

## Rights of Way Committee

<b>Report Title:</b>	Framlingham (Various Roads) - Prohibition and Restriction of Waiting and Revocation 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>	County Councillor Stephen Burroughes
<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

- To consider objections to the advertised traffic regulation order (TRO) for the introduction of new prohibition of waiting in various roads and changes to some existing waiting restrictions. The Rights of Way Committee will then submit a recommendation to the Cabinet Member for Highways and Transport.

### Action recommended

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| <ol style="list-style-type: none"> <li>That the Cabinet Member for Highways and Transport be recommended to approve the making of the Suffolk County Council (Various Roads, Framlingham) (Prohibition and Restriction of Waiting and Revocation) Order 201- as advertised and as such, be recommended to:           <ol style="list-style-type: none"> <li>Approve the proposals as advertised for Riverside and Bridge Street</li> <li>Approve the proposals as advertised for Saxmundham Road</li> <li>Approve the proposals as advertised for Double Street</li> <li>Approve the proposals as advertised for Station Road</li> <li>Approve the proposals as advertised for Fore Street</li> </ol> </li> </ol> |
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### Reason for recommendation

- The purpose of the advertised Order is to improve road safety and to prevent congestion at some road junctions and bends, where existing on-street parking restricts the free flow of traffic and forward visibility.
- The Order includes additional measures in Riverside to more effectively manage local parking needs.

5. This Order is being promoted by Suffolk County Council on behalf of Framlingham Town Council. A copy of the TRO as advertised is included at Appendix A.

### **Alternative options**

6. There are 2 alternative options instead of the proposals:
  - a) Reduce the length of the proposed waiting prohibition in some roads, thus providing only a partial improvement to road safety and traffic flow.
  - b) Do nothing in some roads and allow the current situation to continue, thus taking no action to address existing road safety hazards.

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

7. Local residents and businesses will experience the greatest impact from the Order, because the overall availability of on-street parking will be reduced, thus making it more difficult for residents, customers and visitors to park in the affected roads. The demand for on-street parking in these roads is already very high and further parking restrictions are expected to exacerbate this situation.
8. All road users travelling along the affected roads will benefit from the making of the Order, as it will improve road safety and reduce the hazards caused by cars parked across footways making it difficult for pedestrians to pass, cars parked on the carriageway reducing the carriageway to a narrow single lane, and restricting forward visibility. These hazards have the potential to cause harm to motorists, cyclists or pedestrians.

### **Main body of report**

#### **Background**

9. All of the roads included in the Order are situated in Framlingham town centre. Many of the roads are typical of an old market town, narrow and not able to adequately accommodate current levels of parking and traffic flow.
10. Framlingham Castle is located in the vicinity of the town centre and also very close to Double Street (one of the roads affected by the Order). This English Heritage site attracts large numbers of visitors and although car parking facilities are available on site, there are occasions when visitors may occupy on-street parking places in neighbouring residential streets.
11. The measures contained within the advertised Order have been proposed by Framlingham Town Council in order to address existing road safety concerns in Riverside, Saxmundham Road, Double Street, Station Road and Fore Street. The Order also includes changes to existing waiting restrictions in Riverside to help manage the local parking demand more effectively.
12. The measures include new prohibition of waiting (double yellow lines) in all of the aforementioned roads, to prevent on-street parking at some junctions and around bends where drivers' visibility is compromised by parked vehicles. The proposed prohibition of waiting will improve traffic flow, whilst ensuring that loading operations can continue within the extent of the prohibition.
13. Additional revocations and waiting restrictions are included in the TRO for Double Street, Station Road, Fore Street and Riverside to correct anomalies between previous Orders and the waiting restrictions as they are actually marked on site.

14. The five drawings detailing the advertised proposals are shown in Appendix B.

## **Consultation**

15. Informal consultation on the proposals was undertaken during January and February 2016 to gauge the views of the public and the statutory bodies. Suffolk Police responded on 18 February 2016 to confirm that they had no objections to the proposed measures.
16. Comments received during informal consultation were considered by Framingham Town Council, but the original proposals remained largely unchanged and the proposed Order was finalised.
17. The Order containing the final set of measures was formally advertised for a three-week period from 25 August to 19 September 2016. During this time the statutory bodies were consulted again.
18. To coincide with the advertisement period, letters explaining the proposals were delivered to local residents and businesses. Separate letters for each of the five locations were delivered to those properties included in the informal consultation. In some cases the extent of consultation was widened. Approximately 208 letters were delivered in total.
19. The consultation letters contained an explanation of the proposals, a copy of the relevant plan and the public notice, which provided guidance on making a formal representation.
20. Of the statutory consultees, only one response was received during advertisement. District Councillor Christopher Hudson raised concerns in relation to the advertised Order. He expressed his support for a resident of Fore Street, who had voiced concerns over the potential loss of on-street parking, suggesting that Resident's Parking was now the only sustainable solution for the town's traffic problems.

