

**Title of meeting:** Cabinet Member for Traffic and Transportation

**Date of meeting:** 10 March 2016

**Subject:** London Road proposals: TRO 12/2016

**Report by:** Director of Transport, Environment and Business Support

**Wards affected:** Nelson

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

- 1.1 To consider the response to the public consultation on the proposed footway adjustment and reintroduction of Pay & Display, between Chichester Road and Laburnum Grove. When objections are received to proposed Traffic Regulation Orders, it is a statutory requirement to consider them at a formal decision meeting.

Appendix A: Public notice detailing the proposal  
Appendix B: Summary of public consultation responses

**2. Recommendation**

- 2.1 **That approval is given to widen the carriageway on both sides and reinstall Pay & Display parking on the west side.**

**3. Background**

- 3.1 In response to concerns regarding road safety and accidents on London Road and the management of traffic flow through the city, funding was sought from LTP in 2009 to look into road safety improvements and the options associated with possible regeneration.
- 3.2 As part of the project a Steering Group was created that included representation from the Business Association, local church, Neighbourhood Forum and Nelson Ward Councillors, in addition to members from local transport and freight networks. As a result of this process, a scheme to improve the environment for pedestrians, but retain the same level of access to the area for other modes of transport was put forward, but ultimately rejected due concerns from local residents and issues of the physical implementation.

- 3.3 Based on this information a scheme was developed to provide additional footway and also identified improvements that could be made to the pedestrian crossings. It also detailed the application of materials to provide an enhanced footway finish.
- 3.4 In 2012 a scheme was constructed within London Road between the junctions of Chichester Road and Laburnum Grove/Derby Road which consisted of removing the existing on-street parking facilities to enable widening of the footways to improve pedestrian access through the area.
- 3.5 Following a request from the Leader of the Council in late 2015, Portsmouth City Council canvassed residents' views regarding the reduction of footway width and re-introduction of on-street parking within London Road. This consultation was prompted by the perceived issues of businesses within the area that the loss of on-street parking facilities has led to the loss of trade.

#### **4. Reasons for recommendations**

- 4.1 The comments received in response to the formal consultation on the proposals (Appendix B) have been taken into consideration.
- 4.2 Increasing the level of parking is designed to encourage visitors and residents of the City to visit the existing businesses within London Road, and to provide easy access for those vulnerable residents who are currently unable to easily access the facilities within London Road.

#### **5. Equality Impact Assessment (EIA)**

- 5.1 A Preliminary Equality Impact Assessment has been completed for this scheme. From this it has been determined that an equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

#### **6. Legal Services Comments**

- 6.1 It is the duty of a local authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:
- (a) securing the expeditious movement of traffic on the authority's road network; and
  - (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority."
- 6.2 Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.

- 6.3 Traffic regulation orders (TROs) can be made for a number of reasons, including avoiding danger to persons or other traffic using the road or for preventing the likelihood of such danger arising, for preventing damage to the road or any building on or near the road, for facilitating the passage on the road of traffic (including pedestrians) or preserving or improving the amenities of the area through which the road runs.
- 6.4 A TRO may make provisions for identifying any part of the road to which any provision of the TRO is to apply by means of a traffic sign.
- 6.5 A proposed TRO must be advertised and the public given a 3 week consultation period where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account the comments received from the public during the consultation period.
- 6.6 Where a TRO is made the local authority must within 14 days publish a notice that the order has been made in a local newspaper. The notice must include amongst other things, where and when the order is available for inspection and that within six weeks following the making of the order that an application can be made to the High Court to question the validity of the order or any its provisions.
- 6.7 The local authority must take appropriate steps to ensure that adequate publicity about the order is given and must notify any person who has objected to the order (where such objection has not been withdrawn) that the order has been made. The notice of making the order must include the reasons why the objection was rejected.
- 6.8 In selecting a contractor to carry out the works, the Council is required to undertake a procurement process in accordance with the City Council's Contract Procedure Rules, at Part 3A of the constitution. The Council is also required to comply with the Public Contracts Regulations 2015 and applicable EU law.

