Report of the Strategic Director of Regeneration to the meeting of the Shipley Area Committee to be held on 27 July 2016.

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Subject:

Five objections received to the advertised Traffic Regulation Order relating to proposed waiting restrictions within the Lysander Way Estate, Cottingley.

Summary statement:

This report considers five objections received to advertised proposals to introduce formal waiting restrictions within the whole of the Lysander Way Estate (comprising Lysander way, Titania Close, Goodfellows Close, and Oberon Way)

It is recommended that:

• This Committee overrule the objections, and the proposed traffic management measures be introduced as formally advertised.

Ward 03 – Bingley Rural

Mike Cowlam Strategic Director (Regeneration)

Report Contact: Simon D'Vali

Phone: (01535) 618181

E-mail: simon.dvali@bradford.gov.uk

Portfolio:

Housing, Planning and Transport

Overview & Scrutiny Area:

Environment and Waste Management

1. Summary

1.1 Consideration of five objections received to the formally advertised Traffic Regulation Order (TRO) to introduce formal waiting restrictions on Lysander Way, Titania Close, Goodfellows Close, and Oberon Way, Cottingley. Three of the objectors are residents of the Lysander Way Estate.

2. Background

- 2.1 Lysander Way, Titania Close, Goodfellows Close, and Oberon Way are all residential streets comprising Lysander Way Estate which is located on the western side of Cottingley Moor Road and directly opposite Cottingley Village Primary School.
- 2.2 The estate roads are 5.5 5.6 metres wide (with the exception of that section of Lysander Way between its junctions with Titania Close and Goodfellow Close which is 3.5 metres wide). The footway widths vary between 1.7 and 3.3 metres. Some of the on-street parking which currently occurs within the estate involves vehicles being parked partially on the footway.
- 2.3 In April 2015, West Yorkshire Police expressed concern with the issue of obstructive parking within the Lysander Way Estate and expressed a desire to see formal waiting restrictions introduced. In addition, some residents expressed concern that parents bringing/collecting children to/from the nearby school were parking within the estate, and that such parking sometimes obstructed vehicular access to/from private driveways, and could potentially restrict the free and unhindered passage of emergency vehicles. As a result of the concerns of the Police and some residents, the Lysander Way Estate was included within a list of scheme candidates to be considered annually by this Committee for possible inclusion within its future programme of works.
- 2.4 In July 2015, this Committee included Lysander Way Estate within its capital works programme, allocating funding to introduce a traffic scheme to address on-street parking by non-residents within the estate at the start and end of the school day.
- 2.5 On 25 January 2016, the three Local Members for Bingley Rural and this Committee's Chair were consulted on the scheme proposals. No adverse comments were received and requests were made to introduce (as part of the proposed Lysander Way Estate scheme and for reasons of economies of scale) formal waiting restrictions at the bottom of B6269 Cottingley Cliffe Road and at the top of Bradford Old Road, Cottingley. The proposed waiting restrictions at the bottom of B6269 Cottingley Cliffe Road are intended to prevent verge parking, whilst the proposed waiting restrictions at the top of Bradford Old Road are intended to improve driver forward visibility.
- 2.6 On 4 April 2016, the emergency services and WYCA (formerly METRO) were consulted on the scheme proposals. No adverse comments were received.

- 2.7 On 6 May 2016, each property within the Lysander Way Estate received a letter explaining the background to the scheme proposals and advising them of when and where legal notices and a scheme drawing associated with the proposed waiting restrictions could be viewed. A copy of the letter is attached as Appendix 1 to this report, and a copy of the scheme drawing (Drawing No.TDG/THN/103153/1F) is attached as Appendix 2 to this report.
- 2.8 On 18 May 2016, Cottingley Village Primary School was advised of the scheme proposals, and for information purposes, received a copy of the letter issued to Lysander Way Estate residents on 6 May 2016 and a copy of the scheme drawing.
- 2.9 The respective start and end of the school day associated with Cottingley Village Primary School is 8.55am and 3.15pm.
- 2.10 The proposed measures (as identified within Appendix 2 of this report) are formal parking restrictions prohibiting on-street parking anywhere on Lysander Way, Oberon Way, Titania Close and Goodfellow Close from Monday to Friday between 8.30am and 9.30am, and between 2.30pm and 3.30pm during School term-time (1 September to 31 July). The proposed waiting restrictions would be identified by a single yellow line on the road surface adjacent to the kerb, and parking restriction plates.
- 2.11 On 13 May 2016, the proposed Traffic Regulation Order associated with the proposed waiting restrictions shown within Appendix 2 of this report were formally advertised for a four week period on-site and within the local press.
- 2.12 The formal advertisements to the proposed scheme as shown within Appendix 2 of this report has resulted in five objections being received. Three of the objectors are residents of the Lysander Way Estate.
- 2.13 The objector's concerns and officer comments are tabulated in Appendix 3 of this report.

