

# Report of the Interim Strategic Director Place, to the meeting of Bradford West Area Committee to be held on 25 February 2021

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## **Subject:**

**OBJECTIONS RECEIVED TO THE TRAFFIC REGULATION ORDER FOR WAITING RESTRICTIONS ON VARIOUS ROADS IN THE BRADFORD WEST CONSTITUENCY**

## **Summary statement:**

This report considers objections to the proposed Traffic Regulation Order on various roads in the Bradford West Constituency.

## **EQUALITY & DIVERSITY:**

There are no issues arising from the Council's Equality & Diversity Strategy.

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Interim Strategic Director Place

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## **Portfolio:**

**Regeneration, Planning & Transport**

## **Overview & Scrutiny Area:**

**Regeneration & Environment**

Wards: City, Heaton, Manningham

**1.0 SUMMARY**

1.1. This report considers objections to a proposed Traffic Regulation Order for various roads in the Bradford West Constituency.

**2.0 BACKGROUND**

- 2.1. At its meeting on the 26 February 2020 this committee approved as part of its Safer Roads Programme, a scheme to introduce a Traffic Regulation Order on various roads throughout the Bradford West Constituency.
- 2.2. The Order has been promoted to resolve a number of requests for small areas of existing waiting restrictions to be amended or new restrictions to be introduced. The requests to resolve various traffic management issues have been raised by ward members, officers or local residents and businesses.
- 2.3. The Traffic Regulation Order was formally advertised between the 8 January and 1 February 2021. At the same time consultation letters and plans were posted to residents and businesses affected by the Order. This resulted in objections in respect of 4 of the proposals. Drawings showing the locations that received objections are attached as Appendix 1.
- 2.4. A summary of the points of objection and corresponding officer comments is tabulated below: -

<b>Objectors concerns</b>	<b>Officer comments</b>
<p><b><u>Ferndale Grove, Heaton (Drawing No. HS/TRSS/104751/CON-7A)</u></b>  <b><u>First objector</u></b>                      Two residents of a property affected by the introduction of the formal blue badge parking place suffer from various issues that limit their mobility. One of the residents also has chronic health issues which require them to park outside or close to their property for quick access. They are in the process of applying for a blue badge but this has been delayed due to the pandemic.                      The objector believes it to be unfair that the only parking space in front of their house will be taken. It is already difficult to park in front of their home due to the competitiveness of parking on the street. they have no objection to the current bay directly in front of the applicants' home. Extending the bay across part of the neighbouring frontages will cause great problems. The objection is therefore being made because the objector requires the</p>	<p>The proposal to introduce a formal Blue Badge Parking Bay has been progressed following complaints that the existing informal bay is being used by residents who do not have a blue badge. Making the bay official will only allow blue badge holders to park there but it requires the bay to be extended to a minimum length of 6.6 metres to conform with the Traffic Signs Regulation and General directions 2016. This will result in the bay encroaching onto the neighbours' frontages by approximately 800mm either side. It is understandable there will be some impact on the neighbours but there are also currently issues for the badge holder who has requested the parking bay. Once the objector has received their blue badge they can apply for a blue badge bay which will be given due consideration.</p>

<b>Objectors concerns</b>	<b>Officer comments</b>
<p>space for one vehicle in front of their home, due to the two individuals, suffering from their health conditions.</p>	
<p><b><u>Second objector</u></b>  The objector states that the disabled bay has never been obstructed in any way as resident leave cones around the bay when they leave so it is always empty also the area is known for very bad traffic &amp; parking we have elderly family who can't walk far distances it's already a huge hassle trying to find space to park. Also even if the bay was extended it would only benefit the resident as they'd park both their vehicles in them only they would use it as nobody else has a disability.</p>	<p>The Council has a policy for blue badge parking bays and the applicant must meet the criteria set out in the policy before a bay is authorised.  The bay can be used by any blue badge holder and it's use should not be restricted by applicant for their sole use.</p>
<p><b><u>Great Horton Road (Drawing No. HS/TRSS/104751/CON-23A)</u></b>  <b><u>First objector</u></b>  The Traffic Regulation Order (TRO) is not within the relevant powers. No valid statutory purpose has been identified in the reasoning for which it is expedient to make the TRO.</p>	<p>The reasons for which it is expedient to make the Order can be found in the statement of reasons for proposing to make the Order and are as follows: -  i. for facilitating the passage on the road of any class of traffic (including pedestrians);  ii. for preserving or improving the amenities of the area through which the road runs; and  iii. for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.</p>
<p>Traffic Regulation Act 1984, section 122 provides that;  (a) The desirability of securing and maintaining access to premises  (b) The effect on the amenities of any locality affected. The issue is whether in substance the section 122 duty has been performed i.e. has the balancing exercise been conducted and not merely expressly considered.  The scheme hinders our operations as our access would be completely restricted. All our deliveries are done by lorries for which would be restricted on a daily basis. No access for our daily deliveries around our premises. Such limitations would mean we</p>	<p>The waiting restrictions have been proposed to support a scheme to construct a pedestrian refuge on Great Horton Road which is part of the Safer Roads programme approved by this committee. The yellow lines will prohibit vehicles parking near to the proposed pedestrian refuge and adjacent side road junctions to allow traffic to pass freely, improve the view for pedestrians and to protect sight lines for traffic turning out of Lime Street and Gathorne Street.  Access to the car parks at the rear of the objector's property from Gathorne Street and at the side of the property from Great Horton Road will be maintained. The latter</p>

