

Divisions affected: *Marston and Northway*

**CABINET MEMBER FOR HIGHWAY MANAGEMENT
26 MAY 2022**

**OXFORD: MARSTON NORTH CONTROLLED PARKING ZONE
PROPOSED AMENDMENT TO RESTRICTIONS AT ELMS DRIVE**

Report by Corporate Director, Environment and Place

RECOMMENDATION

1. The Cabinet Member for Highway Management is **RECOMMENDED** to approve the proposed amendment to the hours of operation in the Marston North Area Controlled Parking Zone (CPZ) in respect of **Elms Drive**, which will allow parking only for permit holders only between 9am & 5pm Monday to Fridays (thereby replacing the current restriction allowing for permit holder parking only at all times / days of week).

Executive summary

2. Following feedback from residents and the local county councillor on the operation of the current restrictions introduced in 2021, an amendment to the hours of operation Marston North Area Controlled Parking Zone and Waiting Restrictions in respect of Elms Drive which will allow parking only for permit holders only between 9am & 5pm Monday to Fridays (thereby replacing the current restriction allowing for permit holder parking only at all times / days of week) has been proposed.

Financial Implications

3. There are no financial implications for the proposals.

Equality and Inclusion Implications

4. No implications in respect of equalities or inclusion have been identified in respect of the proposals.

Sustainability Implications

5. The proposals would help facilitate walking and cycling and the safe movement of traffic.

Consultation

6. Formal consultation was carried out between 25 November and 31 December 2021. A notice was published in the Oxford Times newspaper and an email sent to statutory consultees, including Thames Valley Police, the Fire & Rescue Service, Ambulance service, Bus operators, Oxford City Council, Old Marston Parish Council, and the local County & City Councillors. Letters were also sent to approximately 75 properties in the area, and notices placed on site in the immediate vicinity.
7. Twenty responses were received during the formal consultation, comprising of 3 in support (15%), 8 objections (40%), 7 raising concerns (35%), and one expressing no objection.
8. The responses are shown at **Annex 1**, and copies of the original responses are available for inspection by County Councillors.
9. Thames Valley Police expressed no objection to the proposals.
10. The remaining responses were from members of the public, the great majority being residents of Elms Drive, and with the majority of these expressing objections or concern on the grounds including that the proposals were inconvenient to residents - especially those receiving regular visits (including by carers) on weekdays - due to the need for all vehicles to display a permit between 9am and 5pm Mondays to Fridays, as unlike the adjacent part of the CPZ the proposals do not allow for parking for up to 2 hours by non-permit holders; other grounds for objection were that the proposals do not address the problem of non-residents parking in the road outside the time of operation of the scheme.
11. Acknowledging these concerns, Elms Drive has proved to be a challenging location to provide CPZ restrictions that are compatible with the access only restriction in place on the road to address the problem of traffic diverting to use the road to avoid congestion at the Cherwell Drive / Marsh Lane junction, which it is though also acknowledged that this is in practice not enforced by the police to any material degree due to the resources required to do so.
12. The proposals however do go some way to addressing the concerns of residents that the current restrictions- which require vehicles parked on the road to display permits at all times - are unduly onerous, noting also that as applies in all CPZs, permits are available for residents requiring visits by carers and that separately permits are available for doctors and nurses making home visits.

Bill Cotton
Corporate Director, Environment and Place

Annexes
Annex 1: Consultation Plan.
Annex 2: Consultation responses.

