

## **Cabinet Member for Regeneration, Housing and Transport:**

**Date:** 14<sup>th</sup> February 2020

**Agenda item:**

**Wards:** Borough Wide.

**Subject:** Proposed Borough Wide Waiting Restrictions – Statutory consultation

**Lead officer:** Chris Lee, Director of Environment & Regeneration

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport

**Forward Plan reference number:** N/A

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### **Recommendations:**

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The purpose of this report is to seek Cabinet Member approval to undertake a statutory consultation to introduce waiting and loading restrictions in roads identified in the table below. Plans showing the extent of the restrictions are attached in Appendix 2:

<b>Site/Location</b>	<b>Drawing No.</b>
Rodney Road	Z27-681-00
Marina Avenue	Z27-681-01
Lessness Road	Z27-681-02
Gladstone Road	Z27-681-03
Elm Gardens	Z27-681-04
Aragon Road	Z27-681-05
Prince Georges Road	Z27-681-06
Walsingham Road	Z27-681-07
Portland Road	Z27-681-08
Cherrywood Lane	Z27-681-09
Lewis Road	Z27-681-10

## **1. INTRODUCTION**

- 1.1 The purpose of this report is to seek approval to undertake a statutory consultation to introduce waiting / loading restrictions and partial footway parking bays (free) in the roads listed in the above table. Plans showing the extent and nature of the restrictions are attached in Appendix 2.

- 1.2 Officers regularly receive complaints and concerns regarding obstructive and dangerous parking from general road users including emergency services, local ward members and the local residents. Due to the large number of requests that are received throughout the year, it has been necessary to group these requests with the intention of undertaking a borough wide statutory consultation in batches. Each request is added to a rolling programme for investigation and the appropriate proposals and recommendations to the cabinet Member are formulated in one report.
- 1.3 Over the last year there have been requests/demands for double yellow lines at specific locations throughout the borough. The majority of the complaints relate to vehicles parking close to/at junctions or communal access points, obstructing sightlines and making it difficult and hazardous for vehicles to enter and exit side roads safely. Concerns have also been expressed over emergency vehicle and the Council's refuse vehicles access being obstructed by inconsiderate parking. Additionally, complaints are also received from pedestrians where vehicles park on the footway.
- 1.4 These requests are prioritised by taking into account the location, accident statistics, site observations, access difficulties, speed limit and local environmental amenities and associated activities.
- 1.5 In light of these requests, each site has been investigated to determine the extent of the appropriate measure. Every attempt is made to minimise the proposed restrictions without compromising access and safety. For details of the restrictions please refer to appendices 1.

## **2 BACKGROUND**

- 2.1 It is the policy of the Council to improve the environment by making it safer for all road users (motorists and pedestrians). One way this can be achieved is by regulating the number of parked vehicles in the area, particularly at key locations such as at junctions, narrow roads, cul de sacs and at bends. The aims of the proposed double yellow lines waiting restrictions are to improve visibility and to provide clear access for all road users, particularly vulnerable road users such as pedestrians, push chairs and wheelchair users who for example may wish to make proper use of the section of dropped kerb at junctions.
- 2.2 When considering road safety, S.122 of the Road Traffic Regulation Act 1984 places a duty on the Council "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" when exercising any of its functions under the 1984 Act. Road safety is therefore a matter that the Council should have proper regard to when considering whether to make an Order under S.6 of the 1984 Act.
- 2.3 The Highway Code stipulates that motorists should not park within 10 metres of a junction. The failure by a person to observe any provision of the Highway Code does not in itself render that person liable to criminal proceedings, such a failure may though be relied upon by any party to proceedings (whether civil or criminal) in order to establish or negate liability (s.38 (7) Road Traffic Act 1988). Although a failure to observe the Code does not then itself amount to a criminal offence, and neither does it create a presumption of negligence, a breach of the code may as a matter of fact amount to strong evidence to prove lack of proper driving. Given that not stopping within 10 metres of a junction or on a bend is an express provision of the Code it is of relevance when considering road safety in this area.

2.4 In accordance with the Greater London Council (General Powers) Act 1974, parking on any part of a footway is illegal; although there are occasions where provided there is sufficient footway width (minimum 1.5m) parking on the footway can be permitted via an Exemption Order. This exemption, however, does not apply where the footway comprises of a grass verge. Fleming mead, Victoria Road and Friday Road has sufficient footway width to allow partial footway parking (two wheels on the footway). A footway parking exemption will maximise parking for residents and create sufficient access for all road users including the emergency services.

### **3 PROPOSALS**

3.1 The following sites have been investigated based on concerns and complaints received. Given the nature of concerns it is considered that the proposals detailed below and as shown on attached plans will improve access, safety and sightlines. It is recommended that a statutory consultation be undertaken for the introduction of the proposed waiting restrictions. The proposals are shown on the attached plans in Appendix 2.

3.2 Ward Councillors will be provided with copies of the proposals and will be forwarded a copy of the newsletter (where appropriate) prior to the start of the statutory consultation. Given the nature of some of the locations and to remain cost effective not all premises will receive a newsletter.

### **4 Locations:**

#### **4.1 Rodney Road**

Rodney Road is a cul-de-sac with a carriageway width of 4.5m. There is currently indiscriminate parking that restricts pedestrian and vehicular access. Based on representations from some residents and officer's assessment, it is proposed to introduce 'At any time' waiting restrictions and to formalise free parking via marked parking bays. This will allow safe vehicular and pedestrian access particularly for emergency vehicles and service vehicles such as refuse vehicles.

#### **4.2 Marina Avenue**

Due to obstructive parking at the turning head at the cul-de-sac in Marina Avenue, there have been representations from local residents regarding inconsiderate parking making turning manoeuvres an impossibility. It is proposed to introduce 'At any time' waiting restrictions to ensure that the area is kept clear so as to allow a clear turning area.

#### **4.3 Lessness Road**

Lessness Road is a very narrow road that has a carriageway width of 4.4m with 1.4m wide footway on both sides and therefore cannot accommodate parking on the footway or the carriageway. Parking, therefore, has an adverse impact on safety and access as emergency services would not be able to gain access; it also impacts refuse vehicles as well as other service vehicles. Vehicles parked in this section of the road completely block the footway forcing pedestrians to walk in the carriageway. Being aware of such safety risks, the Council cannot allow carriageway and footway obstruction to continue. The proposed waiting restrictions will ensure safety and access for pedestrian and motorist at all times.