3. Other Considerations

- 3.1 Having regard to the fact that in total, over one hundred households received notification of the proposed scheme, the receipt of only three objections from local residents suggests strong local support for the proposed scheme.
- 3.2 Local ward members and the emergency services have been consulted on the proposals and their views taken into consideration.
- 3.3 Local Ward Members are aware of the objections received concerning the proposals.

4. OVERVIEW AND SCRUTINY COMMITTEE CONSIDERATION

This report has not been considered by the Overview and Scrutiny Committee.

5. Options

- 5.1 Option 1 The proposals as shown within Appendix 2 of this report could be implemented as advertised.
- 5.2 Option 2 The proposals as shown within 2 of this report could be abandoned as a result of the objections.
- 5.3 Option 3 Members may prefer to take a course of action other than that indicated in the above options or the recommendations, in which case they will receive appropriate guidance from others.

6. FINANCIAL & RESOURCE APPRAISAL

6.1 Financial

The costs necessary to introduce the proposed scheme (including the processing of the associated Traffic Regulation Order) has been allocated from the Shipley Area Committee capital allocation.

6.2. **Resources**

The proposed traffic management works can be processed within existing staff resources.

7. RISK MANAGEMENT

There are no risk management implications

8. LEGAL APPRAISAL

There are no legal implications at present

9. OTHER IMPLICATIONS

9.1 **EQUALITY AND DIVERSITY**

In the event that the proposed scheme is developed further, due regard would be given to Section 149 of the Equality Act 2010

9.2 **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications

9.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no implications regarding greenhouse gas emissions impacts

9.4 **COMMUNITY SAFETY IMPLICATIONS**

The proposed waiting restrictions shown within Appendix 2 of this report are intended to prevent parents of pupils attending Cottingley Village Primary School from causing obstructive parking within Lysander Way Estate, and help ensure the unhindred passage of emergency vehicles.

Being a primary school, the pupils are chaperoned both to and from the school by adults. As such, parking further away from the school than the Lysander Way Estate will not in itself increase road safety risks to pupils, and any increase in pedestrian travel on the part of parents and pupils alike may have associated health benefits.

9.5 **HUMAN RIGHTS ACT**

There are no implications for human rights

9.6 TRADE UNION

There are no implications for the trade unions

9.7 WARD IMPLICATIONS

None

10. NOT FOR PUBLICATION DOCUMENTS

None

11. RECOMMENDATIONS

- 11.1 That Option 1 The proposals as shown within Appendix 2 of this report be implemented as advertised.
- 11.2 That the objectors be informed accordingly.

12. APPENDICES

Letter to Lysander Estate residents - (Appendix 1)

Drawing No.TDG/THN/103153/1F (Scheme proposals as formally advertised) - (Appendix 2) $\frac{1}{2}$

Objector's and Officer comments (Appendix 3)

13. BACKGROUND DOCUMENTS

13.1 Report to the Strategic Director (Regeneration) to the meeting of the Shipley Area Committee held on 1 July 2015.

Appendix 1



Department of Regeneration

Stockbridge Depot Royd Ings Avenue Hand delivered to residents of Keighley Lysander way, Oberon Way, **BD21 4BX** Titania Close and Goodfellow Close

Tel: (01535) 618294

Email: craig.williams@bradford.gov.uk

Date: 6 May 2016

Dear Sir or Madam.

LYSANDER WAY, OBERON WAY, TITANIA CLOSE AND GOODFELLOW CLOSE, COTTINGLEY: PROPOSED WAITING RESTRICTIONS.

Following concerns by some local residents, the Shipley Area Committee has allocated funding to introduce a traffic scheme to address on-street parking by non-residents on the above streets at the start and end of the school day. The residents had expressed concern that such parking was obstructing vehicular access to/from private driveways and could restrict the free and unhindered passage of emergency vehicles.

The proposed measures are formal parking restrictions prohibiting on-street parking anywhere on Lysander Way, Oberon Way, Titania Close and Goodfellow Close from Monday to Friday between 8.30am and 9.30am, and between 2.30pm and 3.30pm during school term time (ie. 1 September to 31 July).

