

Forward Plan reference number: Not Applicable

Report title: Proposed No Waiting at Any Time and Goods Vehicles Loading Only bay – Victoria Road, Chelmsford	
Report to: Councillor Bentley, Deputy Leader and Cabinet Member for Infrastructure	
Report author: Andrew Cook, Director for Highways and Transport	
Date: 08/10/2020	For: Decision
Enquiries to: Vicky Presland, Head of Design, Essex Highways Chloe Livingstone - chloe.livingstone@essexhighways.org	
County Divisions affected: Chelmsford Central	

1. Purpose of Report

- 1.1 Essex County Council (the Council) has formally advertised its intention to replace the existing Limited Waiting Monday-Saturday 8am-6pm 1 hour no return within 3 hours, with No Waiting at Any Time restrictions and to replace a length of existing No Waiting at Any Time restrictions, with a Goods Vehicles Loading Only bay, on Victoria Road in the City of Chelmsford (the Proposal). As objections have been received to the Proposal, the Cabinet Member is now asked to decide whether the Proposal should be implemented.

2. Recommendations

- 2.1 To approve the implementation of the No Waiting at Any Time and Goods Vehicles Loading Only bay restrictions on Victoria Road in the City of Chelmsford, as advertised and set out in Appendix 1.

3. Summary of issue

- 3.1 On the 15 April 2019 an agreement under Section 278 of the Highways Act 1980 was completed between Essex County Council and Bellway Homes Ltd to allow for the redevelopment of the site at 30 Victoria Road, Chelmsford to provide a mixed use scheme comprising of 203 residential units within blocks of three to five storeys and three commercial units totalling 295 square metres (the Development), planning application number 18/00840 FUL. The Development is located on the northern side of Victoria Road and has been granted permission to install a new vehicular access (location can be seen in photo 1 of Appendix 7). It is therefore necessary to remove the existing Limited Waiting restrictions at this location to ensure visibility is maintained for vehicles using the new access. As part of the works the existing layby will be removed and footway/kerb will be reinstated. This can be seen in the scheme plan set out in Appendix 2.

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- 3.2 The provision of a Goods Vehicle Loading bay is intended to serve the ground floor commercial units of the Development. The existing footway/kerb is to be moved to allow for the Goods Vehicle Loading to be located within a designated layby ensuring the visibility is kept clear and without obstructing the movement of vehicles using Victoria Road. This can be seen in the scheme plan set out in Appendix 2.
- 3.3 Victoria Road is a PR1 Road with the north side of the carriageway being subject to No Waiting at Any Time restrictions along with the Limited Waiting Mon-Sat 8am-6pm 1hr No Return Within 3hrs bay and the south side of the carriageway being subject to No Waiting Mon-Sat 8am-6pm, No Waiting at Any Time and a small section of No Stopping on the entrance of The Cathedral Primary School.
- 3.4 In April 2020, the Council advertised the proposal to replace the existing Limited Waiting Mon-Sat 8am-6pm 1 hour no return within 3 hours restrictions with No Waiting at Any Time restrictions and to replace a length of existing No Waiting at Any Time restrictions to introduce a Goods Vehicles Loading Only bay on Victoria Road in the City of Chelmsford in compliance with statutory requirements of Road Traffic Regulation Act 1984 and the legal procedure of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. This is set out in Appendix 3.
- 3.5 Further details of the formal consultation and objections/comments received, along with the Council's response are set out below for consideration by the Cabinet Member.

Consultation

- 3.6 In compliance with statutory requirements of Road Traffic Regulation Act 1984 and the legal procedure of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 the proposal was advertised in the Essex Chronicle on 23 April 2020 signifying the start of the objection period and closing no less than 21 days later on the 15 May 2020.
- 3.7 The Proposal was also uploaded to the Essex Highways website, public notices were displayed along Victoria Road and a letter drop was carried out to nearby properties of the site. The letter explained the proposed changes, justification for the proposals and a drawing of the proposal (as shown in Appendix 4).
- 3.8 During this consultation period, two responses were received. One objecting to the proposal and one requesting further information by way of call back from the engineer.
- 3.9 Cllr Dick Madden was consulted and confirms he is happy to support the recommendations of this report.
- 3.10 The objector (objector 1) felt that there was limited availability for parking at

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this particular location and removing the Limited Waiting bay would have a detrimental impact on the residents of the flats along with the local nursery. The objector stated that the loading bay should not be on the public highway but within the private land of the development itself.

