
Meeting: Traffic Management Meeting
Date: 25th April 2013
Subject: Petition for Residents Parking, Howard Court, Flitwick
Report of: Jane Moakes, Assistant Director, Environmental Services
Summary: The purpose of this report is to present a petition received from Residents at Howard Court, Flitwick.

Contact Officer: Nick Chapman
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Public/Exempt: Public

Wards Affected: Flitwick

Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

Financial:

This area of work is currently unfunded.

Legal:

None as a result of this report.

Risk Management:

None as a result of this report.

Staffing (including Trades Unions):

None as a result of this report.

Equalities/Human Rights:

None as a result of this report.

Community Safety:

None as a result of this report.

Sustainability:

None as a result of this report

RECOMMENDATION(S):

- (a)** The meeting be informed of the petition presented by the residents of Howard Court in Flitwick.
- (b)** Negotiations be started with the housing association company Housing 21 over the preferred method of reserving parking spaces for the residents of Howard Court

Background

1. A petition with 18 signatures was presented to Central Bedfordshire Council in December 2012. The petition was in support of deterring residents of streets other than Howard Court from parking in the parking areas adjacent to the flats in the court. The petition is included as Appendix 1 to this report.
2. The petition was considered necessary because the residents of Howard Court, including some Blue Badge holders, are regularly unable to park in the court's parking areas because of parking by other local residents. This is a particular inconvenience to residents of the court with mobility disabilities, and occasionally causes obstructions to emergency vehicles.

Discussion

3. The flats in Howard Court are owned and supervised by the housing association company Housing 21. A plan of Howard Court, the flats and the car park areas is included as Appendix 2. Currently Howard Court is public highway, so legally residents of other street are entitled to park in the court's parking areas.
4. In principle, Central Bedfordshire Council does not object to the parking on Howard Court being restricted to the court's residents. There are two accepted methods of restricting parking in Howard Court to residents in the flats owned by Housing 21 that could be implemented, as shown below:
 - Howard Court could remain as public highway, but a Traffic Regulation Order (TRO) could be enacted to establish parking by permits in the spaces in Howard Court. There would be legal cost of some thousands of pounds associated with this. There could be objections, but these may only be concerning the rights of residents of other streets to apply for permits. (The TRO specifies who is allowed to apply for permits.) The council can override these objections.
 - Highway rights in Howard Court could be extinguished using the Highways Act 1980. There would be similar costs involved. There could be objections, particularly from the electricity board which has a facility at the end of Howard Court and the owner of a garage at the end of the court. These objections could go to the Magistrate's Court and the council is unable to affect the Court's decision. Also, there is some uncertainty over who would have ownership of the court when highway rights are extinguished.
5. It is recommended that Housing 21 be approached to determine which approach to use to deter parking in Howard Court by residents of other streets, and to confirm that the company would be willing to provide the necessary funding.

Appendix 1

Petition in support of deterring parking in Howard Court, Flitwick by residents of other streets.

Appendix 2

Plan of the flats and parking areas in Howard Court, Flitwick