<b>Objectors concerns</b>	<b>Officer comments</b>
<p>would have no choice but to close and move premises as access is absolutely imperative to the operation of our business. The same applies to customers.</p>	<p>will possibly be improved as it will be protected by the proposed waiting restrictions. Both of these car parks have direct access to the entrance to the restaurant and deliveries could be made from them. Access to the restaurant for pedestrians will also be improved with the introduction of a safe crossing point where they can see and be seen when crossing Great Horton Road.</p>
<p><b><u>Second objector</u></b>  The business will be effected substantially. They need access to refrigerated trucks daily.  The objector believes the introduction of the restrictions is unlawful.  Parking and access is already an issue and you are exacerbating it.  No evidence exists for such draconian measures. Without explaining clearly.</p>	<p>Deliveries will be able to take place on the proposed waiting restrictions for up to 30 minutes so long as the delivery vehicles do not obstruct access for other road users. The Council as highway authority is proposing to introduce the waiting restrictions to enable general traffic to pass the proposed pedestrian refuge, improve the view for pedestrians and to protect sight lines for traffic turning out of Lime Street and Gathorne Street.</p>
<p><b><u>Third objector</u></b>  The proposals will severely affect the business. Parking is already an issue. This does not address the problem</p>	<p>The objector's business is a distance from the proposed restrictions and located off Great Horton Road. The proposals should not have a direct effect on the business. Parking is an issue on Great Horton Road and the introduction of this scheme will improve sight lines for pedestrian by prohibiting parking near the proposed crossing point.</p>
<p><b><u>Fourth objector</u></b>  The objector states that parking is a necessity for us and our customers, these plans will severely affect our business and suppliers, as parking will be severely strained.</p>	<p>The business is some distance from the proposals and parking adjacent to this business is not affected.</p>
<p><b><u>Fifth objector</u></b>  The proposals will cause serious complications for my business as customers are not allowed to park here as it is on Sundays due to cannon mill and with restricted parking as proposed it will have a serious impact on my business for which I am opposing this proposal.</p>	<p>Parking will not be prohibited adjacent to this business.</p>

<b>Objectors concerns</b>	<b>Officer comments</b>
<p><b><u>Sixth objector</u></b>            You have not consulted with me and I believe this scheme will have a major impact on my business. We already struggle for parking. You have not taken local businesses in consideration.</p>	<p>Consultation letters have been sent to the businesses directly affected by the proposals. Notices have also been placed on Great Horton Road to inform other road users and residents of the Council's proposals. Parking will not be prohibited adjacent to this business.</p>
<p><b><u>Seventh objector</u></b>            We already have a serious issue with parking and this would cause us more inconvenience. I really don't think this proposal will benefit anyone as there have been no incidents here so is it really necessary</p>	<p>The objection is from a resident of Gathorne Street and the proposals will not affect parking on this road. The proposals will however protect and improve the sight lines for vehicles turning out of Gathorne Street.</p>
<p><b><u>Highfield Crescent (Drawing No HS/TRSS/104751/CON-21A)</u></b>  <b><u>First objector</u></b>            The objector feels that the proposals will impair access to their property and would not be able to leave their car outside their house.            Without the double yellow lines vehicles can still turn round if cars are only parked around the edge of the cul de sac.            It is considered that parked cars deter anti-social car driving and crime as they act as a physical deterrent to any who want to burgle the properties at this end of Highfield Crescent.            Only the residents use the street.            The objector's car insurance does not cover them if they can't park outside their home as it is void. If the restrictions are put in place, there is not much more parking space on the street.</p>	<p>It is understood that parked vehicles often obstruct the turning area on Highfield Crescent. This creates issues as vehicles have to reverse some distance because they are prevented from being able to use the turning area.</p>
<p><b><u>Second objector</u></b>            If the restrictions are adhered to they are likely to end up parked in the middle of the cul de sac and also at the end of the cul de sac. Turning into the cul de sac can be hazardous because of this and creates the risk of collision. Increased parking there is going to exacerbate this problem.            parking up of undesirables has been a problem in the past. Nobody would deal with them late at night, as the police would not be interested because they're not</p>	<p>It is understood that parked vehicles often obstruct the turning area on Highfield Crescent. This creates issues as vehicles have to reverse some distance because they are prevented from being able to use the turning area.</p>