The proposed waiting restrictions would be identified by a single yellow line on the road surface adjacent to the kerb, and parking restriction sign plates.

Consultations with members for Bingley Rural and the emergency services have already been carried out with no adverse comments having being received.

The scheme proposals are to be formally advertised for a four week period commencing Friday 13 May 2016, and the legal Notices associated with the proposals will be published within the Telegraph & Argos, and erected on street furniture on-site. A plan identifying the scheme proposals will be on deposit during the four week advertising period and can be viewed at Shipley Library during that time.

Should you wish to object to the scheme proposals, the advertised notices will advise you how to do so.

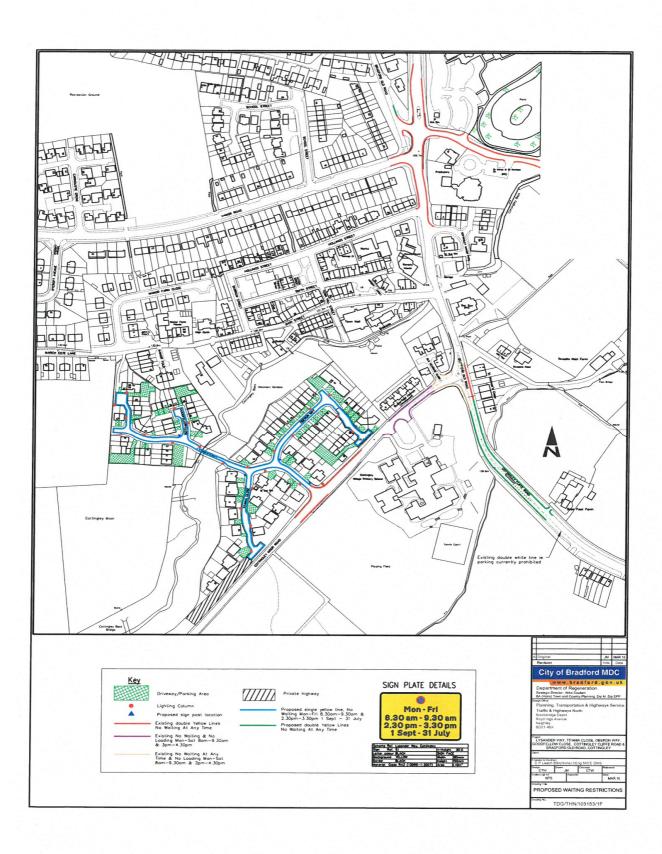
Any relevant formal objections received will be presented to the Shipley Area Committee for its consideration.

Yours faithfully Craig Williams Craig Williams Senior Engineer Traffic & Highways (North)





Appendix 2



Appendix 3

Objector #1 Comments

- Whilst agreeing that school parking can be problematic, the proposed scheme cannot be supported unless residents are exempt from the waiting restrictions (via a permit scheme). Without a permit scheme, the scheme is unworkable
- Most dwellings have only one offstreet parking space but more than one car, meaning residents must park on the carriageway. These residents (and their visitors) could receive parking charge notices for parking on the yellow lines at the start and end of the school day.

- The Council has agreed policy criteria which must be met in order for a Residents Permit Parking (ROPP) scheme to be considered. As more than half of the properties within the Lysander Estate have of-street parking facilities, the criteria required to consider a ROPP scheme is not met.
- The waiting restrictions will be clearly identified in accordance with current traffic signing and lining regulations.

- I appreciate there are problems of congestion on that section of Lysander Way adjoining Cottingley Moor Road. However, proposing waiting restrictions on the whole of Lysander Way seems a heavy-handed approach as school parking does not spread beyond the top of the road area and does not extend below the bridge between its iunctions with Titania Close and Goodfellow Close. Why do we need yellow lines throughout the estate. There are some areas where it is perfectly reasonable to park (including directly outside my house), where many people regularly park without causing an obstruction
- Although the proposed restrictions apply for 1 hour in the morning and afternoon, I would still have to move my car during these periods which would be inconvenient and inefficient.

Officer Comments

 The objector acknowledges that problems of congestion do exist within certain parts of the Lysander Way Estate. Providing yellow lines on only certain roads (or sections of road) within the estate could potentially result in school parking migrating to those estate roads not protected by waiting restrictions

 Noted. The proposed waiting restrictions would apply to all road users (with the exception of blue badge holders who could park on the yellow lines during the prohibited periods unless they were deemed to be causing a vehicular obstruction).