#### 4.4 **Gladstone Road**

The Council has received representations from some of the residents of Gladstone Road regarding frequent obstructive parking on the existing single yellow lines and across crossovers thus blocking access to residents' off-street parking space. It is proposed to convert the existing single yellow line into double yellow lines 'At any time' waiting restrictions to ensure that the area is kept clear at all times.

#### 4.5 **Elm Gardens**

The Council has received representations from a resident via the local MP regarding the pavement parking in Elm Gardens. The footway width is 2m and the carriageway width is 4.9m. Many of the residents have off street parking which means there is very little on street parking. However, the road suffers from obstructive parking with the current manner of footway and carriageway parking. To remove this obstructive parking and ease crossover egress/access, it is proposed to introduce 'At any time' waiting restrictions as shown on the plan attached as appendix 1. As per normal practice, every effort is made to maximise safe parking; it is, therefore proposed to allow partial footway parking where it is safe to do so.

#### 4.6 **Aragon Road**

The Council has received representations from a resident via the local MP regarding dangerous parking at the bend in Aragon Road. The footway width is 2.5m and the carriageway width is 6.8m. However, on the north eastern end of Aragon Road the carriageway width is 4.7m. With cars parked within this road space, larger vehicles including service vehicles struggle to navigate the turning. There is also an issue with cars parking partly on the footway causing obstruction to pedestrians. If cars were to park on both sides of the carriageway, this would impede traffic flow. It is, therefore, proposed to introduce 'At any time' waiting restrictions (double yellow lines) at the junctions, bend and places where vehicular access is restricted. The north-east arm of Aragon Road is very narrow, hence, it is proposed to introduce 'At any time' waiting restrictions (double yellow lines) on both side of Aragon Road at this end. This will allow safe access particularly for emergency vehicles; refuse /service vehicles and pedestrians. Please see attached plan in appendix 2.

#### 4.7 **Prince Georges Road**

The Council has received representations from the businesses based in Prince Georges Road that articulated lorries often park on double yellow lines on the bend making it hazardous. It is, therefore, proposed to convert the existing double yellow line waiting restrictions) to 'no waiting & loading' at any time restrictions. This will ensure that the area is kept clear of obstruction at all times.

#### 4.8 **Walsingham Road**

Due to obstructive parking at the turning head at the cul-de-sac in Walsingham Road, there have been representations from local residents regarding inconsiderate parking making turning circle and accessing their driveways difficult. The footway width is 2m and the carriageway width is 4.9m. Many of the residents have off street parking which means very little on street parking. However, the road suffers from obstructive parking with the current manner of footway and carriageway parking. To remove this obstructive parking and ease crossover egress/access, it is proposed to introduce 'At any time' waiting restrictions as shown on the plan in appendix 2. As per normal practice, every effort is made to maximise safe parking; it is, therefore proposed to allow partial footway parking where it is safe to do so.

#### 4.9 **Portland Road**

The Council has received two separate representations, one via the local MP regarding parking in Portland Road. There are concerns about the obstructive parking in Portland Road that blocks access for larger vehicles such as delivery vehicles, fire engines and ambulances. With vehicles parked on both sides, at junctions causing further safety concerns.

The second representation is from a local resident concerning inconsiderate parking on Portland Road that prevents access to their garage. On Portland Road toward junction with Western Road, there is footway on one side of the road with a width of 1.6m and the carriageway width is 7.2m up to side of property no 16 Portland Road, then the carriageway width gradually increases. Large vehicles park at this location.

To ensure safety and access, it is proposed to introduce 'At any time' waiting restrictions along its various lengths as shown on plan in appendix 2.

#### 4.10 **Cherrywood Lane area**

The Council has received representations via one of the local Councillor requesting yellow line restrictions to address the obstructive parking in Cherrywood Lane that is generating access and safety concerns.

There is also an issue with partial footway parking on the grass verge (which is illegal) and double parking around the island located within all its cul-de-sacs. Vehicles currently park partly on the footway that is causing an obstruction to pedestrians. If vehicles were to park on both sides of the carriageway, this would impede access for large vehicles especially emergency services and refuse vehicles. Cherrywood Lane has a carriageway width of 6.2m with 3m wide footway on both sides (most properties have crossovers and short stretches of in-between grass verge). Cherrywood Lane junction with The Green has carriageway width of 6.2m and footway width of 2.9m which in part is grass verge. Hillside Close has carriageway width of 4.9m and footway width of 2m. Cherry Close has carriageway width of 4.6m and footway width of 1.4m. Greenwood Close has carriageway width of 5m and footway width of 2m. All these roads cannot accommodate part footway parking or parking on both sides of carriageway.

It is proposed to introduce 'At any time' waiting restrictions along sections of the road that parking would impact on access and safety – this includes on one side of Cherrywood Lane, at all its cul-de-sacs and around the islands. Please see attached plan in appendix 2.

#### 4.11 **Lewis Road**

The Council has received representations from a resident via one of the local Councillor raising concerns about the safety of the junction of Lewis Road and Western Road due to vehicles parking at the junction obstructing sightlines. Currently the junction is subject to 10m of double yellow lines and the issue is more of enforcement rather than extension of existing restrictions. However, the double yellow lines on Lewis Road junction is 8.3m in length with 1m of it faded. It is recommended that this is extended to 10m on Lewis which will ensure improved sightlines and safety.

## **5 ALTERNATIVE OPTIONS**

- 5.1 Do nothing. This would be contrary to the concerns reported to the Council and would not resolve the dangerous and obstructive parking that is currently taking place.

## **6 LEGAL IMPLICATIONS & STATUTORY PROVISION**

- 6.1 The Traffic Management Orders would be made under Section 6, of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft Order.

## **7 STATEMENT OF REASONS**

- 7.1 The proposed measures will improve safety for all road users by ensuring clear visibility and access at all times particularly for the emergency vehicles. The proposed waiting restrictions will provide clear access for all road users, particularly vulnerable road users such as pedestrians, push chairs and wheelchair users who for example may wish to make proper use of the section of dropped kerb at junctions.
- 7.2 It would be irresponsible of the Council to ignore the manner of obstructive parking that is currently taking place. The Council has duty of care to ensure the safety of all road users and to maintain access at all times, particularly for the public service vehicles and the emergency services.

## **8 HUMAN RIGHTS & EQUALITIES**

- 8.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.
- 8.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 8.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.
- 8.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 8.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.

