

**Forward Plan reference number:** N/A

<b>Report title:</b> Proposed Relocation of Limited Waiting (Monday – Saturday, 9.30am – 6.30pm One Hour, No Return Within One Hour Bay) on Station Road, Loughton	
<b>Report to:</b> Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure	
<b>Report author:</b> Andrew Cook, Director for Highways and Transport	
<b>Date:</b> 5 February 2020	<b>For:</b> Decision
<b>Enquiries to:</b> Vicky Presland – Head of Design, Essex Highways Chloe Livingstone - Chloe.livingstone@essexhighways.org	
<b>County Divisions affected:</b> Buckhurst Hill and Loughton South, Loughton Central	

## **1. Purpose of Report**

- 1.1 The Council has formally advertised the proposed relocation of Limited Waiting, Monday – Saturday, 9.30am – 6.30pm One Hour, No Return Within One Hour on Station Road, Loughton, Essex.
- 1.2 Following the formal advertisement one objection was received. This report sets out the issues to be considered and the recommendation to implement the relocation.

## **2. Recommendations**

- 2.1 To approve the relocation of Limited Waiting, Monday – Saturday, 9.30am – 6.30pm One Hour, No Return Within One Hour restriction as formally advertised on Station Road, Loughton, Essex.

## **3. Summary of issue**

- 3.1 A new property has been constructed adjoining the existing no. 48 Station Road, Loughton. The properties currently share a joint driveway with one dropped kerb access which is located outside the newly built property however it is proposed to install a wall between the property boundaries to split the shared driveway into two private drives (as shown in Appendix One).
- 3.2 An additional dropped kerb access has also been requested for the existing property. The location in which the developers wish to install the dropped kerb

currently has a Limited Waiting, Monday – Saturday, 9.30am – 6.30pm One Hour, No Return Within One Hour restriction in place which can host two vehicles (shown in Appendix Two). These bays are surrounded by No Waiting Monday – Saturday, 9.30am – 6.30pm, in order to prevent vehicles from parking inappropriately and excessively on Station Road to access nearby amenities and train station as this could cause congestion and access issues for residents.

- 3.3 As a result of the bay's placement Essex Highways formally advertised the proposed relocation of the Limited Waiting, Monday – Saturday, 9.30am – 6.30pm One Hour, No Return Within One Hour restriction. The bay is proposed to be split into two separate bays, with one to be located further north and the other to be located further south (proposed plan can be found under Appendix three). In between the two it is also proposed that No Waiting Monday – Saturday, 9.30am – 6.30pm be installed to continue to prevent inappropriate parking.
- 3.4 The proposal for these changes were formally advertised from the 19<sup>th</sup> of September 2019 to the 11<sup>th</sup> of October 2019. The Proposal was advertised in a local newspaper and on the Essex Highways website in addition to notices outlining the Proposal being placed on site and details of the Proposal being kept at the local library for public access.
- 3.5 Consultations took place during this period involving the relevant County and Ward Councillors, Key Stakeholders and Local Residents. Both the Councillors and Key Stakeholders made no comment.
- 3.6 During the consultation one objection was received from a member of public. Their main concern related to how visibility would be affected when leaving the driveways of no. 48 and 46 Station Road.
- 3.7 There is no statutory duty under the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 to hold a public inquiry before making a decision in relation to the proposed scheme.
- 3.7 Full details of the objection can be found in Appendix Four.

## **4. Options**

### **Option A – Continue with proposed scheme (this is the recommended option)**

- 4.1 By continuing with the proposed scheme both the existing no.48 Station Road and the newly built property will have fully accessible private driveways. However, relocation of the northern bay may cause additional congestion due to it slightly overlapping the existing bay parallel on the western side of Station Road. Where the bays overlap only one flow of traffic would be able to pass at a time during times in which vehicles are permitted to park in the bays.
- 4.2 However, parking such as this would still be possible before 9.30am and after 6.30pm Monday to Saturday and all-day Sunday as the single yellow lines would permit this.

4.3 This is the recommended approach.

#### **Option B – Abandon the scheme**

4.4 This option would appease the objector as the limited waiting bay would remain in the same location and not be moved further north towards the driveway access of number 44 and 46. This could potentially provide more visibility for those pulling out of the said driveways onto Station Road during the no waiting hours in which vehicles would need to use the limited waiting bays. However, vehicles would still be permitted to park immediately next to the drive accesses of number 44 and 46 before 9.30am and after 6.30pm Monday to Saturday and all-day Sunday.

4.5 As parking next to a driveway access in this instance is not illegal, (unless causing obstruction) regardless of if the northern bay is installed in the proposed location or not, number 44 and 46 are still at risk of vehicles parking immediately next to their driveway access, however, the times of this would vary dependent on the outcome of the Proposal.

4.6 This option is not the preferred option because it is not seen that installing a parking bay near to a driveway is an issue for concern as this is a reoccurring feature along Station Road. In addition, there have been no personal injury collisions on Station Road in the data set for the past five years that were caused as a result of cars parked on Station Road blocking visibility when pulling out of driveways.

#### **Option C – Re-advertise with amendments to northern Bay location**

4.8 It may be possible to find a suitable location for the northern bay which does not raise concerns over visibility for residents using their driveways, although the bay may be relocated a distance away depending on further sight assessments, the current amount of parking available during restricted times would still be available.

4.9 This option has the potential to appease both the objector and developer, however, the re-advertisement and consultation would need to be funded by Developer if they still wished for this issue to be resolved.

4.8 This has not been put forward as the preferred option because it is not seen that installing a parking bay near to a driveway is an issue for concern as this is a reoccurring feature along Station Road. In addition, this will lengthen the time until completion of the Proposal. During this time, if the restrictions are not amended, vehicles would be permitted to park directly in front of the driveways of no.48, causing potential access difficulties for its residents.

## **5. Issues for consideration**

There are no other issues for consideration.

## **5.1 Financial implications**

The Proposal has been funded by the developer and there is no cost to ECC.

## **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 the desirability of securing and maintaining reasonable access to premises.
- 5.2.2 Whilst there appears to be no legislative requirement to hold a public inquiry in view of the objections received, the decision to proceed with the proposed scheme may be subject to judicial review. The risk of judicial review will be mitigated provided clear and reasoned considerations have been put forward by the Council for its reasons to proceed.

## **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.

## **6. List of appendices**

Appendix One – Proposed Driveway Layout  
Appendix Two– Current Restrictions  
Appendix Three – Proposed Restrictions  
Appendix Four – Objection Report  
Appendix Five – Site Photos  
Appendix Six – Equality Impact Assessment

## **7. Background Papers**

### Full Consultation Responses

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure</b>	27/02/2020

### In consultation with:

<b>Role</b>	<b>Date</b>
<b>Director for Highways and Transport</b>	26/02/2020
<b>Andrew Cook</b>	
<b>Executive Director for Corporate and Customer Services (S151 Officer)</b>	N/A
<b>Nicole Wood</b>	
<b>Director, Legal and Assurance (Monitoring Officer)</b>	05/02/2020
<b>Katie Bray on behalf of Paul Turner</b>	
<b>Head of Network and Safety/Traffic Manager</b>	22/11/2019
<b>Liz Burr</b>	
<b>Head of Design</b>	01/11/2019
<b>Vicky Presland</b>	