

Cabinet Member Decision Note

Consideration of Objections – Introduction of Waiting Restrictions, Kellsboro Avenue and Maskeleyne Way Traffic Regulation Order

To: Cabinet Member for the Economy, Regeneration and Skills

Date: 20 November 2015

Author: Head of Highways and Transport

Wards: Wroughton and Wichelstowe

Locality Affected: South

Parishes Affected: Wroughton

1. Purpose and Reasons

- 1.1 To advise the Cabinet Member for the Economy, Regeneration and Skills of the objections received in response to the Public Notice advertising the introduction of a Traffic Regulation Order for waiting restrictions on Kellsboro Avenue and Maskeleyne Way, Wroughton.
- 1.2 The Cabinet Member for the Economy, Regeneration and Skills is asked to consider the objections to the advertised Traffic Regulation Order (TRO).
- 1.3 This project supports Priority Three of the Vision for Swindon – “Ensure clean and safe streets and improve our public spaces and local culture”

2. Recommended Action to be Authorised by a Cabinet Member Under Delegated Powers

Recommended that:

- 2.1 The objections received in respect of the advertised Public Notice to introduce ‘no waiting at any time’ restrictions on Kellsboro Avenue and Maskeleyne Way, dated 24 April 2015 be noted. (A copy of the advertised Public Notice is included as Appendix A).
- 2.2 The Head of Highways and Transport be authorised to implement the advertised Traffic Regulation Order for the introduction of the “no waiting at any time” restrictions on Kellsboro Avenue and Maskeleyne Way.
- 2.3 The Head of Highways and Transport notify the objectors of the Cabinet Members decision on this matter.

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3. Detail

Background

- 3.1 Kellsboro Avenue and Maskelyne Way are residential roads located in Wroughton with road widths of 7 metres approx. Kellsboro Avenue is located between Maunsell Way and Summerhouse Road. Maskeleyne Way is located off Kellsboro Avenue. Kellsboro Avenue is a bus route. A map of the area is included as Appendix B.
- 3.2 In 2014, in response to local concerns supported by the South Locality, double yellow lines were introduced in Kellsboro Avenue from its junction with Wharf Road for a distance of approximately 120 metres including its junctions with Maskeleyne Way and Summerhouse Road. The concerns had been raised by Ward Councillors who had received complaints from residents regarding vehicles being parked close to the junctions and restricting forward visibility at the bend on Kellsboro Avenue. This had caused problems at peak times with vehicles negotiating the junctions and had resulted in localised congestion.
- 3.3 In the course of the formal consultation associated with the introduction of the Traffic Regulation Order for these double yellow lines, it was agreed that a gap should be left to allow parking outside No's 5 to 9 Kellsboro Avenue in response to the concerns raised by the residents of these properties. The restrictions that were agreed and which are currently in place are shown in Appendix B. These restrictions were delivered for, and funded by, the South Locality in order to address community concerns. Prior to this there were no waiting restrictions in this part of Wroughton.
- 3.4 Subsequently, the South Locality (which includes local Ward Councillors and Wroughton Parish Council) in response to further local concerns, have requested the extension of the double yellow lines to fill in the gap outside No's 5 to 9 Kellsboro Avenue and to extend the double yellow lines further along Maskeleyne Way. These proposals are shown on the plan at Appendix C. This was to address complaints from residents that the vehicles parking in the gap between No's 5 to 9 Kellsboro Avenue were still causing issues for buses using the road and residents complained about "near misses". Concerns were also raised that parked cars on the bend on Maskeleyne Way were causing visibility issues for drivers.

Further information on the subject of this report can be obtained from Philip Martlew, Direct Dial Telephone Number 466369, pmartlew@swindon.gov.uk.

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Consultation

- 3.5 The Traffic Regulation Order for the introduction of these further waiting restrictions on Kellsboro Avenue and Maskeleyne Way was advertised on the 24 April 2015 in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 3.6 In accordance with these regulations a public notice was advertised in the local press and copies of the public notice were posted at Kellsboro Avenue and Maskeleyne Way. In addition consultation letters were delivered to properties that are directly affected by the proposed restrictions.