## **9 RISK MANAGEMENT IMPLICATIONS**

- 9.1 The risk in not introducing the proposed waiting restrictions would be the potential risk to all road users and to the residents, in the case of an emergency, and access difficulties will not be addressed. It would also be contrary to the concerns expressed and could lead to loss of public confidence in the Council. It could also place the Council at risk for not exercising its duties in ensuring safety and access.

- 9.2 The risk of introducing the proposed restrictions could lead to possible extra pressure on the current parking demand. However, the proposals will address safety concerns by improving access and visibility for both all road users which outweigh loss of parking.

## **10 FINANCIAL IMPLICATIONS**

- 10.1 To introduce the proposed restrictions will cost approximately £5,000. This includes the making of The Traffic Management Orders and the road markings. The cost of this proposal can be met from the Environment and Regeneration revenue budget for 2019/2020 which contains a provisional budget for Parking Management schemes.

## **11 TIMESCALES**

- 11.1 If a decision is made to proceed with the implementation of the proposed waiting restrictions, Traffic Management Orders could be made within six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. The measures will be introduced soon after.

## **12 APPENDICES**

- 12.1 The following documents are to be published with this report and form part of the report
- Appendix 1 – Location of restrictions & Drawings of proposals

**Definition of Proposed Waiting Restrictions**

<b>Road</b>	<b>Site Observation</b>	<b>Definition of proposed waiting restrictions ('at any time' waiting restrictions unless otherwise specified)</b>
Rodney Road	Obstructive parking on road and the footway restricting access for all road users and pedestrian.	As per drawing (Z27-681-00).
Marina Ave	Obstructive parking at the turning head at the cul-de-sac making turning circle difficult.	As per drawing (Z27-681-01).
Lessness Road	Vehicles parked on highway, restrict access for large vehicles and cars parked on footway force pedestrians to walk in the middle of the carriageway.	As per drawing (Z27-681-02).
Gladstone Road	Cars parked on SYL outside the restriction hours prevent residents to access their off street parking spaces.	As per drawing (Z27-681-03).
Elm Gardens	Vehicles parked on highway restricting access for large vehicles, also part footway parking raises safety concerns for pedestrian.	As per drawing (Z27-681-04).
Aragon Road	Vehicles parked on highway restricting access for large vehicles, also part footway parking raises safety concerns for pedestrian.	As per drawing (Z27-681-05).
Prince Georges Rd	Articulated lorries carry out loading/unloading activity on the highway causing safety concerns for other road users and pedestrians.	As per drawing (Z27-681-06).
Walsingham Road	Vehicles parked on highway restricting access for large vehicles, also part footway parking raises safety concerns for pedestrian.	As per drawing (Z27-681-07).
Portland Road	Obstructive parking on highway restricts local resident's accessing their garage and large vehicles, often struggles to pass through. Vehicles parked close to junctions and on bends restricts sightlines for other road users and raises safety concerns for pedestrian.	As per drawing (Z27-681-08).
Cherrywood Lane	Cars parked on both sides of carriageway restrict access for other motorist and large vehicles. Vehicles parked partly on footway causes obstruction to residence driveways and damage the grass verge.	As per drawing (Z27-681-09).
Lewis Road	Vehicles parked close to junction raises safety concerns for motorist.	As per drawing (Z27-681-10).

