

# Portfolio Holder Decision

The Warwickshire County council (district of Stratford on Avon) (civil enforcement area) (waiting restrictions, on street parking places and residents' parking) (consolidation) (variation no.d) order 2023.

<b>Portfolio Holder</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>15<sup>th</sup> December 2023</b>
	<b>Signed</b>

## 1. Decision taken

That the Portfolio Holder for Transport and Planning approves that the below named proposed Waiting Restrictions be made as advertised as shown in plan TR11353/01c -

- The Warwickshire County council (district of Stratford on Avon) (civil enforcement area) (waiting restrictions, on street parking places and residents' parking) (consolidation) (variation no.d) order 2023.

## 2. Reasons for decisions

- 2.1 Where objections have been received to proposed Double Yellow Lines (DYL) schemes it is necessary for the Portfolio Holder to decide whether to proceed with the proposals.
- 2.2 Pursuant to Part 2(4) of the Warwickshire County Council Constitution, the Portfolio Holder for Transport and Planning in consultation with the Local Member(s) has delegated authority to determine road traffic management and accident prevention schemes and road traffic regulations in cases where objections have been received (and not withdrawn).

## 3. Background information

- 3.1 The statutory Public Consultation for the B4035 Campden Road, Bailey Road and Nason Way for the introduction of Double Yellow Lines, was advertised on 9<sup>th</sup> December 2022 for four weeks. It was also advertised on street in the form of Public Notices, in the Stratford Courier and on the Council's website. Statutory consultees have also been consulted. The closing date was extended by an extra week to 6th January 2023, so that residents in the area had sufficient time to consider the proposal over the holiday period.

3.2 A copy of plan TR11353 01 detailing proposals to introduce DYL in December 2022 can be found as **Appendix A** along with a copy of the Public Notice as **Appendix B**. One objection to the proposal was received during the consultation; the following table details the objection received, and the Council's response.

3.3 Two other emails which could have been classed as Objections came in over a week after the end of the Consultation period. The senders were advised their Representation could not be accepted due to their lateness. An offer to include their comments within this document as a Comment was made, see **Appendix C**. Both residents understood the reasoning and accepted the alternate offer.

3.4

Emails/letters	
Objections received 1 <sup>st</sup> Consultation	1

**Objection 1 – Resident of Bailey Road** (summery of email, for full version see **Appendix MM**)

- Strong objection to proposed double yellow lines on Bailey Road
- Frustration over unnecessary changes affecting parking outside residencies.
- Anger over changes from original roundabout design to traffic signals.
- Proposed solution fails to address difficulty of turning out of private road.
- Parking has never impacted traffic signals functionality.
- Bailey Road is not a major thoroughfare; proposed changes are excessive.
- Request urgent reassessment and reconsideration of proposals.

**Engineers email reply**

- Openness to discussion regarding the extent of the Double Yellow Lines (DYL) with residents
- Clarification about the need to keep carriageway clear for traffic signals to work correctly.
- Acknowledgement of the objection triggering a reporting process for consideration by Portfolio Holder for Highways.
- Invitation to alternative suggestions to reduce DYL extent.
- Explanation of junction’s design change from roundabout to traffic signals.

**Modifications to original proposals**

Objections received 2nd Consultation	3
--------------------------------------	---

**Objection 1 – Resident of Bailey Road** (summery of email, for full version see **Appendix M**)

- Objects to the DYL for the following reasons
- 1 Highways are looking at changing the speed limit along Campden Rd to 30/20mph. If this is the case the Signals set up is wrong. Highways are looking at design changes to make the junction safer. No point doing the DYL until this is completed.
- 2 Faulty road junction for Nos 1tru7 wants this resolved before the DYL.