## **Formal representations**

21. A total of 16 formal representations were received in relation to the advertised Order. This included the response from District Councillor Christopher Hudson mentioned above. All other responses were made by either residents or businesses in and around the affected roads.
22. Of the total responses received, 12 are considered to be objections, whilst 4 are formal representations made in support of the proposals. (Copies of all correspondence are included in Appendix C).
23. No formal representations were made in specific relation to the proposals for Riverside.
24. The remaining four sites – Saxmundham Road, Double Street, Station Road and Fore Street, provoked a number of responses and these representations are considered in more detail as follows.

## **Saxmundham Road (Appendix B - Drawing 02)**

25. Prohibition of waiting (double yellow lines) is proposed to prevent on-street parking, in order to improve forward visibility on approach to the bend.
26. One formal representation was made in relation to the Saxmundham Road proposal.

## **Objection**

27. A resident of Saxmundham Road expressed concern that the proposed waiting prohibition does not extend far enough along the road. The resident claims that on-street parking between Pageant Place and No. 33 Saxmundham Road causes a greater hazard, particularly for those residents of Nos. 24-28 who require vehicular access opposite.

## **Officer Comments regarding Saxmundham Road**

28. The current parking situation in Saxmundham Road, on the approach to the bend, is a hazard to motorists and other road users and has the potential to cause harm if the current situation is left to continue. The proposed waiting prohibition will provide improved forward visibility on the approach to the bend, preventing motorists from having to overtake parked vehicles and will reduce the potential for collisions between opposing flows of traffic.
29. On-street parking on the north side of the road between Pageant Place and No. 33 Saxmundham Road limits visibility to a lesser degree, because the road is straight and forward visibility is good. Although on-street parking at this location may impede vehicular access to the properties opposite (Nos. 24 -28), the area provides valuable on-street parking, which serves to slow traffic as it leaves the built-up area.

## **Double Street (Appendix B - Drawing 03)**

30. Prohibition of waiting (double yellow lines) is proposed to prevent on-street parking, in order to improve traffic flow and road safety.
31. Six formal representations made in relation to the Double Street proposals. This number includes three objections and three statements of support, which are summarised below.

## **Objections**

32. Parking in Double Street is already very difficult. The demand for on-street parking regularly exceeds availability, with reports that spaces are often occupied by residents of neighbouring streets and visitors trying to avoid paying car park fees.
33. The proposed prohibition of waiting will remove more on-street parking, exacerbating the problems for residents who do not have their own off-street parking space. In addition, the reduced availability of on-street parking will have a detrimental effect on local businesses which rely on customers being able to park nearby.
34. Whilst there is a general appreciation that road safety needs to be improved in Double Street, many residents have requested that Residents Parking be considered as they believe this to be the only practical solution to manage and alleviate the current parking situation.
35. Other measures to address Framlingham's parking issues, either alongside, or as an alternative to the proposed Order have been suggested. As one resident explains: *"parking restrictions in the town centre all impact on each other and should not be viewed in isolation, but as a holistic view of the needs of the town."* Various options have been suggested by residents, including:
  - a) Implement Residents Parking

- b) Make Double Street one-way
- c) Improve car park signing
- d) Negotiate with English Heritage to allow residents to use the castle car park
- e) Provide car parking on unused sites

### **Support**

- 36. Parking on both sides of the road at the western end of Double Street, narrows the road to such an extent that it obstructs the free flow of vehicles and prevents some routine highway activities from taking place. This causes inconvenience for some residents and has a detrimental effect on local business. The proposed prohibition of waiting on the narrower sections of road would reduce these problems.
- 37. Drivers frequently park inconsiderately and regularly park partially over the footway outside Nos. 5 to 11 Double Street, causing an obstruction to either pedestrians, motorists, or in some cases both. Obstruction of the footways can cause significant difficulty for those in wheelchairs or parents with pushchairs and prams, particularly as anyone being forced to avoid an obstruction on the footway, may have to cross the road between parked vehicles. The proposed prohibition of waiting would remove the pavement parking and improve safety on the most dangerous section of Double Street.