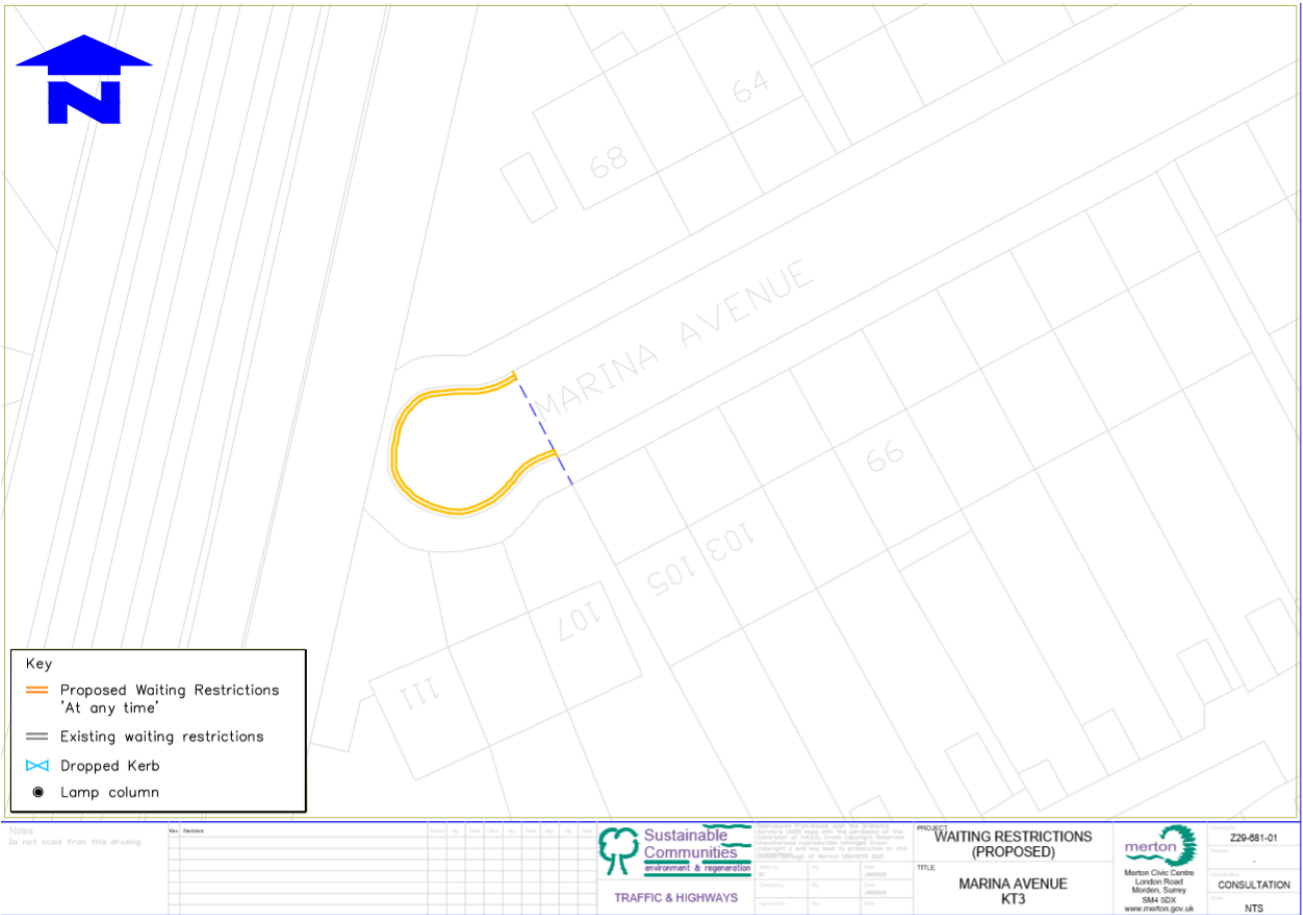


Proposed Waiting Restrictions

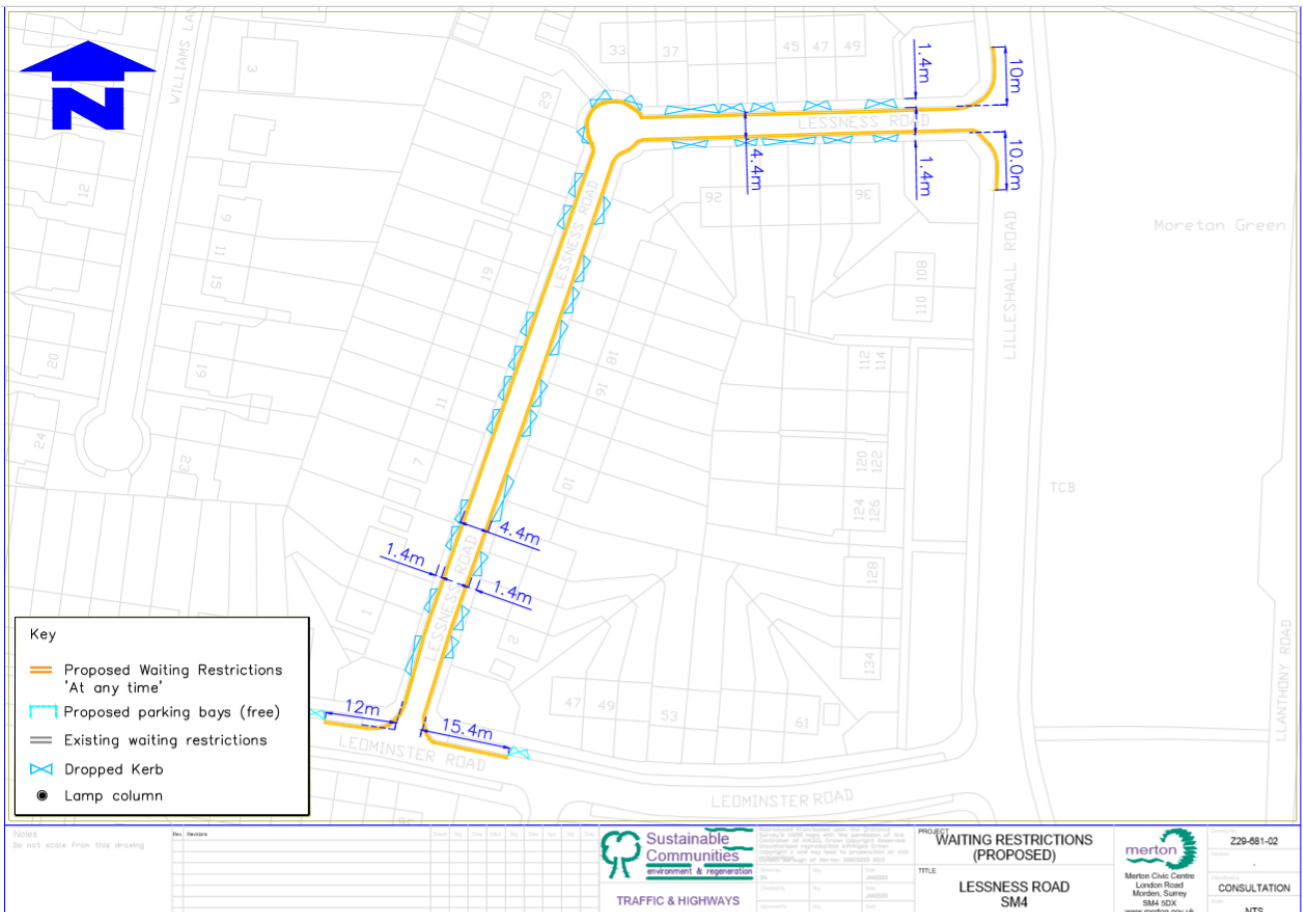
