

# Agenda



## Delegated Decisions - Cabinet Member for Streetscene

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Date: Wednesday, 15 August 2018

Time: Not Required

Venue: Not Required

To: Councillors R Jeavons

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### Item

### Wards Affected

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# Report

## Cabinet Member for Streetscene

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### Part 1

Date: 15 August 2018

**Subject** Rodney Road, Newport

**Purpose** To advise the Cabinet Member for Streetscene and City Services of objections received as a consequence of the advertisement of traffic management proposals along Rodney Road, furthermore, after consideration of the objections received to decide upon the most appropriate option of those offered.

**Author** Head of Streetscene and City Services

**Ward** Victoria

**Summary** Following the recent completion of the riverside 'City Vizion' development, along the eastern side of the river Usk, traffic management measures have recently been advertised along the adopted part of Rodney Road. The measures aim to provide on-street parking, where possible, and prohibitions of parking where necessary. Following the statutory advertisement of the proposals three objections have been received. As part of the statutory procedure the Cabinet Member for Streetscene & City Services is required to consider the objections received and decide upon a resolution.

**Proposal** That the Cabinet Member for Streetscene & City Services considers the options provided below and decides upon the most appropriate option available.

**Action by** Head of Streetscene and City Services

**Timetable** Immediate

This report was prepared after consultation with:

- Head of Law and Regulation
- Head of Finance

**Signed**

## Background

The 'City Vizion' development of riverside apartments has now been completed along the 'adopted' length of Rodney Road, that is, the length from its junction with Clarence Place down just beyond its junction with Colne Street – as shown on the attached plan 12508, *shaded in grey*. Beyond the adopted length of Rodney Road works are nearing completion *but do not form part of this report*.

The carriageway of Rodney Road serves as vehicle access to the rear of Rodney Parade football ground, Maindee Primary School, and the far end of the closed-off residential 'cul-de-sac' at the rear of the Newport Transport bus depot. All vehicles requiring access to these locations have to use Rodney Road to do so. Many years ago a scheme of prohibition of waiting and loading at any time was implemented on the football ground side of Rodney Road to prevent parking and thus obstruction from occurring prior to new riverside development. Now that the additional destinations have been created, there is a need to implement traffic management measures to ensure vehicular access/egress is not compromised.

In support of this, comments from the police traffic management representative state that: *"It must be remembered that the road network is also used within the emergency evacuation procedure for Rodney Road Sports complex; this reduces the number of spaces that can be used for vehicle parking to ensure that there is a clear exit route for persons that may be in the sports complex"*. The full text of the police representative's comments – submitted at the planning stage of the 'City Vizion' development – is attached, with the above highlighted.

The new development comprises both freehold private apartments, and apartments owned and let by a 'social housing' landlord. As part of the planning approval a proportion of the new development was approved with no allocated (i.e. off-road) parking.

It should have been made clear to any tenant or purchaser of any of the apartments prior to them agreeing to rent or purchase their property as to whether an allocated parking space was included with their property.

A number of traffic management measures have been advertised and are shown on the attached plan no. 12508. *(For information purposes a plan of the previous waiting restrictions in place prior to the commencement of the new development is also attached plan no. 12508/1).*

It is proposed that a 20mph speed limit is implemented along the roads shaded grey; these will be complemented along Rodney Road with traffic calming measures in the form of speed cushions and junction plateau, as shown. Grafton Road and St Vincent's Road will not have any physical measures provided; however, their junctions with Rodney Road will be narrowed. *The above works, together with all the legal and implementation costs of providing the traffic Orders will be met and funded by the developer.*

The proposals have been statutorily advertised and consulted upon and have attracted three objections from residents of the new apartments fronting Rodney Road. One from a resident of The Donatello, Bathstone Mews, and two from residents' of The Cardisco, Doric Mews – these are attached as appendices 1, 2 & 3, respectively).

Two of the three objectors have indicated that they were 'informed' that on-street parking would be available on Rodney Road – that is, on the *public highway*. It is assumed that this statement was made by either the developer or seller of the properties concerned; however it is not clear who gave this information, but in any case it was erroneous and has no basis in fact.

The various issues raised by the objectors are:

- (1) There are no parking places allocated for the residents' of the Donatello, Bathstone Mews, to enable the loading/unloading of goods or persons associated with the residents' properties;
- (2) Residents' were 'informed' that there would be sufficient street parking available for residents when they were purchased/let – the scheme therefore is contrary to this information;
- (3) There should be a residents' permit parking scheme provided for residents without allocated parking, as there is no allowance or thought for residents' parking in the current proposal;
- (4) A suggestion that part of Grafton Road should be allocated for residents' parking for the new development.

