

Individual Executive Decision Notice

Report title	Transportation Network – Miscellaneous Traffic Regulation Orders	
Decision designation	GREEN	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment	
Wards affected	(All Wards);	
Accountable Director	Ross Cook, Director of City Environment	
Originating service	Transportation	
Accountable employee	Nick Broomhall	Traffic & Road Safety Service Lead
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Report to be/has been considered by	Not applicable	

Summary

This report seeks to agree the implementation of measures at various locations to improve safety, encourage sustainable travel and contribute to the effective management of the highway network.

Recommendations for decision:

That the Cabinet Member for City Environment, in consultation with the Director of City Environment:

1. Approves the recommended action to implement waiting and loading restrictions to parts of Orchard Crescent, Bhylls Lane, The Avenue, Bhylls Crescent, Bellencroft Gardens as shown on plan T4/3988 appended to this report.
2. Approves the recommended action to implement waiting and loading restrictions to parts of Wolverhampton Road East, Dudding Road as shown on plan T4/3992 appended to this report.
3. Approves the recommended action to implement waiting and loading restrictions to parts of Cherry Street, St Marks Road, Laburnum Street and prohibition of stopping restrictions to parts of Cherry Street, as shown on plan T4/3991 appended to this report.

4. Approves the recommended action to implement waiting and loading restrictions to parts of Leasowes Drive, Pinfold Grove, Chadwick Close as shown on plan T4/4029 appended to this report.
5. Approves the recommended action to implement waiting restrictions to parts of Rosemary Crescent West, Jeremy Road as shown on plan T4/4042 appended to this report.
6. Approves the recommended action to implement waiting restrictions to parts of The Haven, Lower Villiers Street as shown on plan T4/4043 appended to this report.
7. Approves the recommended action to implement waiting and loading restrictions to parts of Finchfield Hill, Oak Hill, Oak Leys, The Terrace, The Spinney, White Oak Drive as shown on plan T3/972C appended to this report.
8. Authorises the Solicitor to the Council to implement the relevant traffic regulation orders.

Signature

Signature

Date:

Date:

1.0 Background

- 1.1 This report seeks to agree the implementation of Traffic Regulation Orders (TRO's) at various locations to improve safety, encourage sustainable travel and contribute to the effective management of the highway network.

2.0 Detail

Orchard Crescent, Bhylls Lane, The Avenue, Bhylls Crescent, Bellencroft Gardens – Waiting and Loading Restrictions (Plan T4/3988)

- 2.1 In January/February 2019, proposals for 'no waiting at any time and no loading at any time' in parts of Orchard Crescent, Bhylls Lane, The Avenue, Bhylls Crescent and Bellencroft Gardens were formally advertised.
- 2.2 The restrictions are required as concerns had been expressed by residents regarding inappropriate parking leading to access and visibility issues at various junctions on Bhylls Lane.
- 2.3 No formal objections were received during the consultation however two representations were received from residents relating to the proposed restrictions on the junctions of Bhylls Lane, The Avenue and Bhylls Lane, Bhylls Crescent. Both residents were overall in favour of the proposed restrictions however one resident suggested the restrictions should also include the opposite side of the road of the junctions; the other resident raised concerns about parking being relocated to other areas of The Avenue. The original request for restrictions was specifically concerning access and visibility for vehicles entering Bhylls Lane from sideroads at junctions, there is therefore currently no justification to extend the restrictions to additional locations. The proposed restrictions are in accordance with the Highway Code of which Rule 243 states that 'do not stop or park opposite or within 10 metres (32 feet) of a junction' or 'on a bend'. A legal Order will enable the Council to carry out enforcement, it is therefore recommended that these restrictions are implemented as shown on plan T4/3988 in the interests of protecting the highway from inappropriate parking. As with the introduction of all new TRO's, the restrictions will be monitored for six months and if required amendments can be made if considered necessary.
- 2.4 It is therefore recommended that these restrictions are implemented as shown on plan T4/3988.

Wolverhampton Road East, Dudding Road – Waiting and Loading Restrictions (Plan T4/3992)

- 2.5 In January/February 2019, proposals for 'no waiting at any time and no loading at any time' in parts of Wolverhampton Road East and Dudding Road were formally advertised.

- 2.6 The restrictions are proposed following concerns being raised regarding inappropriate parking within the vicinity of the bus stop leading to road safety concerns and access issues for buses.
- 2.7 No objections/representations were received during the formal consultation. It is therefore recommended that these restrictions are implemented as shown on plan T4/3992.

