

Highways Committee

11 May 2018



FISHBURN PARKING AND WAITING RESTRICTIONS ORDER 2018

Report of Ian Thompson, Corporate Director of Regeneration and Local Services

Councillor Brian Stephens, Cabinet Portfolio Holder for Neighbourhoods and Local Partnerships

1. Purpose of the Report

- 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 a traffic regulation order in Fishburn.
- 1.3 To request that members consider the objections made during the advertising 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 Councillor John Robinson to consider the introduction of parking restrictions on C26/B1278 Crossroads at Fishburn to address ongoing road safety issues generated by parking on both sides of the road between the stop line and a traffic island.
- 2.4 In 2013, these crossroads were subject to a Road Safety Audit due to the volume of traffic accidents in recent years. There had been five accidents in the five years previous to the Audit with six casualties being involved.
- 2.5 These accident statistics were sufficient to warrant intervention measures. Part of these measures included, but were not exclusive of:

- Refreshing and intruding 'SLOW' markings on the carriageway
- Red infill in the central hatching to improve the visual effects
- Renewed larger STOP sign at the junction to emphasise the junction and
- High friction surfacing at junctions for improved grip.

3. Proposals

- 3.1 In November 2017 the affected frontages located on Fishburn Crossroads and all Statutory Consultees were informally consulted on proposals to introduce waiting restrictions on the C26/B1278 crossroads.
- 3.2 At this point the Area Traffic Engineer advised that a loading restriction may be more suitable in this location based on the historic complaints in the area. The informal consultation plan was amended to reflect a no waiting and no loading at any time restriction and there were no other comments or objections received from Statutory Consultees.
- 3.3 There were no comments or objections from affected frontages at this point.

4. Objections and Responses

- 4.1 **Objection 1** (objected at formal consultation stage, in response to on-site advert)
- 4.2 The objector owns a business adjacent to the proposed restrictions. They believe that the introduction of parking restrictions will have a detrimental impact on their business by restricting parking for both staff and customers.
- 4.3 The objector was advised that a consultation letter was sent to their address on 24 November 2017 inviting comments and objections to the proposals but no response had been received. During email correspondence with the objector, they had advised that they never received the initial consultation letter as they don't have a letterbox and had seen the notices on-site.
- 4.4 The objector was informed that their objection would be taken forward to Highways Committee. They were also advised that their contact details would be forwarded to a member of Committee Services who would contact them in due course to advise of the date and time that the Highway Committee date would be held.
- 5** **Objection 2** (objected at formal consultation stage, in response to on-site advert)
- 5.1 The objector is a business owner in the village and believes that parking restrictions in this location would be a waste of taxpayers' money and funds should be used to create additional parking facilities in the village. The objector was advised that creating additional parking facilities was outside the scope of this consultation.

- 5.2 As part of their objection, Objector 2 believed that Durham Council could approach a private land owner (Alexander House) to ask them to allow parking in their private car park. The objector was advised that the Authority has no control over private parking arrangements. They were advised that the Parish Council may look into this request on their behalf, but any agreement reached was likely to be agreed informally.
- 5.3 The objector was informed that their objection would be taken forward to Highways Committee. They were also advised that their contact details would be forwarded to a member of Committee Services who would contact them in due course to advise of the date and time that the Highway Committee date would be held.

6. Statutory Consultation Representations

- 6.1 As a result of the Statutory Consultation process, there was one recommendation from the Area Engineer to include a prohibition of loading as well as waiting to prevent parking (including disabled badge parking), boarding/alighting and loading/unloading.
- 6.2 All other Statutory Consultees offered no objection:
- Durham Constabulary – in favour
 - Ambulance Service – in favour
 - Councillor John Robinson – in favour
 - Parish Council – in favour
 - Fire Service – no objections received
 - Bus companies – no objections received
 - Road Haulage – no objections received
 - Freight Association – no objection received.

7. Local Member Consultation

- 7.1 The Local Members (John Robinson and David Brown) were consulted under SI 2489 and offered no objection to the proposals. It is also noted that the Parish Council were consulted and were in favour of the restrictions.

8. Conclusion

- 8.1 In conclusion, there were no objections raised by the Statutory Consultees and no objections raised from the directly affected frontages at the informal consultation stage.
- 8.2 There were two objections received at the formal advertising stage by local businesses. Unfortunately formal restrictions are deemed necessary at this location owing to the constant inappropriate nature of the parking at this location. Restrictions should improve road safety for all road users at this busy crossroads.

9. Recommendations and reasons

- 9.1 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 Fishburn: Waiting and Parking Restrictions. Order 2018 with the final decision to be made by the Corporate Director under delegated powers.

10. Background papers

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

Contact: Rachael Smith

Tel: 03000 263587

Appendix 1: Implications

Finance – LTP Capital (approx. cost £2500)

Staffing – Strategic Traffic

Risk – N/A

Equality and Diversity / Public Sector Equality Duty - 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 prevent parking close to junctions, STOP signs, islands and zebra crossings and improve visibility at Fishburn Crossroads.

Human Rights – No impact on human rights

Consultation - Is in accordance with SI: 2489. Informal consultation was carried out on 17 November 2017 and there was one recommendation received from the Area Engineer advising that 'no loading' restrictions would likely be more suitable based on the historical issues in the area. The consultation plans were amended to reflect those changes. There were no objections received.

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. This will result in an enforceable TRO.