

CYNGOR SIR POWYS COUNTY COUNCIL
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR JACKIE CHARLTON
PORTFOLIO HOLDER FOR A GREENER POWYS
April 2023

REPORT AUTHOR: Tony Caine, Traffic Systems Manager

REPORT TITLE: Consideration of Objections
On street waiting and loading and parking
modifications - Various streets, Newtown

REPORT FOR: Decision

1. Purpose

1.1 The purpose of this report is to consider the objections received during the public consultation period with respect to the proposed new waiting prohibitions along Llanfair Road and School Lane within the town of Newtown.

2. Background

2.1 In a delegated decision dated 9th November 2022, the Portfolio Holder for A Greener Powys approved the initiation of the Traffic Regulation Order consultation procedure in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

2.2 The proposed Permanent Traffic Regulation Order seeks to: -

- a) Modify the on-street parking restrictions associated with parking bays along High Street, and to introduce certain controls to address inconsiderate and obstructive parking that has been noted as being problematic both during and after the construction phase of this project in the vicinity of Wesley Street and Broad Street.
- b) Modify and introduce additional waiting and loading prohibitions and modify on street parking restrictions along parts of Shortbridge Street and Gas Street to better address the needs of disabled persons and to prevent hazardous, inconsiderate and obstructive parking between the post office and the war memorial.
- c) Introduce a new "goods vehicles only" loading bay on High Street to address the needs of those businesses along that street and in the vicinity of The Cross.
- d) Remove the maximum 20 minutes loading period and no return within 1 hour time restrictions from the existing loading bays on Severn Street, Shortbridge Street and Market Street so that those loading can be more readily policed and more frequently available

for use; and to enable the existing loading bay along Market Street to be legally utilised by drivers of vehicles which are not goods vehicles. These modifications are necessary so that these existing loading bays better suit the needs of businesses and members of the public accessing businesses at or near those locations.

e) Modify and introduce new and additional waiting prohibitions along parts of Llanfair Road and School Lane to secure safer traffic movements to and from the school and prohibit identified inconsiderate and obstructive parking along those streets.

f) The public consultation proposal plans are attached at Appendix A.

2.3 The public consultation period took place between 2nd December 2022 and 1st January 2023. 1 comment and 10 objections were received with respect to the prohibition of waiting proposals along School Lane and Llanfair Road. No representations were received with respect to any of the other proposals within Newtown. The points raised in the letters together with the officer responses and recommendations are attached at Appendix B.

2.4 No objection or other representation was received from the Town Council with respect to the traffic Order proposal.

3 Advice

3.1 All the objections made with respect to the additional waiting prohibition restrictions proposed along Llanfair Road and School Lane have been received from residents of Llanfair Road.

3.2 The most common concern raised by the objectors regarding the introduction of additional prohibition of waiting restrictions along School Lane and Llanfair Road was the reduction in the available unrestricted locations along those highways where they could park their vehicles. However, the highway authority does not have a duty to provide on-street parking spaces for nearby residential properties, and the primary function of a public highway is to enable the movement of traffic not to facilitate on-street parking.

Nobody has a right to park on the public highway unless they do so in a designated on-street parking bay in accordance with any waiting restrictions that may apply to that parking bay as a consequence of a traffic regulation order. Where there are no on-street parking bays, all drivers are obliged to follow the guidance set out in the Highway Code which identifies where it is not acceptable to park on a public highway and why.

The purpose of the proposed traffic regulation is to impose waiting restrictions where observations have shown that drivers regularly park vehicles at locations at all times of the day which prevent the safe and free flow of traffic.

3.3 Some of the objectors suggested that it was not worthwhile introducing additional waiting restrictions as the parents dropping off and collecting

children from the nearby Penygloddfa primary frequently disregarded the existing waiting prohibition markings and park at locations where they impede access to and from residents' properties.

However, observations have shown that vehicles are parked at the locations where the additional waiting prohibitions are proposed outside of these times along both Llanfair Road and School Lane, and vehicles are also frequently parked on the advisory keep clear markings along Llanfair Road at all times of the day too, so the inconsiderate parking behaviour does not relate solely to school parents.