Cherry Street, St Marks Road, Laburnum Street – Waiting and Loading Restrictions and Prohibition of Stopping (Plan T4/3991)

- 2.8 In January/February 2019, proposals for ‘no waiting at any time and no loading at any time’ in parts of Cherry Street, St Marks Road, Laburnum Street, ‘no stopping Monday to Friday 8am to 9.30am and 2.30pm to 4.30pm on school entrance markings’ in parts of Cherry Street were formally advertised.
- 2.9 The restrictions are being proposed following concerns being expressed regarding inappropriate school gate parking along Cherry Street leading to road safety issues
- 2.10 One representation was received from management at the community centre on Cherry Street who welcomed the proposed restrictions but asked whether restrictions could also cover the front of the community centre to ease access in and out of the community centre.
- 2.11 The original request for restrictions related to school gate parking issues in front of the school entrance and at junctions resulting in concerns about the safety of school children, there is therefore currently no justification to extend the restrictions to additional locations. As with the introduction of all new TRO’s, the restrictions will be monitored for six months and if required amendments can be made if considered necessary.
- 2.12 It is therefore recommended that these restrictions are implemented as shown on plan T4/3991.

Leasowes Drive, Pinfold Grove, Chadwick Close – Waiting and Loading Restrictions (Plan T4/4029)

- 2.13 In January/February 2019, proposals for ‘no waiting at any time and no loading at any time; in parts of Leasowes Drive, Pinfold Grove, Chadwick Close were formally advertised.
- 2.14 The restrictions are being proposed following concerns being raised regarding inappropriate parking leading to access and visibility issues at junctions.
- 2.15 No objections/representations were received during the formal consultation. It is therefore recommended that these restrictions are implemented as shown on plan T4/4029.

Rosemary Crescent West, Jeremy Road – Waiting Restrictions (Plan T4/4042)

- 2.16 In January/February 2019, proposals for ‘no waiting at any time’ in parts of Rosemary Crescent West, Jeremy Road were formally advertised.
- 2.17 The restrictions are being proposed following concerns being raised regarding inappropriate parking leading to access and visibility issues at the junction of Jeremy Road and Rosemary Crescent West.
- 2.18 Two representations were received, both were from residents who were overall in favour of the proposed restrictions but requested whether the proposed restriction area could be extended, also if additional restrictions could be added to stop parking on pavements and protect grass verges.
- 2.19 The original request for the restriction was due to reported access and visibility issues at the junction. This location does not meet the necessary road width criteria of 7.4 metres for implementation of a pavement parking order and extending the waiting restriction beyond the junction would remove on street parking and so would be unlikely to be popular with all residents. As with the introduction of all new TRO’s, the area will be monitored for six months and if required amendments can be made if considered necessary or additional restrictions will be considered if appropriate.
- 2.20 In order to avoid a delay to implementation of the advertised restriction it is therefore recommended that the restriction is implemented as shown on plan T4/4042.

The Haven, Lower Villiers Street – Waiting Restrictions (Plan T4/4043)

- 2.21 In January/February 2019, proposals for ‘no waiting at any time’ in parts of The Haven, Lower Villiers Street were formally advertised.
- 2.22 The restrictions are being proposed following concerns regarding inappropriate parking leading to access and visibility issues.
- 2.23 No objections/representations were received during the formal consultation. It is therefore recommended that these restrictions are implemented as shown on plan T4/4043.

Finchfield Hill, Oak Hill, Oak Leys, The Terrace, The Spinney, White Oak Drive – Waiting and Loading Restrictions (Plan T3/972C)

- 2.24 In January/February 2019, proposals for ‘no waiting at any time and no loading at any time’ in parts of Finchfield Hill, Oak Leys, The Terrace, White Oak Drive, The Spinney, ‘no waiting Monday to Friday 8am to 9.am and 2.30pm to 4.30pm and no loading Monday to Friday 8am to 9.30am and 2.30pm to 4.30pm’ in parts of White Oak Drive, Finchfield Hill and The Terrace were formally advertised.
- 2.25 The restrictions are required as concerns have been expressed regarding safety of children travelling to and from Westacre Infants School and inappropriate school gate

parking along Finchfield Hill, The Terrace, White Oak Drive and The Spinney. The proposed TRO will help to protect vulnerable road users and improve safety for pedestrians whilst also help alleviate congestion on Finchfield Hill.