### **Officer Comments regarding Double Street**

- 38. The proposed prohibition of waiting extends over a total distance of 60 metres. It should be noted that within this distance, there is an existing vehicular access to No. 7-9, which prevents parking already. If the restrictions were implemented, the anticipated loss of parking in Double Street would equate to approximately 8 or 9 vehicles.
- 39. The current parking situation in Double Street, particularly at the western end (outside Nos. 5 to 11), is a hazard to pedestrians and motorists and has the potential to cause harm if the current situation is left to continue. The proposed prohibition of waiting would be on the narrower sections of Double Street which will prevent parking in those areas which are the source of greatest safety concern.
- 40. The majority of parked vehicles in Double Street are positioned facing in an easterly direction. This demonstrates a tendency for traffic to enter Double Street from its western end and to leave via Castle Street, allowing easy access onto the B1119. The roads with which Double Street shares its junctions, Church Street and Castle Street, are both subject to one-way traffic restrictions. Therefore, if a one-way traffic Order was considered for Double Street, this may not in practice reap any substantial benefit, because the existing road layout already encourages a one-way traffic flow, meaning that the potential for vehicular conflict is already reasonably low.
- 41. Whilst the local highway authority has a responsibility to improve road safety conditions, it is accepted that the proposed restrictions will result in some existing on-street parking being displaced, thus exacerbating the current parking difficulties. To minimise the impact of this, other measures should be considered as part of a broader approach to the management of on-street parking within the town.

## **Station Road (Appendix B - Drawing 05)**

42. New prohibition of waiting (double yellow lines) is proposed to prevent on-street parking in Station Road obstructing the visibility splay from Brook Lane looking southwards.
43. Two objections were received in relation to the Station Road proposal. Both were made by local business owners and their responses highlighted similar concerns, which are summarised below.

### **Objections**

44. The egress from Brook Lane into Station Road is not a dangerous manoeuvre for any competent motorist and the visibility of oncoming traffic from the south of Station Road is already adequate by virtue of the bend in the road. The proposed prohibition of waiting will have minimal effect on road safety conditions.
45. The demand for parking on this section of Station Road is already very high. If the proposed restriction is implemented, available parking for customers and residents will be reduced and vehicles will be displaced further down Station Road, where on-street parking could potentially create new problems.

### **Officer Comments regarding Station Road**

46. The proposed prohibition of waiting would extend the existing prohibition of waiting southwards for a distance of 12 metres. If implemented, the equivalent of two on-street parking spaces would be lost.
47. Collision data available for the recent 5-year period (01/08/2011-01/08/2016) shows that no collisions were recorded at the junction during this time.
48. Visibility from Brook Lane, of northbound traffic approaching on Station Road, is assisted by the bend in the road. However, when vehicles are parked immediately up to the existing double yellow lines south of the Brook Lane junction, this can create a small blind spot for any motorist waiting to leave the junction. The limited visibility has the potential to contribute to collisions, particularly if the motorist does not thoroughly observe oncoming traffic before pulling out.
49. If the proposed waiting prohibition is implemented, the visibility splay will be improved from Brook Lane, but the more significant impact will be that on northbound traffic along Station Road, which will have a much clearer view of vehicles waiting to emerge from Brook Lane.

## **Fore Street (Appendix B - Drawing 06)**

50. New prohibition of waiting (double yellow lines) is proposed on Fore Street B1119, south of its junction with Castle Street, to remove on-street parking on the approach to the junction. The B1119 / Castle Street junction is on a bend and the restrictions will improve visibility of the road ahead and reduce the potential for collisions between opposing flows of traffic.
51. Seven formal representations made in relation to the Fore Street proposals. This number includes six objections and one statement of support, which are summarised as follows.

### **Objections**

52. Demand for on-street parking in Fore Street is high and residents already find it difficult to park close to their homes. The proposed prohibition of waiting will

reduce the availability of on-street parking, thus increasing parking difficulties for residents. Where parking is removed residents suggest that alternative spaces be provided elsewhere.