The proposed waiting restrictions are intended to address the inconvenience experienced by those local residents whose driveways are obstructed by parked cars at the start and end of the school day.

 To what extend will these very specific restrictions be properly enforced?

I am very concerned that the proposed waiting restrictions being are implemented without proper consideration of their knock-on effect for the area as a whole, and for the neighbouring school. The proposed restrictions will place a real burden and added stress to the running of the school, which plays a strong role in the community. The school traffic is not going to go away, and will be forced to sites in the vicinity, which is already very tight. Proper measures need to be taken to address the source of the problem which is the lack of amenity within the school area.

 Enforcement of the proposed waiting restrictions would rest with Bradford Council's Wardens who have the power to issue Parking Charge Notices to offending drivers.

Both West Yorkshire Police and

Bradford Council wardens have powers to deal with the vehicular obstruction of dropped kerbs (ie vehicular crossing points)

 Consideration has been given to the effects of the scheme proposals on on-street parking within the wider area.

If the scheme proposals introduced, on-street parking within the wider vicinity of the school and Lysander Way Estate will be monitored. The school, school governors, and parents may wish to investigate the possibility of the school being served by official yellow buses which could transport pupils to/from home and school. Similarly, the school may wish to consider investigating the use of 'Walking Buses' (whereby parents drop-off their children designated locations, and those pupils are then chaperoned to school on-foot authorised by adults).

• We not believe the proposed scheme represents the wishes of the majority of residents on the Willow Brook development. (particularly on Oberon Way where the nature of the housing, driveways and resident parking opportunities are very different to those, for example, in Lysander Way).

• We also object to the fact that this is the first time we have heard about the complaint and are concerned that the proposed measures look to be well on their way to a formal scheme for ratification – suggesting that this is the only solution to the complaint – which we strongly believe is not the case.

- The Lysander Way Estate was included within this Committee's programme of works following its initial inclusion within a list of scheme candidates considered annually for programme inclusion.
 - The site was included within the list of scheme candidates at the request of Local Members following the concerns of West Yorkshire Police and some local residents regarding obstructive parking by parents bringing/collecting children to/from the nearby school. Having regard to the fact that over one hundred households received notification of the advertised Traffic Regulation Order, the receipt of only three objections by local residents suggests strong local support for the proposed scheme.
- On 6 May 2016, each property within the Lysander Way Estate received a letter explaining the background to the scheme proposals and advising them of when and where legal notices and a scheme drawing associated with the proposed waiting restrictions could be viewed. The formal advertising process provides the opportunity for members of the public to object to the scheme proposals if they so wish. The decision as to whether the scheme is implemented as formally advertised will (in accordance with the democratic process and Bradford Councils' Standing Orders) rest with this Committee.

The 'Statement of Reason' states that "Residents of Lysander Way, Oberon Way have expressed concerns" which suggests there is a majority of residents of these streets expressing concern. The covering letter sent to residents is however more guarded and talks about "concerns by some local residents". As Mr Williams is unable to specify how many people have a concern, we are unable to properly establish the actual level of concern or the route that has led to these proposals which will affect all residents of the Lysander Estate.

• We have concerns that the nature of area panels and committees can result in situations where the views of a few are considered by a few within a highly legalistic Highways regulations system where the outcome can effect more people detrimentally than it was intended to. We fear that (as regards the proposed scheme) what looks like a solution for certain households will actually create a large problem for others.

- The Lysander Way Estate was included within this Committee's programme of works following its initial inclusion within a list of scheme candidates considered annually for programme inclusion. The site was included within the list of scheme candidates at the request of Local Members following the concerns of West Yorkshire Police and some local residents regarding obstructive parking by parents bringing/collecting children to/from the nearby school. Officers are unable to advise as to the precise number of local residents who have expressed concerns regarding obstructive parking. However, having regard to the fact that over one hundred households received notification of the advertised Traffic Regulation Order, the receipt of only three objections by local residents suggests strong local support for the proposed scheme.
- This Committee will make an informed decision on the basis of evidence presented within the report, and on the content of the objection letters/emails.

- We are aware of the sometimes inconsiderate parking that can occur, but consider that there is a need for parents on 'the school run' to be able to park whilst dropping off or collecting children. That need will not go away and using local streets is the only option (unless the school introduced a drop-off system within its grounds).
- We do not believe a 'Not in our back yard' approach by local residents is helpful to the needs of the wider community.
- We recognise that anyone who buys a house near a school should be aware of the school parking.
- We expect the school to attempt to continually educate parents and pupils of the need to be considerate towards the community within which the school is located.
- Local residents should be prepared to allow parents of pupils to park considerately and appropriately within the estate when the residents themselves are not parked there.
- We should not expect our ability to park outside our own homes to be taken away (at great inconvenience to residents). We (and neighbouring residents) bought our houses with the ability and need to park in front of our homes. The proposed scheme restricts this ability.
- We moved into our house before any school related parking occurred.

