

Rights of Way Committee

Report Title:	Consideration to Objections to the Making of Traffic Regulation Order 201-; Various Locations in Ipswich
Meeting Date:	Wednesday 25 January 2017
Lead Councillor(s):	Councillor James Finch (Cabinet Member for Highways and Transport)
Local Councillor(s):	Councillor Sarah Adams & Councillor Inga Lockington (St Margaret's, Ipswich) Councillor Sandra Gage (Rushmere, Ipswich) Councillor Mandy Gaylard (St Helens, Ipswich) Councillor Peter Gardiner & Councillor Helen Armitage (Chantry, Ipswich)
Director:	Geoff Dobson, Director of Resource Management
Assistant Director or Head of Service:	Alan Thorndyke, Head of Highway Network Management
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Brief summary of report

1. To consider the objections to the advertised draft Traffic Regulation Order (TRO) which proposes to introduce waiting restrictions in Ipswich
 - a) The draft TRO combines a number of locations and is not specific to a single road / street.
 - b) There have been a total of 8 objections received to 4 locations proposed under this draft TRO.
 - c) Roads where objections have been received are Cavendish Street (1), Constitution Hill (5), Radcliffe Drive (1) and Sidegate Lane West (1). This report is intended to assist the Committee in considering the objections received.

Action recommended

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| <ol style="list-style-type: none"> 2. That the Cabinet Member for Roads, Transport and Planning be recommended to approve the making of the Suffolk County Council (Ipswich Borough Council) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Loading Restrictions, Loading Areas and On-Street Parking Places) (Consolidation) Order 2005 (Various Roads) (Prohibition and Restriction of Waiting and Loading and On-Street Parking Places) (Variation No. *) Order 201- |
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Reason for recommendation

3. Each of the locations where objections have been received and the reasoning behind the restraints at these locations are detailed as follows:
4. Cavendish Street & White Elm Street, Ipswich (St Helens)
 - a) Cavendish Street is mixture of residential and local business units with distinct separation of both types of property. The area being considered is to the west of Padbrook Court and consists predominately of local business units and car parks. (Location plan and extent of proposed restrictions as per plan dated 15 December 2016 (Appendix A).
 - b) Cavendish Street is subject to high volumes of on-street parking. This extends to the junctions with White Elm Street (east and west) and Felixstowe Road. This makes manoeuvring at these junctions challenging and compromises the safe pass and re-pass of all road users.
 - c) Vehicle volumes in the morning and afternoon peaks times are high.
 - d) Local businesses have complained that the high levels of on-street parking are impacting on day to day operations. Business accesses being either blocked or partially obstructed.
 - e) Business establishments have substantial off street parking facilities and do not rely solely on the on-street parking provision but need to utilise access points on both Cavendish Street and White Elm Street.
 - f) It is recommended that the net effect of these restrictions will be that the junctions are clear of vehicles. This will give motorists greater visibility and easier manoeuvring capabilities to and from all adjacent roads. Although there is not a high level of recorded accidents it is anticipated that these junctions will become safer as a result.
 - g) This recommendation will result in local business accesses being kept clear of obstruction so that normal day to day operations are not compromised.
 - h) This recommendation changes an existing limited time waiting restriction at the access from Cavendish Street to a prominent electricity sub-station to a full waiting restriction. This enables unrestricted 24hr access should there be the need to.
5. Constitution Hill, Ipswich (St Margaret's)
 - a) Constitution Hill is a street with residential dwellings and access to an adjacent school. The area being considered encompasses the carriageway to the west of Brackenbury Close along to the east of Warrington Road including both Brackenbury Close and Warrington Road (Location plan and extent of proposed restrictions as per plan ref N6 Appendix A).
 - b) The element of Constitution Hill for consideration is narrow and has a steep gradient of elevation from west to east where visibility can be made difficult because of this.
 - c) Constitution Hill is subject to high levels of on street residential, school and commuter-related parking. Parking that narrows the available carriageway making it difficult for vehicles to pass easily or safely.
 - d) All affected properties in this area have facilities to park 'off street' with vehicular access onto Constitution Hill. These accesses are often

obstructed. Vehicles parked adjacent to these accesses do reduce the quality of visibility for residents accessing and exiting their driveways.

