

PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

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| DATE | 14 June 2021 |
| REPORT OF | Councillor Stewart Swinburn, Portfolio Holder Environment & Transport |
| RESPONSIBLE OFFICER | Sharon Wroot, Executive Director for Environment, Economy and Resources |
| SUBJECT | Traffic Regulation Order 20-04 – Bolingbroke Road – Parking Issues - Consideration of Objections |
| STATUS | Open |
| FORWARD PLAN REF NO. | PHET 06/21/03 |

CONTRIBUTION TO OUR AIMS

The scheme, if confirmed, will contribute to the Council's aim of improving the Health and Wellbeing of all road users, residents and visitors to the area by creating and maintaining a safer environment.

EXECUTIVE SUMMARY

Following formal advertisement of Traffic Regulation Order (TRO) 20-04 'The North East Lincolnshire Borough council (Prohibition of Waiting Restrictions) (Bolingbroke Road, Cleethorpes) (No. 20-04) Order 2021' on 18 February 2021, two objections were received to the making of the Order. This report requests consideration of those objections and seeks approval to progress with the advertised scheme as shown on the drawing in Appendix B.

RECOMMENDATIONS

It is recommended that:

- a) Approval is granted for the sealing of Traffic Regulation Order 20-04 as advertised, without amendment for the introduction of 'No Waiting at Any Time' (Double Yellow Line) restrictions as detailed in the schedule in Appendix A and shown indicatively on drawing TR-20-04-B in Appendix B.

REASONS FOR DECISION

To improve junction visibility, road safety and access / egress to Bolingbroke Road for larger vehicles, as well as ensuring access to properties can be maintained by residents.

The proposals will also improve traffic flow along Bolingbroke Road, particularly between its junctions with Chichester Road and Ravendale Road.

1. BACKGROUND AND ISSUES

- 1.1 Bolingbroke Road is situated within the resort of Cleethorpes, a short walk from the seafront and other tourist attractions. It is purported to be one of the many residential streets that suffer the effects of 'seasonal parking', with residents

complaining of congestion during the summer months, weekends and when events are scheduled.

- 1.2 Residents originally reported issues regarding the parking conditions on the initial section of Bolingbroke Road when accessing from Chichester Road, in 2017. Residents subsequently submitted a petition to the Council's Highway and Transport department in October of the same year to address concerns over access issues for larger vehicles and residents being able to enter / exit private driveways.
- 1.3 Following prior approval from Portfolio Holder for Environment & Transport under Decision Notice DNPH.ETE.20 to progress with the statutory Traffic Regulation Order (TRO) making procedure, TRO 20-04 was formally advertised on 18 February 2021.

2. OBJECTIONS.

Of the 84 properties engaged, a total of two objections were received during the statutory 21-day period in which anyone could object to the proposed TRO, which closed on the 10 March 2021.

2.1 Objection 1

The objector was opposed to the proposed measures on the basis they felt that the removal of parking would lead to an increase in vehicles speeds. They stated that the current presence of parked vehicles creates an obstacle for other traffic to negotiate and it is noticeable that speeds increase significantly when there is free passage.

The objector did acknowledge that there are occasions when there is inconsiderate and illegal parking, however, they felt these are few and far between. It is further suggested that existing laws and Highway Code allow for prosecution by NELC and the Police for offences such as: causing an obstruction, footway parking and parking on a corner or parking dangerously.

It was also felt that by preventing parking it would result in the relocation of the issues to another section of Bolingbroke Road or into neighbouring side roads such as Ravendale Road or Daggett Road.

2.2 Objection 2

The second objector opposed the proposed measures on the basis they rely on visits by their family in order to maintain social wellness. It was suggested that the presence of double yellow lines outside their property would mean visitors would have to park further away which may pose a hazard for their grandchildren.

This objector also believes the scheme would not solve the issue, instead it would just push tourists to park further along Bolingbroke Road.

2.3 Objection Responses

2.3.1 *Objector One:*

Officers recognise the benefits that retaining a level of parking can help keep vehicle speeds down, which is why parking would still be permitted on the north-easterly kerbline. It is expected this will provide some traffic calming benefit.

The extent of the restrictions to be introduced are also only relatively short which, when coupled with the locations close proximity to Chichester Road junction, would mean vehicles would find it difficult to easily exceed the speed limit between the junctions of Chichester Road and Ravendale Road. Vehicles travelling southbound would then be forced to negotiate two-sided parking which is being retained to the south of the Ravendale Road junction, and vehicles travelling northbound would already be looking to reduce their speed on approach to the give-way lines at the Chichester Road junction.