Objections

- 3.7 These proposals have been advertised and six objections have been received from residents who are directly affected. Three objections are from Maskeleyne Way residents and three are from Kellsboro Ave. They may be summarised as follows:
- 3.7.1 There are no problems with parking and through traffic;
- 3.7.2 One resident raised they are being penalized because drivers use it as a rat run during school times and it is none of the residents on the stretch of road are complaining;
- 3.7.3 Our visitors will have to park further down the road which moves the problem elsewhere;
- 3.7.4 There is more of health and safety issue with cars parking Antony Road corner by the flats, Penny Lane and Marlborough Road and nothing is being done;
- 3.7.5 There has been no accident in the number of years we have lived at this location;
- 3.7.6 Kellsboro Avenue and Maskeleyne Way and surrounding streets have a high density of aged pensioners and there is regular traffic at peak times with some drivers exceeding the 30mph speed limit. The parked cars are a threat to speeding vehicles and removing these will make cars go ever faster;

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- 3.7.7 The parked cars belong to home helps, gardeners, service and repair workers and the few people who own cars but use public transport;
 - 3.7.8 Instead of wasting time on 'no waiting at any time' perhaps a 20mph speed limit, pedestrian/pelican crossings and traffic calming measures may be more suitable;
 - 3.7.9 More useful to put double yellow lines along B4005 from the Three Tuns Roundabout to the Wanshot Close Roundabout;
 - 3.7.10 One resident directly affected by the proposals on Kellsboro Avenue have registered personal concerns that about parking due to their work with people with disabilities and have a disabled member of the family who visits on a regular basis;
 - 3.7.11 There has never been any discussions with neighbours about parked cars being a problem;
 - 3.7.12 No problem with traffic flows along the road;
 - 3.7.13 Nice to have the option for visitors to park in the road in front of our house;
 - 3.7.14 The current situation seems to work for everyone and no need with the interference of double yellow lines;
 - 3.7.15 A possible solution is to limit the parking to perhaps 30 minutes to limit the need for tradesmen and visitors to park in drives and reverse into the road;
 - 3.7.16 The yellow lines already in place at the bend of Maskeleyne Way from Kellsboro Avenue could be extended for a short way but do cannot understand why this has to extend as far as Charterhouse Road;
 - 3.7.17 These proposals will cause a lot of difficulty for our household; and
 - 3.7.18 The objectors have mentioned they have lived in their properties for 19, 46, 22, 35 and 28 years.
- 3.8 One letter of support has been received from Wroughton Parish Council.
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- 3.9 Officers have considered the objections and have shared them with local Ward Members. The situation has been reviewed by Officers and the traffic management assessment of Kellsboro Avenue may be summarised as follows:
- 3.9.1 Position in road hierarchy – low significance;
 - 3.9.2 Traffic flow/link capacity – no data but estimated as far less than capacity/1200 vehicles per hour each way;
 - 3.9.3 Bus route – low use maximum 6 buses per hour;
 - 3.9.4 Excellent safety record – no recorded injury accidents in 25 years; and
 - 3.9.5 The properties impacted by the proposed restrictions all have driveways (for at least three vehicles) and garages.
- 3.10 The Traffic Management assessment of Maskelyne Way is as follows:
- 3.10.1 Position in road hierarchy – low significance;
 - 3.10.2 Traffic flow/link capacity – no data but estimated a far less than capacity/1200 vehicles per hour each way;
 - 3.10.3 Bus route – no;
 - 3.10.4 Excellent safety record – no recorded injury accidents in 25 years; and
 - 3.10.5 All the properties affected by the proposed restrictions have extensive off-road parking facilities of driveways and garages.
- 3.11 Comments regarding traffic issues elsewhere in Wroughton are not relevant to this particular issue. It should be noted that vehicles can stop on double yellow lines to load and unload. Blue Badge holders can park on double yellow lines for up to three hours (no return within one hour). Speed is not considered to be an issue even on those stretches of Kellsboro Avenue where there is currently no parking. The Locality Members are aware of the contents of these objections and has indicated that in view of the opinions and interests of the wider local community they wish to proceed.
- 3.12 Accordingly the Head of Highways and Transport, having no contrary view to that of the Locality, recommends that the proposal be implemented as advertised.

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4. Alternative Options

- 4.1 Do not proceed with the advertised proposed restrictions on Kellsboro Avenue and Maskeleyne Way in response to the objections received from residents who are directly affected
- 4.2 The above option has been considered but it will prevent officers from meeting the needs of the residents requesting the proposed restrictions.
- 4.3 Look into the feasibility of reducing the length of proposed restrictions in Maskeleyne Way.
- 4.4 The above option has been investigated but the additional restrictions are necessary to discourage vehicles displaced from Kellsboro Avenue from being parked in Maskeleyne Way instead.