Rodney Road



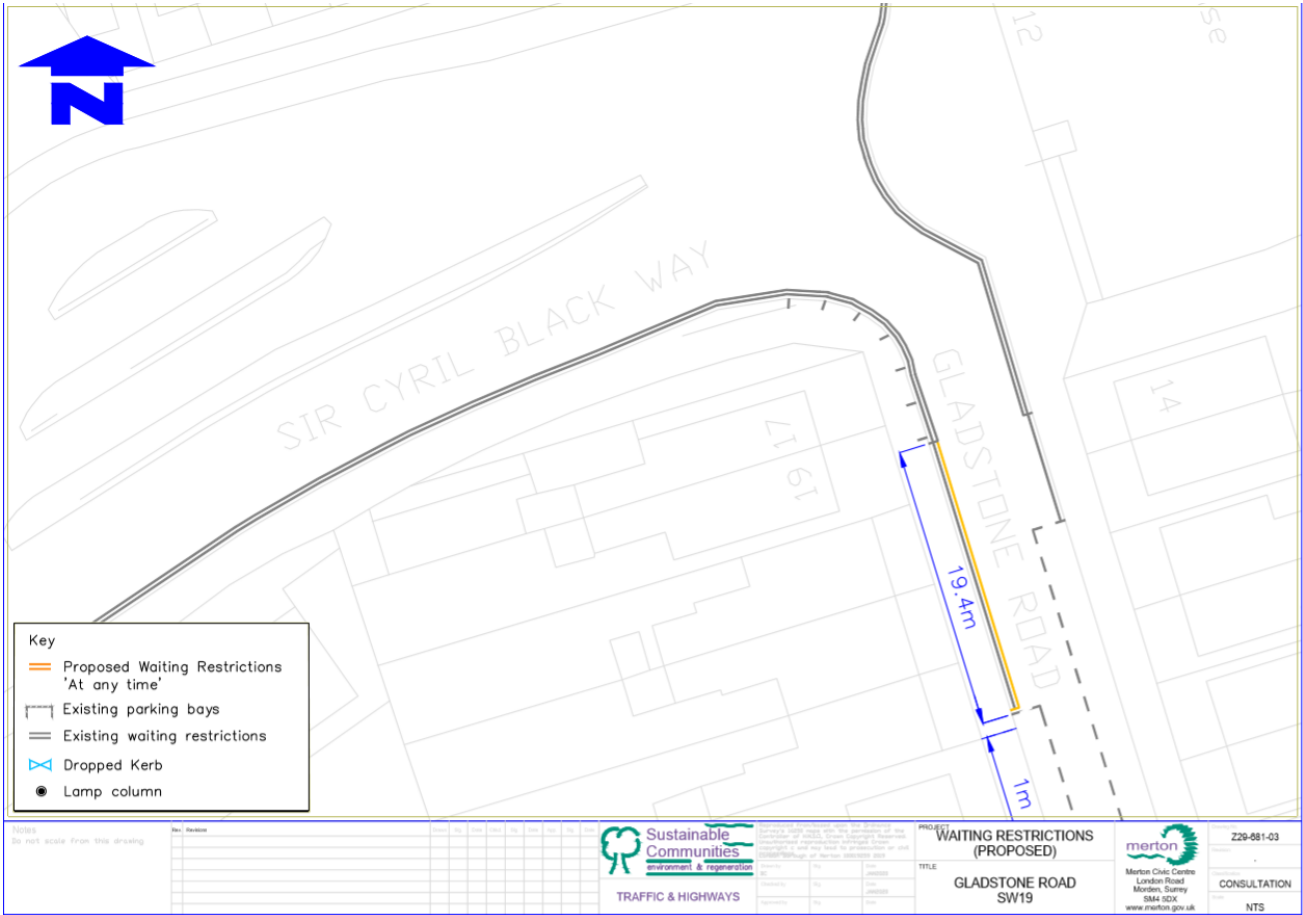
# Marina Ave



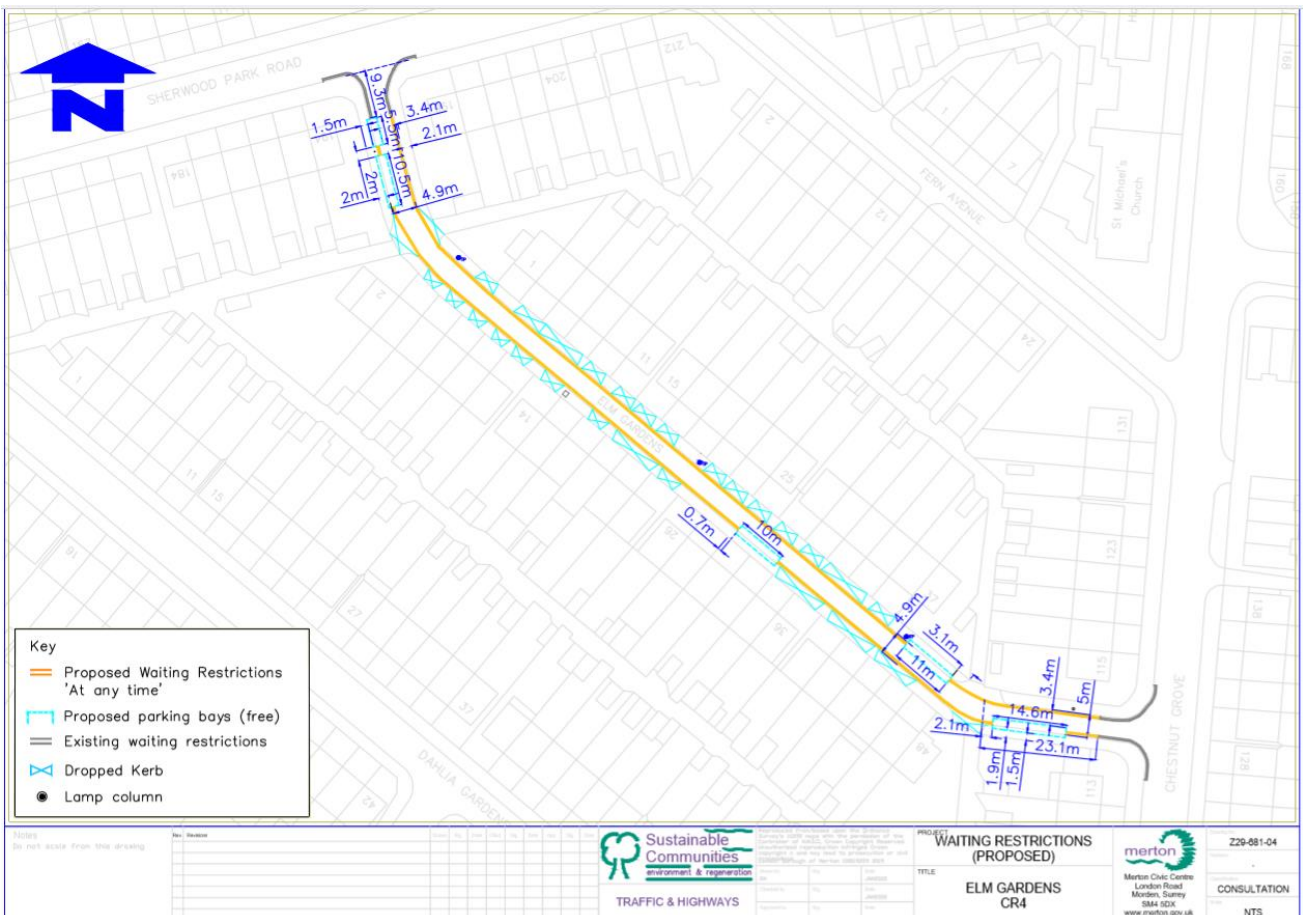
