

<b>Committee:</b>	Rights of Way Committee
<b>Meeting Date:</b>	14 January 2015
<b>Lead Councillor/s:</b>	Councillor Graham Newman
<b>Local Councillor/s:</b>	Councillor Len Jacklin, Councillor Bert Poole, Councillor Janet Craig and Councillor Keith Patience
<b>Director:</b>	Mark Hardingham, Chief Fire Officer, Suffolk Fire and Rescue Service & Public Protection, Highways and Transport
<b>Assistant Director or Head of Service:</b>	Alan Thorndyke, Head of Highway Network Management
<b>Author:</b>	Jack Small / Keith Sampson, Area Engineer, Tel. 01502 534307

**Suffolk County Council (Various Roads, Blundeston, Corton and Lowestoft) (Prohibition and Restriction of Waiting and Revocation) Order 201 -**

**Brief summary of report**

1. To consider objections to the advertised Traffic Regulation Order (TRO) for the introduction of new waiting restrictions in various roads within Blundeston, Corton and Lowestoft.
2. There have been multiple objections to the new restrictions, many in the form of signed petitions. 2 objections were received regarding the proposed restriction on Rotterdam Road in Lowestoft and 29 objections were received regarding the proposed restriction on The Close in Corton.

**Action recommended**

That the Cabinet member for Roads, Transport and Planning be recommended to approve the making of the Suffolk County Council (Various Roads, Blundeston, Corton and Lowestoft) (Prohibition and Restriction of Waiting and Revocation) Order 201 - as advertised.

**Reason for recommendation**

3. The proposed waiting restrictions have been designed to prevent obstruction and facilitate the passage of vehicles whilst also improving the safety of pedestrians, in particular school pupils.
4. The proposals have been developed to resolve current road safety, parking and congestion issues that occur in and around the areas included within the order.
5. The proposed parking/waiting restrictions have been selected based on the nature, cause and extents of the parking issues observed. The majority of

residents that responded during the informal local consultation expressed their support towards the proposals.

### **Alternative options**

6. Not to introduce the proposals in full or in part for Rotterdam Road, Lowestoft and The Close, Corton this would have implications on road safety and congestion.

### **Who will be affected by this decision?**

7. Whilst all road users within the respective areas will be affected to some degree, those most affected will be those that are dropping off and collecting school pupils at the start and the end of school days. The vast majority of properties within the areas affected do have sufficient private off road parking. Some residents do not have sufficient private off road parking and therefore will be affected.
8. Additional parking restrictions will mean that parking problems may be displaced onto different roads nearby.

### **Main body of report**

#### **Background**

9. Following local consultations during September and October 2013 on a number of locations in the Oulton and Gunton Divisions, it was agreed with the local county councillors to introduce a number of parking restrictions in streets in both Lowestoft and Blundeston.
10. The proposals were advertised on 8 August 2014 for a period of 21 days, which ended on the 1 September 2014. The current arrangement and proposals are shown in Appendix A and a copy of the published notice and draft traffic regulation order are shown in Appendix B. Objections were received during this period from residents living in Rotterdam Road in Lowestoft.
11. Unfortunately the advertised period fell during the school holiday and when the new school term commenced in September, multiple objections for the proposals for The Close, Corton were received from parents taking their children to school. Although these objections fell outside the objection period, officers feel that they should be considered on the balance of fairness.

#### **Objections**

12. A petition was received from residents of 165 to 175 Rotterdam Road. The petition was titled "We, the owners or occupiers of the above properties (165-175 Rotterdam Road) wish to object to the proposal of no parking outside our homes and instead wish to request resident permit parking only be applied instead". This petition was signed by ten people covering the six properties. (A copy of this petition can be seen in Appendix C).
13. Following discussions with the Gunton Division local County Councillors, the East Area Highways office commenced consultation with the local residents of Rotterdam Road and the nearby Marham Road on the possibilities of extending residents parking to include their roads. Following this, four of the six properties

withdrew their objections. The remaining two properties have made no further contact with the Area Highways Office despite written reminders and it must be concluded that they wish their objection to stand.

