

## Rights of Way Committee

<b>Report Title:</b>	C436/50 Heath Road, Woolpit (Prohibition of Waiting) Order 201-
<b>Meeting Date:</b>	Monday 10 October 2016
<b>Lead Councillor(s):</b>	Councillor James Finch (Cabinet Member for Highways and Transport)
<b>Local Councillor(s):</b>	Councillor Jane Storey
<b>Director:</b>	Geoff Dobson, Director of Resource Management
<b>Assistant Director or Head of Service:</b>	Alan Thorndyke, Head of Highway Network Management
<b>Author:</b>	John Simpson. Senior Engineer. Tel: 01473 341414. <a href="mailto:john.simpson@suffolk.gov.uk">john.simpson@suffolk.gov.uk</a>

### Brief summary of report

1. To consider the objections to the advertised traffic regulation order (TRO) for the prohibition of waiting along Heath Road, Woolpit.
2. After initial consultations with local residents and the parish council it was decided to formally advertise the waiting restrictions detailed in Appendix A and depicted in Appendix B, a location plan is at Appendix E. There was an objection from one residential address in Heath Road. There were five representations in favour of the design advertised. A full list of all formal representations received are included in Appendix C.

### Action recommended

- |  |
|--|
| <ol style="list-style-type: none"> <li>3. That the Cabinet Member for Roads and Transport be recommended to approve the Suffolk County Council (C436 Heath Road, Woolpit) (Prohibition of Waiting) Order 201-</li> </ol> |
|--|

### Reason for recommendation

4. Woolpit Primary Academy was recently expanded to accommodate year 5 and 6 pupils. Local residents have expressed concerns about inconsiderate parking, including conflicts with parents and damage to private property, particularly during the school dropping off and picking up times.

5. Suffolk County Council as the Highway Authority was asked to investigate parking issues in the vicinity of Woolpit Primary Academy. The main aim was to implement waiting restrictions to prevent inconsiderate parking and find the best solution for both residents and those attending the local school.
6. After consultation with the school, parish council and local residents in close proximity to the school, Suffolk Highways proposed to implement the waiting restrictions detailed in Appendix A and B.

### **Alternative options**

7. Leave affected roads as existing and allow current highway conditions to prevail.

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

8. Local residents, their visitors and the pupils, parents and staff of Woolpit Primary Academy.

### **Main body of report**

#### **Background**

9. Following complaints from residents, Woolpit Parish Council, Woolpit Primary School and Woolpit Health Centre, County Councillor Jane Storey contacted Suffolk County Council (SCC) Central Area Highways Team to report inconsiderate parking along Heath Road, particularly at School drop off and pick up times. A number of residents had reported cases of congestion, delays, difficulties exiting their properties and minor property damage which in some cases had led to conflict with parents of children attending the school..
10. Woolpit Primary School had also reported instances of vehicles parking across the School entrance/exit making access and safe passage along Heath Road very difficult, resulting in potentially dangerous driver behaviour.
11. The Health Centre has limited parking facilities and parking occurs on Heath Road when their car park is at capacity.
12. A proposed development for 120 new houses and a car park for the Health Centre have been submitted as an outline planning application, which could potentially remove some parking from Heath Road. Highways officers consider that parental parking should be given consideration during the consideration of this development and the impact on Heath Road reviewed following construction, although it was felt that the current issues required more urgent attention.
13. Councillor Jane Storey has agreed to fund the design of the proposed waiting restrictions that attempt to address these issues.

#### **Consultation**

14. To gain local opinion an informal letter and initial design was sent out on the 13 June 2016 to all of the residents of Heath Road and parts of Steeles Road, Woolpit Primary Academy, the Health Centre, County Councillor Jane Storey, Woolpit

Parish Council and all the statutory consultees. A summary of the resulting responses from this initial consultation is detailed in Appendix D.

15. Most of the residents (with the exception of one) in close proximity to the school requested double yellow lines (no waiting at any time) on both sides of the road.
16. It was also highlighted by residents near to Mill Lane that the current parking issues do not extend as far as Mill Lane and any restriction close to this junction would only highlight current legislation on parking on junctions.
17. It was noted that in addition to the school dropping off / picking up times, the collection of pre-school children between 11:30 and 13:00 hours had become another period for inconsiderate parking.
18. In response to the consultation with local residents and a meeting with Councillors Jane Storey and Woolpit Parish Council, Suffolk Highways amended the design and advertised the proposal detailed in Appendix A and B. The advertised design tries to balance the removal of inconsiderate parking from close to the school whilst maintaining on-street parking for residents (not located adjacent to the school entrance) and parents and visitors to the Health Centre.
19. It is also recommended that a length of un-restricted parking should remain from the access into Hedgehogs to the Mill Lane junction to assist natural traffic calming along Heath Road.