Taking the above points in order I would comment as follows:

- (1) In order to provide a single parking place for the purpose of loading goods or persons, as suggested, a 'Loading Bay' could be provided – this would need to be statutorily advertised as it requires the making of a traffic Order.  
In order to legitimately use such a loading bay, the vehicle must be *'in the process'* of being loaded. That is, goods or persons must actually be being moved to or from the vehicle to use the bay. Once any loading 'operation', as described above, was concluded, any vehicle in the bay would need to be removed to prevent contravention of the order. That is, any vehicle could not remain in the bay and left unattended.  
It should be noted that even if such a bay was provided AND effectively enforced at the *single location* suggested, its use would be limited to those residing nearest to the location of the bay, thus limiting its usefulness to a specific location and not for the benefit generally of residents and the whole frontage of the new development as a whole;
- (2) The information given to the residents that there would be sufficient on-street parking provided on Rodney Road, is erroneous. It has to be assumed that either the developer or the agent selling/letting properties at this location have misled the buyers/tenants regarding the on-street parking provision;
- (3) The attached plan (12508) shows the proposed waiting prohibitions and restrictions recently advertised, the measures aim to provide on-street parking, where possible, and prohibitions of parking where necessary. So, where possible it is proposed to introduce 2 hour limited waiting (between Mon-Sat; 8am – 6pm) (*no return within 2 hours*), this restriction is on the south side of Rodney Road between and opposite the junctions of Grafton Road and St Vincent Road and attempts to create a 'turnover' of parked vehicles. The remainder of the south side is proposed as a prohibition of waiting at any time (*i.e. double yellow lines*). Because at the planning approval stage of the development the recommendation was that not all new properties were provided with an off-road, allocated parking place, no specific provision for on-street *residents' permit parking* has been included with this scheme, hence the 'standard' 2 hour limited waiting proposed. Therefore, thought has been given to the type of scheme proposed, in terms of its effect upon the residents of the new development, being mindful of the planning approval given.  
(*The other streets in the immediate vicinity of this location have resident ONLY permit parking (Mon-Sat; 8am – 8pm). These schemes were established many years' ago in line with Council policy where the residential properties were terraced in nature with no off-street parking provision*).
- (4) The suggestion to provide residents' permit parking on part of Grafton Road (*opposite the new development*) is not possible without it being contrary to Council approved policy whereby with the type of residents' permit scheme previously implemented (in 1999) on Grafton Road (and St Vincent Road) – this was a 50/50 scheme whereby *roughly* 50% of the available on-road parking space is residents' ONLY permit parking, with the remaining approximate 50% 'uncontrolled', such is the case on Grafton Road (and St Vincent Road). It cannot be recommended to alter the balance (*i.e. 50/50*) of permit parking on Grafton Road for residents of the new development on Rodney Road.  
In addition to this suggestion being contrary to Council policy for permit parking schemes, there is the added potential problem of complaints from established residents who have not had significant issues relating to parking on 'their' roads, but may see any 'encroachment' by vehicles from the new development as having a negative impact on their available parking capacity within the current uncontrolled parking areas which form part of their scheme.

## Financial Summary

- The cost of making & implementing the traffic Orders and highway features described within this report will be met completely via contributions already vested with the Council – therefore, there are no financial implications for the council.

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)	n/a	n/a	n/a	n/a	
Net Costs (Savings)	n/a	n/a	n/a	n/a	
Net Impact on Budget	n/a	n/a	n/a	n/a	

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
<i>Should the scheme be amended to include permit parking – Too many permits being issued for the number of on-street parking spaces.</i>	M	M/H	The only way to prevent this would be to identify those residents who do not benefit from on off-road allocated parking space. The ownership of the numerous properties is likely to make such identification difficult. If an inordinate number of applications are received from residents for permits, the number of permits issued could significantly exceed the limited number of available on-street spaces.	Head of Service

\* Taking account of proposed mitigation measures

## Options Available and considered

- (1) Do nothing;
- (2) Implement as advertised;
- (3) Amend scheme to include Loading Bay;
- (4) Amend scheme to include residents' permit parking exemption;

