



Delegated decision report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE MONDAY, 15 MARCH 2010

Title	OBJECTIONS TO THE ISLE OF WIGHT COUNCIL (VARIOUS STREETS, SHANKLIN) (TRAFFIC REGULATION) ORDER NO 1 2009
Report Author	REPORT TO THE CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT

PURPOSE

1. To approve The Isle of Wight Council (Various Streets, Shanklin) (Traffic Regulation) Order No 1 2009, in light of the objections received to amend the parking restrictions in Scinde Crescent and Rectory Road.

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 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The Local Authority must consider any objection that has not been withdrawn.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 (a) **Scinde Crescent, Shanklin**

To implement 'No Waiting at Any Time' in the following lengths of road; Scinde Crescent, on both sides, from it's junction with North Road to the end of the public highway.

If implemented, double yellow lines will be painted on both sides to cover the entire road; therefore creating a safer road network.

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

- The traffic flow is minimal and the restrictions are over draconian (1)
- If the road is ever blocked the driver is never far away and are sensible and give warning (1)
- The lines will be a visual intrusion (1)
- The road is one of the safest and children even play in the street (1)
- The sharp turn in the road ensures traffic barely reaches walking pace (1)
- This road is an ideal road for a 20mph zone (1)

The proposed parking restrictions along Scinde Crescent have been advertised following representation from local residents who have expressed their concerns regarding vehicles parking on the pavement blocking pedestrian access and also the road; especially around the ninety degree bend within the road.

The proposed restrictions are designed to address the problems encountered by vehicles being parked on the pavement particularly. They will provide a safer road network, particularly for delivery vehicles and emergency service vehicles whilst

reducing the chances of a head on collision. The road is a very narrow road with the width of approximately 3.8 metres wide at the widest section. In general terms the road width will dictate its capacity to accommodate on-street parking, but as a general rule of thumb a parked car will take up to 2m of road space, depending on the size and style of vehicle and how close it parks to the edge of carriageway, and delivery or emergency vehicles will need approximately 3m of clear carriageway to pass; therefore if a road is less than 5m, no parking should be permitted

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.

11 (b) **Rectory Road, Shanklin**

To revoke 'No Waiting At Any Time' in the following lengths of road:

Rectory Road, on the south-west side, from a point 5.5 metres north-west to a point 6.5 metres north-west of its junction with Church Road.

To implement 'No Waiting at Any Time' in the following lengths of road;

Rectory Road, on the south-west side, from a point 13 metres north-west, to the end of the public highway

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

- The space being allocated in Rectory Road will still mean two cars/vans will try to squeeze in and overhang the bays (1)
- Cars will still obstruct drives (1)
- Vehicles that park closest to Church Road will still reverse into the road creating a high risk of collision (1)
- The spaces should be designated for visitors only not residents (1)
- The bays will not be enforced (1)
- There should be a limited waiting time limit on the bay (1)
- Reduce the length of the bay to resolve the problem keeping it away from the drives (1)
- Completely remove the bay as another resolution (1)

The proposed restrictions have been advertised as part of the review of the Shanklin traffic regulation order. Representation from a local resident has expressed their concerns that vehicles would park on the current un-restricted section of highway which would inhibit the access to the Rectory and private drives within the vicinity.

The proposals are designed to indicate the space that is available to park without blocking the Rectory or drives without removing the ability for any member of public to park on street.

The representation has raised their concerns that the space will still encourage cars to squeeze into the area provided and overhang, still causing an obstruction.

Due to the double yellow line restrictions being introduced will provide the Isle of Wight Council Parking Services with a better level of enforcement that they have had previously.

The police, town council and local councillor has 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. a) Scinde Crescent, Shanklin
Implement proposed restrictions. (9b)
- b) Rectory Road, Shanklin
Implement proposed restriction. (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