- The scheme proposals seek to address the inconsiderate parking which the objector acknowledges.
 The Council is unable to force the school to introduce a 'drop-off' system within its curtilage, and even if such a system were introduced, the school could not force parents to use it.
- Noted
- An appreciation by local residents of the likelihood of school parking does not in itself mean that residents will accept inconsiderate (including obstructive) parking.
- The school cannot be forced to educate parents regarding parking behaviour within the local community
- Noted. However, there have been reports of inconsiderate school related parking.
- Whilst sensible, considerate on-street parking is generally tolerated by the Police, legally, no one has an automatic right to park anywhere on the highway. The potential for the proposed introduction of formal waiting restrictions within the Lysander Way Estate has always existed.
- Noted.

Objector #3 Comments	Officer Comments
Our household has two (and occasionally three) cars, meaning we have always had to park a car on the road in front of our house.	Whilst sensible, considerate on-street parking is generally tolerated by the Police, legally, no one has an automatic right to park anywhere on the highway. The potential for the proposed introduction of formal waiting restrictions within the Lysander Way Estate has always existed.
 Like other residents on our street, school parents rarely park in front of our houses because our car(s) are there. If the proposed scheme is introduced, we would have to move our own cars twice daily. 	• Noted
If the proposed scheme is introduced, can this Committee advise us where to park.	 Drivers affected by the proposed waiting restrictions will themselves be best able to decide what alternative parking arrangements best suit their individual needs There is no obligation on the Council to provide on-street parking availability for local residents.
 No consideration has been given to commercial/delivery vehicles which need to park within the estate, nor to friends and family visiting local residents. 	Commercial/delivery vehicles are entitled to 30 minutes un/loading. Contractors undertaking works on properties within the estate can apply to the Council's Parking Services Unit, with a view to seeking an exemption from the proposed waiting restrictions for the duration of their works. Family and friends would be subject to the proposed waiting restrictions.
If the proposed scheme was introduced, we would have to convert our lovely garden into a parking facility – we feel that would be unfair.	If the proposed scheme were introduced, the objector would be under no obligation to convert their garden into an off-street parking facility.

- One resolution for residents might have been for local residents to have permits indicating their 'right' to park outside their own house during the periods of the proposed restrictions. However, we are told that 'regulations' don't allow for such a scheme given the nature of our residential development.
- We note that the issue of Health & Safety (regarding ensuring the free unhindered passage of emergency vehicles within the estate) is used as justification for the scheme's introduction. However, even with the double parking that occurs, there has always been the ability for vehicles (including lorries and vans) to manoeuvre along the roads during school-run time.
- Could alternative scheme an proposal be to restrict the parking Lvsander Way (where households have two car capacity drives) to one side of the road during the proposed prohibited at the start and end of the school day? This would ensure that emergency vehicles could have even more space for access and it would considerably reduce any safety issues of double-parking and children getting in and out of cars on the roadside.
- If residents are unable to park outside their homes, we suggest that Oberon Way (or parts of it) be excluded from having waiting restrictions introduced. This could also apply to Goodfellow Close and the part of Lysander Way below Cottingley Beck Bridge.

Officer Comments

- The Council has agreed policy criteria which must be met in order for a Residents Permit Parking (ROPP) scheme to be considered. As more than half of the properties within the Lysander Way Estate have of-street parking facilities, the criteria required to consider a ROPP scheme is not met.
- The objector acknowledges that double parking occurs. Observations by highway officers show that some current on-street parking occurs partially on the footway in order to reduce the potential for vehicular obstruction. However, this footway parking hinders the free passage of pedestrians and persons with prams and in wheelchairs using the footway.
- Providing yellow lines on only one side of a section of Lysander Way could potentially result in school parking migrating to those estate roads not protected by waiting restrictions.

 Providing yellow lines on only certain roads (or sections of road) within the estate could potentially result in school parking migrating to those estate roads not protected by waiting restrictions.

 There are 100 or so households within the estate, the overwhelming majority of whose views have not been actively sought prior to drawing up the scheme proposals. A single mail-shot and advertised notices afterwards are a very imperfect way of finding out what people actually want and need.

