

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

**Date of meeting:** 13 September 2018

**Subject:** Fair Oak Road and Battenburg Avenue: double yellow line proposals (TRO 53B/2018)

**Report by:** Tristan Samuels, Director of Regeneration

**Wards affected:** Milton, Copnor

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

- 1.1.** To consider public responses to proposed new double yellow lines in Fair Oak Road and a proposed reduction of double yellow lines in Battenburg Avenue.

Appendix A: The public proposal notice and plans for TRO 53/2018 (pages 5-6)  
Appendix B: Public views submitted (pages 7-12)

## **2. Recommendation**

- 2.1.** That the double yellow lines proposed under TRO 53/2018 in Fair Oak Road are implemented as advertised;
- 2.2.** That the reduction of double yellow lines proposed under TRO 53/2018 in Battenburg Avenue, near its junction with Randolph Road, is not implemented in full, but that;
- 2.2.1** The 6-metre length of double yellow lines is removed from across the driveway between Nos.38 and 40 Battenburg Avenue

## **3. Background**

- 3.1** Parking restrictions are considered and may be proposed where concerns are raised by residents, councillors, the public and/or emergency, public or delivery services in relation to road safety and traffic management.
- 3.2** Existing parking restrictions can be reviewed at the request of residents and/or councillors, and proposals may be put forward for public consultation as a result.

**3.3** A number of traffic regulation orders are put forward each year in direct response to such concerns and requests, and should objections be received, a decision by the Traffic & Transportation Cabinet Member is required to be made at a public meeting.

**3.4** Fair Oak Road: Double yellow lines have been proposed for the east side of Fair Oak Road between its junctions with Oakdene Road and Cheriton Road. This follows concerns raised by residents over vehicles parking on both sides of Fair Oak Road, partly on the footway and sometimes leaving insufficient carriageway width to travel through to Cheriton Road.

These images were provided by one of the residents concerned to demonstrate the issue:



**3.5** Battenburg Avenue: A resident suggested that the double yellow lines either side of Battenburg Avenue's junction with Randolph Road could be reduced. Proposals were put forward to remove some of the restrictions, to be consistent with similar junctions and in favour of on-street parking.

#### **4. Consultation and notification**

**4.1** Statutory 21-day consultation and notification under Traffic Regulation Order (TRO) 53/2018 took place 7-28<sup>th</sup> June 2018.

**4.2** Fair Oak Road: 2 x support, 1 x objection  
Battenburg Avenue: 0 x support, 3 x objections

**4.3** Traffic Regulation Orders can be made in part. Therefore, the remaining proposals under TRO 53/2018 which received no objections have been brought into operation under TRO 53A/2018. Approval of the proposal for Fair Oak Road would mean a separate order (TRO 53B/2018) facilitating the double yellow lines.

#### **5. Reasons for the recommendations**

**5.1** The information and concerns received from residents have informed the recommendations. Responses are reproduced at Appendix B on pages 7-12.

- 5.2** Fair Oak Road: The proposal responds to residents' concerns about vehicular access along Fair Oak Road and through to the houses in Cheriton Road when vehicles park on both sides of the road, and about visibility of traffic approaching from the bend including when exiting from the parking area to the rear of No.8 (coach house).

The proposed double yellow lines on the east side of Fair Oak Road between Oakdene Road and Cheriton Road therefore aim to maintain traffic flow, manage the parking and improve visibility of traffic approaching from the bend. The west side of Fair Oak Road can accommodate the most parking, and restricting the east side also reduces the potential for vehicles to obstruct access to properties when parking on the footway.

- 5.3** Battenburg Avenue: The recommendation takes into consideration the concerns of residents, and suggestions regarding part-implementation of the proposed reduction of double yellow lines.

## **6. Equality Impact Assessment**

- 6.1** An EIA is not required as the recommendations do not have a disproportionate negative impact on any of the specific protected characteristics as described in the Equality Act 2010. Parking restrictions apply to all motorists regardless of age, gender, disability, race, religion, sexual orientation etc., and they can promote improved access, road safety and traffic management for all.

## **7. Legal Implications**

- 7.1** 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.
- 7.2** 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.
- 7.3** A proposed TRO must be advertised and the statutory consultees notified and given a 3-week period (21 days) in which to register any support or objections. Members of the public also have a right to object during that period. 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 any comments received from the public and/or the statutory consultees during the consultation period.