#### **Local County Councillor**

20. The County Councillor for Thedwastre North, Councillor Jane Storey supports the proposal for double yellow lines as the resolution to a number of concerns that have been expressed over a number of years. She has been aware of residents concerns as outlined in previous paragraphs of this report and fully supports the recommendations proposed. Councillor Storey believes parents will be encouraged to use the footpath and cross the road at the appropriate place rather than indiscriminately. The proposal provides a solution to inconsiderate parking and reduces the dangers of parking and small children.

#### **Formal Representations**

21. The TRO was formally advertised from the 10 August 2016 with a deadline for responses of 2 September 2016. Letters referring to the public notices were also sent to residents of Heath Road from just south of the Primary School to Old Stowmarket Road and residents of Steeles Road from Heath Road to Roman Fields (Refer to location plan - Appendix E).
22. A total of six unresolved formal representations were received during the advertisement period. Copies of all unresolved representations are included at Appendix C.
23. One formal unresolved objection was received from all 6 residents of No.1 Heath Road. A further five representations were made in support of the proposals.

## **Objections**

- a) All of the 6 people resident at No.1 Heath Road believe the proposed double yellow line will inhibit their on-street parking at all times.
- b) They would be much more in favour of a single yellow line restriction, for example, 8:30 - 9:30am and 3:00 - 4:00pm term time only.

## **Officer Comments**

- 24 The parking issues witnessed on Heath Road in the vicinity of the school are typical of most situations outside schools without dedicated off-street parking. Short term visitors (parents/guardians) tend to try to park as close to the school as possible to the annoyance of local residents. When designing waiting restrictions in close proximity to a school there is always a balancing act between residents and parents and the probability that waiting restrictions will cause the problems to migrate the issues to neighbouring streets.
- 25 The main focus of the scheme is to concentrate on the area immediately between the school frontage and those residents who have experienced inconsiderate parking on a frequent basis.
- 26 The proposals have been fully consulted upon and developed following feedback from residents (See Appendix D).
- 27 The majority of the residents in close vicinity of the school (up to the entrances to 'Oaklands' and 'Hedgehogs') insisted that double yellow lines be present on both sides of the road.
- 28 The properties that are affected by these restrictions all have access to multiple off-street parking spaces.
- 29 It is acknowledged that the implementation of these waiting restrictions may cause migration of parked vehicles to neighbouring streets.
- 30 The advertised design allows a length of Heath Road between 'Hedgehogs' and Mill Lane to be left unrestricted to allow parking for residents, parents and overflow parking from the Health Centre. It is hoped that this parking will assist in traffic calming and work in tandem with the existing priority system extending south from the school.
- 31 The enforcement of single yellow lines (restrictions at specific times of the day) places a greater burden upon stretched Police resources. Ideally any implemented waiting restriction would be self-enforcing and would not require regular intervention from the Police.

## **Conclusion**

- 32 It should be noted that the proposals are generally supported by residents.
- 33 It is accepted that the restrictions will prevent parking at all times.
- 34 It is felt that double yellow lines (No waiting at any time) restrictions are more likely to be adhered to and self enforcing than single yellow lines (timed restrictions) and would be difficult to address given the reported peaks in parking at the start, middle and end of the school period.
- 35 It is therefore recommended, on balance, that the order be recommended for approval as advertised.

## **Human Rights Act 1998**

- 36 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.
- 37 Two specific convention rights may be relevant:
- a) 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
  - b) 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).
- 38 Other rights may also be affected including individuals' rights to respect for private and family life and home.
- 39 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.
- 40 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**

- a) Appendix A – Advertised Traffic Regulation Order
- b) Appendix B – Drawing of advertised proposals
- c) Appendix C - Formal representations
- d) Appendix D – Previous consultation response summary
- e) Appendix E – Location plan

## **SUFFOLK COUNTY COUNCIL {C436/50 HEATH ROAD, WOOLPIT) {PROHIBITION OF WAITING) ORDER 201-**

Suffolk County Council in exercise of its powers under Sections 1(1), 2 (1) to (3) and 4(2) of the Road Traffic Regulation Act 1984, as amended (which said Act of 1984 is hereinafter referred to as 'the Act of 1984') and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

### **PART 1: INTERPRETATION**

1. (1) In this Order:

'disabled person's vehicle' has the same meaning as in Section 142 of the Act of 1984;

'disabled person's badge' has the same meaning as in Regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000; and

'parking disc' means a device that:

- (a) is 125 millimetres square and coloured blue;
- (b) has been issued by a local authority and has not ceased to be valid;
- (c) is capable of showing the quarter-hour period during which a period of waiting has begun.

