

Highways Committee

10 June 2016

Sedgefield PARKING & WAITING RESTRICTIONS ORDER 2016



Report of Ian Thompson, Corporate Director for Regeneration and Economic Development.

Councillor Neil Foster, Portfolio Holder Regeneration and Economic Development

1. Purpose

- 1.1. In accordance with part 3A of the Council's Constitution, Members are asked to make a decision in principle only which will then guide the Corporate Director in the exercise of delegated decision making. The final decision is therefore one for the Corporate Director, under delegated powers.
- 1.2. To advise Members of objections received to the consultation concerning changes to the traffic regulation order in Sedgefield.
- 1.3. To request that members consider the objections made during the informal and formal consultation period.

2. Background

- 2.1 Following the successful implementation of Civil Parking Enforcement in Durham District in 2008 it was introduced into the Southern part of the County in 2012. Enforcement of all waiting restrictions within this area was undertaken by the County Council from this time.
- 2.2 The County Council are committed to regularly reviewing traffic regulation orders to ensure that the restrictions held within them are relevant and appropriate.
- 2.3 A request was received from Sedgefield Neighbourhood Watch Panel to introduce waiting restrictions on Salters Lane Industrial Estate to address parking and road user issues generated by parking on the verges and footways. Introducing waiting restrictions will also help to address the aesthetic issues caused by parking on the verges and address ongoing maintenance liabilities.
- 2.4 In the past, industrial units on Salters Lane have been left without electricity and internet because the utility cables below the verges have been exposed and damaged by repetitive parking on the verged areas. Pedestrians have, on occasions, had to walk in live traffic around vehicles parking over the footpath.

- 2.5 In July 2015, business owners and managers on Salters Lane Industrial Estate were informally consulted on proposals to introduce waiting restrictions on Unclassified Salters Lane.
- 2.6 At this point, Objector 1 raised an objection to the proposals on the basis that the parking is not an all-day issue and does not warrant such excessive measures.
- 2.7 The objector also advised that occasionally there is more than one HGV delivery truck at their unit, so one truck may need to wait on the highway. They were advised that loading and unloading can be carried out from the waiting restrictions, as long as they are actively seen to be doing so.
- 2.8 All other responses received (7) were in favour of introducing restrictions, but expressed a wish for them to be extended further into the industrial estate. Site meetings were carried out to speak to unit managers to assess the parking problems.
- 2.9 A second informal consultation was carried out on 24 September 2015 advising that requests had been received to extend the waiting restrictions to cover the full length of the estate road. All consultees were advised the proposals would be formally advertised and that notices would be posted on site and in the local press in the near future. Should they wish to object, they should do so by following the instructions on the adverts.
- 2.10 At the formal advertising stage there was one objection received (objector 2). They wished for only one side of the road to be subject to waiting restrictions. They also requested the restrictions not be implemented (if at all) for a while to allow their business to put alternative measures in place for parking their fleet.

3 Objection 1 (objected at informal consultation stage)

- 3.1 The objector is a business owner on the estate. They believe that the problem is occasional, not constant and does not warrant such excessive measures. The objector was advised that a DCC officer would attend a site meeting if desired to discuss other possible measures to address the situation, but no such request was made.
- 3.2 The objector was advised that they could attend Highways Committee but expressed their wish not to attend, as they believed that the introduction of parking restrictions was a foregone conclusion.

4 Objection 2 (objected at formal consultation stage, in response to on-site advert)

- 4.1 The objector is a business manager of a delivery service on Salters Lane. The nature of the business requires a fleet of vehicles, some of which are HGVs. The objector was consulted informally twice, inviting comments to the proposed waiting restrictions, but there was no response given on either occasion.

- 4.2 As part of their objection, Objector 2 requested that only one side of the carriageway be subject to waiting restrictions to allow some degree of off-street parking. *(Those in favour of the waiting restrictions did not find these proposals agreeable and no agreement could be reached between both parties; therefore the Order has progressed to Highways Committee).*
- 4.3 The objector also requested that there be a degree of time allowed for their company to put remedial measures in place to make alternative arrangements for parking their fleet. This request is agreeable within reason, if the objector can give a practical timescale they can work to. *(objection received 10 November, 2015)*
- 4.4 On 1 March 2016, a request for judicial review was received from Objector 2. This was considered by Durham County Council Legal Section and the outcome was that there were no grounds for review as protocol had been followed in line with Statutory Instrument 2489.
- 4.5 On 21 April 2016, Objector 2 sent a further letter to Legal Services to expand upon their original objection. As part of the letter, they requested to meet and discuss possible options other than introducing waiting restrictions on both sides of the road, for their full lengths.
- 4.6 A meeting was proposed on Wednesday 25 May at 2pm between Objector 2, Traffic Section Manager and the requestor of the restrictions. Objector 2 did not respond to the invitation.
- 4.7 On May 26 2016 an email was sent to Objector 2 outlining less restrictive waiting restrictions outside of their Depot. Objector 2 was asked to advise in writing by no later than 5 June 2016 if they found the less restrictive proposals agreeable. Alternatively, they would be invited to Highways Committee on 10 June 2016 at 9.30am.

5 Local member consultation:

- 5.1 The Local Members have been consulted and offer no objection to the proposals.

6 Recommendations:

- 6.1 It is recommended that Members resolve that they are minded to agree to set aside all objections, endorse the proposal and proceed with the implementation of the Sedgefield: Waiting and Parking Restrictions. Order 2016 with the final decision to be made by the Corporate Director under delegated powers.

7 Background Papers:

- 7.1 Correspondence and documentation in Traffic Office File and in member's library.

Appendix 1: Implications

Finance – LTP Capital (Approx. cost - £1500)

Staffing – Carried out by Strategic Traffic

Risk – Not Applicable

Equality and Diversity – It is considered that there are no Equality and Diversity issues to be addressed.

Accommodation - No impact on staffing

Crime and Disorder - This TRO will allow effective management of traffic to reduce congestion and improve road safety.

Human Rights - No impact on human rights

Consultation – Is in accordance with SI:2489

Procurement – Operations, DCC.

Disability Issues - None

Legal Implications - All orders have been advertised by the County Council as highway authority and will be made in accordance with legislative requirements.