

# **PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

<b>DATE</b>	23rd November 2020
<b>REPORT OF</b>	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport.
<b>RESPONSIBLE OFFICER</b>	Clive Tritton, Interim Director of Economy, Growth & Environment
<b>SUBJECT</b>	Traffic Regulation Order 19-07: Marklew Avenue - Waiting Restrictions
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	GENERAL EXCEPTION - Not included on the Forward Plan therefore, to be considered under the General Exception provisions of the Constitution.

## **CONTRIBUTION TO OUR AIMS**

The introduction of waiting restrictions at this location, will contribute to the health and wellbeing of all road users, business owners and visitors to the area by creating, and maintaining, a safer environment.

## **EXECUTIVE SUMMARY**

It is proposed to introduce waiting restrictions at the junction of Marklew Avenue with Cromwell Road and Marklew Avenue with Fairfax Avenue. Vehicles are currently parking within the vicinity of these junctions and are obscuring visibility, resulting in vehicle conflict and associated road safety risks for road users and pedestrians.

## **RECOMMENDATIONS**

It is recommended that:

- a) Subject to formal consultation and no material objections being received approval is granted to the making of a Traffic Regulation Order, the effect of which is detailed in the Schedules in Appendix 1 and shown indicatively on the Plan at Appendix 2.
- b) In the event there are unresolved material objections to the Order, these are referred back to the Portfolio Holder for determination and a decision as to whether or not the Order be confirmed.

## **REASONS FOR DECISION**

To improve visibility, reduce vehicle conflict and create a safer environment for all road users.

### **1. BACKGROUND AND ISSUES**

1.1 Vehicles parked on Marklew Avenue on the eastern kerbline between the

access to Lidl supermarket and Fairfax Road are obstructing visibility for vehicles exiting both junctions.

- 1.2 When exiting the car park, visibility when looking left is obstructed due to vehicles parking adjacent to the access and the road alignment having a slight bend towards Fairfax Road.

When exiting Fairfax Road, visibility to the right is obstructed with no clear line of sight to allow drivers to see approaching vehicles, increasing the risk of collisions.

- 1.3 It was also noted that a car transporter intermittently parks opposite the car park on the western kerb line to load and unload cars into the compound belonging to John Roe Motors. This further adds to the issues of poor visibility of oncoming traffic and increases the risk of vehicle conflicts.
- 1.4 There is a currently a 'No Waiting 8am to 8pm' restriction on Marklew Avenue at the Cromwell Road junction and opposite Marklew Avenue on Cromwell Road as shown on drawing TF-RM-20-010 in Appendix 2.

In order to improve visibility and reduce road safety risks at these locations, it is intended to replace this existing restriction with a 24-hour Prohibition of Waiting (double yellow line) to prevent parking at all times. The double yellow line restriction will also be extended on Cromwell Road to cover the approach to the roundabout and extend into Yarborough Road to ensure traffic can be free flowing at all times.

In addition, the same restriction will be provided at the Fairfax Road / Marklew Avenue junction.

- 1.5 The no waiting 8am to 8pm (single yellow line) restriction on the eastern kerbline will be amended to restrict parking between the hours of 8am and 6pm and extended to cover the section of the eastern kerb line between the Lidl car park access and Fairfax Road.
- 1.6 Consultation has been undertaken with statutory consultees, residents and businesses affected by the proposals. Three responses were received, none of which objected to the proposed waiting restrictions.

## **2. RISKS AND OPPORTUNITIES**

- 2.1 Should this proposal not be implemented, the risks are:

- That parking continues to impair visibility, reducing the safety and ease with which all road users can negotiate access and egress of Marklew Avenue, Fairfax Road and the Lidl carpark, increasing the likelihood of collisions.

Should this proposal be adopted, the opportunities are:

- To provide a safer and more amenable route for vulnerable road users (pedestrians and cyclists).
- To improve parking practices in and around the junction areas to provide easier

- and safer access to properties and businesses.
- Visibility for all road users is improved thereby reducing road safety risk.
- Maintain the free flow of traffic approaching the Market Hotel roundabout on Cromwell Road and into Yarborough Road.

### **3. OTHER OPTIONS CONSIDERED**

- 3.1 Do nothing. However, this would not be advised given the road safety risks identified.

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 It is expected there will be little potential for negative reputational implications for the Council resulting from the decision. There will be a slight reduction in the length of on street parking available however, the remainder of Marklew Avenue will be unrestricted and can safely accommodate parking for 24 hours a day.
- 4.2 If approval is given to this proposal, the Order will be formally advertised in accordance with the statutory Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Public notices will be published in the local press to advise of the Council's intention to make the Order. This provides a formal opportunity for anyone to object to the making of the order.

### **5. FINANCIAL CONSIDERATIONS**

- 5.1 The recommendation does not require any capital expenditure. Any standard lining, signing and public notices required are covered through the Council's Regeneration Partnership arrangement with ENGIE.