As part of the statutory Order making process, consultation has been carried out on the proposals with the various emergency service bodies. Humberside Police have reviewed the proposals and have no comments or concerns with the scheme.

In the event the authority receives reports of speeding vehicles once the scheme is finalised, these will be addressed in the appropriate manner.

Attempts were previously made to mitigate risk of parking displacement by incorporating measures for other sections of Bolingbroke Road as part of an initial scheme design, which unfortunately was not supported by local residents.

The scheme will be monitored following implementation. If residents further along Bolingbroke Road start to encounter similar issues as those in the initial section, officers will investigate any reports and assess whether further action is required at that time.

2.3.2 *Objector Two:*

The implementation of restrictions outside some properties would not prevent visitors from continuing to attend those properties. It is recognised that most, if not all, properties on Bolingbroke Road have access to off-street parking. Given the increasing pressure for parking in Cleethorpes, Local Authority advice to all residents would be to utilise any driveway, garage, or other parking area they have available, both for themselves and their visitors. This will reduce the volume of vehicles parked on the highway which, in turn, will help maintain the free flow of traffic and improve visibility for vulnerable road users.

In the event that visitors cannot be accommodated within the confines of the property concerned, they are of course permitted to utilise any unrestricted sections of carriageway for parking. In this case the nearest alternative parking would be on the opposite kerbline (north-eastern), as well as other options being available further along Chichester Road or in adjacent side streets such as Ravendale Road. This is not deemed to be an unreasonable distance for visitors to travel from their vehicle to those properties.

Furthermore, there is a statutory exemption to allow for the boarding or alighting of passengers on all 'Prohibition of Waiting' restrictions. Any vehicle may be allowed a reasonable amount of time to pick up or drop off passengers irrespective of any waiting restriction in force.

It is not a legal requirement that the vehicle must be attended, in the event the passenger requires escorting to or from a nearby property, because of age and / or infirmity, then it is reasonable for the vehicle to be left unattended whilst they are accompanied. Young children should, at all times, be under the supervision of an appropriate adult to ensure their safety on the highway.

- 2.4 The Ward Councillors have been made aware of the objections received and advised of the intention to refer these back to the Portfolio Holder, via democratic process, for a decision on how to proceed.

3. RISKS AND OPPORTUNITIES

3.1 Should these proposals be adopted, the opportunities are:

- To better control parking and the free flow of traffic along the initial section of Bolingbroke Road, close to the junction with Chichester Road.
- To improve visibility at the key junction of Bolingbroke Road with Ravendale Road, which is close to the reported issues, through the introduction of robust 'No Waiting at Any Time' restrictions. These measures are aligned to rule 243 of the Highway Code which states 'Do not stop or park within 10 metres of a junction'.
- To provide easier and safer access to residences where the issue of parked vehicles is most prevalent.

3.2 Should these proposals be adopted, the risks are:

- There is a reduction in on-street parking capacity where double yellow lines are to be introduced. This is not perceived to be a significant issue as most properties on Bolingbroke Road have access to off-street parking (driveway or garage).
- Some level of visitor parking may be displaced into surrounding residential streets. It is likely that adjacent residential streets already experience a moderate level of parking during the summer months, any increase would not be detrimental due to the short lengths of restrictions that are to be introduced on Bolingbroke Road.
- The success of any new parking restrictions is somewhat dependant on the availability of Civil Parking Enforcement resource. To be effective the measures should be regularly patrolled by Civil Enforcement Officers and action taken against any vehicles parked in contravention. This may impact on their ability to enforce other areas of the borough.
- National exemptions exist which allow parking on 'No Waiting' restrictions for very specific purposes. The most notable of which is the exemption afforded to Blue Badge Holders (disabled persons), which allows parking for up to three hours. It is unlikely that there will be many vehicles displaying such exemption at this location, given that it is a reasonable distance from the main tourist areas. There are other closer alternative parking options available in more accessible locations for such users.

3.3 **Should these proposals not be implemented, the risks are:**

- That parking in Bolingbroke Road will remain unregulated, resulting in the continued risk of access issues for emergency service and refuse vehicles.
- Access difficulties for local residents to private driveways will not be addressed.
- The road width of Bolingbroke Road may be further reduced by the presence of parked vehicles along both kerblines. This has the potential to cause obstruction to the free flow of traffic along the road.

4. **OTHER OPTIONS CONSIDERED**

4.1 **Do nothing** – The issues reported by residents would not be addressed. Parking along the extent of Bolingbroke would not be controlled and may continue to pose access issues for larger vehicles and to private driveways.

