

PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

DATE	9th August 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 21-13: David Street, Grimsby – No Waiting at Any Time Restrictions
STATUS	Open
FORWARD PLAN REF NO.	PHET 08/21/03

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 make permanent the 'No Waiting at Any Time' restrictions at the access to Near & Near Undertakers on David Street, Grimsby. These restrictions we introduced under a Temporary Traffic Regulation Order (TTRO) in April 2020 to prevent vehicles parking and obstructing the access.

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 protect the safety of the wider public by ensuring that vehicles can gain access to the required facilities to enable loading / unloading to be undertaken within the grounds of the premises.

1. BACKGROUND AND ISSUES

- 1.1 No Waiting at Any Time restrictions (double yellow lines) were installed initially under an Emergency Traffic Regulation Order on 17th April 2020 as a result of the immediate need to access this facility 24 hours a day, 7 days a week during the ongoing Covid 19 situation. It was essential to the wider public safety that vehicles were able to gain access to the required facilities to enable loading /

unloading to be undertaken within the grounds of the premises.

- 1.2 On 30th April 2020, the emergency order was superseded by a TTRO which will expire on 1 November 2021 and it is proposed to introduce a permanent Traffic Regulation Order (TRO) to ensure these restrictions continue indefinitely.
- 1.3 Informal consultation has been undertaken with residents affected by the proposals. No responses were received.

2. RISKS AND OPPORTUNITIES

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

- Vehicles will resume parking and obstruct the access which would result in loading / unloading being undertaken on street, thereby creating a wider public safety issue due to the ongoing COVID-19 pandemic.

2.2 Should this proposal be adopted, the opportunities are:

- Access to the funeral directors is maintained ensuring that loading/unloading can take place within the grounds of the premises.

3. OTHER OPTIONS CONSIDERED

- 3.1 Do nothing. However, this would not be advised given the wider public 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. Given the nature of the business that Near & Near Undertakers conducts, it is essential, and in the public interest that loading / unloading activities take place within their premises.
- 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 There are no direct financial implications to the Council, as the related costs will be incurred by Engie as part of the Regeneration Partnership.

9. LEGAL IMPLICATIONS

- 9.1 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.
- 9.2 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.
- 9.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.
- 9.4 If it is decided to make the TRO notwithstanding any objections made it can only be challenged by Judicial Review in the Administrative Court.

10. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications

11. WARD IMPLICATIONS

The proposals relate to issues solely within the Heneage 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 –

“24 Hour Prohibition of Waiting”

<u>ROAD</u>	<u>SIDE</u>	<u>EXTENT</u>
David Street, Grimsby	NORTHERN KERB LINE	From a point 60 metres east of its junction with Heneage Road in a north easterly direction for a distance of 10 metres

APPENDIX 2

