

Record of operational decision

Decision title:	Decision to not introduce waiting restrictions at Eardisley Village, Herefordshire.
Date of decision:	22 nd November 2023
Decision maker:	Service Director Environment and Highways
Authority for delegated decision:	Economy and Environment Scheme – Highways and Transport 75. To act on behalf of the council in respect of the legislation specified in the Road Traffic Regulation Act 1984. The authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.
Ward:	Castle
Consultation:	<p>An informal residents consultation exercise was undertaken from 1st August 2022 to 25th August 2022. A total of 461 objections (including a petition signed by 382 people) were raised to all elements of the proposal. In addition, several residents also wrote to the Chief Executive of Herefordshire Council and the Local MP for North Herefordshire.</p> <p>Following the conclusion of this informal consultation, the outcome was relayed back to the Local Member and Parish Council. The Local Member and Parish Council then discussed the outcome of the consultation and responded that they would like to keep the original part of the TRO request alive (two limited waiting bays outside the village shop). They also requested that a short section of No Waiting at Any Time (Double Yellow Line) restrictions just before the narrow bridge going southbound through the village on the left-hand side. They stated that this would allow articulated lorries room to pull over and allow other lorries past going northbound.</p> <p>After further discussion with the Local Member and Parish Council, it was agreed that the limited waiting bays outside of the village shop and No Waiting at Any Time (Double Yellow Line) restrictions over the narrow bridge would not be progressed and the TRO investigation would be closed. This was due to the significant objections raised by residents surrounding the lack of off-street parking and the enforcement of the restrictions in the rural area. However, the Parish Council requested that two white edge of carriageway/narrow road markings be installed over the narrow bridge, in order to alert drivers to the road narrowing.</p>
Decision made:	Following a site audit, assessment and informal residents & businesses consultation, a TRO is not considered an appropriate course of action and it is felt that the current waiting restriction arrangements are appropriate for the section of road under investigation
Reasons for decision:	<p>This scheme originated as a result of a request for parking controls in the vicinity of the village shop from previous Local Members going back as far as 2012. Consequently, a review of the situation on the site was undertaken by officers and it was decided that details should be entered onto the prioritised Traffic Regulation Order (TRO) Waiting List.</p> <p>As a result of its entry onto the TRO Waiting List, this scheme was identified for commencement of investigations in the 2022/2023 Annual Plan. Therefore, Herefordshire Council set about investigating the potential for a new Traffic Regulation Order that would necessitate any changes within the area under investigation.</p> <p>An on-site assessment and meeting with the Local Member and Parish Council was undertaken in July 2022. During the meeting, it was</p>



highlighted that parked vehicles on the A4111, along the stretch outside of the village shop, were causing difficulty for vehicles navigating the road (particularly HGVs), as there was often limited space for vehicles to pull into to let vehicles travelling northbound to pass. It was also discussed that there was the potential for inappropriate parking by vehicles in the vicinity of junctions causing obstruction to vehicles, in particular the local bus service as it navigates the junction of the A4111 & U90418. Finally, the original request for formalising the waiting restrictions outside of the village shop was discussed, where it was agreed that two Limited Waiting 30 minutes No Return within 2 Hours bays would be beneficial to increase turnover of vehicles outside of the shop.

An analysis of the collision history in the scheme area showed no personal injury collisions having taken place in the most recent 5-year period.

A proposal was designed which aimed to address the issues raised during the assessment and meeting. This was informally supported by both the Local Member and Parish Council prior to an informal residents consultation exercise commencing.

Following completion of the initial assessment, an informal residents consultation exercise was undertaken from 1st August 2022 to 25th August 2022 on the proposals as agreed by the Local Member & the Parish Council. A total of 461 objections (including a petition signed by 382 people) were raised to all elements of the proposal. In addition, several residents also wrote to the Chief Executive of Herefordshire Council and the Local MP for North Herefordshire voicing their concerns. A summary of the responses received can be found in Appendix B.

During this consultation exercise, residents voiced serious concerns surrounding the No Waiting at Any Time (Double Yellow Line) restrictions proposed and the impact that they would have on residents who have no off-street parking. Additionally, residents stated that these restrictions in conjunction with the limited waiting bays would make it impossible for the village shop to operate, as it is the only shop in the wider local area and would threaten its viability. It was also stated that the elderly and vulnerable, who must drive to the shop, would not be able to continue using the shop, as they would not be able to park in the vicinity and walk to it. Residents also stated that the proposal would not solve the traffic issues through the village and would increase the number of HGVs using the road. They stated that by reducing the number of vehicles parked on the road, HGVs would face less difficulty navigating through the village and so their vehicle speeds would increase. Concerns were also raised regarding the enforcement of the restrictions, given the rural nature of the village. Finally, objections were received from residents relating to the introduction of Yellow Lines into the "traditional black and white village". They raised strong objections that they would be of character, urbanise and spoil the look of the village.