53. Many residents have requested Residents Parking and consider this to be the only practical solution to manage and alleviate the current parking situation.
54. Displaced parking may lead to traffic issues in other areas. In particular, opposite the vehicular access at No. 75a Fore Street, to which residents from three properties require access to a courtyard and two garages. As one resident explains *"if there were cars parked on the opposite side of Fore Street, there would be not enough depth in the road and it would be impossible to move in and out of our forecourt to access our garages and homes"*. Another resident voiced concern that the proposals would make it more dangerous to pull out of the access, due to southbound traffic overtaking parked vehicles on the eastern kerb line.
55. Whilst there is a general appreciation that road safety needs to be improved on the approach to the bend, there is some concern that removal of on-street parking may also encourage higher traffic speeds.
56. Concerns have also been raised regarding how the proposals will affect the ease of maintaining affected properties in the future. Many properties are historic, listed buildings and require comprehensive maintenance regimes, requiring specialist contractors to be able park in close proximity and gain access for various operations.
57. One resident voiced particular concern about a historic wall (possibly dating back to Anglo-Saxon times), which runs alongside the proposed waiting prohibition. If the proposals are approved, the wall would no longer be protected by parked vehicles and may be exposed to potential damage from salt spray during the winter gritting season.

## **Support**

58. Other residents have urged that the proposed restrictions are implemented as soon as possible for safety reasons. Northbound traffic is currently forced into the middle of the road and is in conflict with opposing oncoming vehicles on a blind bend. The proposed prohibition of waiting will prevent this situation from happening, whilst also significantly improving visibility for motorists turning out of Castle Street.

## **Officer Comments regarding Fore Street**

59. The proposed prohibition of waiting extends over a total distance of 73 metres. It should be noted that within this distance, there is an existing vehicular access adjacent to No. 75a which currently prevents parking. If the restrictions were implemented the anticipated loss of parking in Fore Street is estimated to equate to approximately 13 or 14 vehicles.
60. The current parking situation in Fore Street, on the approach to the bend, is a hazard to motorists and other road users and has the potential to cause harm if the current situation is left to continue. The proposed waiting prohibition will prevent parking in those areas which currently cause the greatest safety concern.
61. Whilst the local highway authority has a responsibility to improve road safety conditions where this can be achieved, it is accepted that the proposed

restrictions will result in some existing on-street parking being displaced, thus exacerbating the current parking difficulties for residents and local businesses. To minimise the impact of this, other measures should be considered as part of a broader approach to the management of on-street parking within the town.

62. It should be noted that there are currently no waiting restrictions to prevent parking opposite the access to No. 75a Fore Street. However, it is acknowledged that if the proposed restrictions are implemented, the likelihood of vehicles parking in this position will increase. Vehicular access will certainly be more difficult with vehicles parked opposite, but not impossible and additional movements may be required to manoeuvre vehicles in and out of the access. In most cases this will merely be an inconvenience to passing traffic, although it may become a potential hazard if other motorists are not driving with due care and attention.
63. There are a number of exemptions which apply to the proposed waiting prohibition, which applies to all roads included in the Order. For instance, exemptions are included for building work, to allow a person to board or alight a vehicle and for goods to be loaded/unloaded. These exemptions ensure that particular activities can continue to take place legitimately within the extent of the proposed waiting prohibition providing the parking is not obstructive. Details of all exemptions are listed in Article 4 of the advertised Order (included at Appendix A).

## **Conclusion**

64. The main objective of the advertised Order is to introduce measures that will improve current road safety conditions, by reducing existing hazards and their potential to cause harm. A consequence of imposing the proposed restrictions is that local residents, who already experience difficulty parking, may find that the current on-street parking situation is made worse as vacant spaces become more difficult to find.
65. It is clear that many residents would prefer to see a more 'complete' solution, incorporating other measures to help lessen the negative impact on residents. The most frequent request has been for the introduction of Residents Parking, which some argue should have been considered to supplement the proposed parking restrictions. As one resident explained, *"unless there is a residential parking scheme within the town centre, people will prefer to park dangerously or clog up residential streets rather than walk a short distance. Additional parking restrictions should be complemented by better signposting to current car parking, the use of additional parking and the implementation of a residents parking scheme. To take any of these actions in isolation will not provide a solution"*.
66. In response to concerns raised during informal consultation, Framlingham Town Council announced in April 2016 that it would be forming a working group to prepare a parking strategy proposal for the town.
67. The town clerk emphasised that *"in the event that the Parking Strategy Working Group recommend the future use of parking permits for residents then it would reserve the right to revisit the subject with the relevant authority"*.
68. Balancing the road safety improvements against the loss of on-street parking, it is recommended that the Order be approved as advertised and that the Committee recommend approval of all proposals (a) to (e) (listed in paragraph 1)

in order to address current road safety concerns, which are paramount above all other concerns.

## **Human Rights Act 1998**

69. 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).
70. Other rights may also be affected including individuals' rights to respect for private and family life and home.
71. 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.
72. 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