(2) For the purpose of this Order a vehicle shall be regarded as displaying:

- (a) a disabled person's badge in the relevant position when:
  - (i) the badge is exhibited on the dashboard or fascia of the vehicle; or
  - (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

so that the front of the badge is clearly legible from the outside of the vehicle; and

- (b) a parking disc in the relevant position when:

- (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle;

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

- (3) Except where otherwise stated, any reference in this Order to a numbered Article or to a Schedule is a reference to the Article bearing that number or to the Schedule in this Order.
2. The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption to the provisions of this Order is without prejudice to the provisions of any other enactment.

## **PART 2: WAITING RESTRICTIONS**

3. Except as provided in Article 4 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait at any time on the lengths and sides of road specified under Type 1 in the Schedule.
  
- 4 .(1) Nothing in Article 3 shall make it unlawful to cause or permit any vehicle to wait on the lengths or sides of road referred to therein for so long as may be necessary to enable:
  - (a) a person to board or alight from the vehicle;
  - (b) goods to be loaded or unloaded from the vehicle;
  - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:
    - (i) building, industrial or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; or
    - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system as defined in the Telecommunications Act 1984;
  
  - (d) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties.
  
- (2) Nothing in Article 3 shall make it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait on the lengths or sides of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same side of road on the same day).

## **PART 3: CITATION**

5. This order may be cited as the Suffolk County Council (C436/50 Heath Road, Woolpit) (Prohibition of Waiting) Order 201- and shall come into operation on

Date:

The COMMON SEAL of SUFFOLK )

COUNTY COUNCIL was affixed )  
in the presence of: )

(An authorised Officer of the Council

## SCHEDULE

### Waiting Restrictions

Type 1: No Waiting At Any Time

ROAD	SIDE	DESCRIPTION	TYPE
Heath Road (C436/50)	South- West	From a point 14 metres north-west of the centre its junction with Steeles Road, in a north-westerly direction for a distance of 70 metres, to a point approximately 69 metres south-east of the centre to its junction with Mill Lane.	1
Heath Road (C436/50)	North- East	From a point 30 metres north-west of the centre its junction with Steeles Road, in a north-westerly direction for a distance of 55 metres, to a point approximately 69 metres south-east of the centre to its junction with Mill Lane.	1





KEY	
	No Waiting at any Time
	'School Keep Clear' Markings
	Cycle Lane

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Jointly managed by  
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 Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2EK

REVISION(S)	REV.	DATE	INTL.

<b>PROJECT TITLE</b> WAITING RESTRICTIONS HEATH ROAD WOOLPIT	<b>ORIGINATOR</b> DS	<b>CHECKER</b> CM	<b>DESIGNER</b> DS	<b>REVIEWER</b> JS
<b>DRAWING TITLE</b> PROPOSED TRO - ADVERTISING	<b>SCALE(S)</b> 1:600	<b>ORIGNAL SIZE AS</b>	<b>DATE</b> JULY 2016	<b>REVISION</b> -
<b>DESCRIPTION</b>		<b>DRAWING NUMBER</b> LA109560/PD/1000/06		<b>REVISION</b> -



## Formal Representations

### OBJECTIONS

1 Heath Road  
Woolpit  
Bury St Edmunds  
Suffolk  
IP30 9RU  
01359 240845

Heather Miller  
Suffolk County Council  
Constantine House  
5 Constantine Road  
Ipswich  
Suffolk  
IP1 2DH

Dear Heather

I wish to object to the proposed traffic regulation order for Heath Road Woolpit reference 109560.

I am fully aware of school safety but I think double yellow lines will affect my freedom and parking 24/7 365 days of the year.

I am much more in favour of single yellow lines between 8.30-9.30 am and 3.00-4.00 pm term time only as done in other counties.

