

## Rights of Way Committee

<b>Report Title:</b>	Chattisham Lane & A1071 George Street, Hintlesham Prohibition and Restriction of Waiting Order
<b>Meeting Date:</b>	Wednesday 25 January 2017
<b>Lead Councillor(s):</b>	Councillor James Finch (cabinet Member for Highways and Transport)
<b>Local Councillor(s):</b>	Councillor David Busby
<b>Director:</b>	Geoff Dobson, Director of Resource Management
<b>Assistant Director or Head of Service:</b>	Alan Thorndyke, Head of Highway Network Management
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### Brief summary of report

1. To consider objections to the advertised traffic regulation order (TRO) for the introduction of new prohibition and restriction of waiting in Chattisham Lane and George Street, Hintlesham. The Rights of Way Committee will then submit a recommendation to the Cabinet Member for Highways and Transport.

### Action recommended

2. That the Cabinet Member for Highways and Transport be recommended to approve the making of the Suffolk County Council (Parish of Hintlesham) (U4305 Chattisham Lane and A1071 George Street) (Prohibition and Restriction of Waiting) Order 201- as advertised, with the following amendment:
  - a) That No Waiting 8am-4pm Mon-Fri on the north east side of A1071 George Street for 14.5 metres, opposite the junction with Rectory Lane, be omitted.

### Reason for recommendation

3. The purpose of the advertised Order is to improve road safety and to prevent congestion on the A1071 George Street, where on-street parking at school times restricts the free flow of traffic and presents a hazard to pedestrians and other road users.
4. A copy of the TRO as advertised is included at Appendix A.

## **Alternative options**

5. Reduce the length of the proposed waiting prohibition or restriction, thus providing only a partial improvement to road safety and traffic flow.
6. Make the proposed restriction of waiting between 8am and 4pm apply only during school term time.
7. Do nothing and allow the current situation to continue, thus taking no action to address existing road safety hazards.

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

8. All road users travelling along the A1071 George Street will benefit from making the Order, as it includes measures to improve road safety and to reduce existing hazards within the highway.
9. Pedestrians, including schoolchildren and their parents, will be affected, because the proposed measures will improve some of the existing road safety conditions in the area of Hintlesham and Chattisham Primary School.
10. Parents who drive their children to school may be inconvenienced by the Order, as many who currently park on George Street outside the school would be unable to do so.
11. Residents living in close vicinity to the school will benefit from making the Order, because it will prevent parking outside their properties, therefore reducing any existing visibility or access issues experienced at school times.
12. Other occupants of George Street may be adversely affected by the Order, due to the potential for any displaced parking to create new problems in other parts of the village.

## **Background**

13. George Street forms part of the A1071, which is a busy, strategic route leading into Ipswich from Hadleigh and Sudbury. The road is single carriageway and sufficiently wide to accommodate most two-way traffic. It does however, experience high levels of HGV traffic, which causes particular concern if vehicles are being driven inappropriately for the road conditions.
14. Hintlesham and Chattisham Primary School is located on George Street. There is limited on-site parking for staff, but no parking facilities are available to parents. Subsequently, on-street parking outside the school becomes highly sought after and many typical school time hazards are magnified by the fact that George Street is a principle road, not a residential street.
15. Local arrangements are in place to enable some parents to park their vehicles in the nearby pub car park, The George. Parents and children then have a short walk to the school along the northern footway. Other parents currently park in the grounds of the community centre, which is located at the junction of George Street and Timperleys, though it is not clear whether this arrangement has been agreed with the management. This means that parents and children have to cross George Street at the signalled pedestrian crossing, before walking along the northern footway to the school.
16. The measures contained in the advertised Order have been proposed to address existing road safety concerns in George Street, which occur at school drop off and collection times. Observed and reported concerns include:

- a) Children appearing between parked vehicles
  - b) Frequent (and sometimes rushed) parking manoeuvres in and out of available spaces outside the school in close proximity to children and parents walking to school.
  - c) Traffic passing in very close proximity to opposing flows and parked cars and inappropriate manoeuvres to avoid waiting for opposing traffic flows.
17. The measures include new prohibition of waiting (double yellow lines) at the George Street / Chattisham Lane junction, to prevent on-street parking where drivers' visibility could be severely compromised. Extensive new waiting restrictions (single yellow lines operating 8am-4pm Mon-Fri) are proposed along George Street and Chattisham Lane to facilitate the passage of traffic, improve forward visibility and to reduce current levels of school time on-street parking and its associated hazards. The single yellow line would operate every week and not just during term time to make enforcement easier.
  18. The measures included in the advertised Order are in response to concerns raised by local residents, the school, some parents and the local County Councillor.
  19. The drawing detailing the advertised proposals is shown in Appendix B.

