

January 2019		ITEM: dem services to add number
Delegated Decision Report		
VARIOUS ROADS, STIFFORD CLAYS – OBJECTION TO A PROPOSAL TO IMPLEMENT PARKING RESTRICTIONS		
Wards and communities affected: Stifford Clays	Key Decision: No	
Report of: Councillor A Watkins – Environment & Highways		
Accountable Assistant Director: Andy Millard, Assistant Director of Planning, Transportation and Public Protection		
Accountable Director: Steve Cox, Corporate Director of Place		
This report is Public		

Executive Summary

A statutory consultation was carried out at various roads in the Stifford Clays ward which included a proposal to implement double yellow lines “At Any Time” parking restrictions on the following locations;

- Whitmore Avenue
- Wellington Court Access Road
- Windsor Avenue
- Long Lane
- Cobham
- Harvey
- The Griffins
- Bodell Close

Furthermore the proposal also included the implementation of an “Unrestricted Waiting Bay on Wellington Court Access Road.

This Report has been drafted to assess the objection on the following areas:

- The Griffins and Bodell Close junction

The report does not include those proposals where no objections were received and these will be forwarded for approval to proceed following the approval of recommendation contained in this report. These are specifically the following areas:

- Whitmore Avenue
- Wellington Court Access Road
- Windsor Avenue
- Long Lane
- Cobham
- Harvey

1. Recommendation(s)

- 1.1 **It is recommended that following consideration of the objections to the proposed restrictions at the junction of The Griffins and Bodell Close, the objection is upheld and that those restrictions at the junction of The Griffins and Bodell Close are to be omitted.**

Furthermore, all other proposed areas will be forwarded to Portfolio Holder for formal approval to be implemented as proposed.

- 1.2 **It is further recommended that the objectors are notified accordingly.**

2. Introduction and Background

- 2.1 Funding was allocated within the 2018/2019 Integrated Transport Programme to investigate parking restrictions at various sites around the borough where problems have been identified or requests have been received from members of the community.
- 2.2 Among requests received were for parking restrictions to be implemented in Windsor Avenue as people were experiencing difficulties due to cars parking close to junctions obstructing the footway/carriageway and visibility sight lines. In addition to this service requests we are proposing restrictions on the basis of Highways Accessibility, Visibility and Safety, at the junctions in the vicinity of Windsor Avenue. As stated in the Highways code "it is statutory to not park within 10m of a junction" the restrictions at those junctions follow that philosophy.
- 2.3 A Statutory consultation was carried out between 14th September 2018 and 5th October 2018. One objection was received from a local resident.

3. Issues, Options and Analysis of Options

- 3.1 One objection was received from a resident of The Griffins where the proposal is to restrict the parking at junctions of the Griffins and Bodell Close.
- 3.2 All the objections came from residents living within the area affected by the proposals.
- 3.3 The concern for the resident in The Griffins relates to issues surrounding the difficulties the proposal would create for them to park outside their property. They also raised concerns of devaluing their property.
"There has never been an issue with parking. I feel that if the waiting restriction is introduced then problems will occur and having a property with parking restrictions and lack of parking, will decrease it in value"

The concern of the potential loss of value of a property is not a relevant consideration for the Council in deciding whether or not to proceed with this type of proposal.

- 3.4 The parking restrictions proposed are in line with the Highway Code to prevent vehicles parking around junctions and on bends, blocking access/egress and visibility sight lines.
- 3.5 However, having considered the objection submitted for The Griffins and Bodell Close and reviewed the parking on site. It is not considered that the parking at this location creates issues of visibility and safety and implementing restrictions here would create parking issues and may result in parking migrating to more inappropriate areas therefore we feel it would be a reasonable request to relax the proposal and to omit the restrictions in this location. All other proposed restrictions at are to be implemented as proposed.
- 3.6 At a general level, it is important to ensure that delegated decisions are taken by the appropriate officer, and that the origin of the delegation can be readily identified in case of future challenge.

In this instance, should parking restrictions be carried forward to implementation, they would be subject to the making of a Traffic Regulation Order (TRO). Under the provision of the Road Traffic Regulation Act 1984, local authorities can implement TRO's, designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. A TRO may take effect at all times or during specified periods, and certain classes of traffic may be exempted from a TRO.

Permanent TRO's are subject to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, which impose various legal requirements prior to the making of an order. These requirements include publishing a notice of the proposals in a local newspaper, display of notices in roads or other places affected by the order; or the delivery of notices or letters to premises, or premises occupied by persons, appearing to the authority to be likely affected by any provision in the order and allowing potential objectors 21 days to make representations. It is incumbent on the Council to take account of any representations made as a consequence of such an advertisement.

- 3.7 Should parking restrictions be implemented as recommended, the cost will be approximately £1000.00 and would be funded from the Parking Service Requests – Cost Code E1843 9881 T3472. There is sufficient funding available for these projects.
- 3.8 With regards to equality implications the proposal to introduce restrictions will improve road safety, visibility and accessibility for all, regardless of protected characteristics. These positive road safety impacts are, in particular, likely to disproportionality effect the elderly and people who are disabled due to an increased walking distance after parking. The equality impacts on not upholding the restrictions have been considered and would impact negatively

4. Reasons for Recommendation

- 4.1 To accommodate objections from the resident regarding restrictions of parking at the junction of The Griffins and Bodell Close. It is recommended all other proposed areas will be forwarded to Portfolio Holder for formal approval to be implemented as proposed for Highways Accessibility, Visibility and Safety.
- 4.4 It is further recommended that the objector is notified accordingly.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 The scheme falls within the ward of Stifford Clays and members from these wards have been consulted on this DDR. One comment has been received from a councillor they are happy to proceed as proposed.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 These actions accord with the Council priorities to create a safer environment.

7. Implications

7.1 Financial

Should parking restrictions be implemented as recommended, the cost will be approximately £1000.00 and would be funded from the Parking Service Requests – Cost Code E1843 9881 T3472. There is sufficient funding available for these projects.

Implications verified by: Mark Terry
Telephone and email: mterry@thurrock.gov.uk

7.2 Legal

Implications verified by: Tim Hallam
Telephone and email: tim.hallam@thurrocklegal.org.uk

7.3 Diversity and Equality

With regards to equality implications the proposal to introduce restrictions will improve road safety, visibility and accessibility for all, regardless of protected characteristics. These positive road safety impacts are, in particular, likely to disproportionately affect the elderly and people who are disabled due to an increased walking distance after parking. The equality impacts on not upholding the restrictions have been considered and would impact negatively.

Implications verified by: Natalie Warren
Telephone and email: NWarren@thurrock.gov.uk

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Emails of objection

9. **Appendices to the report**

- None

Report Author:

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