

# Individual Executive Decision Notice

<b>Report title</b>	Transportation Network – Miscellaneous Traffic Regulation Orders Section 278 and 38 Agreements	
<b>Decision designation</b>	GREEN	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans Cabinet Member for City Environment	
<b>Wards affected</b>	Bilston North; East Park; Ettingshall; Wednesfield South;	
<b>Accountable Director</b>	Ross Cook, Director of City Environment	
<b>Originating service</b>	Transportation	
<b>Accountable employee</b>	Amanda Millard Tel Email	Professional Lead Highways Adoption 01902 551799 amanda.millard@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Not applicable	

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## 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 overrule an objection to waiting restrictions to parts of Baobab Drive, Stom Road, Livingstone Road in response to comments received during public consultation and implement as shown on plan T4/4102 and to implement a 20mph speed limit to Baobab Drive (Plan T4/4103).
2. Approves the recommended action to implement waiting and loading restrictions to parts of Sweetbriar Road, Pump Street, Thorne Street (Plan T4/4176).

3. Approves the recommended action to implement waiting and loading restrictions to parts of Planetary Road (Plan T4/4208) and Planetary Road, Neachells Lane, Fernside Road (Plan T4/4210).
4. Approves the recommended action to overrule an objection to waiting and loading restrictions to parts of Brickkiln Street, Dilloways Lane, Hawkswell Drive, New Street, South Street, Vaughan Road, Vernon Close in response to comments received during public consultation and implement as shown on plan T4/4220B appended to this report.
5. Authorises the Director of Governance to implement the relevant traffic regulation orders.

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Signature

Date:

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Signature

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

### **Baobab Drive, Stom Road, Livingstone Road - Waiting Restrictions (Plan T4/4102). Baobab Drive - 20mph Speed Limit (Plan T4/4103).**

- 2.1 In July/August 2019, proposals for 'no waiting at any time on any day' in parts of Baobab Drive, Stom Road, Livingstone Road and 20mph speed limit to parts of Baobab Drive was formally advertised.
- 2.2 The waiting restrictions are required to prevent inappropriate parking which may lead to access and visibility issues and the speed restriction is required to reduce the speed of vehicles travelling in a residential area.
- 2.3 No objections/representations were received during the formal consultation for the 20mph speed restriction. It is therefore recommended that this restriction is implemented as shown on plan T4/4103.
- 2.4 One objection was received during the waiting restriction formal consultation from a business on Livingstone Road who doesn't have enough off-street parking on their premises leading to employees parking on Livingstone Road. The business was also concerned over deliveries and collections that are made throughout the day. The restrictions are required to protect the visibility splay for the new residential development and the section of highway needs to be kept clear from parked vehicles. Rule 243 of the Highway Code does not permit parking on a bend which the restrictions protect. Deliveries will not be affected as the restrictions only prohibit waiting. It is therefore recommended that the objection is overruled, and these restrictions are implemented to comply with the requirements of the Highway Code, to address the poor visibility/access issues and to keep traffic on the highway moving.

### **Sweetbriar Road, Pump Street, Thorne Street – Waiting and Loading Restrictions (Plan T4/4176).**

- 2.5 In July/August 2019, proposals for 'no waiting at any time on any day/no loading at any time on any day' in parts of Sweetbriar Road, Pump Street, Thorne Street were formally advertised.
- 2.6 The restrictions are required to prevent inappropriate parking adjacent to the new housing development which could cause access and visibility issues at the junctions of Sweetbriar Road/Thorne Street and Sweetbriar Road/Pump Street.

- 2.7 No objections/representations were received during the formal consultation. It is therefore recommended that these restrictions are implemented as shown on plan T4/4176.

**Planetary Road, Neachells Lane, Fernside Road – Waiting and Loading Restrictions (Plan T4/4208 and T4/4210).**

- 2.8 In July/August 2019, proposals for 'no waiting at any time on any day/no loading at any time' in parts of Planetary Road, Neachells Lane, Fernside Road were formally advertised.
- 2.9 A Stage 1 and 2 Road Safety Audit identified that restrictions are required to prevent inappropriate parking adjacent to the new development on Planetary Road, which if not addressed could lead to access and visibility issues. Complaints have also been received over inappropriate parking at the Planetary Road/Neachells Lane and Planetary Road/Fernside Road junctions which causes access and visibility issues.
- 2.10 No objections/representations were received during the formal consultation. It is therefore recommended that these restrictions are implemented as shown on plans T4/4208 and T4/4210.

**Brickkiln Street, Dilloways Lane, Hawkswell Drive, New Street, South Street, Vaughan Road, Vernon Close – Waiting and Loading Restrictions (Plan T4/4220B).**

- 2.11 In July/August 2019, proposals for 'no waiting at any time/no loading at any time' in parts of Brickkiln Street, Dilloways Lane, Hawkswell Drive, New Street, South Street, Vaughan Road, Vernon Close were formally advertised.
- 2.12 The Traffic Regulation Orders are required to comply with a planning condition to prevent inappropriate parking and to ensure the free flow of traffic, highway and pedestrian safety.
- 2.13 One representation was received from a resident who whilst is in support of the restrictions, is concerned that displaced parking may cause issues with parking outside of their property. As with any new TRO, the restrictions are monitored for six months and if required, amendments will be made.
- 2.14 One objection was received during the formal consultation by the first house adjacent to the new entrance concerned that they will no longer be able to park outside their house as they do not have access to off street parking. The objection was forwarded to Aldi who have worked with the householder to find a solution. Aldi have provided the householder with two dedicated car parking spaces and the objection has now been removed.
- 2.15 An objection was received from Tip Top Day Nursery stating that parents will look elsewhere for childcare if they cannot park outside to drop off and collect their children. A review has been carried out and the length of the restrictions have been reduced whilst still complying with the Highway Code. It is therefore recommended that the objection is

overruled, and these restrictions are implemented as shown on Plan T4/4220B to keep traffic on the highway moving.

### **3.0 Reasons for decision**

- 3.1 The introduction of the TRO's to restrict waiting and loading will allow better flow of traffic and will reduce delays for all vehicles. The restrictions will also protect the highway from inappropriate parking which would lead to access and visibility issues.
- 3.2 There is clear evidence confirming the greater chance of survival of pedestrians in collisions at lower speeds justify the introduction of the 20mph speed limit.

### **4.0 Financial implications**

- 4.1 The TRO's for Baobab Drive, Stom Road, Livingstone Road, Sweetbriar Road, Pump Street, Thorne Street, Planetary Road, Neachells Lane, Fernside Road, Brickkiln Street, Dilloways Lane, Hawkswell Drive, New Street, South Street, Vaughan Road and Vernon Close as detailed in this report are estimated to cost in the region of £24,000. The developers have provided funds to cover the costs of these works.  
[TK/03092019/Y]

### **5.0 Legal implications**

- 5.1 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".
- 5.2 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.
- 5.3 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.  
[TS/02092019/W]

## **6.0 Equalities implications**

6.1 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.

## **7.0 Climate change and environmental implications**

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

## **8.0 Human resources implications**

8.1 There are no human resource implications.

8.2 The work required to deliver the various orders will be absorbed by staff within the in-house legal team.

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

## **9.0 Corporate Landlord implications**

9.1 There are no corporate landlord implications.

## **10.0 Schedule of background papers**

10.1 None.

## **11.0 Appendices**

11.1 T4 4102 TRO PLAN

11.2 T4 4103 20MPH PLAN

11.3 T4 4176 TRO PLAN

11.4 T4 4208 TRO PLAN

11.5 T4 4210 TRO PLAN

11.6 T4 4220B TRO PLAN