellers or staff nearby. This is problematic for hot foot premises nearby who need deliveries to be made in the evening and for private hire drivers who need to pop in to their base offices. For this reason we consider it sensible to change the restrictions on this bay to enable pay and display parking till 10pm Monday to Saturday. The bays would be for permit holders after this time, with unrestricted parking on Sundays.
44. The proposed waiting restriction changes are summarised in Appendix 5.
45. As a consequence of these changes 19 parking spaces in pay and display bays on Recorder Road and St Faiths Lane would be converted to use by resident permit

holders between 6pm and 10pm Monday to Saturdays. This is likely to be of concern to local businesses.

46. However as described previously x9 2hr pay and display parking spaces (in two bays) on Cathedral Street would replacing unrestricted parking between 6pm and 10pm Monday to Saturdays. In our view this achieves a better balance between the parking needs of nearby evening economy businesses, and the amenity and permit parking needs of local residents at night.
47. It is important to note that the new Mountergate/Rose lane car park will be opening in early 2016 which will offer 595 parking spaces at value for money tariffs. This new car park will be a very short walking distance to Prince of Wales Road and will offer sufficient parking spaces for the needs of any staff or customers for the evening economy. Therefore the removal of any pay and display or unrestricted parking spaces will be more than compensated. Any TRO changes can be implemented to follow the opening date of this new multi storey car park to ensure that there is adequate local parking provision for the evening and night time economy.

Legal options

48. The extant experimental order will continue up to the end of the 18month period which ends in mid-March 2016.
49. The council has a number of options it can now take:
- 1) cease the experiment
 - 2) amend the experiment; within legal constraints of what can be amended
 - 3) continue with the experiment without changes and make it permanent
 - 4) end this experiment and start another experiment
 - 5) make a new permanent traffic regulation order that can learn from the experiment and make new provisions if necessary
50. The advice from NPLaw is that the extant experimental order cannot be amended to include reference to bank or public holidays, given that many representations and the police wish this to happen, we must consider options that enable this amendment to be made.
51. We have the option of making a new experimental order, given that we have consulted effectively as part of a genuine experiment, there is little merit in embarking on a further experimental order especially since a permanent order would include further consultation as a statutory requirement.
52. In the view of officers as nearly 12 months has passed with the extant experimental traffic regulation order, we are in a position to make a permanent traffic regulation order based on lessons learnt.
53. This permanent traffic regulation would entail a period of 21 days of public consultation where written representations would be assessed. Any objections would

be submitted with officer recommendations to a future meeting of the Norwich Highways Agency Committee for members to determine whether to implement the permanent order as advertised, to modify it or not implement it.

41. If this order were implemented permanent signage would be installed on Cathedral Street, St Faiths Lane and Recorder Road associated with the access restrictions and amended parking bay restrictions.

Recommendations

54. Based on the monitored effect of the experiment, officers recommend that a permanent traffic regulation order is advertised for consultation.

Appendix 1

Photos taken during site visits at night by NCC transportation officer



Figure1: On street barrier and signage; Cathedral Street

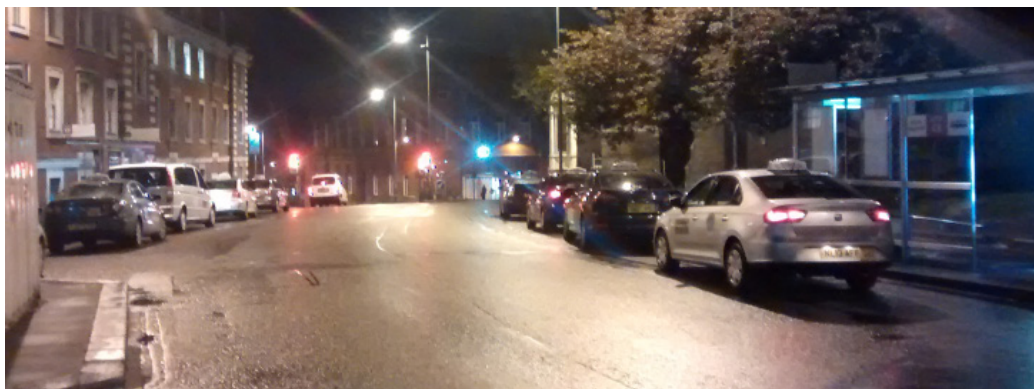


Figure 2: Castle Meadow; private hire vehicles waiting at 1am Fri 8th October 2014