- 3 There are dashed white lines to the roads centre. Highway Code states should not park at a side road where the dashed lines are painted. So why the DYL?
- 4 Traffic Lights system works ok with or without a van parked outside his house.
- 5 In the two years he has lived here, nobody has parked on the Campden Rd. So why have the DYL?
- 6 The DYL will be an eyesore, for no benefit.
- 7 Why no DYL on other parts of Campden Rd? Hanson Ave, Queens Dr with their larger traffic movements

**Engineers reply.**

- 1 Highways are not looking at changing the speed limit from the current 40mph. This has been confirmed by Traffic & Road Safety Section in Dec23. Not within the remit of this TRO
- 2 The private road layout onto Bailey Rd is not within the remit of this TRO.
- 3 Incorrect. It states you must not park within 10m (32ft) of a junction, which would capture the whole house frontage. Appendix G shows a shorter length of DYL based on the estimated speeds of passing traffic to protect visibility from the side road.
- 4 The Traffic Signals Section determined the DYL extent on the nearside mainly and the offside to a lesser extent. The DYL are required to ensure the visibility splay from the 'access road' is kept clear.
- 5 Ground vehicle detector loops require DYL protection on Campden Rd, Sensors on the Signal Heads can be 'aimed', but only to a point.
- 6 The DYL are part of the package that comes with Traffic Signals. Keeping the loops and detectors clear means the red/green cycle should only change when vehicles emerge from Bailey Rd/Nason Way.
- 7 Hanson & Queens are within a 30mph area, Bailey and Nason are within a faster 40mph area.

**Objection 2 – Resident of Bailey Road**

- Resident refers to Objector 1's email and agrees with his comments and Objection.
- Resident also concerned about the danger posed by the centre refuges when exiting his driveway.

**Engineers reply.**

- All points and answers for Objector 1 would also apply here.
- Noted, but part of carriageway is still classed as 'private' and not within the remit of this TRO.

**Objection 3 – Local County Cllr**

- Refers to Objector 1's email and wishes to be associated with his comments and Objection.
- Wants the Police to agree to a sensible 30mph along Campden Rd
- Not sure about the need of the DYL's.

**Engineers reply.**

- All points and answers for Objector 1 would also apply here.
- Point to be directed to the Police, but they would echo the reply for Traffic & Road Safety in Engineers Reply 1 above.

3.5 In addition to the original Proposal advertised on 8<sup>th</sup> December 2022, there is also copy of plan TR11353 01c detailing a **modified** proposal which were advertised on 20<sup>th</sup> October 2023, inviting representations to the modifications by 13<sup>th</sup> November 2023. The modifications proposed is for an extended length of DYL to Campden Road only,, and can be found as **Appendix AA**. This drawing also includes the reduced lengths of DYL to the side roads of Bailey Road and Nason Way.

3.6 The Public Notice advertising the modifications is also included as **Appendix BB**.

3.7 The results of the second Consultation undertaken in October 2023 for the extended DYL on Campden Road resulted in three Representations. See **Appendix M** for the unredacted emails.

3.8 Where an authority advertises modifications to a proposed order, the relevant regulations provide that “Representations” are to be sought as opposed to “Objections” However, the regulations still require the Council to duly consider those Representations.

3.9 The ‘modification’ Consultation did not conclude until 13.11.23.

The only Objector to the first Consultation is the same person Objecting to the second Consultation. The Council received a further two objections to the amended scheme from a Resident and from Cllr Barker.

3.10 To summarise the main email, there is no mention of the additional 26m of DYL on Campden Road which is what the second Consultation was about. All other points that are listed in the email have been highlighted previously and responded to elsewhere.

3.11 There has been extensive correspondence with residents on this matter, not limited to DYL. Within Appendix D there is a list of over ten issues from the Objector and one other resident, the majority of which fall outside the remit of this DYL proposal. Mention of the DYL’s is very low on either list. Some of the points have been answered above. The residents have an unrealistic expectation of what some Officers are able to achieve.

3.12 The Campden Rd and Nason Way junction was originally proposed as a traffic island. **See Appendix E**. But Bailey Road was not part of the scheme at the time of drawing.