# Lessness Road



# Gladstone Road

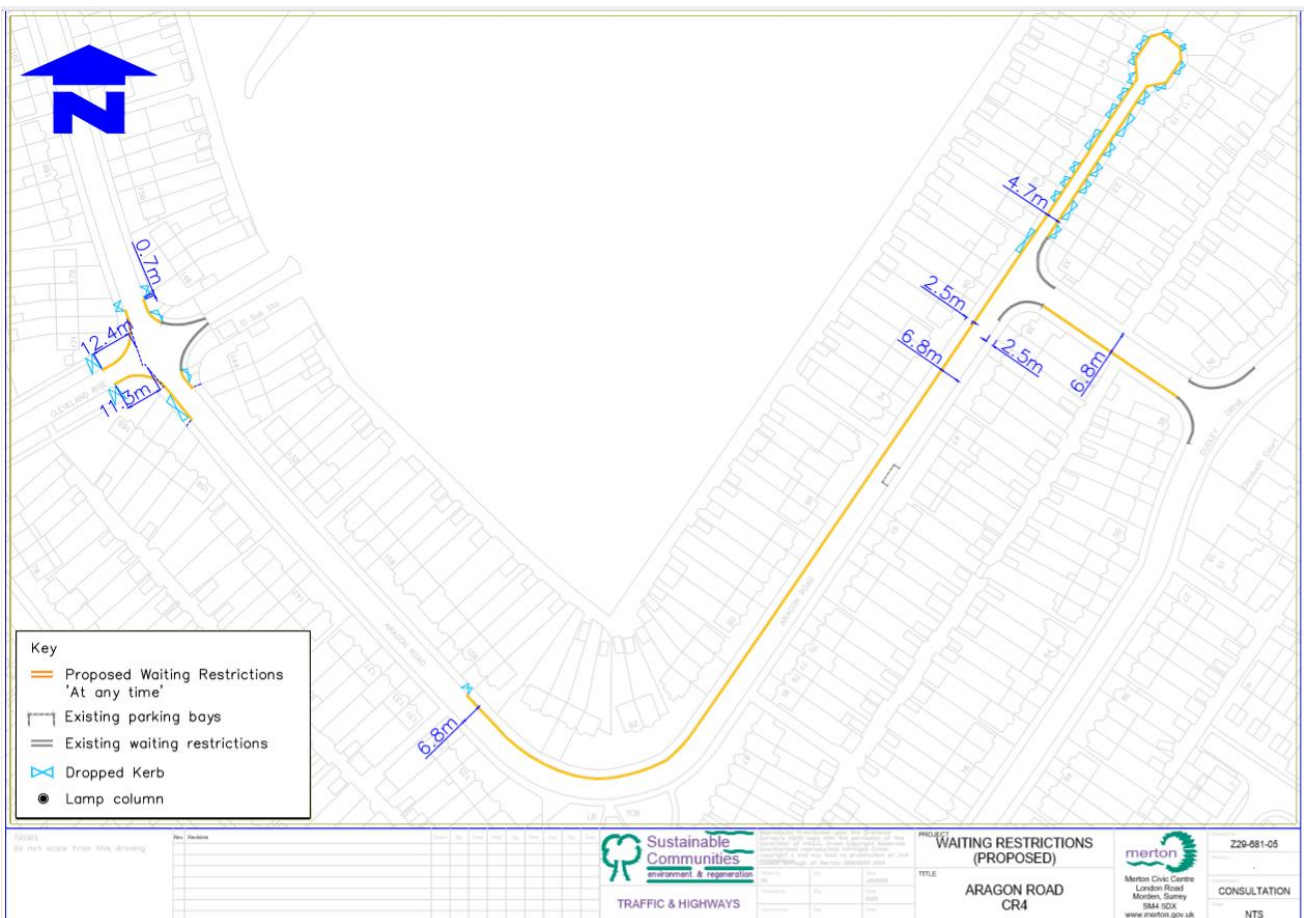
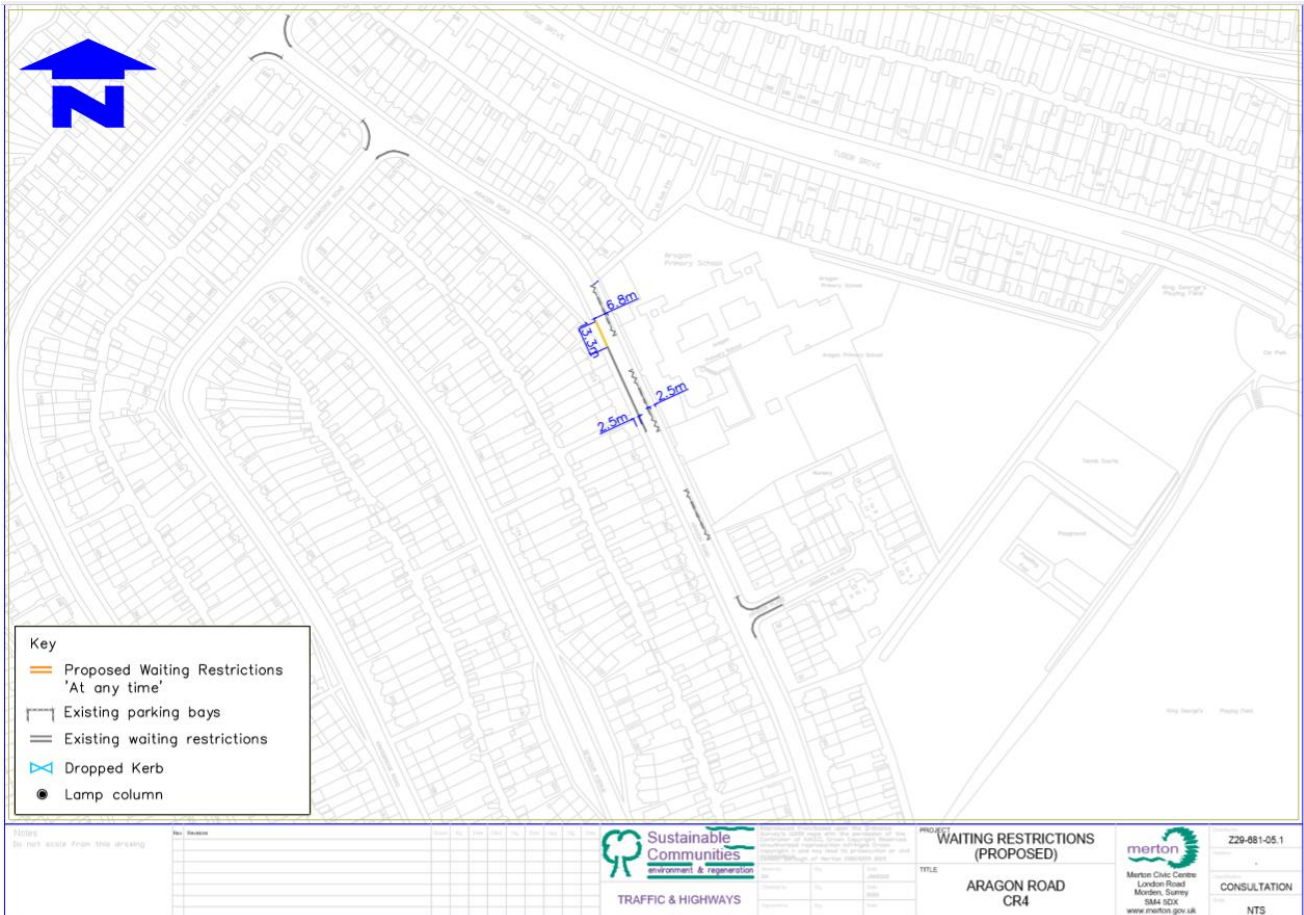