## **Consultation**

20. Consultation on the proposals was undertaken for a three week period between 8 June - 1 July 2016 to gauge the views of the public and the statutory bodies. Letters were delivered to 25 properties on George Street, including the school, which then cascaded relevant information to parents.
21. Suffolk Police responded to the consultation on 23 June 2016, confirming their agreement with the need to implement such measures in order to improve existing road safety conditions, though the Safer Neighbourhood Team stated that current resourcing levels may impair their ability to respond to calls for enforcement.
22. Four responses were received from local residents and concerned parents. This included a petition signed by 44 people, requesting that implementation of speed control measures be considered prior to the introduction of parking restrictions. The petition represented parents, grandparents and others taking children to the school, with the purpose of ensuring a safe route to school. The petition also requested easily identifiable disabled parking spaces outside the school to cater for disabled pupils.
23. The comments received during the consultation were considered by Suffolk County Council officers, but the original proposals remained largely unchanged as the proposed Order was finalised.
24. The only change to the original proposals was the inclusion of a new 14.5 metre length of waiting restriction on the north east side of George Street outside the Forge Garage, to prevent parked vehicles obstructing the dropped kerb.
25. The TRO was formally advertised for a three week period between 3 - 25 November 2016. During this time the statutory bodies were consulted again, but this time on the final proposals.
26. Suffolk Police responded to reaffirm their earlier comments.

27. To coincide with the advertisement period, a further letter drop was undertaken to inform local residents and businesses of the final proposals. Letters were delivered to all recipients included during the consultation and each letter contained an explanation of the proposals and a copy of the plan and the public notice, which provided guidance on making a formal representation.
28. Local Councillor David Busby supports the proposal.

### **Formal representations**

29. A total of three formal representations were received in relation to the advertised TRO, all of which are considered to be objections to the Order (as advertised). Copies of all correspondence are included at Appendix C.
30. Of the responses received, two were made by concerned parents (Objections 1 & 2) and a further representation was made by a local business owner (Objection 3). These are summarised as follows.

### **Objections 1 & 2**

31. Both parents expressed concern about how the proposed measures will impact on the safety of their children and other families making their way to the Primary School.
32. They consider that the greatest risk to their safety is the speed of passing traffic and overrun of the footways. These hazards are intensified when large vehicles are involved, because the wind turbulence they create can pull pedestrians towards the road. Larger vehicles are also more likely to mount the kerb and parents claim that this is a regular occurrence, because the road cannot adequately accommodate the large vehicles passing in both directions.
33. The current on-street parking adjacent to the northern footway provides a physical barrier to protect schoolchildren from passing traffic at school drop off and collection times. Parents claim that if the proposed measures are implemented, there would be no parked vehicles to shield the children from the abovementioned hazards and the potential for a serious or fatal accident involving a pedestrian may increase.
34. The objectors have requested that further road safety measures are implemented if the Order is approved, to tackle speeding traffic and to compensate for the loss of physical protection provided by the parked vehicles.

### **Officer Comments regarding Objections 1 & 2**

35. George Street has a permanent speed limit of 30mph. Speed data was recorded during October 2016 outside the property Richmond, 135m east of the proposed measures. This identified eastbound traffic speeds of 34mph (mean) & 39mph (85th percentile) towards Ipswich and westbound speeds of 33mph (mean) & 38mph (85th percentile) towards Hadleigh. Earlier speed data recorded during January 2014 was captured on George Street near its junction with Chattisham Lane, closer to the school. This data demonstrated traffic speeds of 30mph (mean) & 35mph (85th percentile) towards Ipswich and westbound speeds of 28mph (mean) & 32mph (85th percentile) towards Hadleigh. The available speed data indicates that there is better compliance with the permanent speed limit in the area of the school, though generally not in relation to the advisory '20's Plenty'. Motorists are more inclined to exceed the permanent speed limit as they leave the built-up area, as would be anticipated.

