

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE APPEALS PANEL

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

23 JANUARY 2012

PROPOSED INTRODUCTION OF A PROHIBITION OF WAITING AT ANY TIME TRAFFIC REGULATION ORDER, ABERKENFIG

1.0 Purpose of Report

- 1.1 To seek a resolution to a formal objection received in relation to the traffic regulation order proposal to introduce waiting restrictions on Bridgend Road from its junction with the south-eastern side of East Street, south-westwards for a distance of approximately 10 metres.

2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities.

- 2.1 The issue of introducing traffic management and road safety measures cross-cuts a number of aims in the Corporate Improvement Plan. This includes the Strategic Themes *Strong Communities*, where the aim is to 'build safe and inclusive communities' and *Young Voices*, where we want all children and young people to be safe. Road safety also forms part of the aims of the Community Strategy to have Strong Communities where there is a reduction in crime and people feel safer in their communities.

3.0 Background

- 3.1 For many years the existing waiting restrictions that are currently marked on site in Bridgend Road, Aberkenfig have borne little or no resemblance to the provisions of the associated Traffic Regulation Orders that are in force in respect of these provisions. This is due to the fact that, when the Aberkenfig Bypass was built prior to local government reorganisation, Bridgend Road, which was previously the main A4063 route throughout the village, was also completely resurfaced. Rather than repaint the double yellow lines for the entire length of both sides of Bridgend Road, which strict adherence to the Traffic Regulation Orders would have required, Mid Glamorgan County Council Officers took account of the anticipated greatly reduced traffic flow through the village. A decision was made by the predecessor authority, in consultation with the relevant Local Member at that time, to repaint only the double yellow lines that were considered appropriate after the transfer of traffic onto the new bypass took place. Consequently, double yellow lines were omitted from the majority of the length of Bridgend Road. It is understood that it was intended by Mid Glamorgan County Council that the

road markings would be regularised swiftly by changes to the traffic orders, however to date such changes have yet to be implemented.

- 3.2 At its meeting on 3rd November 2009 Cabinet considered a report on Local Traffic Management Schemes Prioritisation (Minute No. 329). The report confirmed that, to assist in developing a list of local Traffic Management schemes and to ensure that they are targeted to meet the needs of the community, all Ward Members were invited to submit up to three schemes which they considered important. Ward Members were also invited to prioritise the schemes to allow the initial focus to be on the most important issue. The Member for Aberkenfig Ward, Councillor M Winter, indicated that a review of waiting restrictions on Bridgend Road and its junctions with adjacent streets was his number 1 priority scheme. At its meeting on 22nd June 2010 Cabinet approved 10 schemes which warranted priority consideration in 2010/11, which included the review of waiting restrictions in Bridgend Road and adjacent junctions.
- 3.3 As well as the concerns of the Local Member, representations were received from South Wales Police regarding the high levels of obstructive parking in Bridgend Road and the problems they created for the School Crossing Patrol when crossing the children and also the difficulty of enforcement due to the above-mentioned anomalies between the traffic orders and the signs /markings on site.
- 3.4 Complaints have also been received from bus operators whose routes are frequently obstructed by vehicles parked in the village. In addition, many of the junctions with side roads have no waiting restrictions on them which results in vehicles being parked on Bridgend Road right up to the side street junctions where they obstruct the view of drivers attempting to turn onto that road to the detriment of road safety. Local residents and members of the public have also raised concerns about parking patterns in the key shopping area and the difficulty of finding an on-street parking space there because vehicles are being parked there all day without moving.

4.0 Current situation / Proposals

- 4.1 In order to address the above-mentioned concerns officers have developed a revised scheme of traffic management proposals. The emphasis is to try and resolve known problems whilst seeking to cause the minimum disruption possible by leaving the orders which can be retained in place. It is considered that the provision of additional waiting restrictions at a number of locations will be of benefit to road safety and will assist the free flow of traffic. The original scheme proposed is shown on Drawing Number T/10/04 and attached as **APPENDIX 'A'**.
- 4.2 In accordance with the requirements of the Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996, consultation letters and a plan showing the proposals (see Appendix A) were sent to the Statutory Consultees on 19th January 2011. At the same time, letters and plans were sent to the Local Ward Member and to a wide range of additional

persons/organisations, including the occupiers of all properties along Bridgend Road and adjacent streets that fell within the extent of the proposals.