<b>Objectors concerns</b>	<b>Officer comments</b>
<p>breaking the law. There would be no way there would be any enforcement. At least that problem has been solved for now.</p> <p>I know the proposals will be interpreted by some on the cul de sac as vindictive, will create more parking problems and increase tensions. This idea as it stands seems to be something raised by a neighbour with a local councillor with no thought about potential implications.</p>	
<p><b><u>Third objector</u></b></p> <p>The objector has a gated access from Highfield Crescent. They used to suffer from anti-social behaviour but this has not re-occurred over the last one and a half years. They have noticed that some neighbours park at the end of the road which they are comfortable with as it has tightened up the sense of not being robbed and got rid of the riff raff.</p> <p>The introduction of the yellow lines will ruin the running of their lives and could be really bad for security and privacy.</p>	<p>It is understood that parked vehicles often obstruct the turning area on Highfield Crescent. This creates issues as vehicles have to reverse some distance because they are prevented from being able to use the turning area.</p>
<p><b><u>Back Whetley Hill (Drawing No. HS/TRSS/104751/CON-11B)</u></b></p> <p><b><u>First objection</u></b></p> <p>The objector has a business on Whetley Hill and the proposals will impact on access for loading and unloading. They are already restricted by double yellow lines in front of their premises.</p>	<p>The waiting restrictions have been proposed following reports that vehicles parked in the back street, between Newport Place and Arnold Place, obstruct pedestrian access to the rear of premises on Whetley Hill. This is causing significant hardship for some residents.</p> <p>The back street is narrow, approximately 4m wide, and any vehicles parked here obstruct access and prevent other vehicles passing through.</p> <p>Loading and unloading for up to 30 minutes is permitted on the double yellow lines at the front of the premises therefore deliveries can still be carried out on Whetley Hill.</p>

### 3.0 OTHER CONSIDERATIONS

- 3.1. Ward members and emergency services have been consulted and there have been no adverse comments to the advertised proposals.

- 3.2. The objector to the Great Horton Road proposals has also sent a petition with his objection. This was first presented to the Council in opposition to the pedestrian refuge scheme which is part of the Safer Roads programme approved by this committee. As a result of the cancellation of the Bradford West Area Committee at the time, a temporary alternative decision making process to ensure that items were not overly delayed was put in place. In accordance with the Council's constitution, Area Committees are acting on an Executive delegated function. As such Executive, acting through the respective portfolio holder, considered the petition. It was resolved that the objections be overruled and the proposed pedestrian island be implemented and the associated Traffic Regulation Order formally advertised with any valid objections to the Order being reported to the Bradford West Area Committee or, in the event of there being no objections, the Order be sealed and implemented as advertised. City ward members are supportive of the Council's proposals to introduce the pedestrian island and associated waiting restrictions.
- 3.3. An objection to the proposal to introduce waiting restrictions on Heights Lane, Heaton (see drawing No HS/TRSS/104751/CON-8B attached as appendix 2) has been received. The objection has been considered and it is feasible to modify the proposals without prejudicing the effectiveness of the scheme. It is proposed to remove the prohibition of waiting between Sandsend Close and Neville Grove from the Order. The objector has agreed to withdraw his objection on the grounds of the modification being undertaken.