Figure 3: Private hire vehicle on Prince of Wales Road picking up passengers

Appendix 2

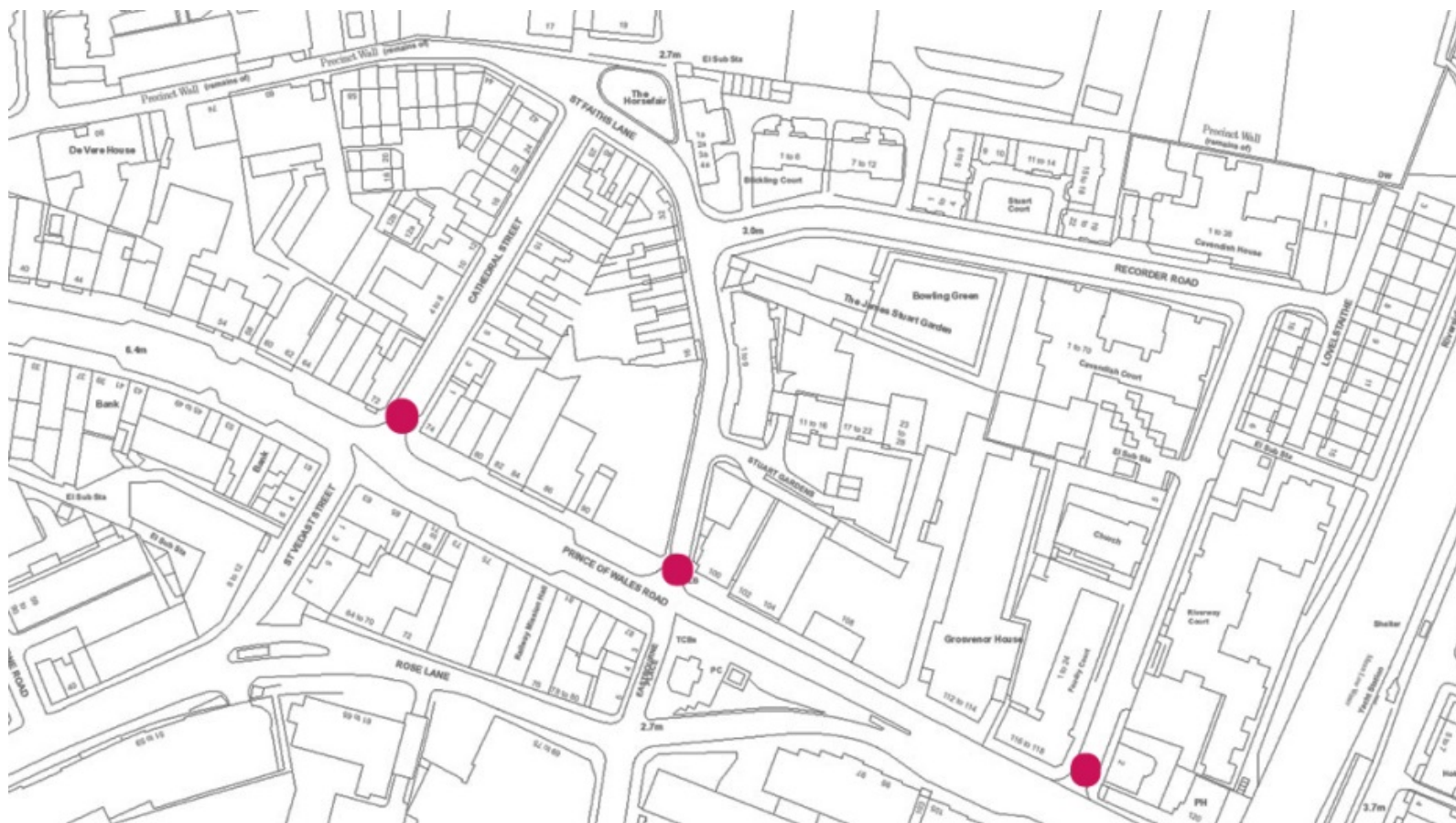


Figure 4 Map showing location of the location of the junctions where the experimental access restrictions have been implemented



Figure 5: Owl signs installed on residential streets near Prince of Wales Road

Appendix 3

Results of consultation; 46 respondents (not all tick boxes were completed by respondents)

Question	Responses	Officer response
1) What has the impact of the experimental road access restriction had for you?	<p>Various comments were made by respondents with regard to the experimental order the main issues are summarised as:</p> <ul style="list-style-type: none"> • There is much less antisocial behaviour and noise: 29 • The side roads are much clearer and free of traffic and parked cabs: 8 • I have no problems with the access restriction: 8 • The access restriction is ineffective: 6 • Businesses are adversely affected (hot food takeaway and private hire office): 2 	<p>The overall majority of positive responses of residents is noted and welcomed.</p> <p>The concerns of two businesses is noted, however the observed effects of the experiment have not adversely affected their operation</p>
2) Are you satisfied with the enforcement of access	<p>Yes: 31 No: 9</p>	<p>Overall there is satisfaction with policing of the access restrictions, some residents wanted police</p>

Question	Responses	Officer response
restrictions by Norfolk Constabulary?		officers to be at the barriers at all times. However the police must work within available resources and demands on their presence.
