

November 2013		ITEM
Delegated Decision Report		
OXFORD AVENUE, CHADWELL ST MARY – OBJECTION TO A PROPOSAL TO IMPLEMENT A SCHOOL KEEP CLEAR MARKING		
Portfolio Holder: Councillor A Gaywood – Public Protection		
Wards and communities affected: Chadwell St Mary Ward	Key Decision: No	
Accountable Head of Service: Basil Jackson, Head of Transportation and Highways		
Accountable Director: David Bull, Director of Planning and Transportation		
This report is Public		
Purpose of Report: To consider an objection to a proposal to implement a School Keep Clear road marking in Oxford Avenue, Chadwell St Mary.		

EXECUTIVE SUMMARY

One objection has been received to a proposal to implement a School Keep Clear marking on Oxford Avenue, Chadwell St Mary outside Chadwell Primary School. The proposal was made following a request in the School Travel Plan. Funding has been allocated from the LSTF safer routes to school budget to manage congestion during school hours. There is currently a worn school keep clear marking on site which is not supported by a Traffic Regulation Order and therefore not currently enforceable.

1. RECOMMENDATIONS:

- 1.1 It is recommended that following consideration of the objection, the Traffic Regulation Order for the School Keep Clear marking is sealed as proposed. It is further recommended that the objector is notified accordingly.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 Funding is allocated each year within the Integrated Transport Programme to improve routes to school. This year additional funding was made available**

from the Local Sustainable Transport Fund (LSTF). The schools to received measures each year are identified in the School's Travel Plans. Chadwell Primary School requested within their plan that enforcement of the existing restrictions is carried out. A Traffic Regulation Order needs to be made to make this restriction enforceable.

- 2.2 In this instance the School Keep Clear marking is currently marked on site but is not supported by a Traffic Regulation Order and therefore no enforcement can be carried out.
- 2.3 The consultation on the proposal to implement the school keep clear in Oxford Avenue was carried out between 2nd August and 23rd August 2013. One Objection was received from a resident of Oxford Avenue, Chadwell St Mary.

3. ISSUES AND/OR OPTIONS:

- 3.1 The nature of the objection is that the parking is limited within this area already and implementing the School Keep Clear marking would create further problems. However, the marking is already in place so this would not result in a loss or reduction in parking spaces.
- 3.2 The cost of implementing the School Keep Clear marking and sealing of the Order as recommended will be approximately £500 and will be funded from the LSTF Safer Routes to School code E3001 9881.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

Ward Members were consulted on the content of this report between 15th and 22nd November 2013. No comments were received during this period.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

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

6. IMPLICATIONS

6.1 Financial

Implications verified by: Mark Terry
 Telephone and email: 01375 652150 mterry@thurrock.gov.uk

Should the recommendations be upheld the cost of implementing the School Keep Clear marking would be approximately £500.00 and would be funded from the LSTF Safer Routes to School code E3001 9881. There are sufficient funds within this code to meet this cost.

6.2 Legal

Implications verified by: Mike Kelly

Telephone and email: Tel ext 2822 mkelly@thurrock.gov.uk

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 TROs, 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 TROs 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 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.

6.3 **Diversity and Equality**

Implications verified by: Samson DeAlyn
Telephone and email: 01375652472
Sdealyn@thurrock.gov.uk

There are no diversity and equality implications noted in this report.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. **CONCLUSION**

- 7.1 As the marking is already in place it will not create an imposition to residents. It is therefore, recommended that the Traffic Regulation Order is made and the School Keep Clear Marking is refreshed as proposed.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Letter of objection

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

Name: Susan Morrison

Telephone: 01375 413367

E-mail: smorrison@thurrock.gov.uk