

COMMITTEE:	CABINET
DATE:	1 AUGUST 2002
SUBJECT:	OBJECTIONS TO TRAFFIC REGULATION ORDERS
REPORT OF:	DIRECTOR OF PLANNING, REGENERATION & AMENITIES
Ward(s):	Upperton
Purpose:	For Cabinet to determine objections to the proposed Traffic Regulation Order (TRO) for Hurst Road following the statutory advertisement process.
Contact:	Dale Foden, Highway Manager, Telephone 01323 415243 or internally on extension 5243.
Recommendations:	Cabinet is recommended to dismiss the objections to the proposal for waiting restrictions in Hurst Road for the reasons given in the appendix to this report.

1.0	<u>Background</u>
1.1	TROs are predominantly used to install, amend or remove vehicular restrictions on the highway. Such restrictions include single or double yellow lines, taxi ranks, and the formation of loading, disabled, ambulance and bus bays.
1.2	Requests for TROs emanate from a number of sources including Borough and County Councillors, residents, traders, businesses and the emergency services. Each request is investigated and prioritised in a process based primarily on the safety of all road users.

1.3	The statutory procedures entail that all TROs are subject to a three week objection period following advertisement in the local press, that the relevant Order is displayed at each location, and that all Orders with the accompanying reasons are available to view at Council offices. The County Council has stipulated that the objection period is increased to four weeks for all TROs.
1.4	During the four week period, the Orders can be objected to by any party having a legitimate reason to object. If the objections cannot be dealt with by local highway officers, then the objections must be reported to the Cabinet.
1.5	The objections contained within this report have not been able to be resolved. Cabinet is now requested to determine the objections. If the objections are dismissed, the proposed restrictions can be sealed by the Highway Authority in accordance with procedures within the Road Traffic Regulation Act 1984.
2.0	<u>Consultations</u>
2.1	The making of TROs is delegated to the Head of Amenities who is required to consult with the appropriate Cabinet Member, Opposition Spokesperson, Local and County Members. As this relates to the proposed TROs, the Head of Amenities followed this procedure, receiving no objections or proposed amendments.
2.2	Statutory consultation was carried out with the following groups: <ol style="list-style-type: none"> 1. Emergency services 2. Motoring organisations 3. Road haulage and freight traders associations 4. Chamber of Commerce 5. Bus companies No objections were received.

2.3	Following the consultation procedures, East Sussex County Council placed an advertisement in the Eastbourne Gazette on the 22 May 2002 stating that any objections to the proposed TRO should be made to the County Council no later than 19 June 2002. Notices were also posted at the location of the proposed waiting restrictions.
2.4	Both the County Council and the Highways Group at the Borough Council subsequently received objections to the TRO. The Highway Manager contacted all of the objectors in an attempt to clarify the reasons for the TRO and further, if possible, to encourage the withdrawal of the objections. The objectors were also advised that, should their objections not be resolved, these would be determined by Cabinet. Objectors have been advised of the time and date of the Cabinet meeting.
2.5	Details of the objections and a copy of all correspondence arising from this consultation is placed in the Members' Room, Town Hall, Eastbourne.
3.0	<u>The Traffic Regulation Order</u>
3.1	The proposed TRO for waiting restrictions in Hurst Road has received objections for which it has not been possible to reach agreement with the objectors. The details pertaining to the TRO, including the reasons for the proposals, a plan, details of the objections and the rebuttals, are contained in Appendix 1.
4.0	<u>Summary of the objections and recommendation</u>
4.1	Cabinet is obliged to consider all objections made against the proposed TRO and against those objections to decide whether the Orders should be implemented or withdrawn giving reason for its determination.
4.2	The objections are based on the removal of available parking spaces at the junction of Hurst Road and Mill Road, and at the junction of Hurst Road and Selby Road.

4.3	Cabinet is recommended to dismiss the objections.
5.0	<u>Human Resource, Environmental, Financial, Youth and Anti-Poverty Implications</u>
5.1	There are no Human Resource, Youth or Anti-Poverty issues that arise from this report.
5.2	There will be no financial implications to the Borough Council if the TRO is not made. The funding for TROs is direct from the County Council.
5.3	There are environmental implications if the TRO is not made. This is in relation to the TRO dealing with traffic safety matters.
5.4	In reaching a decision the Cabinet is asked to be mindful of a liability, that could arise, should any accidents occur that would have been prevented if the waiting restrictions had been in place.
6.0	<u>Summary</u>
6.1	The Council proposes to make a TRO to promote traffic safety for both vehicular and pedestrian traffic. Prior to doing so the Council is obliged to consult with various groups and to advertise the TRO in a local newspaper.
6.2	The Council has received objections to the advertised TRO following advertisement of the proposals.
6.3	These objections are considered in this report and Cabinet is asked to agree recommendations to enable the TRO to be made.

<p>Norman Kinnish</p> <p>DIRECTOR OF PLANNING, REGENERATION & AMENITIES</p>	
<p>Background Papers:</p> <p>The Background Papers used in compiling this report were as follows:</p> <p>East Sussex County Council – Road Traffic Regulation Act 1984, The East Sussex (Hurst Road, Eastbourne) Order 2002</p> <p>Various correspondence arising through consultation between the Highway Manager, ESCC Legal Section and objectors.</p> <p>To inspect or obtain copies of background papers please refer to the contact officer listed above.</p>	

APPENDIX 1

HURST ROAD

DESCRIPTION OF RESTRICTIONS

See attached plan.