Yours sincerely

Mr Stephen Proctor  
Mrs Christine Proctor  
Miss Cheryl Proctor  
Mr Jonathan Proctor  
Mr Andrew Proctor  
Mr Robert Proctor

## **SUPPORT**

-----Original Message-----

From: CB and JB [<mailto:jake@cbandjb.plus.com>]

Sent: 10 August 2016 20:44

To: Suffolk Highways Enquiries

Subject: Heath Road Woolpit Yellow lines

Dear Highways,

Re the above proposal to paint double lines ref 109560 along a section of Heath Road, we support the idea to try and improve the parking issues in that area.

Regards,  
The Blomfields

**From:** Graham Watson [<mailto:graham.watson42@btinternet.com>]

**Sent:** 10 August 2016 13:53

**To:** Suffolk Highways Enquiries

**Subject:** Proposed Traffic Regulation Order - Heath Road, Woolpit. Your ref: 109560

From:  
Graham Watson,  
Hedgehogs,  
Heath Road,  
Woolpit,  
IP30 9RU

I write to express my support for the proposed Traffic Regulation Order detailed in your letter of 5<sup>th</sup> August.

I would, however, have preferred the double yellow lines on both sides of the road to extend to the junction with Mill Lane, thereby preventing parking in the immediate vicinity of the Health Centre access.

Yours faithfully,

Graham Watson

Sent from [Mail](#) for Windows 10

**From:** Bill Huston [<mailto:billhuston10@gmail.com>]

**Sent:** 18 August 2016 11:58

**To:** Suffolk Highways Enquiries; [heather.miller@suffolk.gov.uk](mailto:heather.miller@suffolk.gov.uk)

**Subject:** Proposed Traffic Regulation Order for Heath Road, Woolpit

Dear Sirs

Thank you for sending me details of the above scheme.

I live at Woodvale, Heath Road. I support any scheme that eases parking and congestion in Heath Road, however, I have the following comments on the latest proposed scheme:

- Whilst I welcome the parking restrictions outlined in your letter and the attached drawing, Reference: 109560 dated 5<sup>th</sup> August 2016, it leads to the question “where will the people who previously parked in this area park in future?” The answer may well be down Heath Road to the South of the school where some school visitors already park. This has previously caused problems in the area of the constriction just in front of our house where traffic approaching Woolpit from the South has to give way to traffic leaving the village from the opposite direction. Increased parking in this area will surely cause further problems. Although not the subject of this communication I would like to add that the constriction outside our house has caused nothing but problems since it was put in place as many drivers ignore the give way sign and drive through the constricted area at speed causing problems for the oncoming traffic. I see many arguments over this on an almost daily basis.
- I notice that the most recent scheme has lesser restrictions to parking than the previous scheme with drawing reference LA109560/PD/1000/02. This is disappointing as the former scheme went some way to addressing the dangerous situation caused by parking on Heath Road in and around the area of the Health Centre entrance. Cars parked on the left hand side of Heath Road (Western side) near the entrance of the Health Centre cause a particular problem for traffic travelling North as it is not possible to get a good view ahead due to the curve in the road.

I look forward to you implementing any scheme that helps ease the congestion and potentially dangerous situation caused by inconsiderate parking near the School and Health Centre.

Yours faithfully,

Bill Huston

-----Original Message-----

From: Karl Hale [<mailto:karlhale1137@btinternet.com>]

Sent: 25 August 2016 22:59

To: Heather Miller

Subject: Ref: 109560

Dear Heather

I am writing in support of the proposed traffic regulation regarding double yellow lines along Heath Road, Woolpit, Suffolk.

I have lived here with my wife for approximately 20yrs in between the health centre and school We have always encountered inconsiderate parking which has escalated over the past few years as the school has increased its students.

Our property is located on the same side as the school and our driveway is opposite the first available parking spaces to it so regardless whether or not 2 or 10 cars park along Heath Road we are the ones who always have vehicles opposite our driveway. It makes it dangerous to enter/exit property as all vehicles are forced onto our side of the road and have no consideration for anyone emerging onto the road. We have also had damage caused to our property and never been able to obtain perpetrators details as they never stop, We have seen the road gridlocked on numerous occasions, observed road rage where passing traffic has mounted kerb where the children walk to school just to get by.

I welcome anything which will prevent cars parking at any time so we can go about our business.