- 3.11 The existing Limited Waiting Mon-Sat 8am-6pm 1hr no return within 3 hours on the north side of Victoria Road was installed, primarily, to serve the post office which has now been relocated and the adjacent highway features need to be amended to suit. It was confirmed to the objector that the Limited Waiting Mon-Sat 8am-6pm 1hr no return within 3 hours is not being removed to accommodate the proposed new Goods Vehicle Loading bay, it is being removed to install a new access to the Development. The Goods Vehicle Loading bay is being proposed further east where there is currently No Waiting at Any Time restrictions, which means that it should not interfere with any existing parking restrictions. A proportion of development land is being dedicated for the formation of the proposed layby for the Goods Vehicle Loading and adjacent footway, which is proposed to not only serve the ground floor commercial units of the new site but other local businesses. Furthermore, it would not be appropriate for the new layby to consist of parking due to impacting on the visibility of the new accesses. Changes to the Proposal following receipt of this objection was therefore deemed not required.
- 3.12 The second responder, was called by the Development scheme engineer to clarify information in relation to the scheme. The responder did request for additional No Waiting at Any Time restrictions to be removed as part of the scheme. However this was explained by the engineer to be outside the scope of the scheme and would need to be raised to his local County Councillor as a separate application. No formal objection was raised.
- 3.13 A full objection report for the proposal can be found under Appendix 5.

4. Options

Option A – Continue with the scheme as advertised

- 4.1 This is the recommended option. This option fulfils the brief of allowing the access road to the Development to be constructed and remain unobstructed by parked vehicles, it would also provide a Goods Vehicle Loading bay in a new layby on the north side of the carriageway to assist the new commercial properties on the development along with local businesses. This option would allow the Development to be constructed in accordance with the planning permission previously granted by Chelmsford City Council. However this option would not satisfy the Objector, as it would remove the existing Limited Waiting layby to accommodate the new access road.

Option B – Abandon the scheme

- 4.2 This option may be supported by the objector and other local residents, as they would be able to continue to use the Limited Waiting layby. However this would have a huge impact on the construction of the new development with

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the development needing to be redesigned and ultimately reconstructed internally to accommodate an access road at a different location which would be also contrary to the planning permission already granted by Chelmsford City Council.

5. Issues for consideration

5.1 Financial implications

5.1.1 The funding for the implementation of the scheme and advertising costs have been secured through the developer.

5.1.2 The enforcement of any proposed restrictions following implementation will be delivered through the South Essex Parking Partnership.

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.

5.2.2 Justifiable No Waiting at Any Time restrictions assists with the expeditious, convenient and efficient movement of traffic and pedestrians.

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,

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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 under Appendix 6.

7. List of appendices

- 7.1 Appendix 1 – Map Schedules
- 7.2 Appendix 2 – Scheme Drawing
- 7.3 Appendix 3 – Proposal
- 7.4 Appendix 4 – Consultation Letter
- 7.5 Appendix 5 – Objection Report
- 7.6 Appendix 6 – Equality Impact Assessment
- 7.7 Appendix 7 – Photos

8. List of Background papers

- 8.1 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	14/10/2020

In consultation with:

Role	Date
Director Highways and Transportation Andrew Cook	08/10/2020
S151 Officer Nicole Wood - Executive Director for Finance and Technology	Consent not needed
Director, Legal and Assurance (Monitoring Officer) Paul Turner	06/10/2020

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Essex Traffic Manager & Head of Network and Safety Liz Burr	21/09/2020
Head of Design Vicky Presland	21/09/2020