## **8. Director of Finance's comments**

- 8.1** The recommendations contained within this report do not have any adverse impact on the revenue budget and will be funded within the existing 2018/19 cash limits.

.....  
Signed by:  
Tristan Samuels  
Director of Regeneration

**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>
6 emails / letters	Transport Planning team

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

.....  
Signed by:  
Councillor Lynne Stagg, Cabinet Member for Traffic and Transportation

**Appendix A: The public proposal notice for TRO 53/2018**



**THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (WAITING RESTRICTIONS, AND AMENDMENTS) (NO.53) ORDER 2018**

7 June 2018: Notice is hereby given that Portsmouth City Council proposes to make the above Order under sections 1 – 4, 32, 35, 36 and 53 of the Road Traffic Regulation Act 1984 ('the 1984 Act'), as amended, and parts III and IV of schedule 9 to the 1984 Act, to effect:

**A) NO WAITING AT ANY TIME (double yellow lines)**

- |                             |   |
|-----------------------------|---|
| <b>1. Blackfriars Close</b> | The southeastern end  |
| <b>2. Central Street</b>    | North side, extend the double yellow lines over the cobbles to the dead end   |
| <b>3. Credenhill Road</b>   | East side, 10m north and 5m south of the junction with Rapson Close   |
| <b>4. Fair Oak Road</b>     | East side between the junctions of Oakdene Road and Cheriton Road; approximately 98m opposite the park  |
| <b>5. Farlington Avenue</b> | (a) Southwest side, a 12m length opposite Birkdale Avenue (between the dropped kerb and green cycle lane)<br>(b) Northeast side, a 20m length between Birkdale Avenue and the green cycle lane<br>(c) Northeast side, an 8m length between the cycle lane and Give Way line |
| <b>6. Hyde Park Road</b>    | South side, a 4m length between the parking bays outside Hyde Park House  |
| <b>7. Kenilworth Road</b>   | West side, a 3m length southwards from St Simon's Road junction   |
| <b>8. Moorings Way</b>      | (a) North side, a 58m length opposite even Nos.80-92 (from Shore Avenue cycle path eastwards to the bus stop)<br>(b) North side, a 23m length eastwards from the bus stop to the flat chicane   |
| <b>9. Petworth Road</b>     | A 3m length at the southern end to discourage double-parking  |
| <b>10. Rapson Close</b>     | Both sides, 5m eastwards from Credenhill Road junction  |
| <b>11. St Simon's Road</b>  | South side, a 4m length westwards from Kenilworth Road junction   |

**B) CHANGE FROM LOADING BAY TO:**

**NO WAITING AND NO LOADING AT ANY TIME (double yellow lines, double yellow kerb stripes)**

- |                        |  |
|------------------------|--|
| <b>1. Marmion Road</b> | South side, the 5m length east of Richmond Road (outside Victoriana) |
|------------------------|--|

**C) CHANGE FROM 1-HOUR LIMITED WAITING TO:**

**LOADING ONLY 8AM-6PM**

- |                        |   |
|------------------------|---|
| <b>1. Marmion Road</b> | South side, a 9m length east of Richmond Rd outside Victoriana and No.80) |
|------------------------|---|

**D) REDUCTION OF NO WAITING AT ANY TIME (double yellow lines)**

- |                             |  |
|-----------------------------|--|
| <b>1. Battenburg Avenue</b> | (a) North side, a 15m length west of Randolph Road, from halfway in front of No.1 up to No.7<br>(b) South side, an 11m length from outside No.38 up to No.40 |
| <b>2. Neville Road</b>      | West side, a 4m length north of Hayling Avenue opposite the pond/park  |

**E) CHANGE FROM BUS STOP CLEARWAY TO:**

**NO WAITING AT ANY TIME (double yellow lines)**

- |                          |  |
|--------------------------|--|
| <b>1. Hayling Avenue</b> | North side, the majority of the bus stop east of Neville Road, leaving a 5m length unrestricted opposite No.84 |
|--------------------------|--|

**F) CHANGE FROM NO WAITING AT ANY TIME (double yellow lines) TO:**

**NO WAITING MON-FRI 8AM-6PM (single yellow line)**

- |                          |   |
|--------------------------|---|
| <b>1. Hayling Avenue</b> | (a) North side, a 5m length opposite No.94<br>(b) South side, a 5m length outside No.76 |
|--------------------------|---|