# Elm Gardens

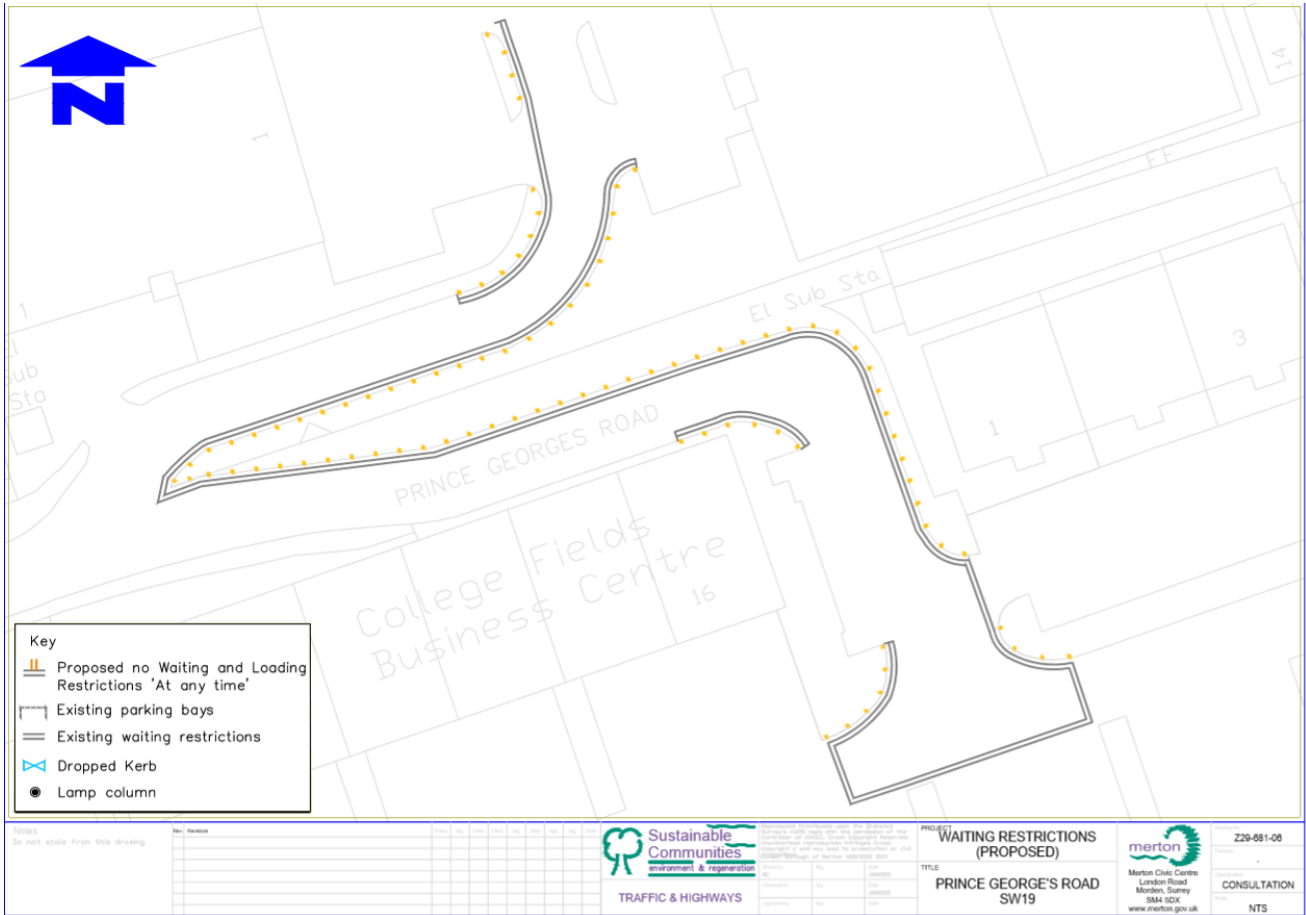




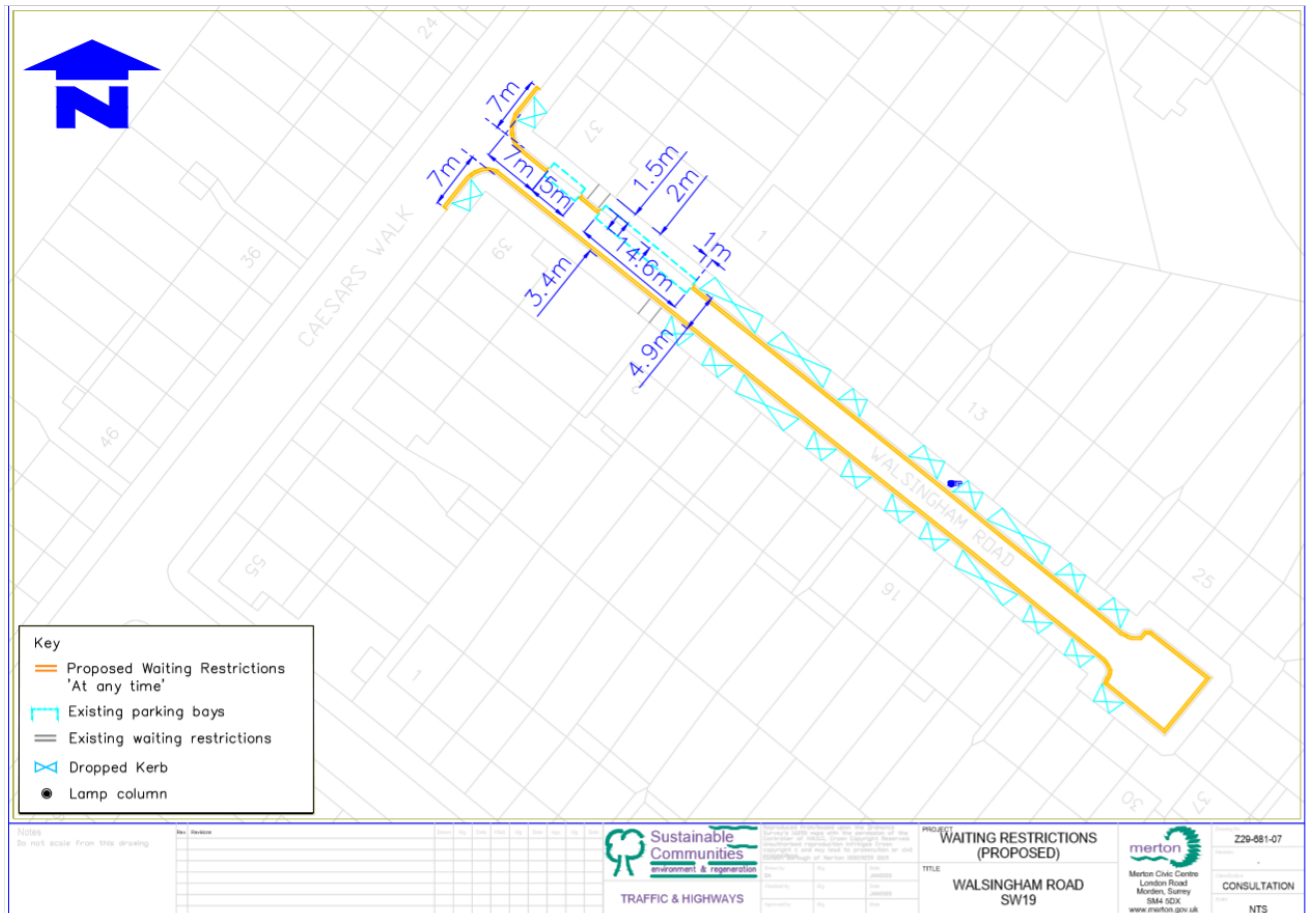
# Aragon Road



