

Rights of Way Committee

Report Title:	Church Farm Road TRO, Aldeburgh
Meeting Date:	Tuesday 7 March 2017
Lead Councillor(s):	Councillor James Finch - Cabinet Member for Highways and Transport
Local Councillor(s):	Councillor Richard Smith
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

- To consider the objections to the advertised traffic regulation order (TRO) for the prohibition of waiting along part of Church Farm Road and its junctions with Thorpe Road and Church Farm Rise. The Rights of Way Committee will then submit a recommendation to the Cabinet Member for Highways and Transport.
- Following concerns from Aldeburgh Town Council Suffolk Highways formally advertised the waiting restrictions detailed in Appendix A. In response to the advertised order there were objections from five residents; 3 from Willows Green, 1 from Church Farm Rise and 1 from Marsh View. There was one formal representation in support of the scheme.

Action recommended

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| <ol style="list-style-type: none"> That the Cabinet Member for Roads and Transport be recommended to approve the Suffolk County Council (Various Roads Aldeburgh) (Prohibition and Restriction of Waiting, On-Street Parking Places and Revocation) Order 201- as amended. |
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Reason for recommendation

- On-street parking along Church Farm Rise has been obstructing vehicles from towing caravans safely when entering and exiting Church Farm Holiday Park.
- This is particular apparent when people are visiting Aldeburgh beach at the weekends or when families are visiting Church Farm Holiday Park during the summer months.

Alternative options

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

Who will be affected by this decision?

7. Local residents and their visitors, tourists to Aldeburgh beach, and the holidaymakers or residents of Church Farm Holiday Park.

Main body of report

Background

8. It had become evident that visitors to Aldeburgh beach were avoiding the beach car park and parking along the southern side of Church Farm Road. Suffolk County Council as the Highway Authority instructed Suffolk Highways to implement waiting restrictions in the vicinity Church Farm Holiday Park between Thorpe Road and Church Farm Rise.
9. Due to the alignment of the carriageway and entrance to Church Farm Holiday Park, Aldeburgh Town Council suggested that the waiting restrictions should be double yellow lines (no waiting at any time) on both sides of Church Farm Road.

Consultation

10. The design detailed in Appendix A (together with two other locations in Aldeburgh) was formally advertised between 7 - 31 October 2016.
11. Suffolk Legal received five formal objections to the Church Farm Road proposals, please refer to Appendix B. There was one formal representation of support, please refer to Appendix C.
12. To compromise with the residents who formally objected, Suffolk Highways proposed an amended design which included several on-street parking places. The residents responded more in favour of this design. However, this design was later discarded following representations from Church Farm Holiday Park demonstrating that the safe turning circles of caravans when entering/egressing the holiday park would be compromised.
13. Following concerns relating to the disabled access to the rear of Willows Green, two designated disabled parking bays were incorporated into the design and located adjacent to the ramp to Willows Green.
14. The design at Appendix D was then sent to the residents that had made formal representations during the advertising period along with the protocol for the Rights of Way Committee.

Objections

15. Five objections were received by the end of advertising period, these were from: Nos. 4, 10 & 11 Willows Green, No. 37 Church Farm Rise and No. 1 Marsh View.
16. **Summary of objection from Mr Argent, No. 4 Willows Green**
 - a) Limited parking at the rear of the properties
 - b) There is only disabled access from Church Farm Road
 - c) There should be 'refuge' sections instead of continuous double yellow lines.
17. **Summary of objection from Mr & Mrs Wright, No. 10 Willows Green**
 - a) Parking problem is only an issue in the summer months
 - b) Waiting restrictions will only migrate the problem (up Church Farm Rise)
 - c) The restrictions should only be from Thorpe Road up to the park entrance

18. Summary of objection from Mr Weston, No. 11 Willows Green

- a) The proposals are for the convenience of caravans owners
- b) Detriment of residential on-street parking
- c) Restrictions will only migrate the problem (up Church Farm Rise)
- d) Caravan site should use a difference entrance
- e) Restrictions should be where absolutely necessary (junctions/bend)

19. Summary of objection from Mrs Moor, No. 37 Church Farm Rise

- a) Are these restriction purely to aid caravan access
- b) Caravan site should use a difference entrance
- c) Restrictions will only migrate the problem (blocking driveways)
- d) Would like further consultation before any restrictions are implemented

20. Summary of objection from Mr Collett, No. 1 Marsh View

- a) For the convenience of caravans owners
- b) Detriment of residential on-street parking
- c) No convenient access to the rear of the properties

Officers Comments

- 21. The main focus of the scheme was to improve the safety of caravans accessing and egressing the caravan site.
- 22. It was hoped that there could be a safe compromise between access to the site and on-street parking for residents.
- 23. Following an on-site demonstration it was evident that on-street parking close to the entrance would inhibit a safe turning circle for a caravan (this is not clearly evident from a drawing).
- 24. Due to the alignment of the road there are serious visibility issues when traffic is trying to negotiating continuously parked vehicles between the park entrance up to Thorpe Road.
- 25. It was recognised that the only suitable disabled access to the Willow Green properties is the footpath from Church Farm Road, subsequently two disabled bay were incorporated into the scheme adjacent to this footpath.
- 26. It is acknowledge that waiting restriction will migrate on-street parking, most probably further down Church Farm Road.
- 27. The properties of Willow Green each have private garages and off-street parking to the rear of the properties.

Human Rights Act 1998

- 28. 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 road safety.

Sources of further information

- a) Appendix A – Advertised Design
- b) Appendix B – Objections
- c) Appendix C – Approvals
- d) Appendix D – Final Design