#### **4.0 FINANCIAL & RESOURCE APPRAISAL**

- 4.1. A budget of £17,000 has been allocated from the Safer Roads Budget. The project can be delivered within budget.

#### **5.0 RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1. There are no significant risks arising from this report.

#### **6.0 LEGAL APPRAISAL**

- 6.1. There are no specific issues arising from this report. The course of action proposed is in accordance with the Council's powers as Highway Authority and Traffic Regulation Authority.

#### **7.0 OTHER IMPLICATIONS**

##### **7.1. SUSTAINABILITY IMPLICATIONS**

There are no significant Sustainability implications arising from this report.

##### **7.2. GREENHOUSE GAS EMISSIONS IMPACTS**

There is no impact on the Council's own and the wider District's carbon footprint and emissions from other greenhouse gases arising from this report.

**7.3. COMMUNITY SAFETY IMPLICATIONS**

The introduction of some of the waiting restrictions in the Order will be beneficial in terms of road safety.

**7.4. HUMAN RIGHTS ACT**

There are no implications on the Human Rights Act.

**7.5. TRADE UNION**

None.

**7.6. WARD IMPLICATIONS**

Ward members have been consulted on the advertised Traffic Regulation Order.

**7.7. AREA COMMITTEE ACTION PLAN IMPLICATIONS**

None

**7.8. IMPLICATIONS FOR CORPORATE PARENTING**

None

**7.9. ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

None

**8.0 NOT FOR PUBLICATION DOCUMENTS**

8.1. None

**9.0 OPTIONS**

9.1 That the objections in respect of Ferndale Grove, Great Horton Road, Highfield Crescent, or Back Whetley Hill be upheld and the Order be modified accordingly.

9.2 Members may propose an alternative course of action from the recommendations on which they will receive appropriate officer advice.

**10.0 RECOMMENDATIONS**

10.1. That the No Waiting At Any Time restrictions proposed for the area between Sandsend Close and Neville Grove be removed from the draft Order, and the remaining objections be overruled and the Traffic Regulation Order be sealed and implemented as otherwise advertised.