# Prince Georges Road

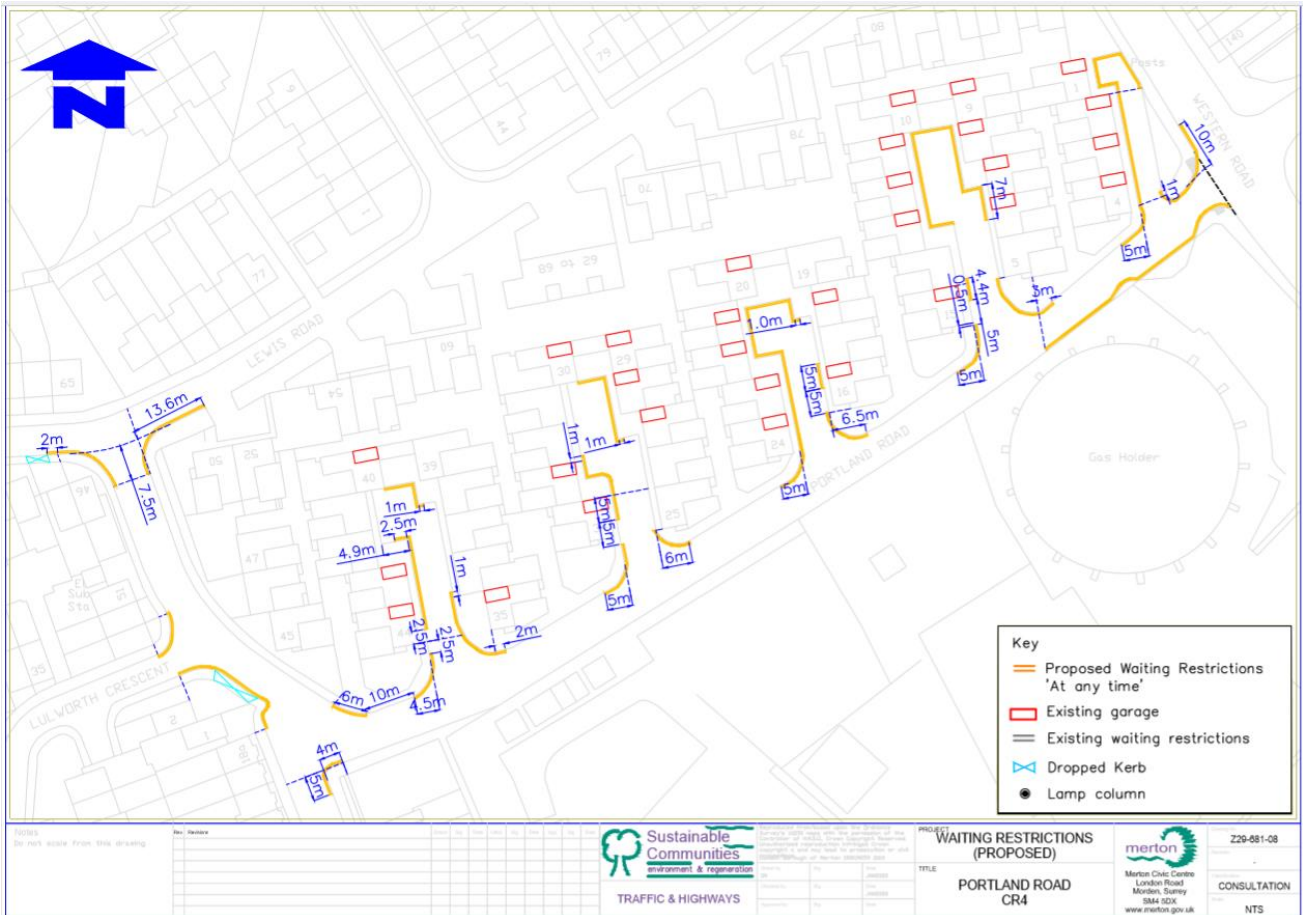


# Walsingham Road





# Portland Road



# Cherrywood lane