4.2 **Introduce key safety restrictions only** – All measures proposed are deemed to mitigate potential road safety risks, whilst at the same time not being too onerous for residents who may be reliant on available on-street parking.

4.3 **Introduce additional timed ‘No Waiting’ restrictions along sections of Bolingbroke Road** – As part of an earlier scheme layout additional measures were put forward for the introduction of single yellow line restrictions, to stagger parking during peak times along both kerblines. The reported problems could be displaced further along Bolingbroke where they are just as likely to cause issues. By restricting the level of parking when volumes are likely to be higher this will reduce the potential for other residents to encounter similar difficulties. Similarly, the retention of parking is widely regarded as having an informal traffic calming effect.

Such previous proposals were however not met favourably by residents and have not been progressed.

4.4 **Introduce ‘No Loading’ restrictions** – Although recognised as effective and easily enforced, this type of restriction is considered to be out of place in a residential area. Such restrictions require additional road markings and the provision of upright signs. ‘No loading’ restrictions are also more prohibitive than ‘No Waiting’ restrictions and do not provide the exemptions that local residents may rely on, namely loading and unloading.

5. **REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

5.1 It is expected there will be little potential for negative reputational implications resulting from the decision. The proposals are as a direct result of a request by residents and Ward Councillors to address parking issues on a section of Bolingbroke Road, who have already been made aware of the intention to progress the recommended scheme.

5.2 The purpose of the highway is to allow vehicles to pass and repass. There is no expressed right to park, although every effort has been made to retain some on-street parking provision at the request of residents and to mitigate any potential

increase in vehicle speeds.

- 5.3 Any displaced parking can be accommodated in the numerous surrounding unrestricted streets, a short distance away.
- 5.4 All proposed restrictions will be clearly marked on street. The types of markings to be introduced are common throughout the country, so are easily identifiable and understood by drivers.
- 5.5 Previous communication has been undertaken with Ward Councillors and residents in the area, which has included informal consultation on the current and previous scheme designs.
- 5.6 If the recommendations of this report are accepted and approval is given to progress with the sealing of this TRO, the authority is required to:
- i. include amongst the deposited documents for public inspection a copy of the Order as actually made.
 - ii. publish in a local newspaper a public notice stating that the Order has been made.
 - iii. write to any objectors within 14 days of making the order, to notify them the order has been made and, where the objection has not been wholly acceded to, shall include in that notification the reasons for the decision.

6. FINANCIAL CONSIDERATIONS

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

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The proposals are not expected to have any significant impact on climate change and / or the environment. There is the potential that the restrictions may encourage some visitors to Cleethorpes seafront, who live close by, to make such short journeys by other means. This may be in the form of cycling, walking or utilising local public transport.

8. CONSULTATION WITH SCRUTINY

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

9. FINANCIAL IMPLICATIONS

There are no financial implications resulting from this report, as costs incurred are covered via the Engie contract.

10. LEGAL IMPLICATIONS

- 10.1 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.

- 10.2 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.
- 10.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.
- 10.4 If it is decided to make the TRO notwithstanding any objections made it can only be challenged by Judicial Review in the Administrative Court.

11. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications contained within this report.

12. WARD IMPLICATIONS

The proposals relate to issues solely within the Haverstoe Ward.

13. BACKGROUND PAPERS

Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

<http://www.legislation.gov.uk/ukxi/1996/2489/made>

Road Traffic Regulation Act 1984

<http://www.legislation.gov.uk/ukpga/1984/27>

The Highway Code

<https://www.gov.uk/guidance/the-highway-code>

14. CONTACT OFFICER(S)

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COUNCILLOR STEWART SWINBURN
PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

APPENDIX A

Schedule 1 – Prohibition of Waiting

No Waiting at Any Time (Double Yellow Lines)

| <u>Street</u> | <u>Side</u> | <u>Extent</u> |
|----------------------|--------------------|---|
| Bolingbroke Road | South-west | From a point 16.6 metres south-east of the south-easterly kerbline of Chichester Road, in a south-easterly direction to a point 11 metres south-east of the south-easterly kerbline of Ravendale Road, a distance of 77.9 metres. |
| Ravendale Road | North-west | From the south-westerly kerbline of Bolingbroke Road in a south-westerly direction for a distance of 15 metres. |
| Ravendale Road | South-east | From the south-westerly kerbline of Bolingbroke Road in a south-westerly direction for a distance of 15.2 metres. |

APPENDIX B