## **7. Director of Finance Comments**

- 7.1 This scheme is to be funded from the both revenue and capital contributions from the PRED portfolio and has been approved by the PRED Cabinet holder with a current budget of £160k.

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Signed by:  
Alan Cufley  
Director of Transport, Environment & Business Support

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....

Signed by:  
Councillor Ken Ellcome, Cabinet Member for Traffic & Transportation

## Appendix A: Proposal notice for TRO 12/2016

26 January 2016

### **THE PORTSMOUTH CITY COUNCIL (LONDON ROAD, NORTH END) (AMENDMENTS TO FOOTWAY AND WAITING RESTRICTIONS) (NO.12) ORDER 2016**

Notice is hereby given that Portsmouth City Council is consulting the public on proposals within the above Order under Sections 1 – 4, 32, 35, 36, 37, 45, 46 and 47 of the Road Traffic Regulation Act 1984. The effect would be as detailed below.

This Order supersedes the recently-advertised TRO 89/2015.

#### **A) FOOTWAY NARROWING AND CHANGE FROM NO WAITING AND NO LOADING TO: PAY & DISPLAY MONDAY-SATURDAY 8AM-6PM**

**1. London Road** West side, a maximum 80-metre length between the pedestrian crossing by Superdrug and the pedestrian crossing by the former Co-op store.

Pay & Display charges:	Up to 30 minutes 60p	Up to 1 hour £1.10
Up to 2 hours £2.00	Up to 3 hours £3.00	
Up to 4 hours £4.00	Up to 6 hours £6.20	
Up to 8 hours 8.20	All day £10.00	

#### **B) FOOTWAY NARROWING**

**1. London Road** East side, a similar length opposite the proposal at Part A) above to provide increased road width (by reducing the footway width)

#### **REASONS FOR ORDER**

To provide short-term parking in the locality to support local shops and businesses by improving access for customers arriving by vehicle. To ensure the remaining road width suitably accommodates cyclists.

Persons wishing either to object to or support these proposals may do so by sending their representations **IN WRITING** via email to [engineers@portsmouthcc.gov.uk](mailto:engineers@portsmouthcc.gov.uk) or by letter to Nikki Musson, Transport Planning, Portsmouth City Council, Civic Offices, Portsmouth, PO1 2NE, quoting ref: **TRO 12/2016**, stating the grounds of objection or support by **16 February 2016**.

Under the provisions of the Local Government (Access to Information) Act 1985, any letters of representation that are received may be open to inspection by members of the public.

A copy of this Public Notice can be viewed on Portsmouth City Council's website - visit [www.portsmouth.gov](http://www.portsmouth.gov) and search 'traffic regulation orders 2016'. A copy of the proposal notice and plan may be examined at the Main Reception, Civic Offices, Guildhall Square, Portsmouth during normal office hours.

Alan Cufley, Director of Transport, Environment and Business Support  
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2NE

## **Appendix B: Summary of the responses to the public consultation**

### **1. Resident, Battenburg Avenue**

Objecting to the proposals. Would like to see the MP's, traders and Council use every opportunity at their disposal to make further improvements on behalf of residents. The improvements must favour actual shoppers over private motorists. Shopping centres regularly have new businesses that arrive then fail and ultimately close. The forms of trading are now changing faster than ever but at North End in particular we enjoy a majority of successful businesses all of whom could thrive if greater attention is paid to what the shoppers and the would-be shoppers want themselves. Please stop pandering so much to motorists for the motorists who call out for roadside parking here are the very so-called shoppers who put the fast food franchises out of business because they do not have their own adjacent car park or drive-thru facility. It is all too easy for inappropriate or inadequate businesses to blame the lack of footfall on any removal of roadside parking. Their customers, if they ever had many, are no longer available to ask for the reason for their absence. Less footfall is certainly because shoppers are voting with their feet and shopping elsewhere. If the shop ensures it is sufficiently attractive then any lack of roadside parking shouldn't really be sufficient disincentive to keep shoppers away.

