

**Proposed Decision to be taken by the
Portfolio for Transport and Planning
on or after 23rd May 2014**

**Various Roads, Nuneaton and Bedworth Borough –
Proposed Waiting Restrictions, On-Street Parking Places and
Residents' Parking Permits (John Street)**

Recommendation

That the Portfolio Holder for Transport and Planning approves that the 'Warwickshire County Council (Borough of Nuneaton and Bedworth) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 6) Order 2014' be made as advertised, with the exception of the proposals relating to Carisbrook Road which are to be made as modified and with the exception of the proposal relating to Coventry Road which is to be withdrawn and investigated further.

1.0 Introduction

- 1.1 Proposals for waiting restrictions at various locations in the Nuneaton and Bedworth Borough were published in the Nuneaton Tribune on 6 February 2014. On 26 April 2014, the Portfolio Holder for Transport and Planning approved the recommendation contained within a report dated 25 April 2014 to make the Order as modified. However, it has now been noted that an objection relating to proposed 'no waiting at any time' restrictions on John Street was omitted from that report in error and so that objection will now be considered in this report instead.

Objections to the following proposals have been received:

- **John Street** – Double Yellow Lines

- 1.2 The comments, suggestions and objections that have been received are discussed below together with the reasons for the proposals. The numbers of objections received are shown in brackets [].
- 1.4 The statutory criteria for decisions on making Traffic Regulation Orders are included as **Appendix A**.
- 1.5 Drawings showing published restrictions which have attracted objections are found in **Appendix B**.

2.0 John Street, Nuneaton – Double Yellow Lines (Plan 1 in Appendix B)

- 2.1 John Street is located near to the centre of Nuneaton. It is proposed to extend No Waiting at Any Time on a section of John Street, avoiding danger to persons or traffic.
- 2.2 The following objections/comments have been received.

Objections [1]

Objection 1:

....I strongly feel that the situation will get even worse if parking spaces are taken away...

Response:

The proposed restrictions will remove a limited amount of parking on John Street. The request for restrictions has been received from the Fire Service for protection of the Fire Hydrant. The minimum amount of lining has been proposed to ensure the Fire service can gain access to the Hydrant.

2.3 Recommendation

Implement the proposals relating to John Street as advertised.

3.0 Background Papers

- 3.1 Letters, email objections and large scale plans if required.

4.0 Financial Implications

- 4.1 All works will be carried out from within existing 2014/15 budget allocations.

	Name	Contact Information
Report Author	Phil Salter Jane Williams	philpsalter@warwickshire.gov.uk janeWilliams@warwickshire.gov.uk Tel: (01926) 412809
Head of Service	Graeme Fitton	graemefitton@warwickshire.gov.uk
Strategic Director	Monica Fogarty	monicafogarty@warwickshire.gov.uk
Portfolio Holder	Councillor Peter Butlin	cllrbutlin@warwickshire.gov.uk

**Proposed Decision to be taken by the
Portfolio Holder for Transport and Highways**

on or after 23rd May 2014.