- 3.4 Some of the objectors suggest that there is no justification to introduce additional prohibition of waiting restrictions, as the real issue along Llanfair Road is the speed and the manner in which vehicles are driven along that road, and therefore traffic calming measures such as speed humps and chicanes are required instead of additional waiting restrictions.

Whilst some vehicles may be driven along this road at a speed or in a manner that is not appropriate for the prevailing traffic conditions, observations have shown that some drivers increase their speed to pass the long line of vehicles often parked nose to tail along the entire length of Llanfair Road between the existing double yellow lines when no gaps have been left to permit vehicles to pass one another along this section of Llanfair Road. Other drivers resort to mounting and driving along parts of the footway to pass oncoming traffic instead. These observations have also shown that the advisory keep clear and access markings are regularly ignored by residents and school parents, so the highway authority is now having to seek to introduce legally enforceable no waiting prohibitions at those locations.

As a consequence of the introduction of the recent legislation by the Welsh Government to reduce the restricted road speed limit from 30mph to 20mph in Wales, a significant length of Llanfair Road and Commercial Street is likely to be the subject of a 20mph speed limit after September 2023, but this will not negate the need to prohibit on street parking where it would otherwise disrupt the free and safe flow of traffic.

Traffic calming measures such as speed humps and/or chicanes are not an alternative solution to address the inconsiderate parking issue.

- 3.5 Some of the objectors have suggested that residents' parking permit spaces should be introduced instead of additional prohibitions of waiting at any time as the problem relates to school parents picking up and dropping off their children on the roads near to Penygloddfa School, and that residents should be able to reserve on street parking spaces near to their properties.

Whilst Powys County Council does have a residents' parking permit policy, a previous residents consultation exercise carried out in 2017/18 failed to demonstrate that there was a majority of residents in support of introducing residents' parking permit spaces in this part of Newtown, and a residents' parking permit would not secure the use of any individual or preferred designated parking space for any particular resident in any event.

It is also of note that there are actually no designated on-street parking bays along School Lane and Llanfair Road, there are just sections of these roads where waiting/parking is already prohibited, sections where advisory keep clear markings have been trialled and have proven to be

unsuccessful, and sections where there are no waiting prohibitions reinforced by any traffic regulation orders where drivers are obliged to consider the impact of their parking choices in accordance with the rules set out in the Highway Code.

- 3.6 One of the objectors has suggested that there is not a problem with the manner in which vehicles are parked along School Lane, as other vehicles can still pass those parked vehicles.

Whilst residents and other drivers who park along School Lane may believe that they are parking considerately by parking partially on the shared surface footway which runs along the east side of School Lane in a manner which still leaves room for most vehicles to pass their parked vehicles without having to mount the pedestrian footway along the west side of School Lane, when vehicles are parked along the east side of School Lane it is not possible for vehicles travelling in opposing directions along School lane to pass one another within the carriageway and shared surface areas, forcing drivers to reverse considerable distances either back up the steep hill to the turning area or back to the Llanfair Road junction to the detriment of the safety of all other highway users.

Vehicles parked along the shared surface area also prevent pedestrians from utilising the shared surface area.

The proposed prohibition of waiting restrictions along School Lane will address this inconsiderate parking issue by prohibiting the parking of vehicles too close to or within the turning area at the top of School Lane, and along that part of School Lane where vehicles travelling in opposing directions need to be able to utilise the full carriageway width and the shared surface area to pass one another.

- 3.7 The officer recommendation is to note but overrule all objections received during the public consultation process, as vehicles parked at any of the locations where no waiting at any time prohibitions are proposed would disrupt the safe and free flow of two-way traffic movements to the detriment of highway safety at all times of the day.

- 3.8 The local member supports the officer recommendation to overrule all the objections which relate to the additional waiting prohibitions along Llanfair Road, but has suggested that a small section of the no waiting at any time prohibitions along School Lane are substituted by a lesser no waiting restriction to permit a degree of parking to continue to take place along School Lane at those times of the day when Penygloddfa County Primary School is closed. For further information, refer to section 7 of this report below.

