

## **PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

<b>DATE</b>	22 August 2022
<b>REPORT OF</b>	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport
<b>RESPONSIBLE OFFICER</b>	Sharon Wroot, Executive Director for Environment, Economy, and Resources
<b>SUBJECT</b>	Traffic Regulation Order: Victoria Street West, East St Mary's Gate & Old Market Place, Grimsby (Prohibition of Vehicles)
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	PHET 08/22/02

### **CONTRIBUTION TO OUR AIMS**

The recommendations of this report will contribute to the Council's 'Health and Wellbeing' objective by creating and maintaining a safer, healthier, and more pleasant environment for pedestrians within Grimsby town centre

### **EXECUTIVE SUMMARY**

It is proposed to introduce a permanent 'Prohibition of Vehicles' restriction within Grimsby town centre that will continue in force indefinitely the provisions of the Temporary Traffic Regulation Order (TTRO) currently in operation.

### **RECOMMENDATIONS**

It is recommended that:

- a) Subject to formal consultation and no material objections being received, approval be granted to the making of a 'Prohibition of Vehicles' Traffic Regulation Order (TRO) as shown on drawing 22-05/ 001 in Appendix 1.
- b) In the event that there are unresolved material objections received, these will be referred to the Portfolio Holder for consideration, prior to a decision on whether to make the order.

### **REASONS FOR DECISION**

In May 2021, a TTRO was introduced within the town centre to prohibit vehicles accessing the pedestrian area at all times.

The TTRO will expire on 31st October 2022 and to ensure this restriction can continue to be in operation, and a safe environment for pedestrians maintained, a permanent TRO is required.

## 1. BACKGROUND AND ISSUES

- 1.1 As a result of the pandemic and the rise in food outlets offering delivery services, due to restrictions in place preventing customers from entering the facilities in person, a number of concerns were received regarding public safety and the increased number of food delivery drivers that were accessing the Victoria Street West pedestrian area to collect food orders from outlets such as McDonalds and Subway etc.
- 1.2 It had been observed that delivery vehicles were parking inappropriately and travelling in excess of the 20mph speed limit which created obstruction and road safety risks to pedestrians.
- 1.3 Rising bollards have been in operation on Victoria Street West (junction with George Street), East St Mary's Gate and Old Market Place (junction with Bethlehem Street) since late 2020 which prevented vehicle access during the core pedestrian times of 10.30am to 4pm only.

Outside of these times, the area was effectively unrestricted and unenforced, due to the permanent TRO, introduced in 2007, stating that access would be allowed for permit holders only, between the hours of 10.30am and 4pm. However, permits were issued historically a number of years ago, but nothing issued recently since the rising bollards came back into operation in 2020.

- 1.4 In May 2021, a TTRO to prohibit vehicle access at all times into Victoria Street West, East St Mary's Gate and Old Market Place was introduced to address the concerns in 1.1 and 1.2 above. The TTRO overrides the permanent TRO until it expires on 31st October 2022.
- 1.5 Exemptions to the temporary order are for authorised vehicles only, as listed below:

### Access at any time:

- Livered Local Authority Vehicles (EQUANS/ NELC)
- Emergency Vehicles (Fire, Police, Ambulance, Coast Guard)
- Authorised Contractors / Utilities / Waste

### Access before 10.30am and after 4pm (Daily) where no suitable alternative means of access is available:

- Vehicles which are being used to deliver goods to premises fronting, adjoining, abutting or adjacent to the above-named streets but only where due to the sheer size and weight of the deliveries, transportation by vehicle is essential and as such it would be impractical to park elsewhere and carry the goods by hand.
  - Postal Service or Courier Vehicles
  - Security Vehicles
- 1.6 Access into the pedestrian area is currently managed remotely by the Control Room at Doughty Road, via an intercom and only permitted in accordance with the exemptions in 1.5.

- 1.7 The introduction of the TTRO was welcomed and supported by the Police and businesses on Victoria Street West and Old Market Place who had expressed their concerns that pedestrians were avoiding the town centre due to the volume, and speed of food delivery vehicles accessing that area.
- 1.8 To ensure the town centre continues to be a safe environment for pedestrians, it is proposed to continue in force indefinitely the provisions of the TTRO.

## **2. RISKS AND OPPORTUNITIES**

### **2.1 Should these proposals be adopted, the opportunities are:**

- To minimise vehicle access and maintain a safe environment for pedestrians within the town centre pedestrian zone at all times.
- As a moving traffic offence, enforcement would normally be undertaken by the Police. However, this area is controlled by rising bollards and access can only be permitted via communication with the Control Room, the risk of unauthorised vehicles being in this area are significantly reduced which reduces the reliance on the Police to enforce the restriction.

### **2.2 Should these proposals be adopted, the risks are:**

- Food delivery drivers may be displaced into other areas of the town centre and parking dangerously or inappropriately creating safety risks for other road users and pedestrians.

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

- Food delivery drivers will go back to using this area to access the food outlets and it is highly likely the safety risks and concerns previously raised will return.

## **3. OTHER OPTIONS CONSIDERED**

**Do nothing** – The TTRO will expire on 31st October 2022, resulting in the provisions of the permanent TRO, introduced in 2007 coming back into force. Such provisions would be less favourable than the recommendations of this report as they do not safeguard vulnerable road users at all times.

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

- 4.1 It is not anticipated that there will be any negative reputational implications resulting from the decision as the introduction of the permanent TRO will continue in force the provisions of the current TTRO, which is fully welcomed and supported by the Police and businesses in the area.
- 4.2 Previous engagement and communications were undertaken with Ward Councillors on the introduction of the TTRO and further communication will be undertaken informing of the proposed permanent TRO.

- 4.3 Further wider communications will be undertaken prior to the restriction coming into operation. This is likely to be a media release.
- 4.4 If the recommendation of this report is approved, 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 and notices erected at each of the sites to advise of the Councils intention to make the Order. This provides a formal opportunity for anyone to submit an objection to the making of the order.
- 4.5 There will be no change required to the existing traffic signs which clearly display the times of operation as prescribed under legislation.

## **5. FINANCIAL CONSIDERATIONS**

The recommendation does not require any capital expenditure. The advertising of public notices associated with the proposals will be met through the Council's Regeneration Partnership arrangement with EQUANS.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There are no implications on children and young people specifically. The measures proposed are intended to maintain a safe environment within the town centre for pedestrians of all ages.

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

By reducing the volume of motorised vehicles permitted into the area, air quality will be improved for pedestrians.

## **8. CONSULTATION WITH SCRUTINY**

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

## **9. FINANCIAL IMPLICATIONS**

There are no financial implications to the Council as a result of this report.

## **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, once made the order can only be challenged by Judicial Review in the Administrative Court.

#### **11. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications in this report.

#### **12. WARD IMPLICATIONS**

The proposals relate to issues within the West Marsh Ward only.

#### **13. BACKGROUND PAPERS**

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

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

The North East Lincolnshire Borough Council Road Traffic Regulation Act  
1984 – Section 14(1) Victoria Street West, East St Mary's Gate & Old Market  
Place, Grimsby (Temporary Prohibition Of Vehicles– TTRO 21-070)  
Order 2021

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

Mark Nearney – Assistant Director of Housing, Highways and Transport –  
NELC.

Telephone: (01472) 323105

Debbie Swatman – Traffic Team Manager – EQUANS

Telephone: (01472) 324514

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

APPENDIX 1