The proposed double yellow lines at the junction of Hurst Road and Mill Road extend around a pedestrian build-out constructed as a requirement to the statutory planning process for the residential development at Selby Road.

The proposed double yellow lines in Hurst Road also extend the existing double yellow lines opposite the Selby Road junction for approximately 7 metres.

REASON FOR RESTRICTIONS

An independent safety audit carried out as part of the Planning Application Appraisal for the residential development at Selby Road required that junction improvements were made to accommodate the predicted increase of vehicle movements at the Hurst Road/Selby Road junction. A pedestrian build-out was designed, built and funded by the Developers of Selby Road and to comply with the safety audit requirements, secured by a legal agreement (Section 106 of the Highways Act 1980).

The build-out is designed to protect traffic emerging from Selby Road into Hurst Road. In addition, the deflection of the build-out would reduce vehicle speeds and stagger the original crossroads of Hurst Road and Mill Road, effectively making two three-way junctions. Three-way junctions are safer than crossroads as the motorist is required to check for oncoming traffic in only two directions at a three-way junction.

Also the deflection of the build-out enabled the junction of Hurst Road and Mill Road to be “squared-up”. Previously, Hurst Road met Mill Road at approximately forty-five degrees, requiring the motorist to look over his/her shoulder to check for oncoming traffic, seriously detracting from the motorist’s forward visibility. Hurst Road now meets Mill Road at approximately ninety degrees.

The original layout of the Hurst Road/Mill Road junction had wide gradual radii around the corners, allowing vehicles to negotiate the junction at speed. The build-out tightens the radii of the junction, forcing vehicles to decelerate, and reduces the width of the junction, minimising the time at which a pedestrian would be vulnerable when crossing the junction.

Vehicles parking adjacent to the build-out would obstruct the highway and reduce visibility. In accordance with the recommendations of the Highway Code that motorists do not park within ten metres (thirty-two feet) of a junction, the Highway Authority wishes to apply the proposed waiting restrictions.

DETAILS OF OBJECTIONS / REBUTTALS

OBJECTION	REBUTTAL
<p>Petition from residents in Hurst Road and Rodmill Road containing 66 signatures:</p> <ol style="list-style-type: none"> 1. Objection based on the premise that the restrictions reduce available on street parking. 2. The Development in Selby Road has garages and parking for residents of Selby Road. 3. Hurst Road is closed to through traffic. 4. Insufficient on street parking in Hurst Road for residents. 5. Value of Hurst Road properties reduced by lack of on street parking. 6. Proposed waiting restrictions apply to a junction that has no through traffic. 7. Hurst Road/Mill Road junction has been made more dangerous. 8. There has been an accident at the junction. 	<ol style="list-style-type: none"> 1. The junction restrictions are to improve a potential hazard at the junction of Hurst Road and Mill Road as described above. The proposed restrictions are in accordance with the highway Code. It is accepted that the restrictions will reduce the available on street parking in Hurst Road, however, safety considerations must take priority over the parking need. 2. Not applicable to the proposed waiting restrictions in Hurst Road. 3. As item 2. above. 4. As item 1. Above. 5. As item 2. Above. 6. As item 1. Above. 7. The build-out has reduced the width of the junction. If waiting is not restricted in accordance with the proposed TRO then the junction is more hazardous. The additional benefits of the build-out are outlined above in the reasons for restrictions. 8. A drunk driver failed to negotiate the new layout and collided with a vehicle parking within the area of the proposed waiting restrictions.

<p>Resident from Hurst Road:</p> <ol style="list-style-type: none"> 1. Objection based on the premise that the build-out reduces visibility if waiting restrictions are not applied. 2. Insufficient on street parking in Hurst Road for residents. 3. Suggested that residents are limited to parking two cars per property on street. 	<ol style="list-style-type: none"> 1. The Highway authority proposes to apply waiting restrictions. 2. Not applicable to the proposed waiting restrictions in Hurst Road. 3. The Highway Authority cannot allocate spaces to private individuals on the public highway, or secure the available space for specific properties.
<p>Resident from Hurst Road:</p> <ol style="list-style-type: none"> 1. Objection based on the premise that motorists will continue to park on proposed waiting restrictions and restrict access and visibility. 2. Access for emergency vehicles is restricted due to Rodmill Road/ Willingdon Road junction closed. 3. Insufficient on street parking in Road for residents. 	<ol style="list-style-type: none"> 1. Waiting restrictions can only be effectively enforced if the proposed TRO is approved. The proposed double yellow lines will clearly indicate that parking is prohibited at the junction. 2. The bollards at the closed Rodmill Road/Willingdon Road junction are collapsible and may be driven over by emergency vehicles. 3. Not applicable to the proposed waiting restrictions in Hurst Road.

SUMMARY

The objection served by the petition is predominantly based on the location of the existing build-out and on the competition for on street parking in Hurst Road.

The proposed TRO is intended to clearly indicate that parking at the junction is hazardous and liable to cause obstruction. The proposed waiting restrictions will prohibit parking and enhance the safety of the junction.

It is recommended that Cabinet dismiss the objections to the TRO.