- e) Warrington Road is part of a current bus route. Buses exiting Warrington Road find it difficult to manoeuvre safely onto Constitution Hill with visibility and road width restricted by parked vehicles.
 - f) This recommendation incorporates both 'no waiting at any time' restriction at the junctions with Constitution Hill (Brackenbury Closes and Warrington Road), a small length of 'no waiting at any time' restriction to provide a passing place for road users (Constitution Hill, mid-point on hill) and 'restricted waiting' (Mon-Sat 8am – 6pm) to the south side of the street (adjacent to dwellings).
 - g) The effects of these recommendations will:
 - i) provide protection against vehicles parking around the junctions compromising the safe manoeuvring of all vehicles, including buses, to and from Constitution Hill
 - ii) restrict parking outside of residential properties during the normal day (8am – 6pm) to promote the safe manoeuvring of residents in and out of their driveways.
 - iii) Provide a passing place on this narrow road for vehicles meeting.
6. Sidegate Lane West, Ipswich (Rushmere)
- a) Sidegate lane West is a mixture of residential dwellings, shopping premises in a promenade and Northgate School to the east. The area for consideration is the west of the road at the junction with Colchester Road and the circulatory element adjacent to the shopping promenade. There is an adjacent traffic signal crossing which is heavily used during school times. (Location plan and extent of proposed restrictions as per plan ref L10 Appendix A).
 - b) The road for consideration has an element of one direction travel from Colchester Road (A1214) and is subjected to many vehicular and pedestrian movements as well as on a high levels of on-street parking.
 - c) There are currently some time restricted parking provisions in the area (single yellow lines) and limited waiting bays (adjacent to shops). This proposal maintains the existing limited waiting bays but changes the time restricted parking locations to 'no waiting at any time'. These changes together with the addition on new restrictions will provide a greatly improved and clearer approach to parking in the area.
 - d) This area has high pedestrian usage by virtue of the fact of the adjacent shopping promenade and a busy route for students to and from the adjacent school.
 - e) On-street Parking is currently provided for motorists visiting the shopping parade.
 - f) This recommendation will restrict parking in and around both of the junctions with Colchester Road with the effect of:
 - i) providing greater visibility and manoeuvring capability for motorists utilising the area.

- ii) Give the significant numbers of motorists and pedestrians using the area greater visibility of each other making it less congested and safer.
7. Radcliffe Drive, Ipswich (Chantry)
- a) Radcliffe Drive is a residential street with a high level of on and off street parking with the majority of dwellings having driveways. The area for consideration is the junction with Clifton Way. (Location plan and extent of proposed restrictions as per plan ref L10 Appendix A).
 - b) The road has traffic calming to control potential speeding and safety issues.
 - c) Manoeuvring from Clifton Road is problematic by virtue of the fact that a number of vehicles park close to the junction. This situation compromises visibility of motorists trying to undertake this manoeuvre.
 - d) The proposal to provide 'no waiting at any time' at this junction will stop vehicles parking too close to give greater visibility to all road users making it safer.

Alternative options

8. Do nothing and allow current highway conditions to prevail on the roads where the objections are upheld.

Who will be affected by this decision?

9. All road users, bus companies and residents in the respective areas of consideration.

Main body of report

Background

- 10. Suffolk County Council's Ipswich Area Highways Team records all complaints, enquiries and accident statistics made in regard to parking issues by all stakeholders in the Borough of Ipswich.
- 11. All such requests are professionally evaluated and the provision of including or amending waiting restrictions are only taken forward where parked vehicles are considered to present road safety or traffic management concerns.
- 12. The latest draft Traffic Regulation Order combines all streets that have gone through the evaluation process where it has been adjudged by officers that changes should be made to make existing conditions safer or resolve existing traffic management issues. (Draft TRO is included as Appendix D)
- 13. 41 Streets are included within the draft TRO for which only four of the proposed locations have received objections.

Consultation

- 14. Informal consultation was undertaken during February 2016 in all of the proposed 41 areas with all statutory Consultees asked to provide comments and feedback prior to the formal development of each individual scheme.
- 15. Comments received were incorporated into the final proposals where possible.
- 16. Statutory Consultation commenced on the 18 July 2016 for a period of 21 days. This involved the draft Traffic Regulation Order being advertised in local press

and displayed on site and all Statutory Consultees being contacted. (list of Statutory Consultees as per Appendix C)

17. Councillor Sandra Gage has formally given her support to all the proposals in Rushmere under this draft TRO including Sidegate Lane West where an objection has been received.
18. Ipswich Borough Council has formally given support for all of the proposed parking restrictions that form this draft TRO
19. The Statutory Consultation has resulted in receiving 8 objections to the draft TRO proposals.
20. One of the aforementioned objections was received after the end of the advertising period for objections. This was for proposals in Radcliffe Drive. As the objector is directly affected by the proposal a view has been taken by the Area Team to take this objection to the Committee.

