

Agenda item:

Title of meeting: Cabinet Member for Traffic and Transportation

Date of meeting: 18 February 2016

Subject: Waltham Street proposals:
TRO 82/2015

Report by: Director of Transport, Environment and Business Support

Wards affected: St Thomas

Key decision: ~~Yes~~/No

Full Council decision: ~~Yes~~/No

1. Purpose of report

To consider the response to the public consultation on proposed double yellow lines under TRO 82/2015. 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 (A18)

Appendix B: Plans and location details of Waltham Street and the proposal

2. Recommendation

That 3 metres of double yellow lines are implemented in Waltham Street to maintain access to the rear of the Charter House and Beddow Hall buildings.

3. Background

3.1 The waste collection company has reported regular difficulty accessing the communal bins at the rear of Beddow Hall and Charter House, due to vehicles parking in front of the entrance and gates. This results in return trips and the bins going unemptied if access is not possible.

3.2 Their historic nature means the footway and kerb are level with the carriageway along a significant length of the road, meaning enforcement for obstructing a dropped kerb is not possible. Therefore a proposal for double yellow lines to clearly designate where parking is and is not suitable was put forward for public consultation.

4. Reasons for recommendations

4.1 The following comments have been taken into consideration:

4.1.1 The objection from a resident is based on the grounds that if access is uninhibited, then the waste collection company will be encouraged to service the communal bins at unsocial hours, for example 05:50 in the morning. This has happened in the past and prompted a complaint to Biffa about the noise disturbance. As the impact on adjacent residents is for commercial gain, maintaining access to the communal area is felt to be unreasonable.

4.1.2 The managing agent for Charter House (GD3) is concerned that when the waste bins are not emptied they quickly overflow, and residents leave rubbish around them in the courtyard until the bins can be serviced. Further concerns are prompted over environmental issues, such as attracting vermin, as several of the commercial units are food vendors and regular food waste collection is essential. Charter House is a large building and must be maintained each week in terms of the refuse collections.

4.2.1 There is a legal requirement for domestic and commercial waste to be collected (Environmental Protection Act 1990 (2012) and the Household Waste Recycling Act 2003), as environmental and health issues can arise when waste is left for long periods of time.

4.2.2 Return trips by the waste collection vehicle increases the burden on the highway network and vehicle pollutants, for no purpose if the communal bins cannot be accessed.

4.2.3 The fire escape from Beddow Hall exits into the communal area to the rear, accessed via Waltham Street.

4.3 The proposal was originally advertised as 4 metres of double yellow lines. The reduced length of 3 metres as per the recommendation will ensure the restriction does not encroach in front of the adjacent property.

5. Equality Impact Assessment (EIA)

A full 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. These include Age, Disability, Race, Transgender, Gender, Sexual orientation, Religion or belief, relationships between groups, and other socially excluded groups.

6. Legal Services Comments

6.1 It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to its 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 include provisions prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles. A TRO may also make a provision prohibiting, restricting or regulating the use of a road or any part of the width of a road by vehicular traffic of a particular class specified in the order subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.
- 6.5** A proposed TRO must be advertised and the public given a 3 week consultation period (21 days) 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.

7. Director of Finance Comments

- 7.1** The implementation costs related to TRO 82/2015 as a whole are estimated to be £2,800. These costs include advertising the TRO, line marking, signage and grounds works, as well as the associated ongoing maintenance costs. This will be funded from the existing on-street parking revenue budget.
- 7.2** The resources required to enforce this traffic regulation order can be met by the parking function and no other additional revenue costs will be incurred as a results of its implementation.

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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:

Title of document	Location
4 emails	Transport Planning, 4 th floor, Civic Offices

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

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



Appendix A: Proposals section of public notice for TRO 82/2015

26 November 2015

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (RESTRICTIONS ON WAITING AND AMENDMENTS) (NO.82) ORDER 2015

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, 45 and 46 of the Road Traffic Regulation Act 1984.

The effect would be as detailed below:

A) PROHIBITION OF WAITING AT ANY TIME (double yellow lines)

- | | |
|-----------------------------------|--|
| 1. Allcot Road | Both sides, a 1m length westwards from its junction with Aylen Road |
| 2. Aylen Road | (a) West side;
(i) a 1m length both north and south of its junction with Allcot Road
(ii) a 1m length both north and south of its junction with Gatcombe Ave
(iii) a 1m length both north and south of its junction with Locarno Road
(b) Both sides, a 1m length southwards from its junction with Green Lane |
| 3. Bruce Road | Both sides, a 3m length southwards from its junction with Salisbury Road |
| 4. Devon Road | (a) Both sides, a 1m length northwards from its junction with Green Lane
(b) West side;
(i) a 1m length both north and south of its junction with Lovett Road
(ii) a 1m length both north and south of its junction with Wesley Grove |
| 5. Gatcombe Avenue | Both sides, a 1m length westwards from its junction with Aylen Road |
| 6. Glenthorne Road | Both sides, a 1m length southwards from its junction with Ninian Park Rd |
| 7. Green Lane | (a) North side, a 1m length both west and east of its junction with Devon Rd
(b) South side, a 1m length both west and east of its junction with Aylen Rd |
| 8. Gurney Road | Both sides, extend by 2m to reinstate the original 5m lengths from Dunbar Rd |
| 9. Helena Road | Both sides, a 2m length southwards from its junction with Salisbury Road |
| 10. Locarno Road | Both sides, a 1m length westwards from its junction with Aylen Road |
| 11. Lovett Road | Both sides, a 1m length westwards from its junction with Devon Road |
| 12. Lower Drayton Lane | East side, an 8m length north and a 5m length south of its junction with Stroudley Avenue |
| 13. Military Road | South side, a 25m length opposite the entrance to the new development, up to Rampart Gardens |
| 14. Ninian Park Road | South side, a 1m length both west and east of its junction with Glenthorne Rd |
| 15. River's Street | Northwest side, a 11m extension to the existing double yellow lines, in front of the new disabled bays |
| 16 Salisbury Road, Eastney | South side;
(a) a 3m length both west and east from its junction with Bruce Road
(b) a 2m length west and a 1m length east from its junction with Helena Road |
| 17. Stroudley Avenue | Both sides, a 5m length eastwards from its junction with Lower Drayton Lane |
| 18. Waltham Street | West side, a 4m length in front of the gates, rear of Beddow Hall and Charter House. |
| 19. Wesley Grove | Both sides, a 1m length westwards from its junction with Devon Road |

