

<b>August 2014</b>		<b>ITEM</b>
<b>Delegated Decision Report</b>		
<b>VARIOUS ROADS, CHAFFORD HUNDRED – OBJECTION TO A PROPOSAL TO AMEND THE PARKING RESTRICTIONS</b>		
<b>Portfolio Holder:</b> Councillor P Smith – Public Protection		
<b>Wards and communities affected:</b> South Chafford Ward	<b>Key Decision:</b> No	
<b>Accountable Head of Service:</b> Ann Osola, Head of Transportation and Highways		
<b>Accountable Director:</b> David Bull, Director of Planning and Transportation		
<b>This report is</b> Public		
<b>Purpose of Report:</b> To consider an objection to a proposal to amend the parking restrictions in Various Roads, Chafford Hundred.		

**EXECUTIVE SUMMARY**

Francisco Close, Chafford Hundred currently has a one hour restriction of ‘No waiting Mon-Fri 1pm-2pm’ to prevent commuter parking problems. Following a request from the Council’s Waste and Recycling Team a proposal for ‘No waiting Mon-Fri 8am-11am’ was advertised. One objection was received to this proposal.

**1. RECOMMENDATIONS:**

**1.1 It is recommended that following consideration of the objection, the objection is not upheld and the parking restriction is implemented as advertised.**

**1.2 It is further recommended that the objector is notified accordingly.**

**2. INTRODUCTION AND BACKGROUND:**

**2.1 Funding has been made available within the Integrated Transport Programme to implement community requests at various sites around the borough where problems have been identified or requests have been received.**

- 2.2 A request to amend the restrictions was received from the Waste & Recycling Team as the refuse vehicles are experiencing difficulties accessing all properties with Francisco Close and this prevents some of the bins from being emptied. The statutory consultation for the amendment of the single yellow line restriction was carried out between 9<sup>th</sup> November 2012 and 30<sup>th</sup> November 2012.
- 2.3 1 Objection was received to the proposed parking restrictions along Francisco Close as the resident feels that this would inconvenience them too much, and that the existing restriction of 'No waiting Mon-Fri 1pm-2pm' to stop commuters parking is sufficient.
- 2.4 Also on the public notice was a proposal for 'No waiting at any time' restrictions on the junction of Drake Road and Cumberland Road, Chafford Hundred. No objections were received to this proposal therefore this restriction will be implemented as proposed.

### **3. ISSUES AND/OR OPTIONS:**

- 3.1 The nature of the objection is that the resident feels that the restrictions would inconvenience residents as their visitors would not have anywhere to park within the restricted hours and it would mean that they would have to get up early to move their vehicles.
- 3.2 The resident feels that this restriction will not change the current parking layout and says the bins are emptied regularly, therefore there is no problem with Refuse gaining access to the entire road.
- 3.3 Waste & Recycling have confirmed via e-mail that they are still experiencing problems with accessing Francisco Close to carry out the waste collection therefore the restrictions are still required.
- 3.4 As the proposal is for mornings only, it is felt that this will not have too much of an impact on the residents.
- 3.5 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.

- 3.6 Should parking restrictions be implemented as recommended, the cost will be approximately £1500 and would be funded from the Community Request code E1750 9881 00000. There is sufficient funding available for these projects.
- 3.7 There are no diversity and equality implications noted in this report.

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

Ward Members were consulted on the content of this report between 20<sup>th</sup> August 2014 and 27<sup>th</sup> August 2014. 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

Financial implications are included in the body of the report.

**6.2 Legal**

Implications verified by: Christine Stephenson  
 Telephone and email: 01375 412822  
 Christine.Stephenson@BDTLegal.Org.uk

Legal implications are included in the body of the report.

**6.3 Diversity and Equality**

Implications verified by: Rebecca Price, Community Development Officer  
 Telephone and email: 01375 652930      [reprice@thurrock.gov.uk](mailto:reprice@thurrock.gov.uk)

Diversity and Equality implications are included in the body of the report.

Council to take account of any representations made as a consequence of such an advertisement.

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

None

**7. CONCLUSION**

7.1 It is recommended that the restrictions are implemented as advertised in order to assist the Waste & Recycle Team carry out the refuse collection, as this is only a morning restriction it should not have too much of an impact on the residents.

**BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Letter of objection
- E-mail of support

**APPENDICES TO THIS REPORT:**

- None

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