3) Should the access restrictions be modified in any way?	<p>Yes: 26 No: 16</p> <p>The majority of modification requests were to extend the access restrictions to other nights that were busiest for the night time economy.</p> <p>One resident asked for Recorder Road to be closed to all traffic during the restricted hours, so that residents would need to enter via the adjacent side roads and to stop private hire vehicles from entering late in the night.</p>	<p>Residents wish the access restrictions to be extended to bank and public holidays and other busy night times associated with public events. We propose to do this.</p> <p>Closing Recorder Road would stop use by private hire vehicles who flout the access restrictions, but it would also stop access by local residents and their visitors who would need to make significant detours to get into Cathedral Street or St Faiths Lane via the city centre one way system. This is likely to generate significant objections, and threaten the future implementation of any access restrictions. For these reasons we do not propose to close Recorder Road at its junction with Prince of Wales Road to all traffic, we wish to continue with the approached adopted during the experiment which has a deterrent effect.</p>
4) Should the access restrictions be made permanent?	<p>Yes: 43 No: 3</p>	Overall respondents want the restrictions made permanent.

Question	Responses	Officer response
5) Should the experimental access restrictions cease?	Yes: 3 No: 42	Overall residents do not want the access restrictions to end
6) Has the night owl signage helped to reduce late night noise?	Yes: 15 No: 15	There is a mix of views around the 'owl' signage in terms of its efficacy. The signs are regarded as very small and may not be noticed by some revellers who are in a drunk state, but overall they set the tone that it is a residential neighbourhood.
7) Any other comments about the night time economy where you live?	Access restrictions for New Years Eve, public holidays and other busy night times would be welcome: 8	Noted, the proposed permanent order would include New Years Eve and other public and bank holidays and major public events.