It is important to recognise that shoppers at North End are fundamentally pedestrians no matter if we arrive on foot or on wheels of some kind. It is more important how shoppers spent their time here as pedestrians and not so much to consider how they get here. During the latter part of the last century the shopping experience here was increasingly made difficult and unpleasant by too much of London Road remaining more accommodating for ever increasing volumes of through traffic and all at the expense of safe and comfortable provision for pedestrians. The more successful shopping centres today provide greater provision for pedestrians to enjoy their visit, for example, Gunwharf Quays, Palmerston Road, Commercial Road, etc. Please give far greater preference to pedestrians here.

### **2. Resident and cyclist, Stubbington Avenue**

Has concerns regarding the proposals. Will the proposals leave enough space for the traffic to as smoothly as it is now and will there be sufficient space for cyclists and motorcyclists, as this road is frequently used for local journeys and by commuters? Has this been investigated by the Road Safety section? Assomeone who has cycled through the area I am a little concerned that north bound cyclists will hold up traffic when passing parked cars. You cannot ride close to parked cars as you can to the kerb line. The current width seems mainly to be sufficient. If there is a real need for accessible parking would it not be a better and much cheaper alternative to enlarge Derby Road entrance to the car park behind the former Co-Op? The recycling bins could be relocated in the now underused car park. This would enable shoppers to exit the car park to both north and south and greatly improve usage. Also adding a 30 minute charge of 20p would encourage usage by those making a quick stop. Clear road signs and information in the News, Flagship, etc would publicise this.

### **3. Bus Company**

Objecting to the proposals. Took part in the North End Regeneration Project Steering Group in 2010 with the aim of enhancing the local environment and encouraging more footfall to the North End shopping area. Key parts of the plan were the removal of the parking bays on the west side of London Road and, with the agreement of the bus companies, the bus lane on the eastern side. This allowed the introduction of wider pavements. This also assisted with the free flow of traffic which no longer was subject to hold-ups caused by motorists reversing in and out of parking bays. The scheme resulted in improvements in reliability with bus services encountering fewer delays. The widening of the east side footway also addressed the concerns raised by bus drivers regarding pedestrians suddenly stepping out into the road to avoid push-chairs or mobility scooters.

At the time local traders supported the scheme. To now revert to the previous arrangement is a retrograde step and takes no account of the reasons behind the introduction of the present layout in North End. Plenty of alternative off-street parking exists nearby.

#### **4. Resident, Childe Square**

Objecting to the proposals. The current layout has been in place since 2012. The result was a much more pleasant environment for the shopper, pedestrians and mobility scooters. The proposals would see a return to the previous layout consisting of narrow pavements to accommodate parking bays. Motorists crawled along in hope to find a vacant parking spot causing congestion. This contributed to the high levels of air pollution in this location. I cannot see how the City Council can justify spending such a large sum whilst making cuts to essential services because of lack of funding.

Off-street parking exists off Stubbington Avenue and Derby Road and I have never known either of these car parks to be full to capacity. Creating 14(?) more spaces is hardly likely to enhance the turnover of the remaining traders in North End. Consider landscaping, part of the original regeneration plan, would be more beneficial in increasing footfall. My wife and I regularly shop in North End and would not wish to see a return to the previous arrangement.

#### **5. Cycle Forum**

Objecting to the proposals. The pavements in London Road were widened in order to improve the public realm and increase pedestrian safety. The proposals will help to return London Road to its previous, pedestrian-unfriendly state. It sends all the wrong messages regarding active travel for, once again, personal motorised transport will take precedence over sustainable travel. Portsmouth City Council is undertaking a series of improvements to reduce cycle accident rates to the north and south of the site. Adding more car parking will not assist with reducing casualties as there will be new hazards such as vehicles pulling out and car doors opening into the carriageway. We suggest initiatives including free car parking in off-street car parks, better signage for motorists and pedestrians, provide limited waiting to the shops in London Road from the access road to the rear, an in-depth study into the shopping needs of the population living within the locality and a planned set of improvements to the public realm. We urge you to reject the proposal.

*(End of Report)*