5. Consultation

- 5.1 The following Ward Members have been consulted on the recommendations of the report and their responses are also summarised below:

Councillors Ford, Martyn and Crabbe - In support

6. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 The costs associated with the traffic order have been met from the South Locality budget.

Legal and Human Rights Implications

- 6.2 Legal and Human Rights legislation have 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.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.3 The proposed restrictions will maintain a safe and efficient access on the roads and meeting the request of the residents.
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Diversity Impact Assessment (DIA)

- 6.4 A Diversity Impact Assessment (DIA) has been completed for this report. This identified that there were potential concerns that disabled residents or visitors could be disadvantaged by not being able to park outside certain houses were considered. However all the affected properties have off street parking space for several cars, which if managed appropriately would allow such residents or visitors to park close to their destination. In addition, holders of “blue badge” permits are able to park for up to three hours on double yellow lines (no return within one hour). A copy of the DIA can be obtained from the report author.

Risk Management

- 6.5 Risk to the Council’s reputation in not being able to deliver a request from local residents.

7. Consultees

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

8. Background Papers

- 8.1 None

9. Appendices

- 9.1 Appendix A – Copy of the Public Notice dated 24 April 2015.
- 9.2 Appendix B – Location Plan showing the restrictions introduced in 2014 in Kellsboro Avenue and the junctions with Wharf Road, Maskeleyne Way and Summerhouse Road.
- 9.3 Appendix C – Location Plan showing the proposed restrictions outside No’s 5 to 9 Kellsboro Avenue and Maskelyne Way.

10. Declarations of Interest

- 10.1 Cabinet Members are reminded to consider whether they have any known interests in any of the matters referred to in this Decision Note. If such an interest exists this should be declared to the Monitoring Officer (or Committee and Member Services Manager), and they should take no part in the

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11.3 | blished in the Members' Bulletin. The
| such time that a five-day "Call-in" period
| n the Members Bulletin. If a Decision is
| y Committee for consideration. It must

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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.

PUBLIC NOTICE

Swindon Borough Council (Waiting and Loading Restrictions and Parking Places Consolidation) Order 2014 (Variation No. 12) Order 2015

Notice is HEREBY GIVEN that Swindon Borough Council proposes to make the above Order under the provisions of The Road Traffic Regulation Act 1984 and The Traffic Management Act 2004, the effect of which is as follow:

Introduction of 'no waiting at any time' restriction

Kellsboro Avenue

West side – from the property boundary of No's 3/5 to the property boundary of No's 7/9

Maskeleyne Way

North Side from a point of 10 metres of the junction of Kellsboro Avenue for a distance of approx. 50 metres in a easterly direction.

South Side From a point 10 metres of the junction of Kellsboro Avenue for a distance of approx. 73 metres in an easterly direction

A copy of the draft Order, plans and reasons may be inspected at the One Stop Shop, Wat Tyler House, Euclid Street, Swindon for 21 days from 24 April 2015 and online at www.swindon.gov.uk/highwayregulation.

Objections or representations to the proposed Order should be made in writing to reach the undersigned, quoting reference (za/ VO 12/kellsboro) by no later than 15 May 2015.

Gwillam Lloyd, Head of Highways and Transport Services, Civic Offices,
Euclid Street,
Swindon, SN1 2JH
24 April 2015

For further information regarding the above Order please contact the traffic section on 466401



Key to Restriction Types Displayed

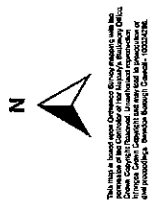
NWAAT

SCALE 1 : 1250 @ A3

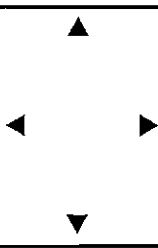
DATE 20/06/2014

MAP Selected map area

REVISION



This map is based upon Ordnance Survey data and is not a legal document. It is not intended to be used as a legal document. It is not intended to be used as a legal document. It is not intended to be used as a legal document.



Order Title: SWINDON BOROUGH COUNCIL (WAITING AND LOADING RESTRICTIONS AND PARKING PLACES CONSOLIDATION) ORDER 2014

NOTE: SEE KEY SHEET FOR RESTRICTIONS DISPLAYED