Kind regards

Karl Hale

-----Original Message-----

From: Sara Hale [<mailto:karlsarahale@btinternet.com>]

Sent: 19 August 2016 11:29

To: Heather Miller

Subject: Ref: 109560

Dear Heather

I am writing in support of the proposed traffic regulation regarding double yellow lines along Heath Road, Woolpit, Suffolk.

I have lived here for approximately 20yrs inbetween the health centre and school (our location can be seen on map posted through door with letter), although you expect it to be busy we have always encountered inconsiderate parking which has escalated over the past few years as the school has increased it students. This will only become worse with the 120 homes granted permission in Old Stowmarket Road and a further 3 developements being proposed.

Our property is located on the same side as the school and our driveway is opposite the first available parking spaces to it so regardless whether or not 2 or 10 cars park along Heath Road we are the ones who always have vehicles opposite our driveway. It makes it dangerous to enter/exit property, we have had damage caused to our property and never been able to obtain perpetrators details as they never stop, i have seen the road gridlocked on numerous occasions, observed road rage where passing traffic has mounted kerb where children walk to school just to get by.

We have asked parents to move and received abuse, inflammatory comments have even been posted on face book by parents to the point parish council and Police were informed. A car rear window was even smashed on one occasion because it was parked for a long period of time. The school regularly sends out emails to parents but to no avail, a typical example the road was gridlocked for 30mins recently because a construction lorry could not get through and the Police were called to resolve, the school sent an email asking parents not to park on Heath Road the next day being their sports day but to park at village hall etc. I saw outside my property from junction of Steeles Road to number 5's driveway 4 cars squashed in and it continued all the way up the road to health centre!

It has become worse as cars now park 3 times a day, 8.30-9.30am, 11.30-1pm, 2.30-3.30pm making it awkward for people making deliveries, family and friends to visit. My husband runs a part time business which involves the use of a trailer and he has found often he cannot leave or return which affects business.

So i welcome anything which will prevent cars parking at anytime so we can go about our business.

Kind regards

Sara Hale, Low Road Cottage, Heath Road, Woolpit



## Previous Consultation Response Summary

A previous design was proposed which included a combination of timed and no waiting parking restrictions in Steeles Road and Heath Road upto the Mill Lane junction. An informal consultation was undertaken to assess the views of potentially affected residents and other key stakeholders. We received responses from ten addresses including the school. The following is a summary of the responses we received.

The original design was amended in consideration of these responses and the final TRO design was then sent out to consultation and for advertising as detailed in the report.

### **Summary of Support Responses:**

- Some residents suggested that the proposal will be a safer option than what is already in place.
- Some residents support the proposal but in addition would prefer to see double yellow lines on the east side of the carriageway adjacent to Oaklands and the Health Centre.
- The school supports the proposal, but would like restrictions to cover their access.

### **Summary of Objection Responses:**

- Consensus that the problem will migrate.
- Property owners on Heath Road have highlighted that this will restrict residential / visitor parking and impact parking availability at the Health Centre.
- Residents have concerns that new traffic signs would not be in-keeping with the area.
- Proposals are too restrictive for the scale of the problem.
- Residents in close proximity to the School supports double yellow lines on both sides.
- It is reported that similar problems exist between the times of 11.30-13.30hrs due to the pre-School pick up.
- The Parish Council have also suggested a 20mph speed limit should be considered.

- Parish Council and a number of residents objected to the proposal as they would prefer double yellow lines on both sides of the carriageway from a point south of the School to Old Stowmarket Road.
- Residents near Mill Lane have highlighted that the current parking issues do not extend as far as Mill Lane.



File Path \\P-FS-004\suffolkhighways\1\_ARCHIVE\Schema Delivery\_Central Schemes\109560 Woolpit Heath Road TR0\3. Drawing Records\Heath Road...dwg

Plot date 12/09/2016

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<p><b>REVISION(S)</b></p>		REV.	DATE	DWL.
<p><b>DESCRIPTION</b></p>				
ORIGINATOR	CHECKER	DESIGNER	REVIEWER	
JF	CM	JF	JS	
SCALE(S)		ORIGINAL SIZE	DATE	
NTS		A4	September 2016	
DRAWING NUMBER			REVISION	
LA109560/LP/001				
<p><b>PROJECT TITLE</b></p> <p>Waiting Restrictions                  Heath Road                  Woolpit</p>				
<p><b>DRAWING TITLE</b></p> <p>Location Plan</p>				