**G) CHANGE FROM NO WAITING AT ANY TIME (double yellow lines) TO:**

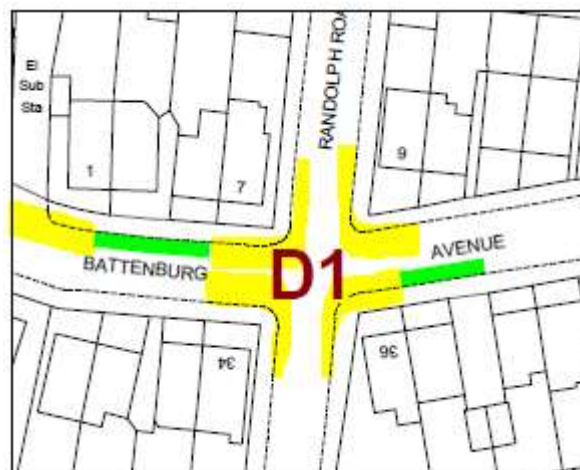
**NO WAITING 8AM-6PM (single yellow line)**

- |                           |  |
|---------------------------|--|
| <b>1. Priory Crescent</b> | North-west side, a 5m length between Vernon Ave and Carisbrooke Rd |
|---------------------------|--|

**H) REMOVAL OF 1-HOUR LIMITED WAITING MON-SAT 8AM-6PM**

- |                     |  |
|---------------------|--|
| <b>1. Liss Road</b> | North side, the 16m bay west of Winter Road alongside No.133 |
|---------------------|--|

PLANS: A4 (Fair Oak Road) and D1 (Battenburg Avenue)



Appendix B: Public views

## **1. FAIR OAK ROAD**

### **a) Resident, Cheriton Road**

I live in Cheriton Road, off Fair Oak Rd. We have recently been experiencing issues getting to our road via the ONLY way in and out which is Fair Oak Rd. It seems to have become increasingly worse the past few months.

Cars park opposite the residents houses along with many professional dog walker vans and commercial vehicles by St James Green. I have a family of 7 so I own a large 8 seater van and a few weeks ago I could barely get my vehicle through the gap left between cars !! I had to fold down my wing mirror and edge inch by inch to get through to my own road. In the event of an emergency there is no way an ambulance or fire crew could get through to us in Cheriton Road. I know I wasn't the only person who struggled to get through that day.

After speaking to other local neighbours this problem is occurring more and more. This is not an isolated incident. Other residents in Fair Oak Rd have actually politely approached the drivers of the vehicles who have parked inconsiderately..... only to be told they can park wherever they want!! There is no road markings yellow lines or entrance markings anywhere so it's a free for all.

I know for neighbours using the garages behind the coach house that it has been very difficult at times to see and manoeuvre through that entrance/exit. Even for people in a normal size car let alone larger vehicles.



This is only going to get worse with the pending construction works on St James Hospital and potential heavy vehicles passing through this tiny road! Which is absolutely an absolutely ridiculous idea to be frank!

I am extremely concerned for the safety of myself and my children walking in the area with cars parked all over the pavement on this estate. It is dangerous and obstructs the view of the road as well as stopping me and others simply being able to drive home into our own road with ease.

Please pay this your urgent attention.

### **b) Resident, Fair Oak Road**

As you are aware the St James Hospital development is steadily moving forward and at some point it would appear Fair Oak Road will be opened up and there will be construction traffic which will add to our current issue.

We already have a constant stream of Commercial Dog Walkers parking to access the green and now we have an HMO that has been granted which in turn has increased both commercial vehicles and cars in the estate.

There are currently no yellow lines, keep clear signs or permit parking and we as residents are consistently suffering from inconsiderate parking, e.g. Congestion around the green entrance parking across from the Coach House entrance making it difficult for vehicles to get in and out. Also the gaps being left between cars on either side of the road means emergency services would not get through which is a massive concern should they be needed.

Whilst we understand it is a public highway and therefore no parking restrictions, we have tried as neighbours to politely raise this issue with the offending vehicle owners but have just been met with ignorance sadly.

### **c) Resident, Fair Oak Road**

This action is in response to recent concerns expressed by residents of the estate of blockages at/or near the entrance to the shared courtyard between the properties 8 and 10 Fair Oak Road.