B) REMOVAL OF DOUBLE YELLOW LINES

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| 1. River's Street | Southeast side, a 9m length opposite the new disabled bays |
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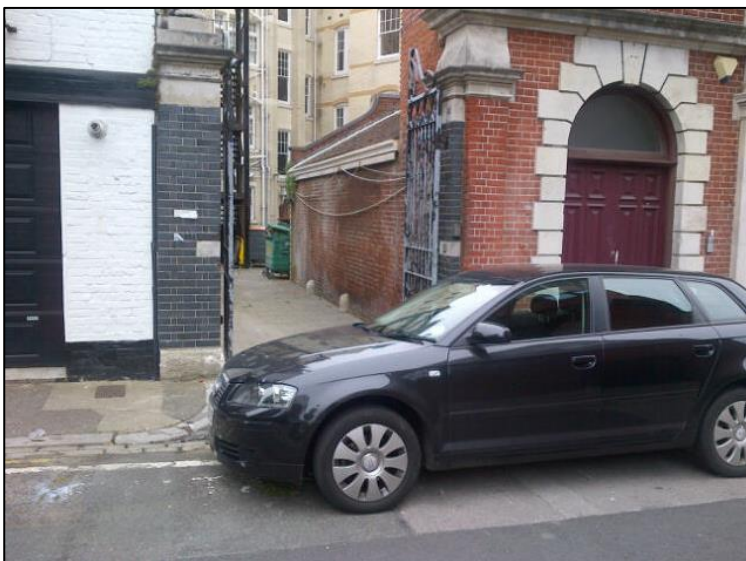
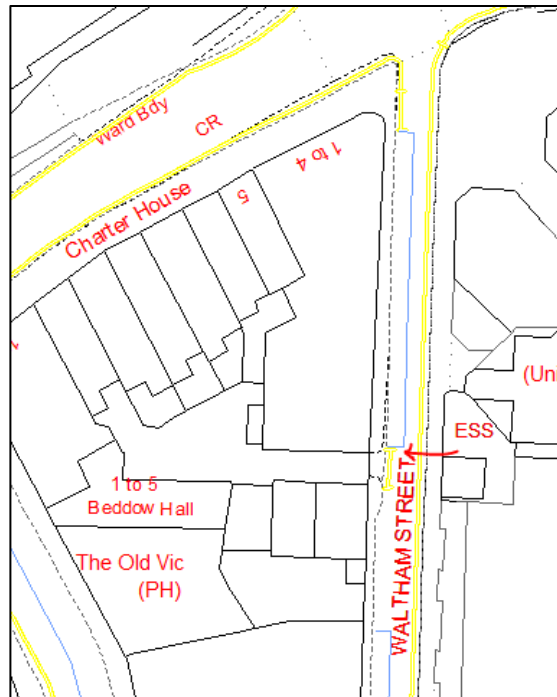
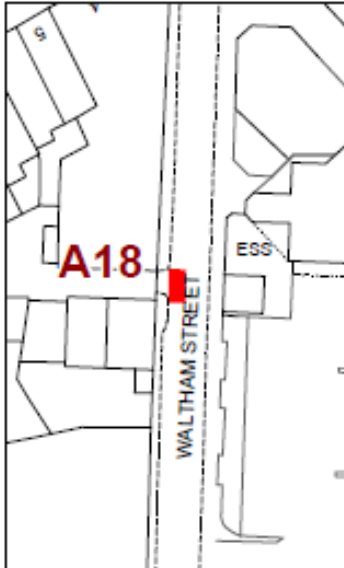
C) EXTENSION TO OPERATING TIMES OF SCHOOL ZIG ZAGS FROM 4PM TO 5PM

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|-------------------------|--|
| 1. Mayfield Road | Both sets of markings outside Mayfield Infant School |
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D) CHANGE FROM DOUBLE YELLOW LINES TO: GOODS VEHICLE LOADING BAY

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| 1. Spring Gardens | A 12m parking bay at the southern dead end to serve New Theatre Royal |
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Appendix B: Plans and location details of Waltham Street and the proposal



Waltham Street entrance to rear communal area of Charter House and Beddow Hall (location of waste bins and fire escape)



Waltham Street entrance to rear communal area of Charter House and Beddow Hall (location of waste bins and fire escape)



Access to rear communal area of Charter House and Beddow Hall, via Waltham Street entrance



Charter House, Lord Montgomery Way (front) / Waltham Street (side and rear)

(End of Report)