

**CABINET – 16 OCTOBER 2018****TRAFFIC REGULATION ORDER - CHURCHILL CLOSE, OADBY - NO
WAITING AT ANY TIME RESTRICTIONS****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of this report is to seek approval for the implementation of a Traffic Regulation Order (TRO) “No Waiting at Any Time” restriction on Churchill Close, Oadby.

Recommendation

2. It is recommended that the Traffic Regulation Order proposed “waiting restrictions” associated with Churchill Close, Oadby, as shown on drawing no. TM4422/T1/1/1 attached as Appendix A to this report, be approved for implementation.

Reasons for Recommendation

3. TROs are usually determined by the Director of Environment and Transport but in this case the local Members do not support the proposal so it has been referred to the Cabinet.
4. Churchill Close is a “no through road” and is relatively narrow. When vehicles are parked on both sides of Churchill Close it is difficult for the emergency services to gain access. There are also issues for vehicles using the road in both directions as there are no passing spaces.
5. The restrictions would create a safe access for the emergency services into and out of Churchill Close and also provide passing places for vehicles in the vicinity and prevent potential blocking of the highway.
6. The garages on Churchill Close owned by Oadby and Wigston Borough Council used to provide residential off-street parking for up to 35 vehicles. The condition of the spaces has subsequently declined and is in need of improvement. They are therefore no longer used by residents which has resulted in an increase in parking issues on Churchill Close.

Timetable for Decisions (including Scrutiny)

7. Subject to the Cabinet's approval, the making and implementation of the TRO will be made within 12 weeks.

Policy Framework and Previous Decisions

8. The scheme contributes to the delivery of Local Transport Plan 3 (LTP3) and the priorities of safety and quality of life.
9. In March 2000, the Cabinet authorised the Director of Environment and Transport to overrule objections to TROs, provided that the proposed order had the support of the appropriate local Member(s), and that the Cabinet Lead Member was in agreement. Where support is not forthcoming, the matter should be referred to the Cabinet for determination.
10. Having considered the proposal, the local Members Mr. J. Kaufman CC and Mr. D. A. Gamble CC have indicated that they cannot support the TRO, which is therefore being referred to the Cabinet for determination.

Resource Implications

11. The estimated cost of processing the TRO is £7,500 this will be paid by the Council.
12. The Director of Corporate Resources has been consulted on the content of this report.

Legal Implications

13. The Council's power to make TROs is derived from the Road Traffic Regulation Act 1984. Section 122 of the Act places a duty on the Council to exercise the functions conferred by the Act to secure the expeditious convenient and safe movement of traffic. The proposals in this report are intended to improve highway visibility and safety in accordance with this requirement.
14. In implementing the installation of the waiting restrictions, the County Council will comply with the prescribed statutory process.
15. The Director of Law and Governance has been consulted on the proposals.

Circulation under the Local Issues Alert Procedure

Mr. J. Kaufman CC and Mr. D. A. Gamble CC

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PART B

Background

16. The Council has received several requests and reports since 2010 from residents regarding parking difficulties at this location. There is an order for Prohibition of Driving (except for access) that was implemented in 1975. However, due to amount of properties and the current NHS medical centre on Churchill Close, this may be difficult for the Police to enforce as it would be difficult to determine which vehicles had a legitimate right of access.
17. More recently the Leicestershire Police, Leicestershire Fire and Rescue Services and Oadby and Wigston Borough Council have reported difficulties for emergency vehicles when gaining access to Churchill Close and they have requested the implementation of a no waiting at any time parking restrictions on one side of the road to ensure clear and safe access in and out of the site.
18. The garages located on Churchill Close and owned by Oadby and Wigston Borough Council did provide off-street parking for the residents, who have advised that the lower garage (potentially 35 parking spaces) is in need of improvement and can no longer be used. Oadby and Wigston Borough Council currently use the site for storage and this has resulted in an increase in parking issues on Churchill Close.
19. Monitoring has shown that vehicles parking on both sides of Churchill Close make it difficult for the emergency services to gain access and there is also no safe passing places to facilitate 2 way movement for all other vehicles.
20. The aim of the waiting restrictions is therefore to deter parking on one side of Churchill Close.
21. In making TROs the Council has a duty (under the Road Traffic Regulation Act 1984) to secure the expeditious convenient and safe movement of traffic. The recommendation in this report is aimed at improving highway visibility and safety in accordance with this requirement.
22. Details of the proposed permanent TRO are shown on Drawing No. TM4422/T1/1/1 attached in Appendix A.

Consultation

23. The County Council undertook public consultation on the proposed TRO from 13 April 2018 to 4 May 2018.
24. The scheme was advertised in the local press, on the County Council's website and notices were posted on site. A copy of the proposal was made available for inspection at Oadby and Wigston Borough Council offices for the consultation period.

25. There were 37 responses arising from the consultation

Consultee	Response	
	General agreement with the proposals/no adverse comments received	Does not support the proposals
Mr. J. Kaufman CC		1
Mr. D. A. Gamble CC		1
Miss. A. R. Bond Borough Councillor	1	
Oadby and Wigston Borough Council	1	
Leicestershire Police	1	
East Midlands Ambulance Service	1	
Leicestershire Fire and Rescue Services	1	
Road Haulage Association	1	
Freight Transport Association	1	
Local residents (101 letters)	17	11
TOTAL	24	13

Objections

26. The reason why most objectors were in opposition to the scheme was that they believe the waiting restrictions will cause more problems for residents who wish to park near to their properties.
27. Some respondents made requests for the introduction of a residents parking scheme or for the garages to be maintained and cleared so that the residents could use them again.
28. Leicestershire Police, Freight Transport Association, Road Haulage Association and other statutory consultees have raised no objections to the new proposals.
29. There were 28 responses received from residents this includes: 11 objections to the proposals, 8 comments in support of the proposals and 9 other responses with no adverse comments.
30. Mr. J. Kaufman CC indicated that he is unable to support the proposals for double yellow lines unless a residents parking scheme is also introduced, and Mr. D. A. Gamble CC agrees with this view. Borough Cllr Bond did not object to the proposals but did comment that she would hope that these restrictions would be enforced. All the objections and comments received along with officer responses are attached at Appendix 'B'.

Conclusion

31. There is no requirement for the Highway Authority to provide parking for residents. In considering the objections, officers have looked at the possibility for a residents parking scheme and have determined that this would not be possible in this location. Each property within a residents parking scheme requires at least one space, the available highway in this area would only provide for 25 spaces and there is a requirement for 96 spaces to afford 1 per household.
32. There is ample off-street parking available within the control of Oadby and Wigston Borough Council which could be made available for residents.
33. The proposed waiting restrictions are in accordance with the Department for Transport (DfT) guidance. To facilitate the implementation of waiting restrictions is considered necessary on highway safety grounds to process a TRO and to create a safe access into and out of the Churchill Close, Oadby and prevent potential blocking of the highway.

Equality and Human Rights Implications

There are no Equality and Human Rights implications arising from this report.

Background Papers

Local Transport Planning in Leicestershire 2011-2016: Leicestershire Local Transport Plan 3:

http://www.leics.gov.uk/index/highways/transport_plans_policies/ltp/current_transport_plans.htm

Appendices

Appendix A - Drawing number TM4422/T1/1/1 – Churchill Close and Chapel Street, Oadby

Appendix B - Churchill Road, Oadby - Summary of Objections Received