4. Resource Implications

- 4.1 The TRO and any associated signing will be funded by the High Street Green Infrastructure capital scheme. The signage and carriageway markings for School Lane and Llanfair Road will be funded from the existing allocated highway sign maintenance budget.

- 4.2 The Head of Finance (Section 151 Officer) notes the content of the report and that funding is in place to support the costs associated with either recommendation.

5. Legal implications

- 5.1 The Property Lawyer North has reviewed the proposals and confirms it is within our power as long as the correct process is followed.
- 5.2 The Head of Legal Services and the Monitoring Officer has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Data Protection

- 6.1 All personal data collected as part of the consultation will be processed in accordance with the Council's privacy notice published on our website <https://en.powys.gov.uk/trafficconsult>
- 6.2 The Data Protection Officer notes the processing of personal data in connection with this proposal and makes no further comment.

7. Comment from local member(s)

- 7.1 Cllr Joy Jones has confirmed support for the traffic management proposals within the Newtown East ward where no objections were received.
- 7.2 Cllr Peter Lewington as the county councillor for the Newtown West ward has confirmed continued support for the introduction of the additional no waiting at any time prohibition proposals along Llanfair Road as proposed within the original Appendix A proposal plans, as the additional waiting prohibition at that location is a necessary traffic management requirement to safely address existing vehicular traffic conflicts which would otherwise continue to occur at all times of the day.
- 7.3 Cllr Lewington has indicated that upon reflection, he understands the points raised by the objectors, and fully supports the substitution of a small section of the no waiting at any time prohibitions along School Lane by a prohibition of waiting Monday to Friday between the hours of 8am and 5pm only, to permit a degree of on street parking to continue along that section of School Lane outside of those hours when vehicular traffic can reasonably be expected to be encountered travelling to and from Penygloddfa County Primary School along School Lane. The proposed alternative waiting restrictions for School Lane being identified on the attached plan at Appendix C.

8. Integrated Impact Assessment

- 8.1 An impact assessment is not required.

Recommendation:	Reason for Recommendation:
The Portfolio Holder For A Greener Powys to consider the objections received with respect to Llanfair Road and School Lane, and to	To introduce necessary new and modified on street waiting and loading and parking

<p>determine either Option A or Option B as set out below:-</p> <p>Option A - That all the objections relating to Llanfair Road and School Lane are noted but overruled. Therefore the original proposal plans relating to AREA CODE PLAN CP185 within Appendix A to be implemented in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.</p> <p>Option B - That the objections relating to Llanfair Road are noted but overruled, and the objections relating to School Lane are partially upheld and the proposals for School lane modified in accordance with the plan attached at Appendix C. Therefore the modified proposal plans relating to AREA CODE PLAN CP185 within Appendix C to be implemented in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.</p>	<p>controls to prevent nuisance and obstructive parking and to improve the existing waiting and loading and parking allocations along various streets at Newtown.</p>
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Relevant Policy:	Corporate Improvement Plan 2021-25 : Improve our Infrastructure to Support Regeneration and Attract Investment - We will actively compete for any grant funding opportunities, and subject to such funding, deliver transport infrastructure projects, develop active travel, support suitable transport options and improve road safety.		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	Cllr Joy Jones - member for Newtown East ward. Cllr Peter Lewington – member for Newtown West ward.
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Person(s) To Implement Decision:	Chris Lloyd
Date By When Decision To Be Implemented:	As soon as possible

Is a review of the impact of the decision required?	Y / N
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Head of Service:	Matt Perry
Corporate Director:	Nigel Brinn

- Background Papers used to prepare Report:**
- **Public Consultation Traffic Regulation Order proposal plans (Appendix A)**

- **Representations and officer responses/recommendations (Appendix B)**
- **Option B - Modified Traffic Regulation Order proposal plan for Llanfair Road and School Lane - AREA CODE CP185 (Appendix C)**

DELEGATED DECISION NEW REPORT TEMPLATE VERSION 3