### **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 6.1 The proposals are not expected to have any significant impact on climate change and / or the environment.

### **7. CONSULTATION WITH SCRUTINY**

- 7.1 There has been no consultation with Scrutiny in relation to this matter.

### **8. FINANCIAL IMPLICATIONS**

- 8.1 As outlined in section 5, there are no financial implications for the Council as a result of this report.

### **9. LEGAL IMPLICATIONS**

Under Section 1 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Regulation Orders (TROs) for (inter alia) the reasons set out at the beginning of this report. Section 2 specifies what TROs may require and the recommended order is within those powers.

The procedure for making TROs is set out in Schedule 9 Part III of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales)

Regulations 1996 and provides for advertisement and consideration of any objections before making a final decision on the proposed TRO.

Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.

If it is decided to make the TRO notwithstanding any objections made it can only be challenged by Judicial Review in the Administrative Court.

## **10. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications

## **11. WARD IMPLICATIONS**

The proposals relate to issues solely within the Yarborough Ward.

## **12. BACKGROUND PAPERS**

[Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

[Road Traffic Regulation Act 1984](#)

[The Traffic Signs Regulations and General Directions 2016 No 362](#)

## **13. CONTACT OFFICER(S)**

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**COUNCILLOR STEWART SWINBURN**  
**PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

## APPENDIX 1

### SCHEDULE 1 - Revocations

“No Waiting - Monday to Saturday 8am to 8pm”

<b><u>ROAD</u></b>	<b><u>SIDE</u></b>	<b><u>EXTENT</u></b>
Marklew Avenue	EASTERN KERB LINE	From the southern kerb line of Cromwell Road, in a south-westerly direction for a distance of 37.2 metres
Marklew Avenue	WESTERN KERB LINE	From the southern kerb line of Cromwell Road, in a south-westerly direction for a distance of 49.1 metres
Cromwell Road	NORTHERN KERB LINE	From the eastern boundary of 158 Cromwell Road, in a north-westerly direction for a distance of 51.7 metres
Cromwell Road	SOUTHERN KERB LINE	From the western kerb line of Marklew Avenue, in a north-westerly direction for 51.7 metres

### SCHEDULE 2

“24 Hour Prohibition of Waiting”

<b><u>ROAD</u></b>	<b><u>SIDE</u></b>	<b><u>EXTENT</u></b>
Marklew Avenue	EASTERN KERB LINE	From the southern kerb line of Cromwell Road, in a south-westerly direction for a distance of 32.6 metres
Marklew Avenue	WESTERN KERB LINE	From the southern kerb line of Cromwell Road, in a south-westerly direction for a distance of 49.1metres
Marklew Avenue	EASTERN KERB LINE	From the northern kerb line of Fairfax Road, in a northerly direction for a distance of 5.8 metres
Marklew Avenue	EASTERN KERB LINE	From the southern kerb line of Fairfax Road, in a southerly direction for a distance of 14.4 metres
Cromwell Road	SOUTHERN KERB LINE	From the western kerb line of Marklew Avenue, in a westerly direction to the western property boundary of 5 Yarborough Road
Cromwell Road	SOUTHERN KERB LINE	From the eastern kerb line of Marklew Avenue, in a south-easterly direction for a distance of 10 metres
Cromwell Road	NORTHERN KERB LINE	From the eastern boundary of 158 Cromwell Road, in a north-westerly direction for a distance of 51.7 metres
Fairfax Road	NORTHERN KERB LINE	From the eastern kerb line of Marklew Avenue, in an easterly direction for a distance of 11 metres

Fairfax Road	SOUTHERN KERBLINE	From the eastern kerb line of Marklew Avenue, in an easterly direction for a distance of 7.5 metres
Yarborough Road	SOUTHERN KERB LINE	From a point approx. 5.6 metres north of the southern boundary of 11 Yarborough Road, in a north easterly direction to the western property boundary of 5 Yarborough Road

“No Waiting – Monday to Saturday, 8am to 6pm”

<b><u>ROAD</u></b>	<b><u>SIDE</u></b>	<b><u>EXTENT</u></b>
Marklew Avenue	EASTERN KERB LINE	From a point approx. 32.6 metres from the southern kerb line of Cromwell Road, in a south-westerly direction for a distance of 46.1 metres

**EXISTING LAYOUT**

**PROPOSED LAYOUT**

<b>PROJECT</b>		Traffic Regulation Order Project 19-07	
<b>TITLE</b>		Marklew Avenue/Cromwell Road Waiting Restrictions	
<b>DRAWN</b>	NH	<b>APPROVED</b>	
<b>FILE REF</b>	A3 (207 x 420)	<b>DATE</b>	29/09/2020
<b>SCALE</b>	NTS	<b>CLIENT</b>	NORTH EAST LINCOLNSHIRE COUNCIL
		<b>DRAWING NO.</b>	TF-RM-20-010

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