10.2. That the objectors be informed accordingly.



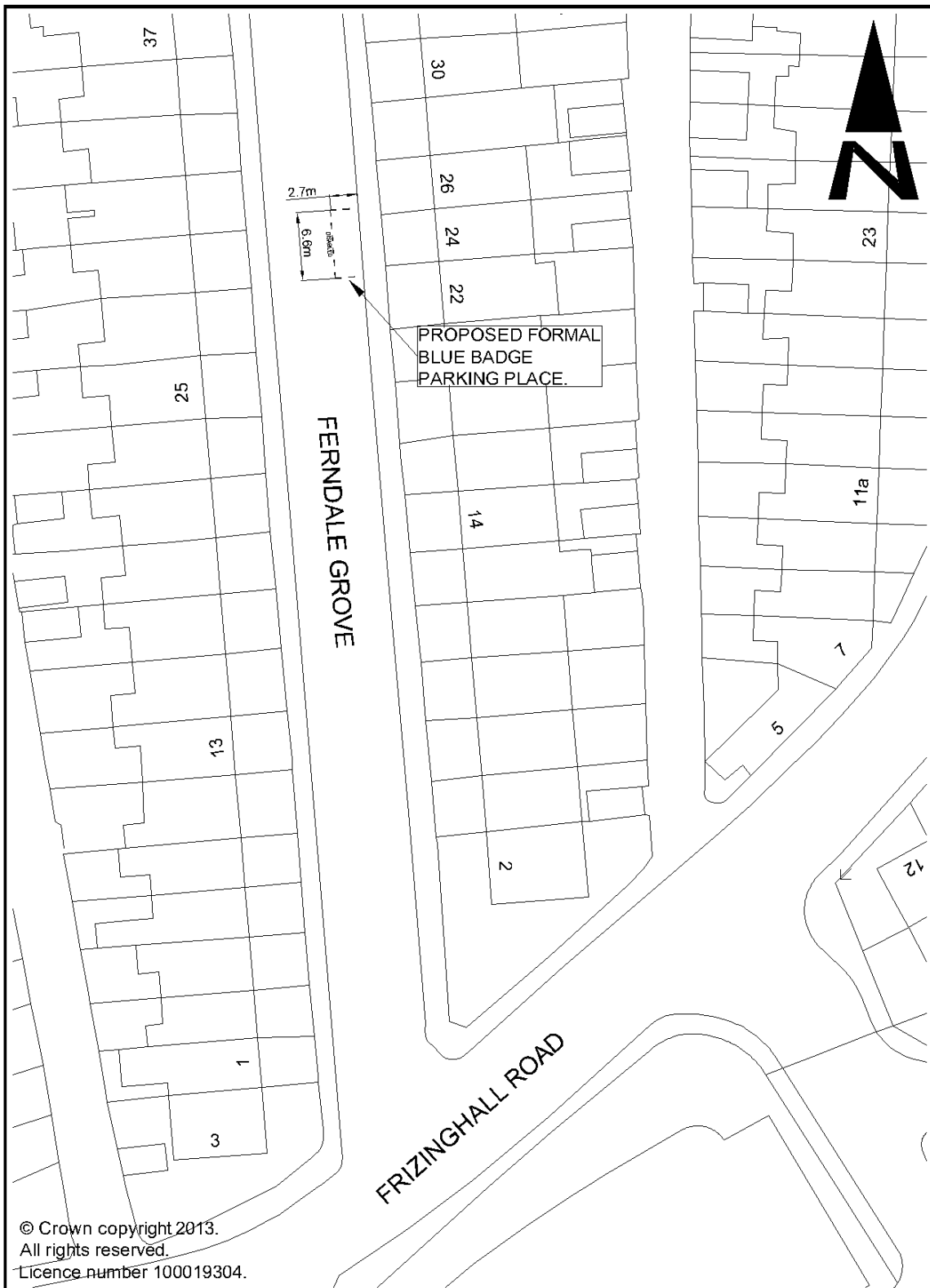
**11.0 APPENDICES**

11.1. Appendix 1 – Drawings showing the proposals that have received objections

11.2. Appendix 2 – Drawing No. HS/TRSS/104751/CON-8B

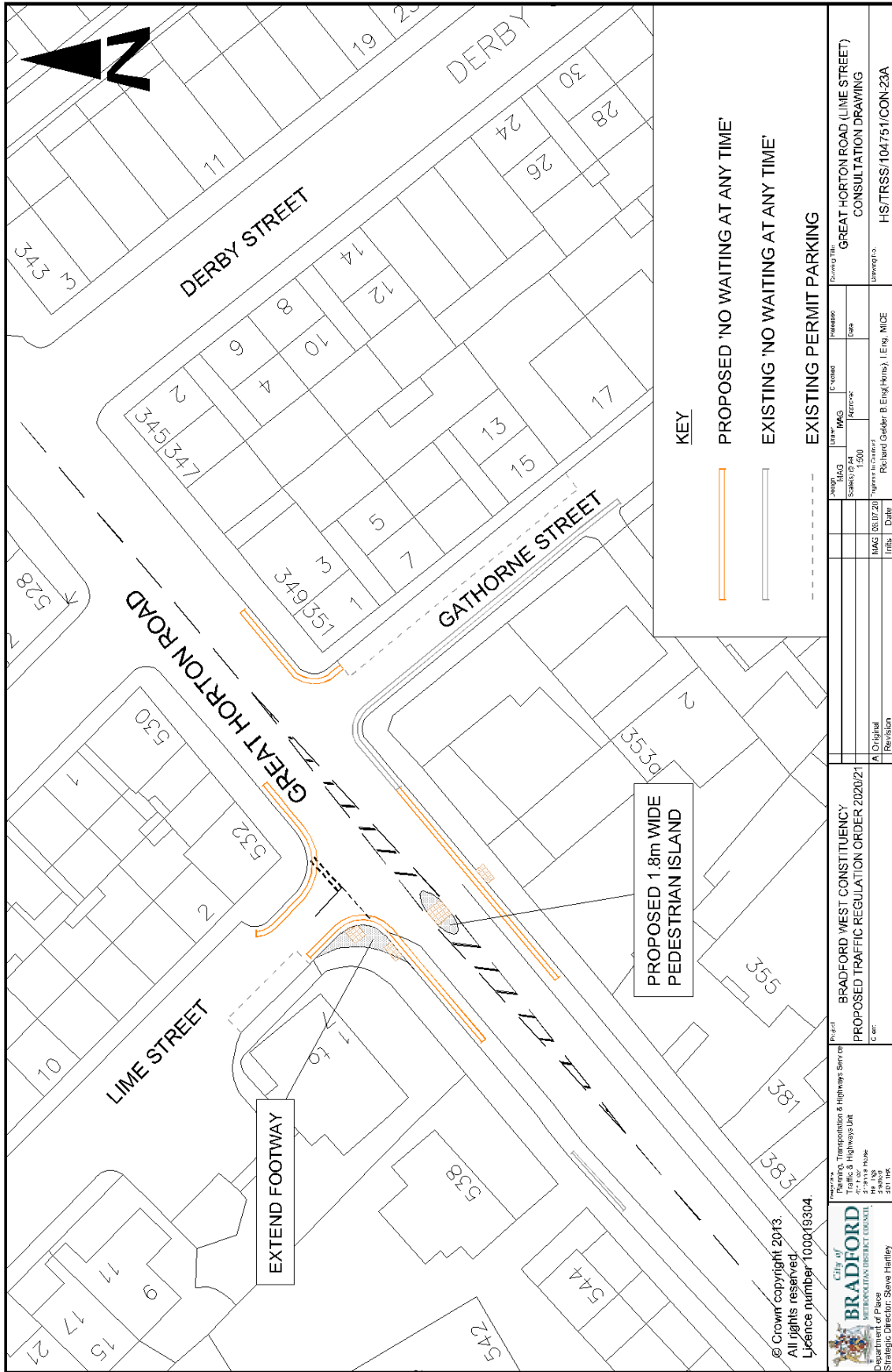
**12.0 BACKGROUND DOCUMENTS**

12.1. None

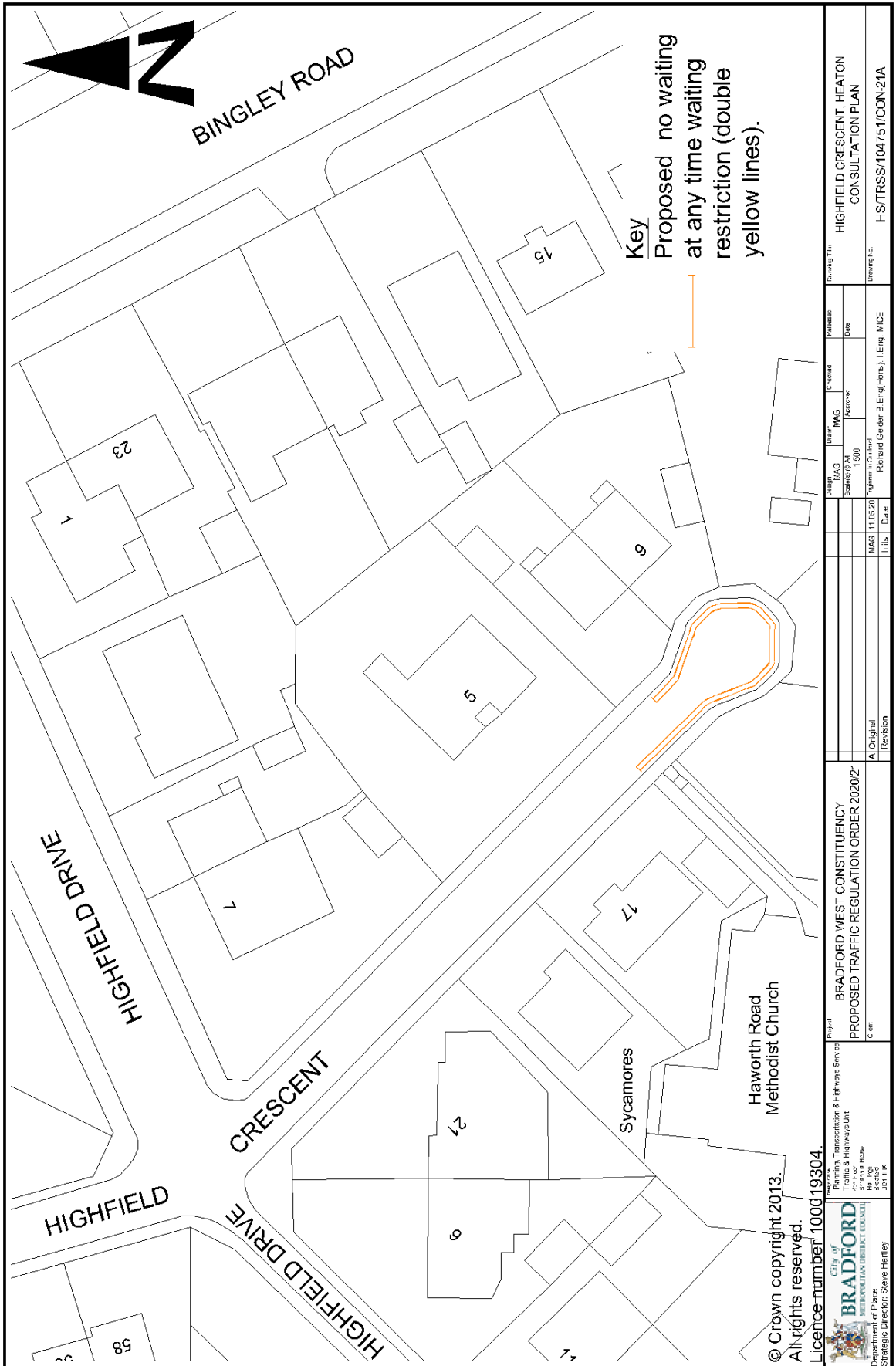


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			Scale: 1:500	Project No: 104751			Drawing No: FERNDALE GROVE, FRIZINGHALL CONSULTATION PLAN
	A Original	MAG	16.04.20	Engineer to Conclude: Richard Gelder B.Eng(Hons), I.Eng, MICE			Drawing No: HS/TRSS/104751/CON-7A
	Revision	Initia	Date				





Planning, Transportation & Highways Services City of Bradford Metropolitan District Council Department of Planning & Highways Unit 27, The Quadrant, Bradford, West Yorkshire, BD1 1RS 0113 275 3200 2011 116		Project BRADFORD WEST CONSTITUENCY PROPOSED TRAFFIC REGULATION ORDER 2020/21 C ref:		A10 Digital Revision	
Author	MAJ	Scale	1:500	Reference	None
Drawn	MAJ	C-Number		Permitted	
Checked		Drawn by		Date	
Project Manager Richard Gaddler, B. Engg(Hons), I.Eng, MICE			Drawing Title GREAT HORTON ROAD (LIME STREET) CONSULTATION DRAWING		
Project No. HS/TRSS/104751/CON-23A			Drawing No. None		