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May 2022

RESPONDENT	COMMENTS
(1) Traffic Management Officer, (Thames Valley Police)	No objection
(2) Local Resident, (Oxford, Elms Drive)	<p>Object - I object to the proposals for the following reasons:</p> <ul style="list-style-type: none"> • It doesn't address concerns about parking by non-visitors at weekends • It doesn't improve the practically unenforceable nature of the Access Only Restrictions (I acknowledge that this issue is probably out of scope for the TRO but I would like to suggest that it is at least a related issue) • It doesn't allow short visits by tradespersons without the requirement for a visitor permit <p>1. The proposals as made will, at certain times, not restrict parking to residents and visitors only. Instead, the proposals appear to allow for unrestricted parking in the street outside of the permit holder hours of 9am to 5pm, Monday to Friday. This means that 'visitors' to the area i.e. non-MA permit holders, in particular those attending events at OxRAD and Marston Saints, which mostly if not all happen at weekends, will be able to park in the street (assuming that they are not deterred by the Access-Only signs – see point 2). This represents a significant relaxation of the rules compared to the ones in place currently, which prevent this. Of course, the proposals already allow for anyone with a MA permit to park in the road, even if they are not a resident, and this will continue to happen under the proposals, which is regrettable, particularly for residents nearer to the Marsh Lane end of the road.</p> <p>2. Non-Access only traffic will still use Elms Drive Drivers can (and do) choose to ignore the Access Only signs, which in my experience has been the case on many occasions. And, during evenings and weekends under the proposals, once they are parked and the vehicle is left unattended, there is no way to enforce the Access Only provisions. They would have to be stopped and challenged on first entering the street, which is not practical other than for very occasional spot checks by CSO's for example, which in my experience has not proved to be a long-term deterrent e.g. cars still regularly use Elms Drive as a shortcut when the traffic is queuing for the traffic lights at the junction of Cherwell Drive and Marsh Lane, which typically happens during the morning and evening rush hour.</p>

	<p>3. Tradespeople will require a visitor permit for each and every visit (where they don't have their own business permit). Visitors with legitimate reasons to bring a vehicle onto the street e.g., tradespeople, deliveries, will require a parking permit every time they park on the road outside a property. This seems to be over-engineered to me, a 2-hour parking window would be preferable and will still deter 'commuters' from leaving their vehicles all day while they go to work nearby, which is the greater concern here.</p> <p>In my opinion, this proposal is a missed opportunity to address these concerns.</p> <p>My counter proposal would be to either leave the arrangements as they are, or revert to the 2-hour parking window as originally introduced (i.e. seven days a week) which was for a time before the signs were changed to the ones in use now.</p>
(3) Local Resident, (Oxford, Elms Drive)	<p>Object - The proposed change in Parking Zone and Waiting Restrictions for Elms Drive is not logical as outside the hours 9am to 5pm, Monday to Friday any person can park. We already have parking from Permit and non-Permit holders daytime and overnight from non-Elms Drive persons who are also not visiting Elms Drive e.g. Marsh Lane residents, persons visiting Oxford City Football and Sports Grounds etc. It is clear that those who park with or without permits who live outside Elms Drive and are not visiting i.e. Marsh Lane residents, those going to the sports ground should not be in Elms Drive under the no-entry Except for Access. So as both restrictions are not enforced our road will fill up again with with vehicles. This is all on top if the free for all high speed 'rat run' through Elms Drive that we face during rush hours due to no enforcement and now made much worse by the queues apparent at the Traffic lights at the junctions of Headley Way, Marsh Lane, Cherwell Drive and Marston Road. Perhaps your planners and enforcement could have a rethink.</p>
(4) Resident, (Oxford, Rymers Lane)	<p>Object - I used to live on Marsh Lane next to here and note that there was no difficulty in parking as a resident. As a result there seems little merit in introducing this change (together with the associated costs to the taxpayer).</p>
(5) Resident, (Oxford Marsh Lane)	<p>Object - There are little to none street side parking spaces on Marsh Lane (zone MA), which is also a main road for traffic into Oxford and thus more risky for parking. Changing the CPZ in neighbouring roads such as Elms Drive (where most houses have driveways), strictly residents only 7 days a week, benefits only residents on that road. As a result, residents on roads such as Marsh Lane, which is considered a different zone, have even less available areas to park.</p>

