

**Proposed Decision to be taken by the
Portfolio Holder for Transport and Planning
on or after 20 February 2015**

Proposed Waiting Restriction

**The Warwickshire County Council
(Maypole Lane, Atherstone)
(Prohibition and Restriction of Waiting) Order 2014**

Recommendation

That the Portfolio Holder for Transport and Planning approves the waiting restrictions as set out in Appendix B to this report.

1.0 Introduction

- 1.1 A proposal to introduce a Prohibition and Restriction of Waiting (Double Yellow Lines) on a short length of Maypole Lane (as shown in Appendix A) has been advertised and this report considers the objections received.

2.0 Background information

- 2.1 Maypole Lane is mainly a residential road situated off Boot Hill, The Common with uncontrolled parking on both sides of the road. Woodside Primary School is situated at the eastern end of Maypole Lane with off street parking for staff. On the north and south side of Maypole Lane there is a parking bay for motorist to park. This parking is not time restricted.
- 2.2 Maypole Lane is a cul de sac and at the eastern end of Maypole Lane is a turning circle for all vehicles, which incorporates on the north and south side two on street parking bays.
- 2.3 Officers based at Atherstone Fire Station have raised concerns relating to access, as the road is narrow and parking in association with the school occurs most week days.
- 2.4 On the 29/04/13 the crew met with the then local member Councillor Sweet and the head teacher of the school to discuss the congestion problem that had been raised. The school has also campaigned and leaflets handed out to each child to be taken home for their parents. A meeting took place with the

crew and Warwickshire Police to highlight to parents the problem of blocking access for emergency vehicles.

- 2.5 Warwickshire County Councils Safety Engineers have met with the Head Teacher of Woodside Primary School to discuss the concerns regarding congestion and parking in Maypole Lane.
- 2.6 To control parking and to keep the road accessible for emergency vehicles, this prohibition of parking (double yellow lines) is proposed.
- 2.7 The parking bays (as shown in Appendix A & B) which are directly outside the entrance to Woodside Primary School are available 24 / 7 to all residents, parents, visitors, school staff and local businesses.
- 2.8 Four objections were received from residents of Maypole Lane. This report considers the objections received and recommendation made.

3.0 Consultation

- 3.1 Consultation has been carried out with the Local Member, Parish Council, Warwickshire Police, Fire Service, Ambulance Service, Road Haulage Association and other statutory consultees. A letter was hand delivered to the School and properties in close proximity to the School.
- 3.2 Legal notices advertising the proposed waiting restrictions were placed in the local newspaper on the 23rd October 2014. Notices were also placed on street, and on the Warwickshire Web pages, advertising the Order. Appendix D outlines the consideration for a TRO.
- 3.3 The local member Councillor Morson has given his support to the proposal as outlined in Appendix B.

4.0 Objection

- 4.1 Appendix C reports on the proposals to which objections were received listing the objections, the response and recommendations.
- 4.2 In light of the concerns raised by those residents directly affected by the proposed waiting restrictions, the amendment as shown in Appendix B is recommended. This will reduce the proposed double yellow lines on the southern side of Maypole Lane from 32 metres to 18 metres, this amendment can be undertaken without the need to re advertise these measures.

5.0 Financial Implications

- 5.1 All works associated with this proposed speed limit will be carried out from within 2014/15 approved budgets.

6.0 Background Papers

None

Appendix A – Maps indicating extents of the advertised proposed parking restrictions

Appendix B – Map showing amended parking restriction to be approved and implemented.



