

Cabinet Member Decision Note.

Consideration of Objections – Cheney Manor Industrial Estate Road Proposed amendment of 1 hour limited Waiting to No Waiting at Any Time

Date Issued: January 2010

To: Cabinet Member for Sustainability, Transport and Strategic Planning
From: Director of Planning and Transport

Parish / Wards Affected: *Western Ward*

Purpose

- To consider objections and comments received in response to the Public Notice advertising a proposed Traffic Regulation Order for the Amendment of limited waiting bays from “Limited Waiting 1 hr No Return 1 hr Mon- Sat 9am – 6 pm” to “No Waiting at Any Time” on the south side of Cheney Manor Industrial Estate Road, Swindon.

Recommended Decision to be taken by the Cabinet Member Under Delegated Powers

- To note the responses received in respect of the Public Notice advertising the proposed “No Waiting at Any Time” restriction on Cheney Manor Industrial Estate Road; and to authorise the Head of Highway Network Management to implement the advertised “No Waiting at any Time” restriction as illustrated in Appendix 1.
- To request the Head of Highway Network Management to notify the objectors of the Cabinet Member’s decision on this matter.

1 Reasons

1.1 Officers are required to report to the Cabinet Member for Sustainability Transport and Strategic Planning for determination of any objections or responses to advertised proposals for Traffic Regulation Orders.

2 Detail

2.1 Cheney Manor Industrial Estate Road is typically 9 metres wide, subject to a 30 mph speed limit and has over thirty vehicular accesses to adjacent commercial premises along its length. Although unclassified, it is an important through route linking Akers Way to Great Western Way.

Further information on the subject of this report can be obtained from *Julie Furneal*, on Direct Dial No. 01793 466251 or Email jfurneal@swindon.gov.uk.

Department Reference No. V9 20.01.10 ward, shadow response

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- 2.2 Having considered the injury accident record of 10 Accidents resulting in 18 Casualties (1 fatal, 17 slights) during the five-year study period (11/2000 – 10/2005), the Local Transport Plan (LTP) Member & Officer Project Board granted LTP funding for a Safety Scheme on Cheney Manor Industrial Estate Road. The scheme proposed consisted of a new Mini Roundabout at the junction of Darby Close and Cheney Manor Industrial Estate Road, the introduction of hatched central reservation with right turn lanes at each entrance and the removal of limited waiting bays (the removal of these bays will result in “No Waiting at Any Time” restrictions on the full length of both sides of this road).
- 2.3 The scheme has now been implemented except for the final element of replacing the limited waiting bays with “No Waiting at Any Time” restrictions.
- 2.4 This final element (shown in Appendix 2) was advertised on 2 December 2008 and correspondence has been received from the Western Ward Councillors and Mr D Llewellyn, Managing Director, Mecserflex Ltd. in support of this proposal.
- 2.5 One objection has been received from a Mr C Barnett Director of Abbey Scaffolding.

3 Objection

Mr Barnett objects to the proposal stating that its implementation will mean customers and visitors to his business will have nowhere to park. He states that Abbey Scaffolding Ltd took a lease on Unit 2 with the facility to load and unload to the front of the unit, and relies on this facility for the continuation and survival of its business.

4 Officers Response

Officers have considered the objection carefully and the response to the objection is set out below.

- *This final element of the Safety Scheme is important because the injury accident record for this road shows that 5 out of 10 accidents in a five year period involved collisions of vehicles waiting to turn right into roadside premises, and resulted in 8 injuries (including one fatal). The hatched central reservation with right turn lanes will only become effective once roadside parking is removed and failure to complete the safety scheme as planned is likely to reduce the accident savings envisaged for this scheme. (Promise 50 relates).*
- *The Limited Waiting Bays are prescribed for 1 hour, however, evidence shows that the bays are currently being used all day by the same vehicles. Although enforcement is undertaken by the*

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Borough's Parking Services, monitoring limited waiting at this location is an inefficient use of Enforcement Officer time.

- *The proposed parking restrictions will not stop vehicles from being loaded or unloaded as double yellow lines permit vehicles to be stopped to load or unload or while passengers board or alight.*
- *Whilst parking on the highway is generally permitted, it is appropriate to control or prohibit it by traffic regulation order when parked vehicles have an adverse effect on the 'safe and expeditious movement of traffic'*

5 Alternative Options

- Do nothing - retaining the limited waiting would minimise the benefits of the Safety Scheme.

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Risk Management

Financial and Procurement Implications

- The Cost associated with the proposed restrictions can be met from the 2009 / 2010 LTP funding, Local Safety Scheme promise

Legal / Human Rights Implications

- There are no legal implications arising from this report. Human rights legislation has been considered in the preparation of this report and it is considered to be compatible with convention rights. In accordance with the principle of proportionality, any interference with the convention rights of individuals is justified by the overall benefit to the community.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

- Promise 50, in the interest of Road Safety & Local Transport Plan

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers and Appendices

- Location Plan

Declarations of Interest – The Cabinet Member / Shadow or Group Spokesperson / Ward Councillor should consider whether they have any known interests in any of the matters referred to in the Briefing Note. They are reminded that if they have such an interest this should be declared to the Monitoring Officer (Committee and Member Services). They should take no part in the consideration of the Decision Note and should refer the Decision Note to the Leader of the Council / Other Cabinet Member Group Leader / Other Group Spokesperson / Other Ward Councillor for consideration.

Consultation with Opposition Spokespersons / Ward Members

Under the Council's Constitution opposition political group Shadow Spokespersons, and where relevant Ward Councillors, will be consulted on all reports where it is proposed that a Cabinet Member will be recommended to make a decision under their delegated powers.

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Response required from Opposition Spokespersons / Ward Members by:

- *Date required by here*

Name of Spokesperson Councillor Stan Pajak has responded and to say ‘*Happy to support the proposed No Waiting at Any Time, Road Safety is paramount on this well used road.* He has **agreed the proposed Decision to be taken under delegated authority.**

Signed Date

The Ward Members for Western have not responded

Cabinet Member Response -

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Response required by: *Date required by here* (Response must be at least 5 working days after Consultation Response date)

Approve the proposed Decision to be take under delegated authority – Yes / No

Note and request the proposed action be reconsidered - Yes / No

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Reasons for Reconsideration

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Request Report be Referred to Cabinet - Yes / No

Signed **Cabinet Member**

Date

(Decisions of Cabinet Members will be published by way of the Council's Members' Bulletin. The Decision must not be implemented until such time that a five-day "Call-in" period has expired. This date will be specified in the Members Bulletin. If a Decision is "called-in" it will be referred to the Scrutiny Committee for consideration. It must only be implemented if the Scrutiny Committee has raised no objection. If an objection is forthcoming the matter will be referred back to the Decision-Maker.)

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