

Forward Plan reference number: Not Applicable

Report title: Proposed Waiting Restrictions – Roman Way, Billericay	
Report to: Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure	
Report author: Andrew Cook, Director for Highways and Transport	
Date: 13 November 2019	For: Decision
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County Divisions affected: Billericay and Burstead	

1. Purpose of Report

- 1.1 Essex County Council (the Council) has informally advertised the amendment of waiting restrictions (the Proposal) on Roman Way, Billericay and its adjoining service road. As several objections to the Proposal have been received, the Cabinet Member is now asked to decide as to whether the Proposal should be implemented.

2. Recommendations

- 2.1 To approve the implementation of waiting restrictions on Roman Way as advertised (as set out in section 4.1 of this report).

3. Summary of issue

- 3.1 Roman Way forms part of the access road into The Billericay School and Harlequin Pre-School and is frequently used as a drop off and pick up point for students at both of the schools. There are existing “No Waiting” restrictions currently in place on Roman Way, which apply Monday – Friday 11AM – 12PM.
- 3.2 As a consequence of this, Roman Way becomes heavily congested during peak school drop off and pick up times. This, combined with the road not being wide enough for two vehicles to pass whilst vehicles are parked in the road, results in vehicles parking substantially over the adjoining footways.
- 3.3 With heavy pedestrian traffic in this area during peak times, it is imperative that the maximum amount of footway is available as many of these pedestrians are considered to be vulnerable, due to the high presence of young school children. Additionally, vehicles parking over the footways significantly reduces the width of the footpaths which can cause difficulty for those with wheel chairs, or parents using push chairs for their children. If the footway is blocked significantly enough by parked vehicles, then it may cause pedestrians to walk in the road as an alternative.

- 3.4 There has also been a recently proposed residential development by Indecon Building Ltd, which is due to be built on Roman Way and will require accesses to be kept clear. This development, combined with the issues mentioned above has resulted in the Proposal for the “No Waiting at Any Time” restrictions being introduced.
- 3.5 Part of the Proposal is required under the development’s planning conditions (shown in section 11 of Appendix 2). These restrictions are required to cover a point from Roman Way’s boundary with the School’s car park access, up to the northern property boundary of dwelling number 12 (to be constructed as shown in Appendix 3).
- 3.6 The original Proposal consisted of “No Waiting at any Time” restrictions to be implemented on Roman Way, just south of its junction with School Road, for its entire remaining length of the western section (excluding the layby in which no restrictions are proposed). On the eastern side of the road, there is a one-way access road directly adjacent to Roman Way which will serve the main cluster of residential buildings due to be constructed as part of this development. “No Waiting at Any Time” restrictions are also being proposed in this section, to ensure access to these properties is not obscured.

The full plan for this Proposal can be found in more detail under Appendix 1.

- 3.7 In addition to the reasons mentioned in section 3.3, the restrictions are also proposed as a way of ensuring access needed to accommodate multiple vehicle crossings, for the driveways of properties due to be constructed on the western side of Roman Way. There is an area to be used as bus lay-by’s parking which will be constructed to the south eastern end of Roman Way as shown in the plans, the access for these lay bys will also be covered by the proposed “No Waiting at any Time” restrictions to that any buses using this area will have adequate space and manoeuvrability.
- 3.8 As Essex Highways are aware that short term parking outside or near schools is not a high priority for the South Essex Parking Partnership, it has been agreed with them that if approved, there will be heavy enforcement during the first few weeks of the restrictions being implemented. Following this, enforcement although still provided, will become less frequent due to the South Essex Parking Partnership having higher priority sites. In addition to this, Essex Highways are due to be issuing a statement in The Billericay School’s newsletter, discouraging parking on the restrictions and in front of dropped kerbs. It is therefore hoped that vehicles parking here during peak times will be heavily reduced.

Consultation

- 3.9 In January 2019, an informal consultation was carried out whereby residents of School Road (adjacent to Roman Way) were consulted, along with The Billericay School and Harlequin Pre-School.