Following the conclusion of this informal consultation, the outcome was relayed back to the Local Member and Parish Council. The Local Member and Parish Council then discussed the outcome of the consultation and responded that they would still like to progress with the original part of the TRO request (two limited waiting bays outside the village shop). They also requested a short section of No Waiting at Any Time (Double Yellow Line) restrictions, just before the narrow bridge going southbound through the village. They stated that this would allow HGVs room to pull over and allow other HGVs past going northbound. This correspondence can be found in Appendix C.

After further discussion with the Local Member and Parish Council, it was agreed that the limited waiting bays outside of the village shop and No Waiting at Any Time (Double Yellow Line) restrictions over the narrow bridge would not be progressed and the TRO investigation would be

closed. This was due to the significant objections raised by residents surrounding the lack of off-street parking and the likely lack of regular enforcement of the restrictions in what is a rural area. However, the Parish Council requested that two white edge of carriageway/narrow road markings be installed over the narrow bridge, in order to alert drivers to the road narrowing. This correspondence and revised road marking drawing can be found in Appendix D.

According to the Road Traffic Regulation Act (RTRA) 1984, it is the duty of a highway authority to 'manage their road network' and 'to improve road safety'. Section 122 of the RTRA 1984 states that local authorities must, so far as is practicable, exercise their functions under the RTRA so as to 'secure the expeditious, convenient and safe movement of traffic'. Additionally, Section 1 of the RTRA states the permitted purposes of a TRO which include 'avoiding danger to road users' and 'preserving/improving the amenities in the area'. Following the feedback garnered during the informal residents and businesses consultation, it is apparent that residents feel the proposed restrictions would not seek to align with this guidance.

Section 122 of the Road Traffic Regulation Act 1984 also states that local authorities must exercise their functions under the RTRA so as to 'provide suitable and adequate parking facilities on and off the highway'. It is important to maintain a balance when imposing parking restrictions so as not to be 'over restrictive'. Following the feedback garnered during the informal residents and businesses consultation, it is apparent that residents feel the proposed restrictions would not seek to align with this guidance, as residents felt that the proposal would have a detrimental impact on on-street parking provision.

The Highway Code Guidance Rule 242 states 'You MUST not leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road'. In addition, Highway Code Rule 243 states 'DO NOT stop or park opposite or within 10 meters of a junction'. Following the feedback garnered during the informal residents and businesses consultation, residents have stated that parking in these locations is rare, and that Highway Code Guidance is therefore adhered to.

In conclusion, it is evident that following the feedback received during the informal residents and businesses consultation, as well as subsequent discussions with the Local Member and Parish Council that the Traffic Regulation Order (TRO) should not be progressed.

It is, therefore, advised to progress with the recommendations outlined in this report for the reasons set out above.



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf



Appendix E.pdf

Highlight any associated risks/finance/legal/equality considerations:

Community impact

The recommendation not to make any changes to the existing parking controls will have no impact on the local community.

Environmental Impact

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.

The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.

The adoption of these recommendations will not have a negative impact on the environment.

Equality duty

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.

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.

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 -

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 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 E of this report for Equality Impacts and Needs Assessment (EINA).

Resource implications

The cost of this TRO scheme to date is £1500. This cost has been identified from this year's existing budgets in the current Annual Plan.

Legal implications

The introduction of a new TRO is not recommended as part of these proposals.

There are no further legal requirements in not making the TRO, even if objections are made. It is at the discretion of the Council as the Highway Authority whether to make a TRO dependent on the justification for doing so.

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 have no impact to the objectives in the Local Transport Plan.

Details of any alternative options considered and rejected:

To implement a TRO for waiting restrictions in Eardisley Village –
This is not recommended for a number of reasons, outlined in detail in the Key Considerations section of this report. In brief, the informal residents & businesses consultation garnered a significant number of objections

	and generated a lot of discussion throughout the local community. To proceed with a TRO would go against the desires of a significant number of local residents.
Details of any declarations of interest made:	None

Signed..... Date:

**Appendices
Appendix A**