14. An e-mail and a petition were received by the East Area Highway Office objecting to the proposals for The Close, Corton.
15. The e-mail was from Jane Jacobs (a copy of the e-mail can be seen in Appendix C) expressing her objection to the proposed restriction on The Close, Corton, expressing the following concerns:
  - a) Many parents do not live within walking distance and have to drive to the School.
  - b) Parking is already very limited and the proposal will make the situation worse.
  - c) Parking close to the school is important as it makes the walk to the school safer.
  - d) The pavements along The Street are not wide enough to safely push a pushchair (it is safer to cross the road from The Close).
  - e) Cannot see how parking on The Close for 10 minutes affects the residents of The Close as driveways are never blocked.
  - f) Feels that the community should be supporting the school and its pupils, not making it harder.
16. A petition titled "Objection to proposed parking restrictions on The Close, Corton" was received and was signed by 28 people. 27 of those which signed the petition were not residents of The Close. There is a statement at the top of the petition reading "With Corton being a small village, the majority of pupils travelling to the school are from outside the area. With the proposed restrictions we feel it would put unnecessary pressure on surrounding roads and with the narrow pavements on The Street it is dangerous and difficult to push a buggy and watch older children. Please sign to support our objections". (A copy of the petition can be seen in Appendix C).

### **Officer Comments**

17. Double yellow lines were introduced in Rotterdam Road in March 2013 following safety concerns about student parking on a dangerous bend near the railway bridge. However, students have now started parking in other places on the road creating additional hazards to road users. The additional parking restrictions are proposed to prevent students parking in areas likely to create a safety hazard.
18. The Close, Corton is a narrow cul-de-sac residential road. At peak school drop off and pick up times residents are regularly obstructed due to the volume of cars. In addition to this there are growing road safety concerns with regards to

the number of children walking along this road due to poor visibility and footway widths.

19. Officers have been advised that the publican of the nearby White Horse Public House has agreed that parents can park in his car park and walk to the school. In addition, the nearby playing field car park is also available to parents to park. The school time only waiting restrictions are deemed necessary in order to minimise the congestion and obstruction problems being experienced by residents.
20. Giving consideration to all objections received we are satisfied that the improvements to safety for school pupils and road users are necessary and recommend that the proposals are introduced as advertised.
21. County Councillors Keith Patience and Janet Craig both support the proposals for Rotterdam Road as the current situation is a road safety problem. At the top of the hill by the sixth form college, pupils have started parking partially on the footway, forcing parents with pushchairs and disabled persons on mobility scooters into the road. Small children use this route walking to and from school as well. Rotterdam Road is a very busy road used by large vehicles and buses and the current proposals are required to resolve this problem. The joining up of the yellow lines proposed opposite 165 to 175 is also required to improve safety.
22. County Councillors Keith Patience and Janet Craig also support the proposals for The Close, Corton. Residents have trouble getting in and out of their properties at school time because of the inconsiderate parking by parents parking in front of their properties. In addition, teachers at the school park all day making it difficult to manoeuvre out of driveways.
23. Sergeant Wright, of Lowestoft Police, supports the proposals for The Close, Corton. The issues of parking around the school in Corton have been difficult to resolve. We have considered various options and spoken with residents who are regularly obstructed because of the volume of cars. We decided through joint consultation that the proposed restrictions around school times were the only option to help resolve this congestion and obstruction. The pavements around the area are small and this causes further problems, cars can't use part of the pavement to clear the roads as there is simply no space to allow this and free movement of pedestrians.
24. The consensus of Corton Parish Council is that the safety of the children is paramount and that the Parish Council therefore agrees with the proposed parking restrictions in The Close.

### **Human Rights Act 1998**

25. The objections need to be considered in the light of the Human Rights Act 1998, S. 6 of which prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights. Two specific convention rights may be relevant:

Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6) which includes property rights and can include opportunities to be heard in the consultation process; and

Peaceful enjoyment of possessions (including property), subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest (First Protocol Article 1).

Other rights may also be affected including individuals' rights to respect for private and family life and home.

Regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole. Both public and private interests are to be taken into account in the exercise of the Council's powers and duties as a traffic authority. Any interference with a Convention right must be necessary and proportionate.

The Council is required to consider carefully the balance to be struck between individual rights and the wider public interest. In this case, officers consider that the interference with Convention rights, if there is any, will be justified in order to secure the significant benefits in improving access and road safety.

#### **Sources of Further Information**

Appendix A - Plans showing the proposed changes

Appendix B - Copy of new Traffic Regulation Order and other associated documents

Appendix C - Copies of objections received following the formal advertisement period