Objections and Officer Comments

21. Objections have only been received by affected residents, there is support by all other stakeholders for this draft TRO.
22. The following people are considered to have formally objected to the published draft Traffic Regulation Order:

a) Cavendish Street & White Elm Street Ipswich (St Helens):

i) Objector 1, 107 Cavendish Street.

Objection - to the fact that no yellow lines are proposed for Cavendish Street, between White Elm Street (east) to Upper Cavendish Street as there are parking problems here. Back gate is often blocked by cars.

(actual wording of objection correspondence included in Appendix B)

Officer Comments

The extent of the restrictions has been considered and do not extend to the objector's property. There is an existing high level of on-street parking in the area. The impact of these proposals on residents of Cavendish Street will be monitored and a review undertaken should the existing on-street parking situation be exacerbated. Poor parking, blocking of property access gates, requires enforcement which is undertaken by Ipswich Borough Council the Civil Parking Enforcement Authority.

b) Constitution Hill, Ipswich (St Margaret's)

i) Objector 1, 10 Brackenbury Close

Consideration should be given to residents of Brackenbury Close as the proposal will just move the parking problem to the Close which is a narrow, winding, uphill road.

(actual wording of objection correspondence included in Appendix B)

Officer Comments (See below)

ii) Objector 2, 29 Constitution Hill

Runs a Guest House and proposed restrictions will present considerable difficulties. Could peak time only restrictions be considered instead to stop commuter parking.

(actual wording of objection correspondence included in Appendix B)

Officer Comments (see below)

- iii) Objector 3 - 6 Brackenbury Close.

‘Appalled that SCC want to displace parking into the narrow Close. Large vehicles have biggest problems if cars are parked on the bend as they have to mount the pavement and sometimes damage the Cable TV Box. Please consider residents only parking’

(actual wording of objection correspondence included in Appendix B)

Officer Comments: (points i, ii & iii)

The condition in Brackenbury Close will be monitored and reviewed following the implementation of the restrictions. It is hoped that the additional double yellow lines installed at the entrance to Brackenbury Close from Constitution Hill will dissuade some drivers. The overriding factor in this case is to increase safety on the through route of Constitution Hill, this could have an impact on Brackenbury Close which is a cul-de-sac.

- iv) Objector 4 - 37 Constitution Hill

The restrictions should be on the other side of the road to allow visitors, tradespeople, emergency services etc. to park outside the houses.

(actual wording of objection correspondence included in Appendix B)

Officer Comments

Restrictions on the south side as proposed amongst other factors will negate the risk of vehicles parking and obstructing adjacent residential driveways. Parking is still permitted on the other side of the road for such visitors.

- v) Objector 5, 35 Constitution Hill.

Residents will be even more inconvenienced as there will be nowhere for tradesmen or visitors to park. At least under the current system there is a guaranteed space across my drive. The situation could be remedied by restricting parking on the North side.

(actual wording of objection correspondence included in Appendix B)

Officer Comments

As per Officer Comments to Objector 4

- c) Sidegate Lane West, Ipswich (Rushmere)

- i) Objector 1- Ace Hair and Beauty

Double Yellow Lines (DYL) across driveway will have major detrimental impact on business as customers use the area to park. Elderly and disabled customers will not be able to use salon. Currently

easy access attracts custom. There has never been a problem, would like to know why the DYL are needed now?

Officer Comments

The purpose of the restrictions in this location is to prevent vehicles parking adjacent to the junction. This will give greater visibility for drivers manoeuvring at the junction for all road users in particular pedestrians. The property in question has a dropped kerb and the facility for patrons to park on the shop frontage. Customers can also park in the limited waiting bays adjacent to the property.

d) Radcliffe Drive, Ipswich (Chantry)

i) Objector 1 - 50 Radcliffe Drive

Objects to restrictions being put across the property frontage as this would stop occupants being able to park on the road. Parking in the properties driveway is very difficult as it is steep and causes concerns with the safety of undertaking this manoeuvre so it is not undertaken.

Officer Comments

Restrictions only extend to partially cover the property leaving the existing driveway and dropped kerb clear. The suspension of vehicles parking directly adjacent as the occupier of this property does, makes it safer to utilise the existing off street parking provision.

Human Rights Act 1998

23. The objections need to be considered in light of the Human Rights Act 1998, Section 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:

- 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).

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 – Location Plans including the Extent of the Proposed Restrictions.

Appendix B – Correspondence of Objection

Appendix C – List of Statutory Consultees

Appendix D – Draft Traffic Regulation Order