36. Speed enforcement is carried out periodically on George Street. However, the figures mentioned at Item 33 indicate that existing arrangements are not adequate to effectively address the problem of excessive traffic speed. Consideration should be given to increasing the frequency of speed enforcement, or use of temporary variable message signs to highlight to motorists their actual speed.
37. Hintlesham and Chattisham Primary School is located within an advisory '20's Plenty' zone, which extends from Chattisham Lane to the east of Belfry Cottage. A single 20's Plenty sign is located on each approach and school warning signs are also present. The proposed measures will reduce on-street parking, visually opening up the road and potentially emphasising any safety critical road signs and markings which motorists may currently overlook. Consideration should be given to enhancing the existing school and 20's Plenty signing. This could be achieved by providing signing on both sides of the road, or by relocating signs to more effective positions. The use of 'SLOW' road markings in George Street should be reviewed to ensure such markings are only applied where they will provide optimum benefit, to prevent overuse and to maintain effectiveness.
38. Although the proposed measures will significantly reduce levels of on-street parking and its associated hazards, a 24 metre long section of road outside the school will remain unrestricted. It is anticipated that this will almost continually be occupied by parked vehicles at school drop off and collection times, serving as a natural chicane to help slow traffic. It should be noted that the proposed measures include an exemption for blue badge holders, enabling disabled parking opportunities directly outside the school. The layby outside Wayside House and Orchard End will also remain unrestricted, allowing parents and residents to park on the road safely without exposing vehicle occupants, or other motorists to avoidable hazards.
39. The retention of limited on-street parking areas will ensure that other potential hazards such as children appearing between parked vehicles, or frequent (and sometimes rushed) parking manoeuvres, will be contained to only a few parts of George Street. This will allow passing motorists to more easily identify and negotiate potential hazards, particularly with improved forward visibility.
40. Other traffic calming measures, such as those involving vertical deflection, would not be appropriate for use in George Street due to the high concentration of residential properties and type of traffic that uses this route.
41. George Street is a busy principle road, forming part of the A1071 and also serves a bus route. The most recent traffic volume data collected by Suffolk County Council shows that heavy goods vehicles, buses and other vehicles with a gross weight exceeding 7.5 tonnes accounted for 6-7% of all vehicles over a two week survey period surveyed (January 2014).
42. Parents of children attending the school will be aware of the nature of the road and the associated risks. The volume and type of traffic using George Street cannot be reduced. Similarly, there is minimal scope to widen the northern footway, other than by providing a priority system in the area of the school. However, such a solution is unlikely to be considered viable because it would be expected that the implications on traffic elsewhere would potentially outweigh the benefit to road safety in George Street.

43. The intensity of wind turbulence created by large vehicles passing close to the footway could be reduced by providing effective measures to reduce speed.

### **Objection 3**

44. The owner of the Forge Garage objected to the proposal to introduce a 14.5 metre length of waiting restriction along the property's dropped kerb access, expressing concern that the single yellow line may deter customers and harm the business.
45. Concern was also raised about the effect of any displaced parking and the potential for it to *"unfairly move the school parking problems elsewhere in the village"* and potentially *"could extend the (parking) problem to the church and the Timperley areas"*.
46. The business owner advised of his plans for a future development on land to the rear of the school, including additional parking facilities for the school, thus potentially alleviating parking issues in the future.

### **Officer Comments regarding Objection 3**

47. The single yellow line restriction (operating 8am-4pm Mon-Fri) was proposed to extend along the dropped kerb access to the garage, to reinforce the 'no waiting' message to motorists, particularly at school drop off and collection times when obstructive parking is most likely to occur.
48. The proposed measures will significantly reduce the amount of on-street parking available in George Street at certain times of the day, which will result in those vehicles being displaced to other areas. Currently, the garage owner politely moves on any motorists parking inconsiderately. However, with less opportunity to park on the road, it is anticipated that instances of obstructive parking in front of the garage may become more frequent. The 14.5 metre waiting restriction was proposed to address this potential issue by providing a visual deterrent to motorists in order to reinforce the 'no parking' message.
49. Ultimately, the waiting restriction outside the garage has been proposed for the benefit of the business and to reduce any potential inconvenience caused by nuisance parking. However, if on balance the owner believes that the proposal could cause more harm than good, the effect on local business must be considered against all other benefits. In terms of road safety and according to the Highway Code, vehicles should not obstruct a vehicular access, nor should they park within the immediate vicinity of a junction, which both apply in this instance.
50. Given the above, it is proposed that the 14.5 metre long waiting restriction outside the garage (opposite Rectory Lane), is omitted from the proposed measures.

### **Conclusion**

51. The main objective of the advertised Order is to introduce measures that will improve current road safety conditions, by reducing existing hazards and congestion generally caused by on-street parking in connection with the school. A consequence of the proposed restrictions is that existing parked vehicles will be displaced, potentially creating new parking issues in other parts of Hintlesham.
52. Clearly, excessive traffic speed is a very real concern and some parents fear that the proposed measures will actually increase particular hazards. Therefore, it is

recommended on balance that the Order be approved (with the one amendment) and that additional measures are considered to supplement the proposed measures, including enhanced signing, improved use of road markings, more frequent speed enforcement and monitoring of traffic speeds.

### **Human Rights Act 1998**

53. 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:
  - 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).
54. Other rights may also be affected including individuals' rights to respect for private and family life and home.
55. 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.
56. 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 – Drawings of advertised proposals
- c) Appendix C – Formal representations