

Delegated decision report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE MONDAY, 15 MARCH 2010

Title **OBJECTIONS TO THE ISLE OF WIGHT COUNCIL (FOOTWAY PARKING, IW) (TRAFFIC REGULATION) ORDER NO 2 2009**

Report Author **REPORT TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT**

PURPOSE

1. To approve The Isle of Wight Council (Footway Parking, IW) (Traffic Regulation) Order No 2 2009, in light of the objections received to create footway parking restrictions in Clarendon Road, Shanklin.

OUTCOMES

2. Alterations to the parking restrictions and creating partial footway parking in the above road in order to create a safer road network and create additional parking for the town of Shanklin.

BACKGROUND

3. A number of amendments to the parking restrictions in Shanklin were advertised during August / September 2009 after consultation with the police, Shanklin town council and local councillors.

STRATEGIC CONTEXT

4. The recommended orders will contribute to the delivery of the Isle of Wight's Sustainable Community Strategy particularly priorities
 - 2 - Create wealth and reduce our carbon footprint at the same time and
 - 6 - Improve health, emotional wellbeing and life expectancy across the Island - to reduce the number of people killed or seriously injured in road accidents by 40% by the year 2010 - to cut the number of short car journeys.

CONSULTATION

5. Consultation has been undertaken in accordance with the Road Traffic Regulation Act 1984, as amended, and the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996.

FINANCIAL/BUDGET IMPLICATIONS

6. The costs associated with the introduction of the proposed Order have been identified, and are to be covered as part of the Highways capital allocation for Island wide Minor Traffic Management Schemes.

LEGAL IMPLICATIONS

7. The relevant powers are contained in the Road Traffic Regulation Act 1984, as amended. The procedure for introducing Traffic Regulation Orders is set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996.

The Local Authority must consider any objection that has not been withdrawn. This is considered in the evaluation below.

The council is required to publish a notice to the effect that the order has been made, the nature and effect of the order and the date it is proposed to come into effect.

The council is required to make the necessary amendments to the road markings and signage as a soon as practicable in the area to adequately provide information as to the order that is in place in the area.

Where the restrictions on road users may represent restrictions of an individuals human rights under Article 8 and protocol 1 of the European Convention on Human Rights, those restrictions are proportionate where the ability of other road users to safety use the highway is enhanced.

The recommended Traffic Regulation Orders are, in part, designed to increase road safety by reducing both the incidents of traffic crime and consequences to other road users of traffic crime. The recommendations are made with regard to the duty to reduce incidents of crime and disorder contained within s17 Crime and Disorder Act 1998.

EQUALITY AND DIVERSITY

8. Following advertisement of all Traffic Orders which are subject to 28 days consultation, members of the public are entitled to raise any representations within that period.

The service will be required to undertake an equality impact assessment. This will identify if there is any negative impact on the local community. An equality impact assessment will ensure all those who use any nearby facilities to proposed traffic regulation orders including visitors are not disadvantaged. Please note that road safety implications are paramount in any decision to implement traffic orders.

OPTIONS

9. a) Do not implement proposed restriction.
- b) Implement proposed restriction.
- c) Implement proposed restriction with amendment.

RISK MANAGEMENT

10. Should the proposed changes to the existing parking restrictions not be introduced, this would have the potential to increase the probability of personal injury collisions, which on average cost the local community £89,820 per incident (Department for Transport 'Highways Economics Note No 1 2005 – Valuation of the Benefits of Prevention of Road Accidents and Casualties Issue Date January 2007). This would also affect the Isle of Wight Council's ability to achieve its targets for casualty reduction by 2010.

EVALUATION

11 **Clarendon Road, Shanklin**

Clarendon Road, Shanklin, on the north side, from a point 7.5 metres West - to a point 59.5 metres west of its junction with North Road.

Clarendon Road, Shanklin, on the north side, from a point 4 metres west - to a point 39.5 metres west of its junction with Spring Gardens.

Clarendon Road, Shanklin, on the south side, from a point 12 metres west - to a point 31 metres west of its junction with North Road.

Clarendon Road, Shanklin, on the south side, from a point 37 metres west - to a point 58 metres west of its junction with North Road.

If implemented; double yellow lines will be painted in various locations on the west and east side of Egypt Hill; therefore creating a safer road network for all road users.

[One letter](#) of objection was received for Clarendon Road – the main points being:

- The proposal has not been fully thought through (1)
- The bays were supposed to be cut into parking bays allowing cars to be clear of traffic (1)
- The proposals will create safety issues with vehicles pulling in and parking (1)
- This will cause congestion with parked vehicles, coaches and delivery lorries (1)
- These proposals will make the roads and pavements less safe (1)

The proposed footway parking restrictions along Clarendon Road has been advertised to aid the parking in this location. The existing on street parking arrangements create a tight, but passable passage especially buses and by creating the partial footway parking will widen the route.

These proposals will also create additional parking places further along Clarendon Road.

One representation to the proposed restrictions has been received that raises concern about the safety issues that will arise from vehicles pulling in and parking, this has never been the case for the duration of the existing parking arrangements and the proposals will provide a wider space for vehicles to pass therefore creating a safer environment.

The police, town council and local Isle of Wight councillor have indicated support for the proposed restriction.

Having considered the points raised and the existing site characteristics, it is proposed the restriction is implemented as advertised.

RECOMMENDATION

12. Clarendon Road, Shanklin - Implement proposed restrictions. (9b)

Contact Point: Kevin Burton, Group Manager – Transport Strategy
☎ 01983 823777, e-mail *Kevin.burton@iow.gov.uk*

STUART LOVE
Director of Environment and
Neighbourhoods

COUNCILLOR EDWARD GILES
Cabinet Member for Environment and
Transport

Decision

Signed

Date