- 3.10 A local Councillor for the area, Cllr Richard Moore, made the following comments and objection:

"I note that the manager of parking enforcement at the South Essex Parking Partnership (SEPP) has given an assurance that in the first few weeks of implementation they will provide regular enforcement, although longer term regular enforcement cannot be guaranteed." "as part of my objection, SEPP have not enforced the double yellow lines in School Road for the last 15 years so I do not believe there will be any 'occasional' patrols in Roman Way once the scheme is built out.

I really do not believe that information regarding parking on waiting restrictions and dropped kerbs in the Billericay School newsletter will make any difference – it is a problem today in School Road where parents daily park across dropped kerbs and double yellow lines."

- 3.11 The Headmaster of Billericay School made comment on the Proposal, also showing concerns regarding enforcement which were raised by Councillor Moore:

"I fear the Councillor maybe correct. For some parents, they would drive their child to the classroom if they could. This is a culture that we have been trying to change for years.

We have some students in wheelchairs and we regularly have to ask parents to move their cars so that the wheelchair users can use the dropped curve areas.

However, the Headmaster also stated "we have no objection to what is being proposed" and that "I would be happy to support your proposal of inserting a statement into the school newsletter when required."

- 3.12 Essex Highways have been assured that there will be occasional enforcement of this site by the Manager of Parking Enforcement at the South Essex Partnership. Subsequently, Essex Highways believe that the proposed restrictions will have a positive effect on reducing of the congestion and the negative outcomes it causes for pedestrians on Roman Way. The proposed restrictions would also be an improvement upon those currently in place at this location which allows parking at peak times, as they are only enforceable from the hours of 11-12AM.

- 3.13 The issue of vehicles being parked on and in front of dropped kerbs raised by the Headmaster were also raised by a member of public, who was in full support of the Proposal. They mentioned that:

"children constantly comment at the dangerous position they and their friends are put in due to the high volume of cars parked on pavements and in the roads surrounding the school by waiting cars. The high volume of cars means the children are having to walk in the road and manoeuvre around and in between stationary cars to be able to enter or exit the school site on foot. The majority of these children being small in stature are not visible to the drivers of these cars and it is only a matter of time before a child is injured." ...

“A child who has to use a mobility scooter to be able to attend school.” ... “The cars park on pavements making it impossible for the mobility scooter to be able to squeeze past on the pavement. When highlighted to the driver they are often subject to abuse or just ignored. The situation is made worse because these cars block the only dropped kerb that the mobility scooter can go down to cross the road so the child is physically unable to exit the school using the pupils exit gate. This means that on an almost daily occurrence the young child using a mobility scooter has to return into school and actually exit driving on the road between other exiting cars”

- 3.14 It is examples such as this that clearly highlight the issues which occur with the current restrictions in place.
- 3.15 Despite issues previously mentioned, further objections were received to the Proposal from two members of the public
- 3.16 Both objections were raised on the basis that parents who had children at the school and pre-school, would need parking available in order to collect their children. Although the current restrictions allow parking during peak times, in addition to a parking lay-by available on the western side of Roman Way and some on other roads within walking distance, the objectors stated these are not sufficient.
- 3.17 Due to these objections not being removed after the objectors were responded to explaining the reasoning behind the Proposal, the design underwent a further review.
- 3.18 The updated proposal (Appendix 4) now incorporates a length of restriction prohibiting No waiting Mon-Fri 11am-12pm. However, as mentioned in section 3.6: under the development’s planning conditions, no waiting at any time restrictions are required from the school’s access on Roman Way to a point adjacent dwelling number 12.

Subsequently, “No Waiting at Any Time” restrictions are still proposed on part of Roman Way.

- 3.19 From the 9 August to 2 September 2019, Essex Highways formally advertised the Proposal, as laid out under Appendix 4 with the amendments referred to above.
- 3.20 The Proposal was advertised on the Essex Highways website and in the local newspaper The Basildon Standard. Public Notices were also displayed on Roman Way while several key stakeholders were also consulted.
- 3.21 During the formal consultation, no further comments were received.
- 3.22 A full objection report can be found at appendix 5.