- 2.26 Eighteen representations were received during the formal consultation. Of those, six were in favour of the proposed restrictions, highlighting the issues with access, parking on pavements and blocking driveways during the school drop off/collection times that the proposed restrictions would address. Two other representations were enquiring of the changes, one of them as to the availability of areas if driving children to school given the restrictions to White Oak Drive and the other representation was enquiring as to the availability of unrestricted parking space in the top circle of The Terrace. There were ten objections to the proposals, with main reasons highlighted being a) in The Terrace restrictions would introduce new issues of lack of parking space for residents and visitors and also restriction times would impact residents who work b) issues with the loading and unloading restriction on Finchfield Hill for residents if the restriction is not limited to school times.
- 2.27 In view of the representations, the proposals have been amended to allow for an unrestricted section of highway on The Terrace as per revised plan T3/972C. The loading and unloading restriction on Finchfield Hill at the junction of White Oak Drive and The Spinney has been amended to limit loading/unloading to school times as shown on revised plan T3/972C. The issues of driving children to school is catered for with some unrestricted areas still available on Finchfield Hill.
- 2.28 It is therefore recommended that the objections are overruled and the revised restrictions are implemented as shown on plan T3/972C. As with the introduction of all new TRO's, the restrictions will be monitored for six months and if required amendments can be made if considered necessary.

3.0 Evaluation of alternative options

- 3.1 The alternative option would be to leave the highway free from waiting and loading restrictions at Orchard Crescent, Bhylls Lane, The Avenue, Bhylls Crescent, Bellencroft Gardens, Wolverhampton Road East, Dudding Road, Cherry Street, St Marks Road, Laburnum Street, Leasowes Drive, Pinfold Grove, Chadwick Close, Bromley Street, Lower Villiers Street, Sedgley Street, Rosemary Crescent West, Jeremy Road, The Haven, Finchfield Hill, Oak Leys, Oak Hill, White Oak Drive, The Spinney, The Terrace, which would lead to inappropriate parking/access/illegal manoeuvres. This would have a negative impact on the effective management of the highway network, lead to increased journey times and lead to access, visibility and road safety issues for both pedestrians and drivers.

4.0 Reasons for decision

- 4.1 The introduction of the TRO's to restrict waiting and loading will allow better flow of traffic, will reduce delays for all vehicles and improve road safety.

5.0 Financial implications

- 5.1 The TRO's as detailed in this report are estimated to cost in the region of £12,000. A capital budget for TRO's has been included in the Transportation Capital Programme 2019-2020, from which these costs will be met. [MK/31052019/S]

6.0 Legal implications

- 6.1 Under Section 122(1) of the Road Traffic Regulation Act 1984 ("the 1984 Act") the Council, as the traffic authority, has a duty to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Section 1(1) of the 1984 Act enables the Council to make a Traffic Regulation Order "where it appears to be expedient to make the order".
- 6.2 The procedure for making a traffic regulation order under the 1984 Act is contained in the Local Authorities 'Traffic Orders (Procedure) (England & Wales) Regulations 1996 (SI 1996/2489). There are consultation requirements before an order can be made. The procedure for dealing with any objections received during the consultation period is laid down in the 1996 Regulations and having determined any objections received, the TRO may be brought into force.
- 6.3 Vehicles parked in contravention of TROs can be immobilised (s104) or removed (s99). A person breaching a TRO is guilty of an offence, and liable on summary conviction to a level 3 fine (currently £1000). Alternatively, the individual can be offered a Fixed Penalty Notice, if the Council has adopted the scheme.
- 6.4 Schemes supporting planning applications would jeopardise the whole scheme if not implemented ; the Council has also already agreed informally to implement the said schemes during the planning application process. [TS/26052019/R]

7.0 Equalities implications

- 7.1 The proposed waiting and loading restrictions will help parents with pushchairs and will safeguard children who are not so safety prone. It will help people in wheelchairs and it will help keeping people healthy in general by encouraging people to walk.

8.0 Environmental implications

- 8.1 The proposed TROs will assist in ensuring the safe and efficient operation of the highway.

9.0 Human resources implications

- 9.1 There are no human resource implications.
- 9.2 The work required to deliver the various orders will be absorbed by staff within the in-house legal team.

9.3 The Traffic Regulation Orders will be enforced by the Council's Parking Services team as part of their city-wide enforcement responsibilities.

10.0 Corporate Landlord implications

10.1 There are no corporate landlord implications.

11.0 Health and Wellbeing implications

11.1 The proposed Traffic Regulation Orders are designed to encourage sustainable methods of travel including walking and cycling by improving Road Safety and so will benefit the health and well-being of the public.

12.0 Schedule of background papers

12.1 None.

13.0 Appendices

13.1 T4 3988 TRO PLAN

13.2 T4 3992 TRO PLAN

13.3 T4 3991 TRO PLAN

13.4 T4 4029 TRO PLAN

13.5 T4 4042 TRO PLAN

13.6 T4 4043 TRO PLAN

13.7 T3 972C TRO PLAN