

Record of officer decision

Decision title:	PROPOSED TRAFFIC REGULATION ORDER TO IMPLEMENT STOPPING AND WAITING RESTRICTIONS ON GREEN CROFT AND STANDALE ROAD, HEREFORD
Date of decision:	18 th January 2022
Decision maker:	Service Director – Highways, Environment and Waste
Authority for delegated decision:	<p>Directorate scheme of delegation: updated 23rd December 2021 Directorate: Economy and Environment, section 75.</p> <p>To act on behalf of the council in respect of the legislation specified in the foregoing:</p> <p>Traffic Management Act 2004, Road Traffic Act 1988, Cycle Tracks Act 1984, Highways Act 1980, National Parks and Access to the Countryside Act 1948, New Roads and Street Works Act 1991, Road Traffic Regulation Act 1984, Town and Country Planning Act 1990, Town Police Clauses Act 1847, Traffic Calming Act 1992, Wildlife and Countryside Act 1981</p>
Ward:	Redhill
Consultation:	<p>Consultees</p> <p>A Formal (Statutory) Consultation process was undertaken from 24th June 2021 to 9th July 2021, whereby an initial consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix D.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 5th August 2021 to 27th August 2021. During this process no objections were raised from the Statutory Consultees nor from members of the public. A summary of the Notice of Proposal responses is included as Appendix E.</p> <p>Ward Councillor – Fully supports the proposals.</p> <p>Hereford City Council – Issued no response to the consultation.</p> <p>Marlbrook Primary School – Issued support for the proposals.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals.</p> <p>Hereford and Worcester Fire and Rescue Service – Issued no response to the consultation.</p> <p>Road Haulage Association – Issued no response to the consultation.</p> <p>Freight Transport Association – Issued no response to the consultation.</p> <p>West Midlands Ambulance Service – Issued no response to the consultation.</p>

<p>Decision made:</p>	<p>Considering no Objections have been raised during the Formal (Statutory) Consultation and Notice of Proposal Stages, it is recommended that a new Traffic Regulation Order be implemented as proposed in the Notice of Proposal, the effect of which will be to introduce No Stopping ‘Mon-Fri 8:15am-9:15am and 2:30pm-3:30pm’ (School Keep Clear) restrictions and No Waiting at Any Time (Double Yellow Line) restrictions on Green Croft and Standale Road, Hereford.</p> <p>A full schedule of the proposals is included as Appendix B.</p>
<p>Reasons for decision:</p>	<p>To recommend the implementation of Stopping and Waiting restrictions on Green Croft and Standale Road, Hereford as per the advertisement of the council’s proposal to introduce the following Traffic Regulation Order: HEREFORDSHIRE COUNCIL (GREEN CROFT & STANDALE ROAD, HEREFORD) (PROHIBITION OF WAITING AND STOPPING) ORDER 2021.</p> <p>The extents of the proposed restrictions and signage as advertised are shown on drawing 3409-105 in Appendix A.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Community impact</p> <p>The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed restrictions will seek to improve road safety and amenity. The proposals are, therefore, in alignment with Sections 1 and 122 of the Road Traffic Regulation Act 1984.</p> <p>Environmental Impact</p> <p>Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public, and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire’s outstanding natural environment.</p> <p>The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.</p> <p>The implementation of the proposals should result in reduced congestion and vehicle emissions and provide an environment where people feel it is safe to walk, cycle or ride.</p> <p>Equality duty</p> <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.</p> <p>The recommendations set out in this report are considered to be low impact with regards to equality. The restrictions aim to improve road amenity and safety, thus paying regard to the council’s duty according to the Equality Act 2010 as set out below.</p> <p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Any impact as a result of the scheme will be equal to all parties.

See Appendix F of this report for Equality Impacts and Needs Assessment (EINA).

Resource implications

The cost of the implementation of the proposals is to be funded by the developer through the Community Commissioning Model. No cost will be incurred by the Council.

Legal implications

The introduction of a new TRO under Sections 1, 2, 3, 4, 5 and Part 4 of Schedule 9 of the Road Traffic Regulation Act 1984 will be required.

Part 2 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('the 1996 Regulations') lays out the procedure prior to making an order. Regulations 6 and 7 require the Council as Highway Authority to undertake a formal consultation on the TRO and publish the proposals. Regulation 8 allows for any person or persons to make objections and requires that the Council, as Highway Authority, consider any objections received after the formal statutory consultation process, (which includes advertising in a local newspaper).

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 in accordance with Regulation 14 of the 1996 Regulations. Following consideration of the consultation responses the Council has decided not to modify the proposals.

The Council has received no Objections to the proposals. If the Council proceeds to make the Order it will be necessary within 14 days of the Order being made it is necessary in accordance with regulation 17 of the 1996 Regulations to publish a notice of making in a newspaper circulating in the area in which any road or place to which the Order relates is situated.

The Order cannot come into force before the Order has been publicised in accordance with these requirements. The time period for challenge is three months from the date of the making of the Order.

Risk management

The Local Transport Plan sets out to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway network that is safe and efficient. A Key Performance Indicator is contained in this Local Transport Plan and details a locally set target for a reduction in fatal or serious injuries on the highway network. The adoption of the recommendations in this report would contribute to these objectives in the Local Transport Plan.

	<p>It is important for safety, and their effectiveness that parking restrictions are imposed appropriately having regard to the type of factors considered in this report. This is the case at Green Croft and Standale Road.</p> <p>There is a small risk that vehicles may migrate to other parts of Green Croft and/or Standale Road. However, the proposed restricted area is limited in size with only a small number of parking spaces lost. In addition, vehicles no longer parking within the proposal area is considered a positive given the nature of this section of road on which it is felt parking is not safe or considerate. In any case, the risk of migration is considered to be negligible.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to make any changes to the current restrictions– This is not recommended as it would fail to address the current issues pertaining to inconsiderately parked vehicles blocking the school access road during school opening and closing times. It would also fail to prevent parking where it causes difficulty for vehicles attempting to navigate Green Croft and to prevent parking at its junction with Standale Road which impedes visibility causing difficulty for vehicles using this junction. The proposed restrictions are in alignment with sections 1 and 122 of the Road Traffic Regulation Act 1984. Finally, not to proceed with the recommendations would be in direct conflict to the desires of the Local Member and local residents.</p> <p>To introduce No Stopping restrictions on the school access road only – Whilst this would prevent blocking of the access during opening and closing times, this would fail to prevent inappropriate parking on Green Croft and at its junction with Standale Road which is currently causing difficulty for vehicles attempting to navigate this section of road.</p>
<p>Details of any declarations of interest made:</p>	

I am an officer delegated to make the decision

Signed:

Print Name: Phil Crossland

Job Title: Interim Service Director – Highways, Environment & Waste