- 4.3 As a result of the consultation process nine representations were received from Aberkenfig residents/businesses and one was received from South Wales Police. One of the business representations came from Mr R L Baker, the proprietor of Baker's TV and Electrical shop. He objected to the proposal to introduce 10 metres of no waiting at any time restrictions in front of his shop on the basis that it would have a severely detrimental effect on his business by preventing customers from parking. A response was sent to Mr Baker explaining that the proposals were designed to deter long term parking at the junction with East Street to improve visibility and enhance road safety for motorists driving onto Bridgend Road from East Street. It was also explained that, in line with guidance in the Highway Code, vehicles should not be parked close to junctions. Mr Baker was also advised that there would be an exemption in the Order to allow for loading/unloading which, in the absence of parked vehicles, could be of benefit to him and his customers. In addition, it was explained that the remainder of Bridgend Road, between Bakers TV and Electrical Shop and number 67 (a distance of approximately 40 metres) would remain unrestricted.
- 4.4 Mr Baker was also informed that, while officers appreciated his concern over the operation of his business, it was felt that acceding to his request to create a loading bay in front of his shop, rather than providing an exemption for loading and unloading on the double yellow lines, was likely to encourage loading vehicles to wait there for longer periods of time. It was pointed out that visibility at the junction is poor and therefore any vehicular obstruction to visibility caused by loading vehicles needed to be reduced to the minimum in the interests of road safety. It was also explained that when not being used for loading/unloading purposes the proposed restrictions would assist in keeping the junction clear of parked vehicles to assist with driver visibility when leaving East Street.
- 4.5 With regard to the other nine consultation responses, these were all closely scrutinised by officers and it was felt that several of the requested changes to the original proposals were justified. As these justifiable changes were relaxations to the original proposals it was agreed that, it was possible to accommodate them without the necessity to reconsult. The consultation responses received, together with the relaxations that officers propose, have been listed and summarised in the document which is attached as **APPENDIX B**.
- 4.6 The consultation responses and the potential relaxations were subsequently discussed with the Local Member. Drawing Number T10/04/A which is attached as **APPENDIX 'C'** shows the final revised version of the proposals.
- 4.7 As a consequence, Delegated Powers to proceed with the revised proposals were obtained on the 15th August 2011. In accordance with the legislative requirements, Public Notice of the proposals was subsequently published in

the local press and Notices (**APPENDIX D**) were erected on site on numerous street lighting columns within the area covered by the proposals on 13th October 2011. In addition, on 11th October 2011, letters attaching copies of the Public Notice were sent to all ten persons who had responded at the consultation stage (**APPENDIX E**). The notices invited objections in writing by 7th November 2011.

- 4.8 By the closing date, the only formal objection to the proposals was received from the proprietor of Baker's TV shop. A copy of his objection letter is attached as **APPENDIX F**.
- 4.9 As the panel will note, Mr Baker's letter of objection expressed his disappointment that, despite his consultation response, the original proposal to prohibit waiting for 10 meters in front of his shop remained. While he appreciated the need for waiting restrictions at the junction of East Street he submitted an alternative proposal which, in his words, would give his business "a fighting chance to survive". His alternative proposal was that the length of waiting restrictions should be reduced from 10 metres to 5 metres and that a loading bay between 5 and 8 metres in length be created. This proposal, he felt, would maintain the waiting restrictions at the junction with East Street and give a clear indication of the provision for deliveries within the frontage of his shop, thereby removing any ambiguity in the waiting restrictions and their potential to be perceived as a "no-go area" even for loading and unloading.
- 4.10 Officers have fully considered Mr Baker's objection letter but are of the opinion that the ability of motorists to drive safely out of East Street onto Bridgend Road is already impeded by the poor visibility caused by buildings at this junction, including the front Mr Baker's shop and that the double yellow lines proposal on Bridgend Road follows the advice in the Highway Code that vehicles should not park within 10 metres of a junction. It is also considered that due consideration had already been paid to his business needs in so far as the proposed restriction also includes an exemption to allow occasional loading/unloading in front of his shop, even though it is likely that visibility will be further obstructed to some extent at certain limited times of the day.
- 4.11 In conclusion, officers consider that the original proposal strikes the necessary balance between road safety and Mr Baker's business needs. It is felt that if Mr Baker's objection was upheld and a loading bay was provided there is a likelihood that vehicles would park more frequently in that bay and would stay for longer than they would otherwise do so on double yellow lines. As such officers recommend that Mr Baker's alternative proposal is declined, his objection be rejected and the current proposals in front of his shop be progressed as planned.

5. **Conclusion**

- 5.1 The original concerns regarding parking issues in Aberkenfig have been raised as an issue by many parties over the years since the bypass was built, as car ownership and traffic flows have increased. In attempting to mitigate those issues, officers developed a revised scheme, seeking to leave

unchanged that which it is considered is safe to remain unchanged. Officers have consulted widely, listened to those individuals/bodies who responded during the consultation process, relaxed the original proposals where it was safe and sensible to do so and explained why when it was impracticable. This is illustrated by the fact that, although nine representations were received from Aberkenfig residents/businesses initially, only one of those representations led to a formal objection, from Mr Baker. As stated above, officers believe that the proposal in front of Mr Baker's shop strikes the necessary balance between road safety and business needs. It is therefore considered essential that, in order to maintain an acceptable level of road safety at this junction, his objection be rejected and the proposals detailed in Appendix C be implemented in their entirety.

6. Effect upon Policy Framework & Procedure Rules

6.1 This report has no effect upon the Policy Framework or the Procedure Rules.

7. Equality Impact Assessment

7.1 There are no negative equality implications.

8. Financial Implications.

8.1 The costs of the proposed scheme will be funded from within the Authority's allocated budget for 2011/12 to implement Local Traffic Management Schemes.

9.0 Recommendations

9.1 It is therefore recommended that the objection to the County Borough Council's intention to make a permanent traffic regulation order under the Road Traffic Regulation Act 1984, the effect of which will include the introduction of 'No Waiting at any time' restrictions at the junction of East Street and Bridgend Road, Aberkenfig should be rejected and the Order be made as proposed in Appendix C.

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Background documents:
Cabinet report - 3rd November 2009