

Decision maker:	Assistant director environment and place
Decision date:	7 July 2017
Title of report:	Brookend Street, Ross-on-Wye – Proposed formalisation of existing Prohibition of Waiting and parking restrictions
Report by:	Engineering manager

Classification

Open

Key Decision

This is not a key decision

Wards Affected

Ross East

Purpose

To consider the introduction of a Traffic Regulation Order, (TRO) to regularise the existing prohibition of waiting and parking restrictions as currently signed and marked on the eastern side of Brookend Street, Ross-on-Wye, between Millpond Street and Station Street.

Recommendation(s)

THAT:

- (a) **subject to the consideration of any objections received the relevant provisions in the existing 1972 and 1996 Traffic Regulation Orders be revoked and a new Traffic Regulation Order be introduced, the effect of which will be to regularise and clarify the existing prohibition of waiting and parking restrictions as currently signed and marked on the eastern side of Brookend Street, Ross-on-Wye, between Millpond Street and Station Street**

Alternative options

1. There is no alternative option if the existing double yellow lines and parking restriction are to remain in place and comply with current legal and enforcement regulations.

Reasons for recommendations

2. To clarify and regularise the existing prohibition of waiting and parking restriction in accordance with current standards and formats, and to comply with current enforcement policy.

Key considerations

3. The current TROs made in 1972 and 1996 for the eastern side of Brookend Street between Station Road and Millpond Street do not reflect the layout of the existing prohibition of waiting and parking restrictions as signed and marked on the highway. It is necessary to include all these restrictions in a new TRO to enable lawful enforcement.
4. When Aldi constructed their new store in Brookend Street in mid 2014, S278 works required the alteration of existing double yellow lines and limited waiting bays on the eastern side of Brookend Street to enable HGVs to access the store for deliveries. Aldi's contractors made the alterations to existing road markings without the necessary changes being made to the governing TROs.
5. In summary, approximately 15 metres of limited waiting parking bay was removed by Aldi's contractors and replaced with double yellow lines directly opposite the access into the Aldi store to enable HGVs to manoeuvre into the Aldi Store.
6. By making these alterations this in effect renders the whole length of the waiting and parking restrictions on the eastern side of Brookend Street between Station Road and Millpond Street as unlawful and unenforceable.
7. It is therefore proposed that the relevant articles in the existing TROs are revoked and a new TRO is implemented covering the full extent of the current layout of the prohibition of waiting and parking restrictions on the eastern side of Brookend Street between Station Road and Millpond Street as depicted on drawing 3409-12-A in **Appendix A**.
8. The proposed TRO will have no physical effect on the already operational restrictions as indicated by existing road markings and signage.
9. Herefordshire Council Parking Services raised the issue of Blue Badge holders being entitled to park for three hours on double yellow lines. The only way to prevent this would be to introduce a prohibition of loading and unloading as well as the prevailing no waiting at any time double yellow line restriction. The current double yellow line restrictions as implemented by Aldi have been in place for around three years now and no reports of Blue Badge holders causing problems have been highlighted. In view of this it is proposed to proceed with formalising just the double yellow line restriction on the basis that the introduction of a no loading and unloading prohibition would be a significant addition to the restrictions that are currently in place and would require an extensive consultation with the retail and residential properties in the area with the potential to generate copious objections.

Community impact

10. The proposal serves to regularise the current prohibition of waiting and parking restriction official and make it enforceable. This will have a positive impact on road safety and the environment for residents.

Equality duty

11. The introduction of this proposal is considered to be of low impact, as the proposed formalisation will have no physical effect on the already operational prohibition and restriction, save to be of a general benefit to the community. See **Appendix C** of this report for an Equality Impacts and Needs Assessment.

Financial implications

12. Budgets for this TRO will be accommodated from developer funds authorised for expenditure under Service Order 2016-04-26 V1 and 2017-15-23 (AC) V1.0. The cost for the road markings and signage has been met by the developer. The cost for the implementation of the TRO is estimated at £6000 without objections and £7000 with the receipt of objections. These costs will be accommodated from money secured from the developer.

Legal implications

13. Provision of a TRO under the Road Traffic Regulation Act 1984 will be required.

The Council, as transport authority, is required to consider any objections received after formal statutory consultation, (which includes advertising in a local newspaper) and a subsequent report will include any such objections or comments, for consideration.

The Council has discretion to amend its original proposals if considered desirable, whether or not in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted. As regards this informal consultation proposal, comments received are detailed in paragraph 11 below.

Risk management

14. The Local Transport Plan sets out the objective to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway network that is safe and efficient taking into account national guidelines. A Key Performance Indicator contained in this Local Transport Plan details a locally set target for a reduction in the number of people who are killed or seriously injured on the highway network. The formalisation of the current prohibition of waiting and parking restriction detailed in this report may contribute towards achieving these aims. If these proposals are not implemented this may have a detrimental effect on achieving these objectives and targets.

Consultees

- 15 An initial consultation letter and plan, as included in **Appendix A**, was sent to 'official' consultees, including the Ward Councillors, the Parish Clerk, Ross Town Council, the Police, Fire and Ambulance services, Herefordshire Council Parking Services, the Road Haulage Association and the Freight Transport Association. The consultees were asked to respond by 15 April 2017.

Responses were received from the Local member, the Police the Town Council and Herefordshire Council Parking Services and are included in **Appendix B**. None of the respondents recorded objections to the proposal.

In response to the consultation letter and plan as included in **Appendix A** the Local Member requested full details in writing and as part of the upcoming formal *Notice of Proposal* process the Local Member and the other consultees will again receive full details in writing of the proposals with a further chance to comment.

Appendices

- Appendix A: Informal Consultation letter and plan
Appendix B: Response to consultation exercise
Appendix C: Equality Impacts and Needs Assessment

Background papers

- None identified.