

Delegated decision report

DECISION UNDER DELEGATED POWERS

**DECISION CANNOT BE TAKEN BEFORE THURSDAY, 9
SEPTEMBER 2010**

Title	OBJECTIONS TO THE ISLE OF WIGHT COUNCIL (VARIOUS STREETS, SANDOWN) (TRAFFIC REGULATION) ORDER NO 1 2010
Report Author	REPORT TO THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT & CORPORATE SERVICES

PURPOSE

1. To approve The Isle of Wight Council (Various Streets, Sandown) (Traffic Regulation) Order No 1 2010, in light of the objections received to amend the parking restrictions in High Street, Sandown.

OUTCOMES

2. Alterations to the parking restrictions in the above roads in order to create a safer road network.

BACKGROUND

3. A number of amendments to the parking restrictions in Sandown were advertised during March / April 2010 after consultation with the Sandown town council and local councillors. These parking restrictions have been in place under a temporary traffic order since July 2009 which is valid for a period of eighteen months; however this order is proposing to make these arrangements permanent.

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 end of 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.

6. A public notice outlining the draft proposals, and inviting public comment was advertised in the Isle of Wight County press on 26 March 2010 and displayed on-street, and on the Council's web site for an additional period of 28 days; the closing date for representations was 23 April 2010.
7. A further copy of the draft proposals was held at County Hall reception so that members of the public could view the full details of the proposals.
8. The proposals have also been circulated to all statutory consultee's, including:
 - Local Isle of Wight councillors
 - Sandown Town Council
 - Ambulance Control
 - Parking services
 - Bartlett's Garage
 - Navteq
 - Chamber of Commerce
 - EXEL
 - Fire
 - Fire and Rescue
 - Freight Transport Association
 - IW Taxi Association
 - County Transport
 - Public Transport Officer
 - Post Office
 - RAC
 - Ramblers Association
 - Road Haulage
 - Southern Co-op Stores
 - Southern Gas Networks
 - SVOC
9. In addition, consultants acting on behalf of Sainsbury's supermarkets have delivered a presentation to the Town Council, who subsequently indicated their support for the proposals.
10. [Two representations](#) were received; one from Cllr Ian Ward, requesting that the limited waiting period is increased from 30 minutes to 1 hour, and the other from a local business who has expressed concern that the proposed loading ban will adversely affect his ability to unload goods outside his restaurant.

FINANCIAL/BUDGET IMPLICATIONS

11. 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

12. 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.

13. The local authority must consider any objection that has not been withdrawn. This is considered in the risk and evaluation below.
14. It is recognised that restrictions on road users may represent an interference with an individuals human rights under Article 8 and protocol 1 of the European Convention on Human Rights. Any such interference is considered necessary and proportionate due to positive enhancement of road safety for other users in the area.
15. It is the duty of every local authority to secure the flow and safe movement of all traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The local authority must at least consider the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and, the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run, and any other matters appearing to be relevant.

EQUALITY AND DIVERSITY

16. 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.
17. The service is required to undertake an equality impact assessment. This has identified any negative impact on the local community. An equality impact assessment has been undertaken to ensure that all those who use any nearby facilities to the proposed traffic regulation orders, including visitors, are taken into account for any possible disadvantages. Please note that road safety implications are paramount in any decision to implement traffic orders.

OPTIONS

18. Option a) - Do not implement proposed restriction
19. Option b) - Implement proposed restriction
20. Option c) - Implement proposed restriction with amendment

RISK MANAGEMENT

21. 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

High Street, Sandown

22. To Introduce 'No Waiting At Any Time, No Loading At Any Time' in the following length of road;

23. High Street, Sandown, on the south-east side, from a point 2 metres south-west to a point 58 metres south-west of its junction with Wilkes Road.
24. To Implement 'Limited Waiting, 30 Minutes No Return Within 30 Minutes, 10am to 7pm' in the following lengths of road:
25. High Street, Sandown, on the north-west side, from a point 16 metres south-west to a point 37.5 metres south-west of its junction with Wilkes Road.
26. It is linked to the Isle of Wight Council (designated loading bays) Order No 1 2010. This will enable the free flow of traffic through the High Street whilst a goods vehicle is using the loading bay.
27. [Three letters of objection](#) were received for the High Street – the main points being:
 - Businesses are finding it difficult to get goods delivered to their premises and to load and unload due to the loading ban (1)
 - There are no other suitable parking places nearby (1)
 - The period allowed for parking should increase from 30 minutes to 60 minutes in line with the other on street parking bays in the High Street.
 - Refuse lorries have had difficulties in accessing local restaurants in Guadeloupe Road (1)
28. During the summer of 2009, the previous Woolworth's store in Sandown High Street was acquired by Sainsbury's for a local convenience store; as part of the re-development an assessment of the delivery arrangements to the store was undertaken with a number of options considered to ensure the safe and expedient delivery of goods to the premises.
29. Having considered the limited number of available options, draft plans were prepared to install a loading bay outside the store that has a joint use as a loading bay from 7am to 10am and for 30 minute limited waiting from 10am to 7pm; this joint use bay required special authorisation from the Department for Transport which has subsequently been approved on a non-variable basis. In addition, a wider review of all the parking restrictions in the immediate area was undertaken such that a loading ban has been advertised for the section of highway opposite the proposed bay and an additional number of on street parking places have been provided in both St. Johns Road and Beachfield Road. Sainsbury's, the applicant, subsequently attended a meeting of Sandown Town Council and were able to obtain support for the draft proposals.
30. The representations received raised three principle areas of concern, one being the ability for refuse vehicles to gain access to Guadeloupe Road, the second relates to the negative impact that the proposed restrictions will have on the ability to load and unload in the area and the third recommending a reduction to the operating time of the loading bay such that the limited waiting period starts at 9am with the duration being increased from 30 minutes to 1 hour.
31. As a result of the representations, a further site visit has been undertaken to assess the exact nature of the issues that have been raised and the need to consider any further amendment to the proposed restrictions. Having considered the impact of the proposed loading / unloading restrictions and the required swept path for large vehicles wishing to gain access to Guadeloupe Road, there is no evidence to support the suggestion that

access will be further restricted, in real terms the introduction of the proposed restrictions will further restrict parking on the south side of the carriageway, either side of the junction of Guadeloupe Road, improving access. The concerns that have been expressed regarding the availability to load and unload is likewise unfounded as the proposed loading bay is available for all goods vehicles and the additional on-street parking spaces create additional capacity for vehicles to park in St. Johns Road, where loading and unloading of light goods can be accommodated.

- 32. The period of operation for the limited waiting is unable to be amended as this would require a re-application to the Department for Transport for an amendment to the current special authorisation; as this process is likely to significantly delay the implementation of the parking restrictions on site, it is not possible to consider the request to amend the times of operation at this time.
- 33. The town council has indicated their support for the additional limited waiting places but have raised their concerns over the section of highway by the loading bay. The local Isle of Wight councillor has raised some of the above concerns.
- 34. Having considered the points raised and the existing site characteristics, it is proposed the restriction is implemented as advertised.

RECOMMENDATION

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| 35. Implement proposed restriction (17b). |
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STUART LOVE
Strategic Director
Environment and Neighbourhoods

COUNCILLOR EDWARD GILES
Cabinet Member
Environment, Transport and Corporate Services

Decision

Signed

Date