4. Options-

4.1 Option A – Implement the scheme as formally advertised (Recommended)

- 4.1.1 By implementing the scheme as formally advertised a sufficient length of “No Waiting at Any Time” restriction will be installed to ensure access to the future properties that will front onto Roman Way. Additionally, these restrictions will enable coaches/buses to pass with ease through Roman Way in order to access the bus parking spaces being installed by the developer.
- 4.1.2 As “No Waiting at Any Time” restrictions also apply to its adjoining footway, the risk of parents parking on the pavements will be reduced. This is something that is seen as essential due to the high volumes of young people in the vicinity and the risk of them using the highway instead of the footpath if vehicles are parked on the footway. An example of this was provided in the consultation, in which a wheelchair user was having to use the highway, which could result in collision, to pass as the pavement space was heavily reduced by parked vehicles.
- 4.1.3 The proposed length of “No Waiting at Any Time” will provide some parking within the layby for parents accessing the school, however, the objectors would not be satisfied with this or the lengths of the proposed “No Waiting at Any Time” restrictions as they feel more parking should be available.

4.2 Option B – Appeal to the District Planning Department to keep the existing restrictions

If it were decided that the “No Waiting at Any Time” restrictions should not be installed, the Essex Highways engineer handling the Proposal would need to consult the Strategic Development Team within the Council to see if not installing the proposed restrictions would be suitable. Following this, if approved by Strategic Development, a request could be made to the District Planning Department for amendments to the planning conditions. However, it is not guaranteed that these amendments would be approved.

4.3 Option C – Appeal to the District Planning Department to reduce the length of required No Waiting at Any Time restrictions so that they can be installed only on the western side of Roman Way, with the existing restrictions remaining on the eastern side of Roman Way

- 4.3.1 If it were decided that the length of “No Waiting at Any Time” restrictions should be reduced, the Essex Highways engineer handling the Proposal would need to consult the Strategic Development Team within the Council to see if reducing the length of the proposed restrictions would be suitable. Following this, if approved by Strategic Development, a request could be made to the District Planning Department for amendments to the planning conditions. However, it is not guaranteed that these amendments would be approved. It should be noted that this option may result in increased delays and funding requirements which may be unfavoured by both the developer and Basildon Borough Council.

- 4.3.2 This option would ensure that the access ways to the properties fronting onto the western side of Roman Way are kept clear, whilst providing the maximum amount of parking for parents accessing the school. However, by allowing vehicles to park on the eastern side of Roman Way this may cause difficulty for buses/coaches manoeuvring Roman Way in order to park in the bus bays as the highway width would be reduced. Additionally, vehicles may park on the highway adjoining the bus bays, blocking access.

5. Issues for consideration

5.1 Financial implications

This scheme is developer funded and therefore all advertising costs and associated works will be funded by a third party.

5.2 Legal implications

- 5.2.1 The Road Traffic Regulation Act 1984 gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient and safe movement of traffic of all kinds, including pedestrians and to provide suitable and adequate parking facilities. So far as practical the council is also required to have regard to:

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected so as to preserve or improve the amenities of the areas through which the roads run;
- (c) the importance of facilitating the passage of buses and their passengers.

6. Equality and Diversity implications

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Equality Impact Assessment can be found in Appendix 7.

7 List of appendices

Appendix 1 – Original Proposal
Appendix 2 – Town and Country Planning
Appendix 3 – Site Layout
Appendix 4 – Updated Proposal
Appendix 5 – Full Objection Report
Appendix 6 – Site Photos
Appendix 7 – Equality Impact Assessment

8. List of Background papers

Full consultation responses

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure	28.11.2019

In consultation with:

Role	Date
Director for Highways and Transport	
Andrew Cook	20.11.2019
S151 Officer	
Nicole Wood	Consent not needed
Director, Legal and Assurance (Monitoring Officer)	
Laura Edwards, on behalf of Paul Turner	12.11.2019
Head of Network and Safety/Traffic Manager	
Liz Burr	29.10.2019
Head of Design	
Vicky Presland	31.10.2019