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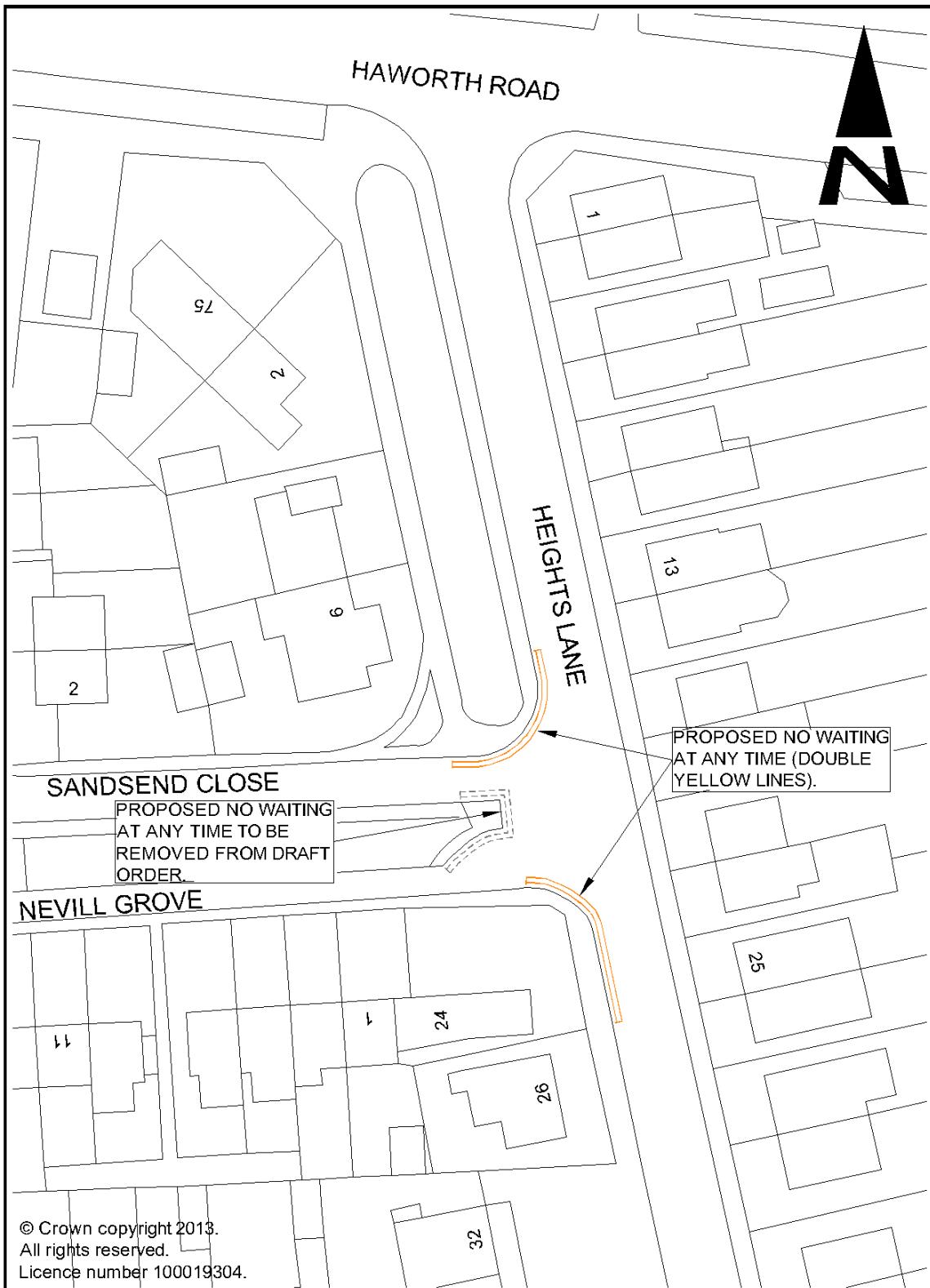
<p>City of Bradford          METROPOLITAN DISTRICT COUNCIL          Department of Place          Strategic Director: Steve Hanley</p>		<p>Planning, Transportation &amp; Highways Serv ce          Traffic &amp; Highways Unit          5-21 St. Mark          Bradford          BD9 4JG          01274 206100</p>		<p>Project          BRADFORD WEST CONSTITUENCY          PROPOSED TRAFFIC REGULATION ORDER 2020/21          C.001</p>		<p>Revision</p> <table border="1"> <tr> <th>Initials</th> <th>Date</th> </tr> <tr> <td>MAG</td> <td>11.10.20</td> </tr> <tr> <td colspan="2">A Original</td> </tr> </table>		Initials	Date	MAG	11.10.20	A Original	
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Author	Richard Golder B.Eng (Hons), J.Eng, NICE	Date		Project Title	HIGHFIELD CRESCENT - HEATON CONSULTATION PLAN								



**KEY**  
 PROPOSED NO WAITING AT ANY TIME (DOUBLE YELLOW LINES).  
 EXISTING DOUBLE YELLOW LINES.

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 City of <b>BRADFORD</b> METROPOLITAN DISTRICT COUNCIL Department of Place Strategic Director: Steve Hartley Planning, Transportation & Highways Services Traffic & Highways Unit 27-29 Station House Hill Top Shipley S10 1HX			Design MAG	Drawn MAG	Checked	Reviewed	Project BRADFORD WEST CONSTITUENCY PROPOSED TRAFFIC REGULATION ORDER 2020/21
	B Existing waiting restrictions added	MAG	08.02.21	Scale: 1:500	Project No:	Date:	Drawing No: BACK WHETLEY HILL (NEWPORT PL TO ARNOLD PL)
	A Original	MAG	16.04.20	Engineer in Charge:	Richard Gelder B.Eng(Hons), I.Eng, MICE		CONSULTATION PLAN
	Revision	Initials	Date				Drawing No: HS/TRSS/104751/CON-11B



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	B	Proposed removal of part of restrictions.	MAG	19.02.21	Scale: 1:500	Project No:	Date:	BRADFORD WEST CONSTITUENCY PROPOSED TRAFFIC REGULATION ORDER 2020/21
	A	Original	MAG	16.04.20	Engineer in Charge:	HEIGHTS LANE, HEATON CONSULTATION PLAN		
		Revision	Initials	Date	Richard Gelder B.Eng(Hons), I.Eng, MICE			
C ref:								Drawing No
								HS/TRSS/104751/CON-8B