Appendix C – Report for Proposed Parking Order, with objections raised

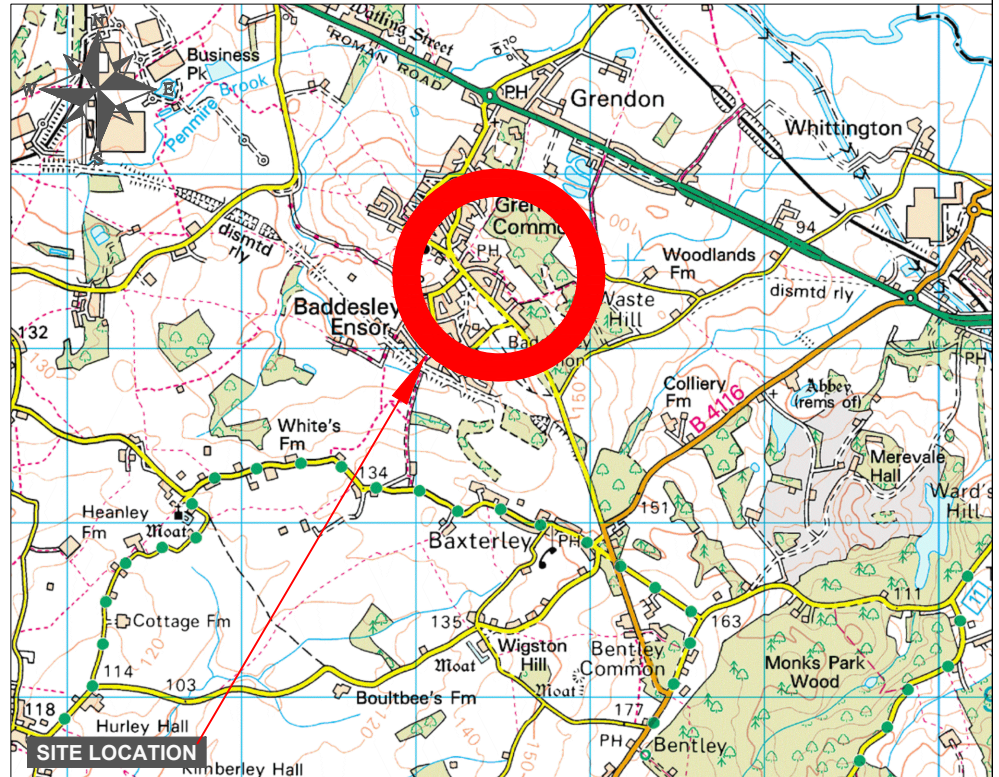
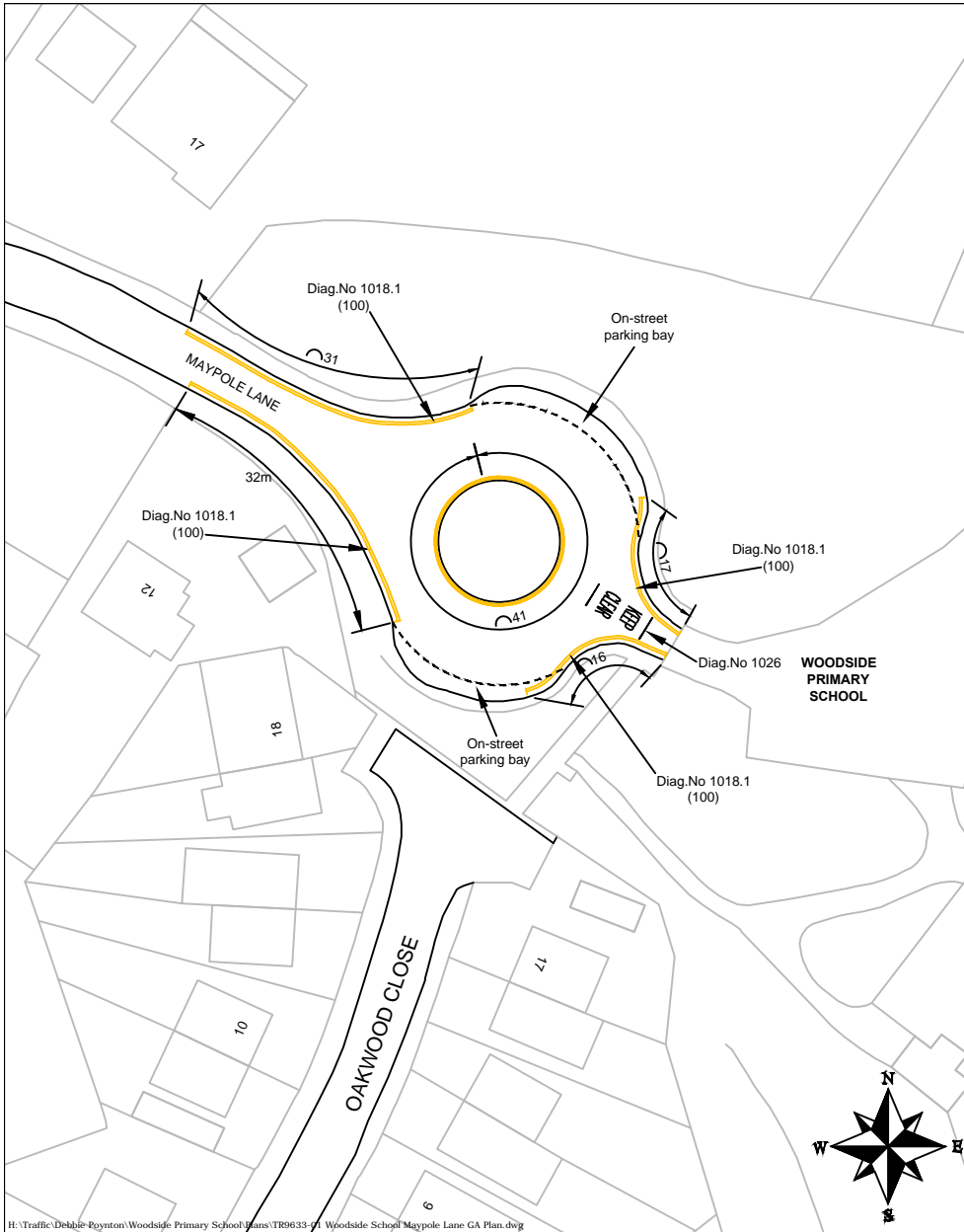
Appendix D - Statutory Criteria for Decisions on Making Traffic Regulation Orders and Parking Orders