3.13 The Developer got the roundabout design wrong. They designed a 30mph island on a 40mph road. To make it work, they just 'moved' the 30mph Terminal signs

from a point 60+m west of Sadlers Ave, to an unspecified point west of Bailey Road. This is not Legally possible and was pointed out to the Developer. Some 12 months later it became known that the Island junction was replaced by a Traffic Signal junction which requires DYL's to protect its vehicle detector's.

- 3.14 The reason the Developer did that was because they did not have/want/require the additional land needed to build a larger island for a 40mph road. So, it became a traffic signal junction.

A unilateral access detail change on the ground – presumably by the Developer - requires DYL's where they may not have been required previously. The original road layout in **Appendix F** shows that all residents should access Campden Road via a loop road around the estate.

- 3.15 Properties shown as No1 to 6 are now able to avoid the loop road route and can access the Highway via a link road adjacent to No 7. As this is a dropped kerb access as opposed to a traditional bellmouth arrangement, passing motorists would not ordinarily expect motorists or deliveries going in/out of this location. To ensure the visibility and safety of motorists a reduced DYL extent has been applied to Bailey Road. Its extent crossed in front of No7 who has objected to the DYL.

- 3.16 From the initial drawing **Appendix A** to the revised drawing **Appendix AA**, it can be seen that WCC has reduced the DYL extent in front of No7 to a minimum, even taking in consideration the parking practises of the resident, who also has off road parking.

- 3.17 A more detailed layout can be seen in **Appendix G**. This item was also sent to the Objector in an effort to have the Objection withdrawn. It failed.

- 3.18** For sight of the email exchange for item 3.7 see **Appendix H**

- 3.19 As it has not been possible to resolve the Objection and the resident will not withdraw the Objection, the Portfolio Holder is required to make a decision as to whether make the Order as shown at Appendices AA and BB to proceed with the DYL scheme. The published reasons for the introduction of B4035 Campden Road, Bailey Road and Nason Way for the introduction of DYL's remain valid. See **Appendix K** – Statement of Reasons. It is therefore recommended that the proposals (including the advertised modifications) are implemented.

- 3.20 Statutory Criteria for the introduction of Traffic Regulation Orders (TRO) or DYL, see **Appendix L**.

## 4. Financial implications

Funding for the DYL's will be provided within the Section 278 agreement WCC has in place with the developer Taylor Wimpey.

## 5. Environmental implications

- 5.1 The DYL's are introduced as a safety measure. It is not anticipated that the change will result in an adverse effect on air quality or noise levels and the works are minor having little environmental impact during delivery.
- 5.2 It is hoped that these new waiting restrictions will enhance the quality of life for residents and visitors in the area and improve safety for all road users and residents, especially the elderly and young child pedestrians.

<b>Report Author</b>	Mike McDonnell <a href="mailto:mikemcdonnell@warwickshire.gov.uk">mikemcdonnell@warwickshire.gov.uk</a>
<b>Assistant Director</b>	Scott Tomkins. Director for Communities
<b>Strategic Director</b>	Mark Ryder, Executive Director for Communities
<b>Portfolio Holder</b>	Councillor Jan Matecki, Portfolio Holder for Transport and Planning

<b>Urgent matter?</b>	No
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

## List of background papers

Email objections along with plans that can be produced if required.

Appendix A & AA – Speed Limit Plans (*from Dec22 and Oct23 respectively*)

Appendix B & BB – Public Notices (*from Dec22 and Oct23 respectively*)

Appendix C – Two resident Comments.

Appendix D – List of resident concerns

Appendix E – Initial Traffic Island arrangement

Appendix F - Modified Road Access

Appendix G - Plan sent to Objector.

Appendix H - Emails for item 3.7

Appendix K - Statement of Reasons.

Appendix L - Statutory Criteria for Decision Making on Speed Limit Orders

Appendix M – Objector emails to EXTENDED TRO

## Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Caroline Gutteridge

Finance – Andrew Felton

Equality – N/A

Procurement – Mark Baker

Democratic Services – Helen Barnsley, Nic Conway

Councillors – Councillor Jan Matecki

Local Member(s): Councillor Jo Barker