Appendix 4

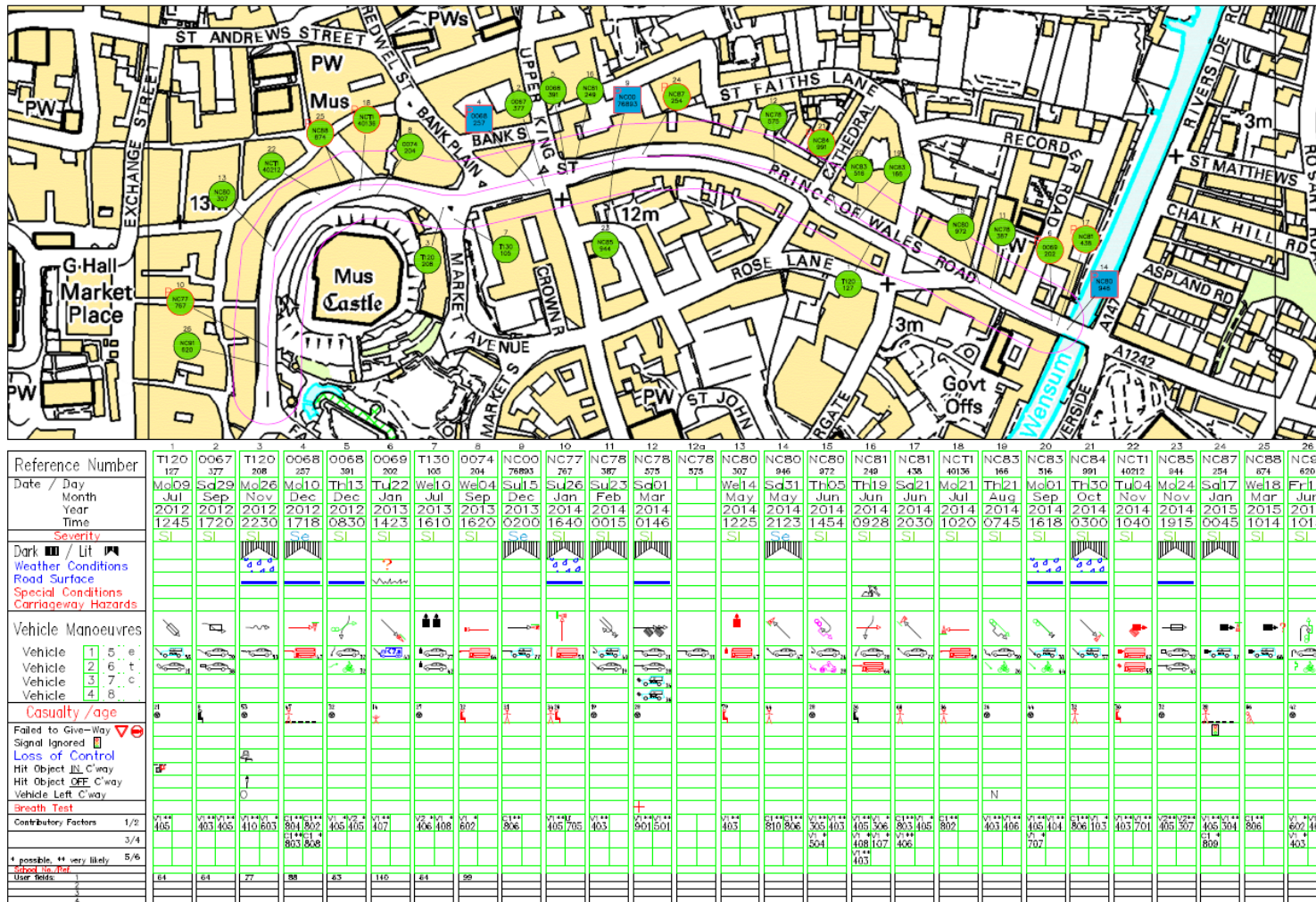


Figure 6: Injury accident data from July 2012 to June 2015

Appendix 5