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Portfolio Holder	Cllr Peter Butlin	

Appendix A - Restrictions As Advertised

KEY :-

-  PROPOSED NO WAITING AT ANY TIME
-  PROPOSED KEEP CLEAR MARKING



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NOTES

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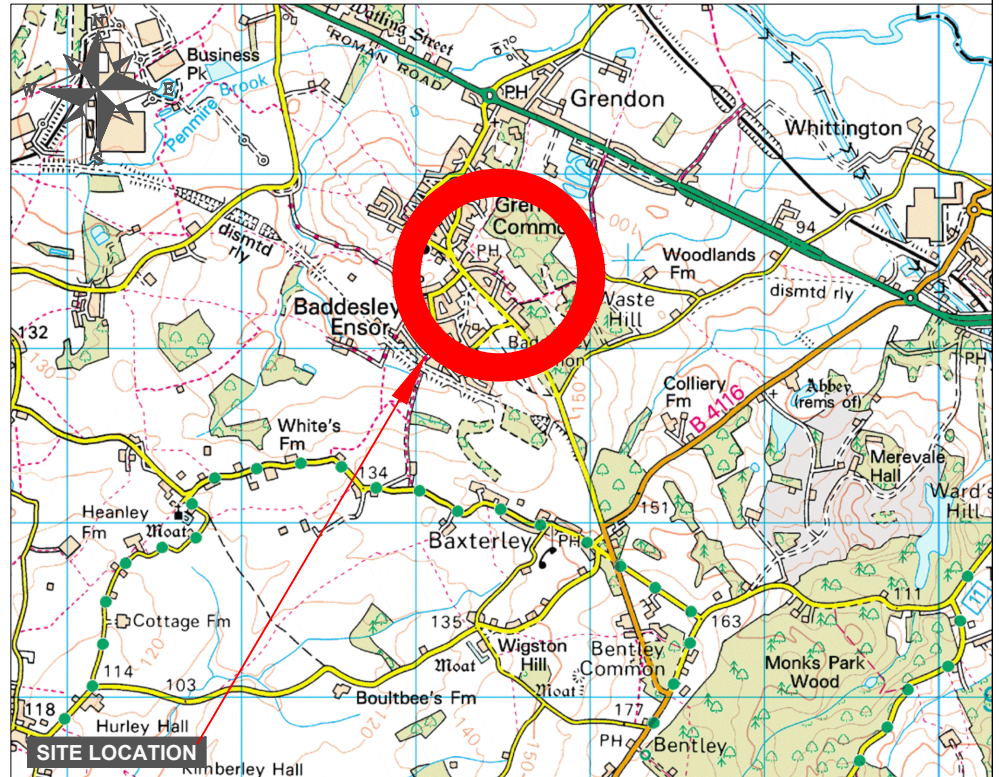
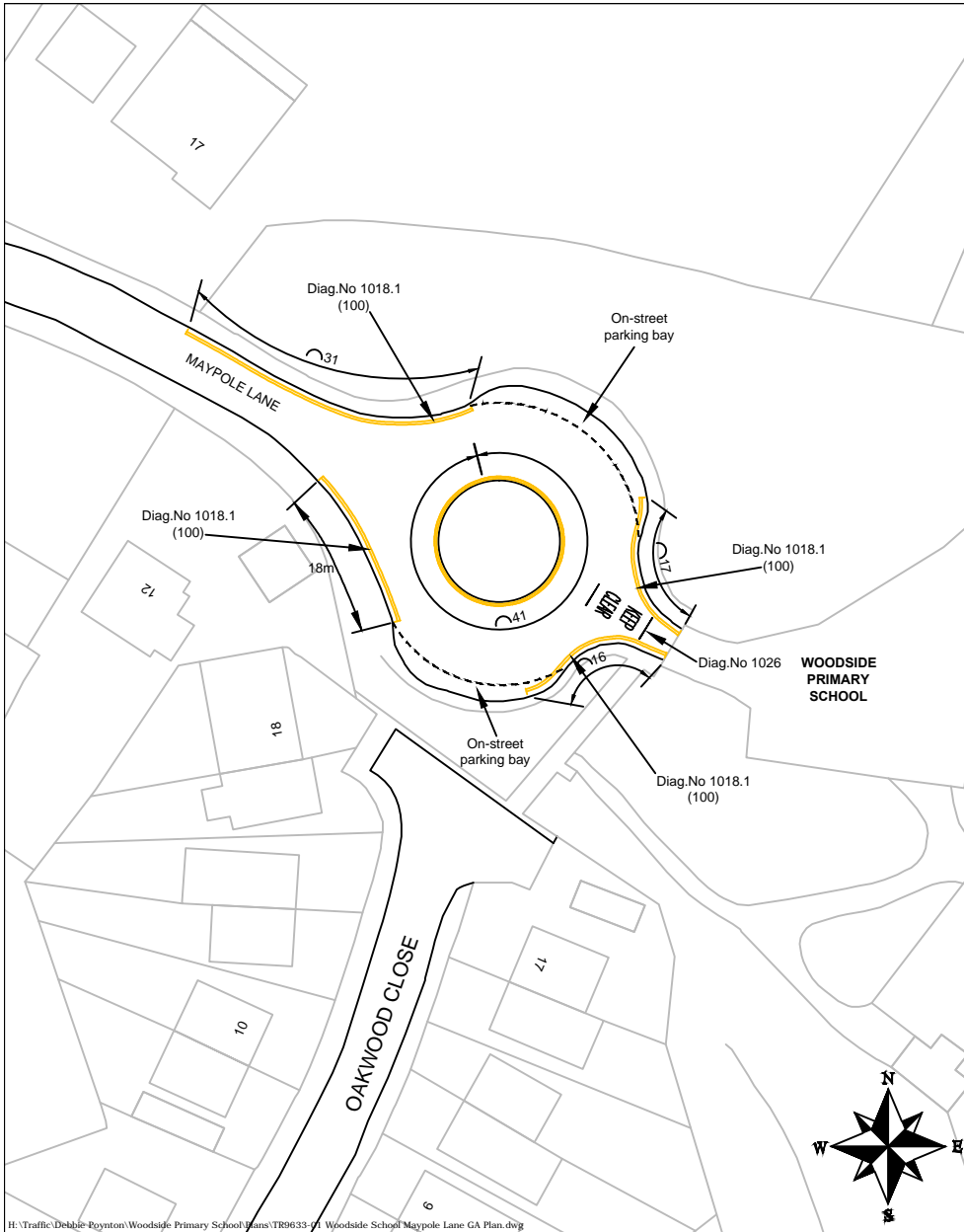
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MAYPOLE LANE ATHERSTONE PROPOSED MARKINGS SETTING OUT PLAN	CAR	DP
Project title	Date	Scale
Woodside Primary School	DECEMBER 2014	NTS
	Drawing number	
	TR9633-01-A	

Drawing title	Drawn by	Checked by
MAYPOLE LANE ATHERSTONE PROPOSED MARKINGS SETTING OUT PLAN	CAR	DP
Project title	Date	Scale
Woodside Primary School	DECEMBER 2014	NTS
	Drawing number	
	TR9633-01-A	