<p>(6) Local Resident, (Oxford, Elms Drive)</p>	<p>Object - There are two issues in Elms Drive, and this proposal deals with neither effectively. The first is that the ends of the road by Marsh Lane and Cherwell Drive are used by commuters or football visitors for parking. The second is that it is used daily, throughout the day, as a cut-through road, and cars often speed. It's a road with children, disabled and elderly residents, and one day there will be an accident.</p> <p>Issue 1 - commuter and football parking. In the time the permit only signs have been up, Saturday footballers with children have blatantly parked under the signs and left the road, knowing that there will be no checks, and some cars have parked on the ends of the road without being checked. It makes no sense for the residents to go to endless lengths to avoid a parking fine, when non-residents park without consequence. It's a meaningless sign, as it can't be patrolled realistically, and simply makes life harder for residents.</p> <p>As a disabled resident who has assistants, cleaners, medics and friends coming to the house, I have to make sure everyone has a permit. If I have three people in a day coming to see me, permits disappear quickly.</p> <p>Mon-Fri restrictions will do nothing about the Saturday football or shopping parking, so that's a meaningless change. I want the 2 hour parking to be reinstated if we must have a CPZ, as we have nowhere in the road that visitors can use when they come.</p> <p>Issue 2 - this is actually the more concerning issue. We have a street WhatsApp group and it is clear that the volume of traffic and the speed is front of our minds. Cars ignore the no access signs, as it's an easy road to avoid queues. I would like to see actual traffic calming measures in the road, to slow traffic and make it less appealing to use as a cut through. Occasional police advice and tickets isn't really going to help. We need a permanent solution. Some want one end of the road closed, some want calming road humps, narrowing or tree boxes. It is surely possible to create a safer road? Please give greater attention to this, and the parking issue will resolve as well.</p> <p>This is a really frustrating process, as we are battling with Council codes and regulations that don't take into account the actual experience of the road. We know of family members of residents who have received a ticket when they were visiting, but see people parking and walking away and nothing happens. It just creates resentment and cynicism. I don't want to have parking patrols all the time - I want a fairer parking solution that serves residents better and a road that is safer for the people who live here.</p>
<p>(7) Local Resident, (Oxford, Elms Drive)</p>	<p>Object - Would like there to be NO restrictions to parking on the street at any time</p>

<p>(8) Local Resident, (Oxford, Elms Drive)</p>	<p>Object - I would like amendment to revert back to parking 9am - 5pm Monday to Friday 2 hours parking. This will enable carers, family, friends and tradespeople such as gardeners and general helpers who would not exceed the 2 hour limit.</p> <p>I know this will not stop people cutting through the road, as this seems to be a problem with some of the residents, but that is a different issue.. I do know quite a few residents want to revert back to the 2 hour parking.</p>
<p>(9) Local Resident, (Oxford, Elms Drive)</p>	<p>Object - I was very unhappy with the Oxfordshire County Councils original decision to implement parking restrictions in Elms Drive and horrified when it then changed it again with no consultation to such severe restrictions; permit parking only 24 hours a day.</p> <p>I am glad the parking restrictions are to be amended, however I would prefer them to be returned to the original restrictions, which included the free 2 hour visitors parking during 9-5pm period.</p>
<p>(10) Local Resident, (Oxford, Elms Drive)</p>	<p>Concerns - I support the amends proposed, but have further concerns. There should be 2hour parking available for any non-resident. Parking is not an issue in Elms Drive. If anything, it has exacerbated the real problem - speeding and people using the road as a cut through. Residents have made repeated appeals about this and written to the council on a number of occasions. No one has taken this up. Drivers constantly drive at speed down this road - about three cars have done so in the short time I've been typing this message. Access has to be properly enforced. Speeding has to be properly addressed. I have only lived here for three years and I've already seen a high impact RTA between two vehicles caused by a speeding car on Elms Drive. Sooner or later, a car is going to kill or seriously injure a person - most likely a child. Children going to and from school, especially on bikes, children who live in this street. WHEN this happens, I will be holding the council to account, and this message sent to you will be used as evidence. Action is required right now.</p>
<p>(11) Local Resident, (Oxford, Elms Drive)</p>	<p>Concerns - If we have to have parking restrictions in Elms drive, as a resident I would like the original parking restrictions re instated. This would include the 2 hour free parking between 9-5pm, which we had previously.</p>
<p>(12) Local Resident, (Oxford, Elms Drive)</p>	<p>Concerns - As a long standing resident of Elms Drive (nearly 30 years) I am perplexed as to why the recent parking restrictions have left residents in Elms Drive with more restrictive parking enforcement regulations when compared</p>