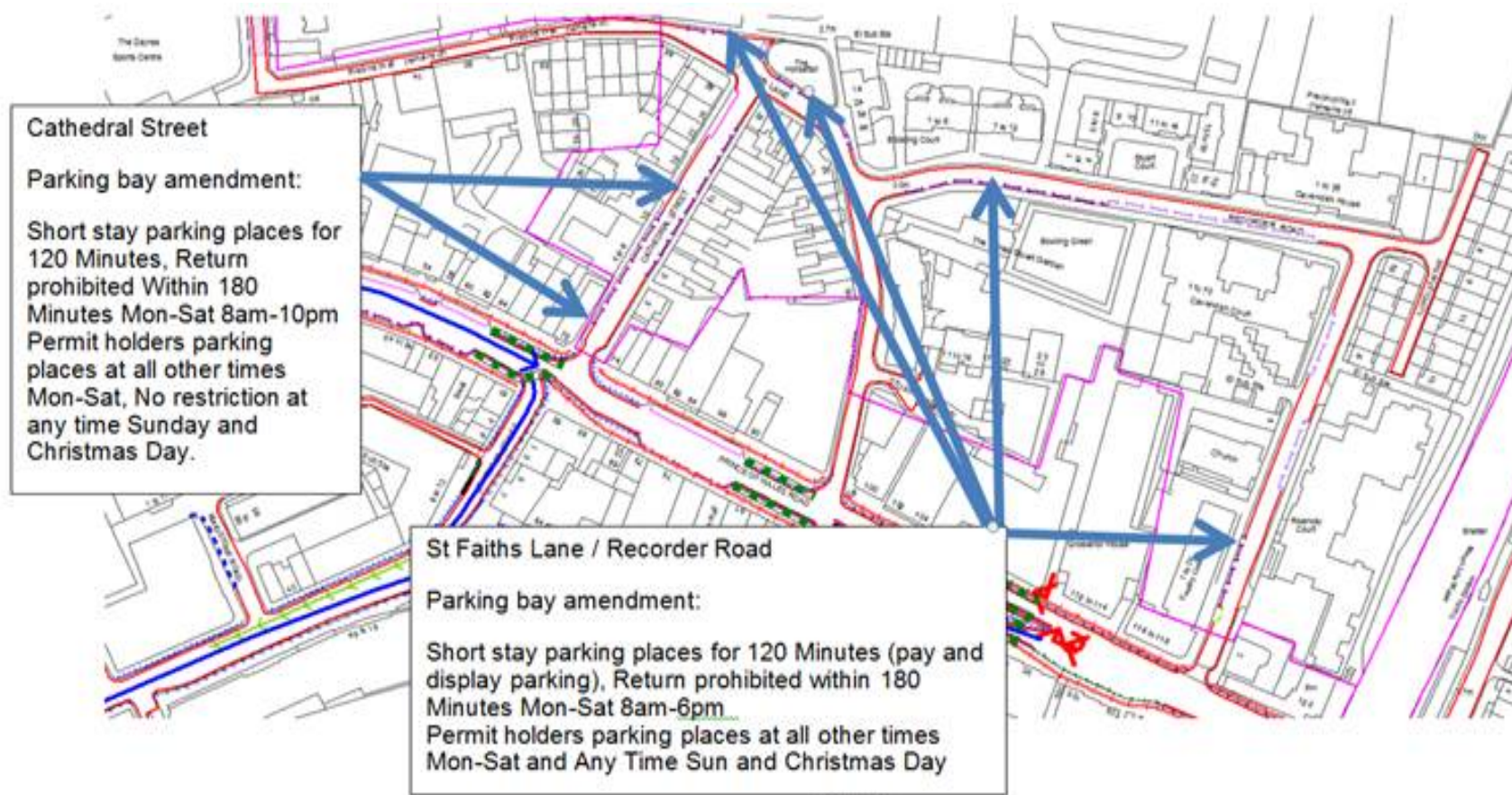


Figure 7: Proposed waiting restriction amendments for Cathedral Street, Recorder Road and St Faiths Lane