Appendix B - Revised Restrictions

KEY :-

-  PROPOSED NO WAITING AT ANY TIME
-  PROPOSED KEEP CLEAR MARKING



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MAYPOLE LANE ATHERSTONE PROPOSED MARKINGS SETTING OUT PLAN	CAR	DP
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Woodside Primary School	DECEMBER 2014	NTS
	Drawing number	
	TR9633-01-B	

**Ref 1 – The Warwickshire County Council (Maypole Lane, Atherstone)
(Prohibition and Restriction of Waiting) Order 2014**

Maypole Lane - Appendix A

Proposed Prohibition and Restriction of Waiting

Support

Warwickshire Police are fully supportive of these proposals.

Atherstone Fire Station is fully supportive.

County Councillor Morson is supportive of the proposals as outlined in Appendix B

Objection

2.1 Objection 1 - Resident of Maypole Lane

Consultation has been sent to a limited number of residents, as this proposal affects all residents of Maypole Lane and adjacent roads I am surprised not to have received formal notification.

Many children who are taken to school can be as young as 2 years old and escorted to and from the school premises, so setting them down and leaving them is out of the question.

I cannot see how road safety would be improved as the Lane is already congested with vehicles parking partly on the pavement to allow other vehicles to pass

The problem is already acute and the proposal would necessitate vehicles parking in other residential roads.

Objection 2 - Resident of Maypole Lane

Why no consultation with residents was carried out. Banning parking in part of the lane will cause congestion in the remainder of the lane.

Residents currently have to deal with the unnecessary poor parking each day and often illegally. Parents take little or no notice of dropped kerbs and entrances to businesses. Cars currently mount the kerb to pass parked vehicles which has an implication on to children safety.

Congestion along the lane at the start and end of the school day prevents easy access to all residences and the school.

Response to Objection 1 & 2

The statutory procedure for advertising a Traffic Regulation Order requires the Local Authority to advertise in the local newspaper, on street in the vicinity of the proposed order and on the County Councils own web site.

In addition to this our duties include notifying all statutory bodies which include Local

Member, Parish Council, Warwickshire Police, Fire Service, Ambulance Service, Road Haulage Association and other statutory consultees. In addition a letter was hand delivered to the School and properties in close proximity to the School.

The proposed parking restrictions are to allow access / egress for emergency vehicles using Maypole Lane, particularly in the vicinity of Woodside Primary School.

The parents of the children at Woodside Primary School are not able to drop off or pick up their children in the manner permitted by the order. Being a primary school, the pupils at Woodside are of an age that requires the parents to take the children into and collect them from the school premises. The parents, given the age of their children, cannot stop their cars in Maypole Lane, to allow the children to alight, without parking up and taking them the rest of the journey to the school. Therefore the proposed parking restrictions will prevent parents from obstructing access in Maypole Lane as they will no longer be able to park, which they need to do when taking their children to and from school.

We will continue to work with the local Police to address residents' concerns regarding inconsiderate parking.

Objection 3 - Resident of Maypole Lane

Maypole Lane is a quiet mainly residential road of 13 occupied dwellings and a bakery business employing up to 20 people.

There is no justification for restrictions outside the property restricting parking 24 hours a day 7 days a week. Vehicles rarely park here outside school hours for any long period of time. There is limited parking by staff and visitors to the school.

We currently have parking for three vehicles and we expect in years to come we will have unto six vehicles and the additional vehicles will need to be parked in Maypole Lane.

Objection 4 - Resident of Maypole Lane

Several employees of the local bakery travel to work and park their vehicles in Maypole Lane. Three delivery vehicles operate from Maypole Lane and many customers collect products from the bakery. Deliveries are also made by HGV's and the bakery yard is kept clear resulting in staff parking in Maypole Lane. The introduction of double yellow lines will cause vehicles to park further up Maypole Lane restricting access for staff, suppliers, customers and delivery vehicles.

Response to Objection 3 & 4

As the road is a cul de sac and the only means of turning large vehicles around is the turning circle outside Woodside Primary School, the proposed restrictions need to be 24/7 in order to maintain access/egress at all times.

We will continue to work with the local Police to address residents' concerns regarding inconsiderate parking.

In light of the concerns raised by those residents directly affected by the proposed waiting restrictions, an amendment as shown in Appendix B is recommended for approval.

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:-
 - (i) 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).