This courtyard provides one garage space and one off street parking bay for the residents of 4,6,8,10,12 and 14 Fair Oak Road. Access is required at all times of the day for residents and visitors to these properties.

I object to the proposal on grounds of access to this shared courtyard and potential safety issues for pedestrians in the estate. On behalf of all of these properties I recommend that the order is reconsidered.

Applying double yellow lines to the east side of the carriageway will force all of those parking to do so on the west side of the carriageway. This hinders access for those entering the estate on the west carriageway and turning right to enter the shared courtyard blocking access for a minimum of 6 vehicles.

It also seems to be bad practice to force vehicles entering the estate onto the wrong side of the carriageway passing the courtyard and the junction with Cheriton Road giving those leaving cheriton less time to react to approaching vehicles.

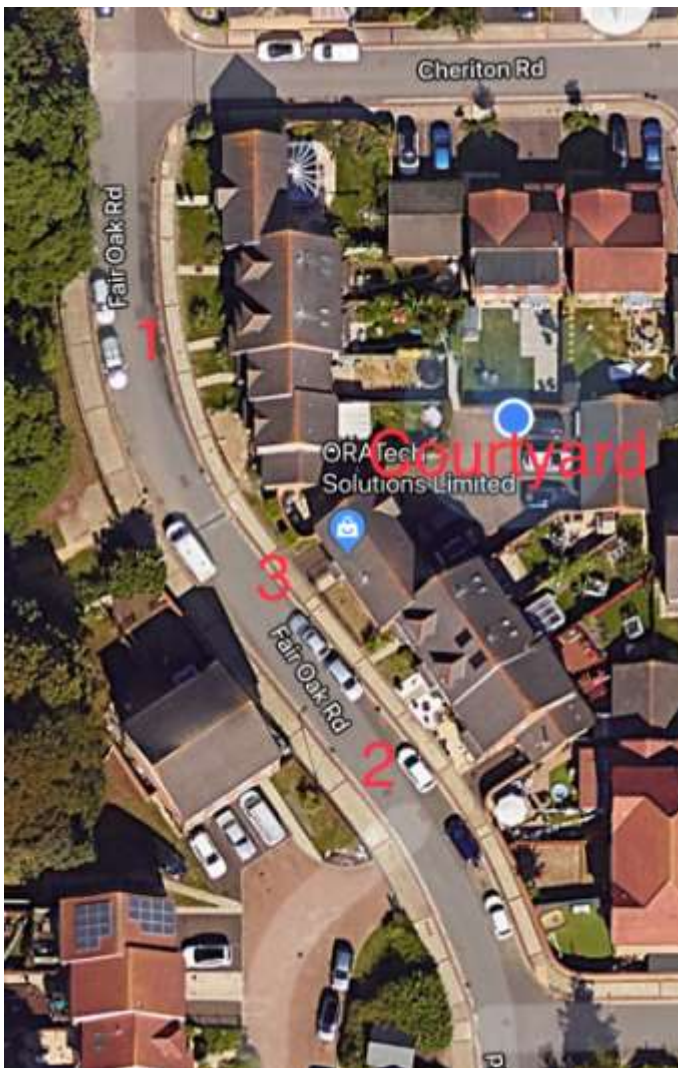
This is a particular concern for myself and my neighbour at 10 who own/regularly use camper vans with longer wheel bases than cars making them more difficult to manoeuvre - the proposed order makes turning a van into the courtyard impossible based on past experience when park users parked directly opposite the courtyard entrance. Approaching from the North and entering the courtyard by turning left is even more challenging when cars are parked on the west side.



My insurance for my van is based on parking on the driveway in the courtyard and given its value it would be a great inconvenience, cost and concern to have to park on the street.

If yellow lines were to be applied it would be preferable to do so in such a way to maintain the current parking arrangements without creating an obstruction for the courtyard (see attached sketch annotated with the following points:)

1. Apply yellows on east carriageway between No18 and No 10 down to a point just north of the courtyard.
2. Apply yellows on west carriageway between No10 and No2.
3. Apply marking denoting an entranceway to the courtyard preventing blockage/obstructions in conjunction with yellow lines on the west side. A minimum of a car length clearance either side of the courtyard would be required as a minimum.
4. Courtyard shown in red.



Your comments suggest that maximising available parking on the west of Fair Oak to alleviate some residents concern take precedence over my concern of being able to access the parking to the rear of my property via the coach house.

