

Report to: Andy Smith Head of Transport and Infrastructure

Date: 6th April 2021

Report of: Tom Hayward – Traffic Consultant

**THE BOROUGH OF WATFORD
(JUNCTION PROTECTION MEASURES, VARIOUS ROADS OXHEY, WATFORD)
(PROHIBITION OF WAITING AT ANY TIME)
ORDER 2021**

1.0 SUMMARY

1.1 The purpose of this report is:

1.1.1 To inform the Head of Transport and Infrastructure of the need to implement the proposal, which forms the subject of the above Traffic Regulation Order (TRO).

1.1.2 To seek authorisation to publish a “Notice of Proposals” and:

a) where no objections are received or where objections are subsequently withdrawn “Make” the TROs and implement the proposal and:

b) where objections are received and not subsequently withdrawn, report the details of the objections together with Officer’s recommendations so that further instructions can be obtained.

1.1.3 To seek authorisation to consult residents and businesses in the immediate vicinity of the proposal by means of a letter and plan drawing their attention to the published “Notice of Proposals” and explaining how they can obtain more details of the proposals and make representations should they wish.

2.0 RECOMMENDATIONS

2.1 That the Head of Transport and Infrastructure authorises all as described in paragraphs 1.1.2 and 1.1.3 above.

Contact Officer:

For further information on this report please contact:

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3.0 DETAILED PROPOSALS

- 3.1 The proposals are related to the introduction of new No Waiting at Any Time (Double Yellow Line) restrictions at the junctions of Elm Avenue and Sherwoods Road and of Wilcot Avenue and Bucks Avenue and an extension of the existing No Waiting at Any Time (Double Yellow Line) restrictions at the junctions of Bucks Avenue and A4008 and of Sherwoods Road and Pinner Road in Oxhey, Watford.

The purpose of the proposed restrictions at the various junctions is to ensure that inconsiderate parking does not occur within the immediate vicinity of the junctions, therefore retaining adequate visibility to all road users (vehicles and pedestrians) and ensuring unobstructed access for emergency services vehicles.

The scheme will, therefore, act to improve road safety and amenity for both pedestrians and vehicles using the road.

3.2 Proposals

The request for the additional restrictions here is as a result of requests from local councillors and residents for additional parking controls at the junctions to prevent vehicles parking inconsiderately in their vicinity leading to obstructions.

The junctions in question can be subject to inconsiderate parking which can create a severe reduction in visibility and cause obstruction for vehicles attempting to navigate them. It is thought that this may become worse should any migration of parking from the recently introduced Zone X Permit Parking Area in Oxhey village occur. It is, therefore, prudent to introduce/extend No Waiting at Any Time (Double Yellow Line) restrictions along the proposed lengths of road in order to secure the safe, expeditious and convenient movement of traffic in alignment with Section 122 of the Road Traffic Regulation Act 1984.

Section 122 of the Road Traffic Regulation Act also states that local authorities must exercise their functions under the RTRA so as to 'provide suitable and adequate parking facilities on and off the highway'. It is important to maintain a balance when imposing parking restrictions so as not to be 'over restrictive'. The scheme, whilst achieving improved safety at the various junctions, leaves large sections of the various roads unrestricted to allow residents to park adjacent to their properties and to allow parking where it does not cause a risk to road safety or amenity.

Section 1 of the Road Traffic Regulation Act 1984 states that it is the duty of a highway authority to 'manage their road network' and 'to improve road safety'. The proposals will contribute to improving the amenity of the road and further maintain ease of navigation for all vehicles. The proposals also aim to improve road safety by avoiding danger to road users thus, paying regard to Section 1 of the Road Traffic Regulation Act 1984.

Additionally, the Highway Code Rule 242 states 'You MUST not leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road'. It is considered that parking on the various junctions on the estate causes this 'obstruction' and can be classed as a 'dangerous position'. In addition, highway code rule 243 states 'DO NOT stop or park opposite or within 10 meters of a junction'.

In order to ensure that the Highway Code Rules 242 and 243 are complied with, a Traffic Regulation Order comprising the recommended waiting restrictions should be implemented in order to make the current parking habits on the various roads illegal and enforceable

The residents/businesses who would be affected by the scheme were consulted by a direct letter drop from 29th January 2021 to 19th February 2021. During this process, the proposals were broadly supported by the majority of residents residing the vicinity of the proposals. However, results also showed that a significant number of residents did not feel restrictions at the junctions of Wilcot Avenue/Wilcot Close and Wilcot Avenue/Talbot Avenue, which were included in the original proposals were necessary.

After discussing the results of the consultation with local councillors it was decided to remove these specific junction proposals from the scheme.

Statutory consultees were also consulted from 5th March 2021 to 2nd April 2021. During this process, no objections were raised.

4.0 **IMPLICATIONS**

4.1 **Financial**

4.1.1 The cost of the schemes is estimated at £800

4.1.2 The Head of Transport and Infrastructure has confirmed there is a sufficient budget in BEA004B0908.

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 Watford Borough Council has been given delegated authority to make traffic regulation orders and implement proposals to manage parking on public highways and other roads, pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangement for discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council, and is exercising the powers conferred on it under Section 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as "the 1984 Act") and of all other enabling powers, and has consulted with the Chief Officer of Police and the County Council.

4.2.2 The Group Head of Democracy and Governance comments that if the recommendation is approved then the necessary statutory procedure will require consultation and may lead to a public inquiry should any objections not be resolved.

4.3 Equalities

4.3.1 This scheme aims to improve road safety and amenity for vehicles and pedestrians, thus paying regard to the council's duty according to the Equality Act 2010 as set out below.

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

4.3.2 Any impact as a result of the scheme will be equal to all parties.

4.3.3 An Equalities Impact Analysis has been carried out for this parking scheme which has been considered and approved by the Equalities Working Group. It is available to view upon request.

4.3.4 As previously eluded to, a residents consultation was undertaken for those who would be directly impacted by this scheme.

4.4 Potential Risks

4.4.1	Potential Risk	Likelihood	Impact	Overall score
	Some members of the public/businesses will perceive on-street parking controls as an unnecessary imposition by the Council.	2	2	4
	Failure to implement new parking controls at locations where road safety is perceived to be a hazard could result in damage to the Council's reputation and lead to unnecessary loss of life in the worst-case scenario.	2	4	8

Appendices

Appendix A Plans of proposals

Background Papers

Copies of:

The "Draft Order"

A statement of reasons for this Order.

NOTIFICATION OF OFFICER DECISION

**THE BOROUGH OF WATFORD
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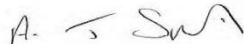
Decision Summary

1. That a "Notice of Proposal" is published and for those proposals where no objections are received or where objections are subsequently withdrawn "Make" the TRO and implement the proposals and for those proposals where objections are received and not subsequently withdrawn, report the details of the objections together with Officer's recommendations so that further instructions can be obtained.
2. That residents and businesses in the immediate vicinity of the proposals be consulted by means of a letter and plan drawing their attention to the published "Notice of Proposals" and explaining how they can obtain more details of the proposals and make representations should they wish.

Name of Officer exercising delegated authority:

Andy Smith: Head of Transport and Infrastructure

Signature:



Date: 13th May 2021