	<p>with the rest of Marston. My personal preference is for Elms Drive to be brought in to line with the regulations currently in place in Marston, that being that non-residents would be able to park for up to 2 hours without using having to utilise resident parking permits. This would permit visitors to visit our residence for a reasonable period of time (up to 2 hours) without penalising us further or our visitors. When the parking controls were originally implemented we had 2 hour parking permitted between the hours of 9:00 and !7:00 and no restrictions outside these hours, I am unclear as to why this was changed and why we were not adequately consulted prior to the more draconian measures we are now trying to live with, I understand that my neighbours are in agreement with the ability for visitors to visit without continuous use of resident parking permits. I believe we pay substantial residential taxes and that we should not be penalised further for parking outside our own homes. I have raised this issue with local councilors in order to get these additional restrictions removed, we do not need these restrictions and would prefer to be brought back in line with the parking regulations in force in the rest of Marston,</p>
<p>(13), Online response, (unknown)</p>	<p>Concerns - Hi, I have strong concerns/objections about the CPZ in Elms Drive, the road is a NO ACCESS road, therefore vehicles should not be entering the road unless residents or residents visitors. We are having to pay for permits for our friends and family to visit and some of us have daily care, these care visits will use up so many permits and cost a fortune, seems like this is just another way for the council to make easy money.</p> <p>Regarding the 9-5 week days permit, this leaves sat/sun for those who go to court farm/football and also others to use because the NO ACCESS is not policed, which leads me to believe this problem will not be solved.</p> <p>More important than the CPZ, the road is used on a daily basis for a rat run, motorists speed through at very dangerous speeds, with less cars now in the road because of the CPZ, cars are speeding through more now than ever because they have a clear road, I have young children who walk to school daily and like to play outside.. this is a very big concern for all residents in the road and we feel it will have to take someone getting hit by a car or something even worse (killed) before the council take this seriously. So many people have made these complaint for years and nothing what so ever has ever been done, i'm sure the council will be sued if something was to happen to one of the residents.</p> <p>Most residents if not all residents would be happy for the marsh lane end to be blocked off, this would stop all the speeding cars using the road as a cut through, there is enough room to allow for a bin lorry to turn, like the road opposite ash long.. this would solve all problems.</p>
<p>(14) Local Resident, (Oxford, Elms Drive)</p>	<p>Concerns - I support the amendment to parking, with parking restricted only between 9am to 5pm on Mondays to Fridays, allowing for non-permit holders to park in the evenings and at weekends. However, I would also ideally like to</p>

	see the amendment return to the original arrangement and allow non-permit holders to park for 2 hours during the restricted time. Ultimately, I would like the parking restrictions within the road to be aligned with the rest of the parking restrictions within Marston, as I do not understand why Elms Drive is being treated differently.
(15) Local Resident, (Oxford, Elms Drive)	Concerns - I would like Elms Drive to revert back to parking for two hours Monday - Friday 9am - 5pm. This will allow carers/visitors to park for a couple of hours during the week day and family being able to park without any restrictions during the weekend.
(16) Local Resident, (Oxford, Elms Drive)	Concerns - Unfortunately, our road is using for anyone, sometimes blocking the driveways. I think every neighbour have to pay for the permit. If we got visitors, very house got enough space on the driveways. Nowadays with the restriction lot of people don't respect the signals. I can't imagine if the proposal go ahead.
(17) Local Resident, (Oxford, Elms Drive)	Concerns - I support the amends proposed, but have further concerns. There should be 2hour parking available for any non-resident. Parking is not an issue in Elms Drive. If anything, it has exacerbated the real problem - speeding and people using the road as a cut through. Residents have made repeated appeals about this and written to the council on a number of occasions. No one has taken this up. Drivers constantly drive at speed down this road - about three cars have done so in the short time I've been typing this message. Access has to be properly enforced. Speeding has to be properly addressed. I have only lived here for three years and I've already seen a high impact RTA between two vehicles caused by a speeding car on Elms Drive. Sooner or later, a car is going to kill or seriously injure a person - most likely a child. Children going to and from school, especially on bikes, children who live in this street. WHEN this happens, I will be holding the council to account, and this message sent to you will be used as evidence. Action is required right now.
(18) Local Resident, (Oxford, Elms Drive)	Support - Elms drive should not have different rules to any other road in Marston. No parking 24 hr 7 days a week is unnecessary and difficult to live with.
(19) Local Resident, (Oxford, Elms Drive)	Support - It has made our lives a lot more challenging with the current parking restrictions i.e. constantly moving cars not having parking for visitors including out elderly parents.
(20) Local Resident, (Oxford, Elms Drive)	Support - thank you for this common sense proposal and is much appreciated. As residents of Elms Drive we will greatly benefit from being able to allow friends and relatives to park at evenings and weekends on the road without the need for a permit. Thank you again for the work you are doing to make this a reality.