 The proposed scheme has the feel of a decision already been made ahead of token consultation (which would be most advisable).

 We wish to be informed of how, when and where we and the residents of the Willow Brook development can monitor and have input into this matter before any final decisions are made.

- On 6 May 2016, each property within the Lysander Way Estate received a letter explaining the background to the scheme proposals and advising them of when and where legal notices and a scheme drawing associated with the proposed waiting restrictions could be viewed. The formal advertising process provides the opportunity for members of the public to object to the scheme proposals if they so wish. The decision as to whether the scheme is implemented as formally advertised will (in accordance with the democratic process and Bradford Councils' Standing Orders) rests with this Committee.
- The formal advertising process provides the opportunity for members of the public to object to the scheme proposals if they so wish. In accordance with the democratic process and Bradford Councils' Standing Orders, this Committee will make an informed decision on the basis of evidence presented within the report, and on the content of the objection letters/emails.
- On 6 May 2016, each property within the Lysander Way Estate received a letter explaining the background to the scheme proposals and advising them of when and where legal notices and a scheme drawing associated with the proposed waiting restrictions could be viewed. The formal advertising process provides the opportunity for members of the public to object to the scheme proposals if they so wish. The decision as to whether the scheme is implemented as formally advertised will (in accordance with the democratic process and Bradford Councils' Standing Orders) rests with this Committee.

Objector #4 Comments	Officer Comments
Objector #4 Comments	Officer Comments
The proposed scheme puts the children of our school at risk of serious injury.	The objector's claim is merely speculative. Being a primary school, the pupils are chaperoned both to and from the school by conscientious adults. As such, parking further away from the school than the Lysander Way Estate will not in itself increase the road safety risks to pupils, and any increase in pedestrian travel on the part of parents and pupils alike may have associated health benefits.
We have not been consulted	On 18 May 2016, Cottingley Village Primary School was advised of the scheme proposals and for information purposes, received a copy of the letter issued to Lysander Way residents on 6 May 2016, as well as a copy of the scheme drawing for information purposes. The onus was on school staff to relay the information to the School's Governors.
Options have not been explored	 A number of different scheme proposals have been considered, with the proposed scheme as formally advertised being considered the most appropriate.
This is a direct attack on the school	The scheme proposals seek to improve traffic management within the Lysander Way Estate and are intended to preserve the amenities of the area.
We request sufficient time for consultation and options to be considered	The objectors have had over six weeks since submitting their objection (10 June 2016) and the day of this Committee meeting (27 July 2016) to consider the scheme proposals and to consider making a formal presentation to this Committee.

Objector #5

- Several parents have raised objections to the proposal relating to Cottingley Cliffe Road, citing issues for alternative parking as streets in the vicinity are already busy or private streets with no parking.
- The Sun Inn is also extremely busy and would cause disruption and congestion and further delays. This in turn will affect our children with regards to ensuring they safely reach school and are collected from school on time at the end of the day.

- Most parents are sensible in leaving sufficient room for people and pushchairs/buggy users to pass by at the bottom of Cottingley Cliffe Road
- The local vicinity will be unable to accommodate the number of vehicles currently parking on Cottingley Cliffe Road who rely on this to be able to reach school safely and promptly.

- Only a single formal objection has been received regarding the proposed waiting restrictions on Cottingley Cliffe Road.
 There is no duty on the Council as
 - There is no duty on the Council as Highway Authority to provide road users with convenient on-street parking availability.
- The Sun Inn is private property and not highway, and the highway Authority is not suggesting that parents choose to park within the Sun Inn's carpark in the event that the proposed waiting restrictions on Cottinalev Cliffe Road introduced. The onus is on parents and/or guardians who drive children to/from school to find appropriate alternative parking arrangements (or to utilise alternative travel options (such as the vellow school bus service)). The onus is also on parents and/or quardians to ensure the safe and timely delivery of their charges to/from school by adopting appropriate travel plans.
- Noted. However, vehicles associated with bringing/collecting pupils to/from school have caused significant damage to the grass verge at the lower end of Cottingley Cliffe Road, and some parents do obstruct the footway adjoining the grass verge.
- The onus is on parents and/or guardians who drive children to/from school to find appropriate alternative parking arrangements (or to utilise alternative travel options (such as the yellow school bus service)). The onus is on parents and/or guardians to ensure the safe and timely delivery of their charges to/from school by adopting appropriate travel plans.

Report to the Shipley Area Committee