I think that with the appropriate demarcation applied the current parking arrangements can prevail with road marking being used to prevent park users blocking access for Cheriton and the shared access for 4,6,8,10,12 and 14. The proposal creates more problems than it fixes and should be reconsidered.

Have you heard from other residents?

#### Officer response

The proposal responds to residents' concerns, received independently, about vehicular access along Fair Oak Road through to the houses in Cheriton Road when vehicles park on both sides of the road, and about visibility of traffic approaching from the bend including when exiting from the parking area to the rear of No.8 (coach house) - this is the shared courtyard you refer to.

The proposed double yellow lines on the east side of Fair Oak Road between Oakdene Road and Cheriton Road therefore aim to maintain traffic flow, manage the parking and improve visibility of traffic approaching from the bend. The west side of Fair Oak Road can accommodate the most parking, and restricting the east side also reduces the potential for vehicles to obstruct access to properties when parking on the footway.



We are unable to add further double yellow lines to the proposal without re-consulting, and the current proposal responds to the concerns raised by residents. If issues arise from preventing vehicles from using both sides of the road for parking, then an appropriate proposal could be put forward in direct response to those issues.

The main concerns relate to insufficient carriageway being available when vehicles park on both sides, using part of the footway. There is a related concern that the fire service or an ambulance would not be able to access the properties in Fair Oak Road or Cheriton Road due to that practice.

Parking restrictions such as double yellow lines are considered for the purposes of road safety and managing traffic, and not specifically for improving access to private parking. This is so that the integrity of existing restrictions is maintained, and that resources and funding are focused where they are needed most for the benefit of all road users.

Currently vehicles can park opposite and either side of the entrance to the parking area via the coach house, which can make it difficult to see vehicles approaching from the right in

particular. Whilst the proposed double yellow lines would improve visibility when exiting the parking area, it is not the sole purpose of the proposal.

As you can imagine, there are a great many driveways, hard-standings and garages throughout the city that are difficult to access due to parking taking place either side and opposite, requiring additional vehicle manoeuvres to gain access. This is particularly noticeable in the narrow roads.

Residents' views will inform any decisions that are made, and residents will have a further opportunity to have their say at the public decision meeting.

## **2. BATTENBURG AVENUE**

### **a) Residents, Battenburg Avenue**

Dear Sir

We wish to object to the section D 1 (b) of this order relating to the removal of 11 metres of double yellow lines between number 38 and 40 Battenburg Avenue.

We feel the complete removal of these waiting restrictions will create several problems. If parking was allowed outside of number 38, vehicles travelling west down Battenburg Avenue would have serious siting issues of the junction with Randolph Road.

There could also be an issue with safe access to the double drive between number 38 and 40 if vehicles were allowed to park outside number 38 with the speeding traffic down this road.

Battenburg avenue is a busy through route between Copnor Road and London Road and its junction with Randolph Road has a history of accidents.

We are aware of three of these resulting in resident's cars being written off. There have also been many other accidents involving less serious damage to vehicles.

That is only the incidents we are aware of, I'm sure there are more that we are not aware of.

This junction also has a great deal of pedestrian and bicycle movement each day, to Mayfield school, Cliffdale Primary, Willows children's centre and the Battenburg clinic.

There are also many "near misses" on a daily basis.

We feel a more suitable option would be to remove 6 metres of double yellow lines outside of the drive between number 38 and 40 and to leave the remaining lines to the junction.

### **b) Resident, Battenburg Avenue**

I am writing to to inform you of my objection to the above proposal, for the reasons as below that I urge the council to consider.

When travelling south in Randolph Road and turning right (West) into Battenburg Avenue - there is a curve in the road between numbers 1 and 3 (Battenburg Avenue). This curve restricts a car drivers view of traffic that is travelling East along Battenburg avenue.

If the parking restrictions were lifted in this area, it would restrict a drivers view exiting Randolph road even further, making it potentially very dangerous.

I appreciate that the council are under pressure to provide parking were suitable, however, with this in mind I would like to inform you that I have been a resident of Randolph road for 40 years and can remember when there were previously no parking restrictions on this section of road (Between 1 and 7 Battenburg avenue). I can also recall several crashes that took place in this exact area.

**c) Residents, Battenburg Avenue (same letter as above, different address/signatures)**

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*(End of report)*