CONTRIBUTION TO OUR AIMS

The revised schemes 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 by keeping the footway unobstructed for pedestrians.

This will improve the visual aesthetic of the Borough’s highways network and reduce the costs incurred by the Council associated with repairing damaged verges and footways.

EXECUTIVE SUMMARY

It is proposed to revise the existing Traffic Regulation Orders (TRO) for the ‘Prohibition of Stopping on Footway and Verge’ within Humberston to:-

a) Redefine the extent of the area to which the restriction applies to incorporate any new developments built since the original TRO was introduced or remove any areas where the restriction is no longer necessary;

b) Include additional streets that require to be exempt from the TRO;

c) Enable more effective and robust enforcement of vehicles parking on verges and footways within Humberston.

d) Preserve the character of the roadside verges and footways within Humberston whilst also addressing the concerns of local residents and maintaining pedestrian safety requirements.

The extents of the scheme are shown on drawing TR -19-24/ 04/ 002A. in Appendix B.
RECOMMENDATIONS

It is recommended that:

1. Subject to a formal consultation and no objections being received, the existing ‘No stopping on Footway and Verge’ Traffic Regulation Orders for Humberston as set out in Appendix A, Schedule 1 are revoked.

2. Subject to a formal consultation and no objections being received, approval is granted to the making of a Traffic Regulation Order to implement a ‘No Stopping on Verge or Footway’ Restriction within Humberston to the extent shown on drawing TR -19-24/ 04/ 002A in Appendix B, Schedule 2.

3. In the event that there are unresolved material objections to the Order, these are referred back to the Portfolio Holder for a decision as to whether the Traffic Regulation Order be confirmed.

REASONS FOR DECISION

To amend the existing TRO within Humberston to:-

a. Redefine the extent of the area to which the restriction applies to incorporate any new developments built since the original TRO was introduced or remove any areas where the restriction is no longer necessary;

b. Include additional streets that require to be exempt from the TRO;

c. Enable more effective and robust enforcement of vehicles parking on verges and footways within Humberston;

d. Preserve the character of the roadside verges and footways within Humberston whilst also addressing the concerns of local residents and maintaining pedestrian safety requirements.

1. BACKGROUND AND ISSUES

1.1 At the request of the Humberston & New Waltham Ward Councillors and Humberston Parish Council, a review of the existing ‘No stopping on Footway and Verge’ TRO within Humberston has been undertaken to investigate whether the following streets could be exempt from the proposed TRO:

- Burcom Ave
- Chapman Crescent
- Clee Ness Drive
- Coulam Place
- Eastfield
- Grasmere Grove
- Hurstlea Drive
Lomond Grove  
Midfield Place  
Richardson Close  
Stephen Crescent  
St Lukes Grove  
Townsend Close

1.2 The existing TRO currently includes the above streets and as such, vehicles are required to park wholly on the carriageway. However, the TRO currently exempts a number of other streets within Humberston which are either unadopted highway or are too narrow for the restriction to be practical. These streets will remain exempt.

1.3 Residents of the above streets frequently experience issues with vehicles parking wholly on the carriageway and obstructing access for service vehicles and residents.

1.4 Consultation on the proposal to exempt the above streets has been undertaken with Ward Councillors, Humberston Parish Council and all 264 residents within the above proposed streets. The Ward Councillors and Parish Council are in support of the proposals and a total of 3 responses were received back from residents.

1.5 1 combined response was from Stephen Crescent, which contains residents signatures from 31 properties (81% of the street) against making this street exempt. As a result, Stephen Crescent will not be exempt from the proposed TRO.

1.6 Feedback from the consultation has been provided to the Ward Councillors and Humberston Parish Council and it is proposed, subject to objections received during the 21 day statutory advertising period, that the scheme as shown on drawing TR -19-24/ 04/ 002A be implemented.

2. **RISKS AND OPPORTUNITIES**

Should these proposals not be implemented, the risks are:

- Vehicles will continue to park on verges and footways within Humberston resulting in potential road safety issues, obstruction of the verge and/or footway, damage to the verges and footways and visual obstruction and intrusion of the overall character of these Parishes.

- NELC Civil Enforcement Officers are unable to issue penalty charge notices to any vehicles parking on footways and/or verges unless a ‘Prohibition of Stopping on Verge and Footways’ TRO is in operation.

Should the proposals be adopted, the opportunities are:

- Enable more effective and robust enforcement of vehicles parking on verges and footways within Humberston.
Preserve the character of the roadside verges and footways within Humberston whilst also addressing the concerns of local residents and maintaining pedestrian safety requirements.

Reduce the costs incurred by the Council associated with repairing damaged verges and footways

3. OTHER OPTIONS CONSIDERED

Do nothing - There has been a direct request from the Humberston & New Waltham Ward Councillors and Humberston Parish Council to review the current ‘Prohibition of Stopping on Verge and Footway’ TRO. Should these schemes not be amended vehicles will continue to park on verges and footways within Humberston resulting in potential road safety issues, obstruction of the verge and/or footway, damage to the verges and footways and visual obstruction and intrusion of the overall character of this Parish.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

4.1 Due to the significant level of consultation undertaken within Humberston and little negative feedback received, it is expected that there will be little potential for negative reputational implications resulting from the decision.

4.2 As part of the statutory procedure for introducing a Traffic Regulation Order there is a requirement to formally advertise the proposals for a period of 21 days within the local media and on the affected streets. This formal consultation period instigates a further opportunity for individuals to object to elements of the scheme, should they wish to do so.

4.3 NELC public website will be updated following the decision. There are no further communications considerations.

5. FINANCIAL CONSIDERATIONS

5.1 The recommendation does not require any capital expenditure. Any road markings, signing and public notices required are covered through the Council’s Regeneration Partnership arrangement.

6. CONSULTATION WITH SCRUTINY

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

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

7.1 There are no impacts on climate change and the environment as a direct result of this report.

8. FINANCIAL IMPLICATIONS
8.1 As outlined in section 5, there are no financial costs to the Council from the proposed scheme, as the related costs are covered through the Council regeneration partnership contract with Engie. Some cost savings may be achieved should the proposals reduce damage to footways and verges.

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**

10.1 There are no direct HR implications.

11. **WARD IMPLICATIONS**

11.1 The proposal relates solely to issues within the Humberston & New Waltham Ward.

12. **BACKGROUND PAPERS**

Traffic Management Act 2004  

Road Traffic Regulation Act 1984  

Local Authorities' Traffic Orders (Procedure) Regulations 1996  

The Highway Code  
[https://www.gov.uk/browse/driving/highway-code](https://www.gov.uk/browse/driving/highway-code)

13. **CONTACT OFFICER(S)**

| Mark Nearney Assistant Director of Housing and Interim Assistant Director of Highways, Transport and Planning | Debbie Swatman Traffic Team Manager |
| Economy & Growth | ENGIE |
COUNCILLOR STEWART SWINBURN
PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT
Appendix A

SCHEDULE 1

Revocation of “No Stopping on Footway or Verge”

<table>
<thead>
<tr>
<th>Order to be Revoked</th>
<th>Extent of Revocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Borough of North East Lincolnshire (Prohibition of Stopping on Footway or Verge) (Humberston) (No. 16-13A) Order 2016</td>
<td>Full Extent (as shown on highlighted plan within the Order)</td>
</tr>
</tbody>
</table>
Appendix B

SCHEDULE 2

“No Stopping on Verge or Footway”

All lengths of adopted road in Humberston, within the extents shown on drawing TR-19-24/04/002A