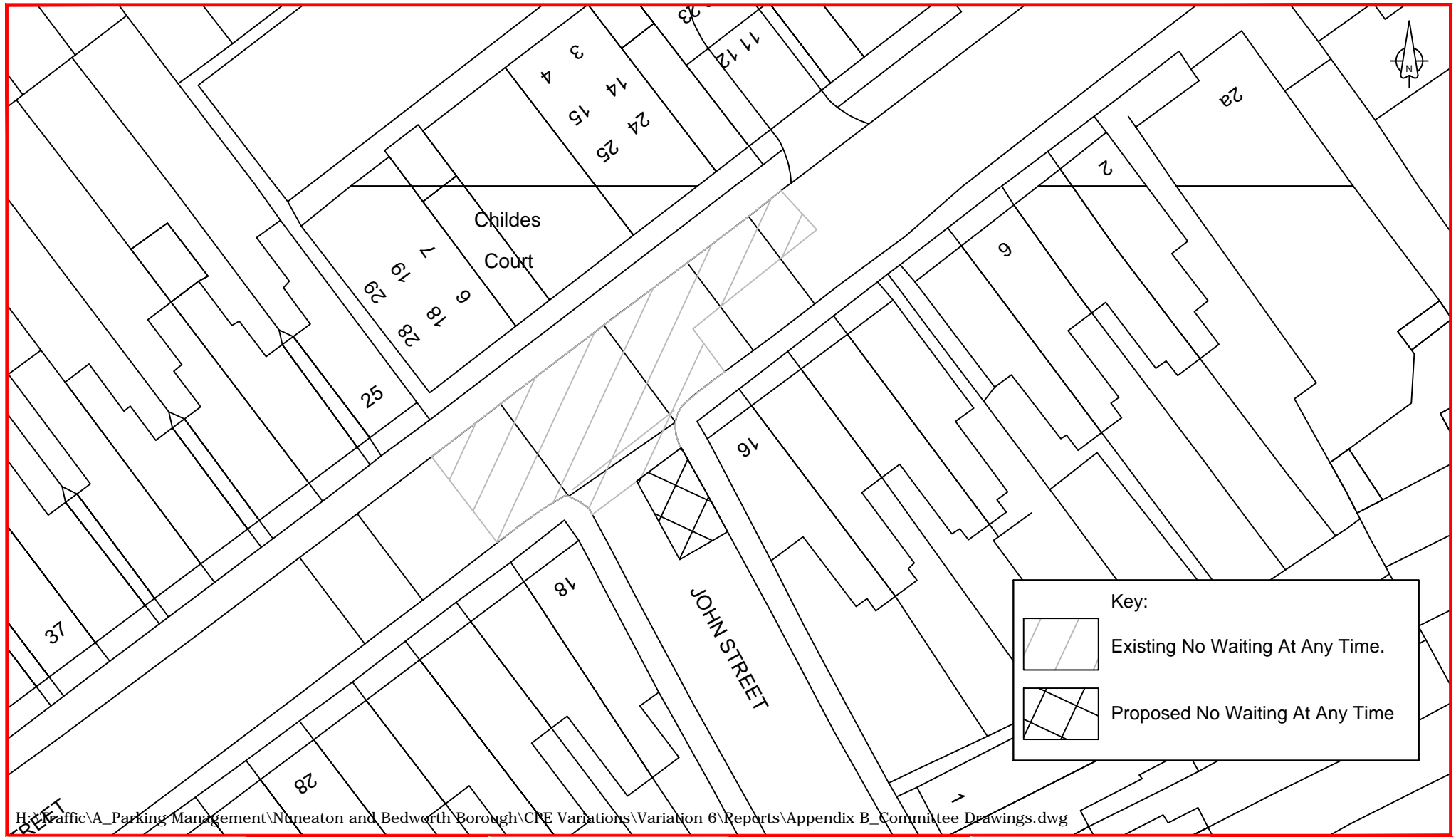
**Various Roads, Nuneaton & Bedworth Borough
(John Street)**

Proposed Waiting Restrictions.

**Statutory Criteria for Decisions on Making Traffic
Regulation Orders and Parking Orders**

1. The Road Traffic Regulation Act 1984 enables the Council to implement Traffic Regulation Orders (TROs) for one or more of the following purposes:-
 - (i) avoiding danger to persons or traffic;
 - (ii) preventing damage to the road or to buildings nearby;
 - (iii) facilitating the passage of traffic;
 - (iv) preventing use by unsuitable traffic;
 - (v) preserving the character of a road especially suitable for walking and horse riding;
 - (vi) preserving or improving amenities of the area through which the road runs;
 - (vii) for any of the purposes specified in Section 87(1)(a) to (c) of the Environment Act 1995 in relation to air quality.
2. TROs are designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. Permanent TROs remain in force until superseded or revoked.
3. TROs must not have the effect of preventing pedestrian access at any time, or preventing vehicular access for more than 8 hours in 24, to premises on or adjacent to the road. This restriction does not apply if the Council states in the order that it requires vehicular access to be limited for more than 8 hours in 24.
4. The Road Traffic Regulation Act 1984 also enables the Council to make orders authorising the use of part of a road as a parking place without charge, for the purpose of preventing or relieving congestion, and enables the Council to make orders designating parking places on highways with a charge. In determining what parking places are to be designated, the Council shall consider both the interests of traffic, and those of the owners/occupiers of adjoining property and in particular:-

- (l) The need for maintaining the free movement of traffic;
 - (ii) The need for maintaining reasonable access to premises; and
 - (iii) The extent to which off-street parking is available in the neighbourhood.
5. In deciding whether or not to make any order, the Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable, having regard to the matters specified in Section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway.
6. The matters to which the Council must have regard are:-
- (i) The desirability of securing and maintaining reasonable access to premises;
 - (ii) 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;
 - (iii) The national air quality strategy prepared under Section 80 of the Environmental Protection Act 1995;
 - (iv) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles;
 - (v) Any other matters appearing to the Council to be relevant
7. Therefore, whilst the overall objective of the Council must be to secure the expeditious, convenient and safe movement of vehicular traffic, this will sometimes need to give way to the objectives in Section 122(2), and a balance has to be achieved between the overall objective and the matters set out in Section 122(2).



H:\Traffic\A_Parking Management\Nuneaton and Bedworth Borough\CPE Variations\Variation 6\Reports\Appendix B_Committee Drawings.dwg

Plan number :

Plan 1

Drawn by:

PAS

Checked by:

GP

Transport and Planning - Portfolio Decision

John Street, Nuneaton - Proposed NWAAT

Appendix B Plan 1

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 Warwickshire County Council.



Monica Fogarty
 Strategic Director
 Communities
 PO Box 43, Shire Hall
 Warwick, CV34 4SX