- (1) Do nothing is not an option – on-street parking along the southern side of Rodney Road for the most part, following construction of the new development, is either largely uncontrolled, or the restrictions are unsuitable, which allows part-day or all-day parking by drivers. This location allows convenient parking for those, in particular, gaining access to the nearby city centre to the detriment of through traffic movements along Rodney Road, particularly as a means of access to the locations at its south-eastern (cul-de-sac) end and requires traffic management measures to ensure unrestricted vehicle access is maintained;
- (2) Implement as advertised – this would ensure that there was a turnover of parked vehicles on a length of carriageway fronting the new development, whilst preventing parking along lengths of road which are necessary to keep clear for access to locations further along Rodney Road, as described at the start of this report. As a further point to note with the advertised scheme, it is legally possible for a driver (e.g. resident) to wait from 4pm through to 10am the following day (*i.e. make use of the last two hours of the day and the first two hours of the next day*) – (a total period of 18 hours - effectively allowing overnight parking) – assuming there are spaces available, which would be the case anyway with any permit parking scheme;

- (3) The suggestion for the provision of a loading bay at the single location suggested would have very little benefit, if any, for the majority of residents' of the new development. It should be

pointed out that *it is legal* for vehicles to load/unload goods or persons (*as suggested by the objector*) on *both* the areas of proposed 2 hour limited waiting, AND on the areas of prohibition of waiting at any time (double yellow lines) – so long as obstructive parking does not occur. This ability to load/unload goods or persons for the *entirety* of the south side of Rodney Road fronting the new development offers an opportunity for anyone wishing to undertake these operations at *many different points* along its length and not just from a single Loading Bay location, as suggested, and could not be recommended;

- (4) The indicated length of proposed 2 hour limited waiting on the south side *could* be amended to become: 2 hour limited waiting (Mon-Sat; 8am – 6pm) – no return within 2 hours – with an exemption for resident permit holders. (This would allow residents, with permits displayed, to wait for unlimited periods). However, as referred to above, part of the planning approval was for a proportion of the new development to have no allocated (i.e. off-road) parking. Whilst this option could overcome the objections received requesting that consideration be given to such a parking arrangement, the difficulty is identifying those residents who have not been allocated an off-road parking space. The only way, therefore, that this option could be implemented is by allowing ALL residents of the new development to purchase a permit, irrespective of whether they currently have an allocated off-street parking space or not. With this scenario there is a strong likelihood that the number of permits issued could far exceed the limited number of available on-street parking spaces. As further clarification, the ‘zone code’ for this location would need to be different to those of, the former art college on-street parking, Rodney Road residents (opposite the new development), Grafton Road and St Vincent Road – to prevent vehicles from the new development from encroaching into existing, established permit parking areas.

### Preferred Options and Why

From the above options the two options which are most appropriate are either (2) or (4).

Option (2), provides a scheme which encourages a turnover of parked vehicles, allows loading and unloading of vehicles, but does *not* allow specific opportunities for *resident permit holders*;

Option (4), provides a scheme which may encourage less of a turnover of parked vehicles (*particularly if permit holders fill the available parking spaces*), allows loading and unloading of vehicles – but does not guarantee an on-street parking space for residents, merely an improved opportunity to park on-street, but may lead to excessive numbers of permits being issued for non-existent spaces on Rodney Road.

### Comments of Chief Financial Officer

None of the options considered would have a financial impact on the Council as any costs will be borne by the contractor responsible for developing the properties.

### Comments of Monitoring Officer

The imposition of speed and parking restrictions along the length of the adopted part of Rodney Road will require traffic orders under the Road Traffic Regulation Act. In accordance with the legislation and the traffic orders regulations, proposed traffic management measures have been advertised and subjected to public consultation. Because there are three unresolved objections to the proposed traffic regulation measures, the final decision now rests with the Cabinet Member. The Cabinet Member is required to have regard to the objections received and decided whether, in the light of these representations, the Council should proceed with the advertised traffic orders or introduce any amendments to the proposed measures. From a highway safety and traffic management perspective, the current unregulated position cannot be allowed to remain and some form of traffic management measures are required to address the problems associated with on-street parking. The inclusion of an additional loading bay would not serve any real practical purpose as there are already exemptions within restricted parking orders to allow for loading and unloading. The allocation of residents parking permits would also be problematic, given the difficulties in allocating permits and regulating their use, and residents should have been aware of the limited off-street parking when they purchased their properties. Therefore, the proposed scheme for speed and parking restrictions would appear to be the best option in dealing with the traffic management issues in Rodney Road. Therefore, option (2), above, is the preferred option.

## Comments of Head of People and Business Change

N/A

## Local issues

As set out in the report

## Scrutiny Committees

N/A

## Equalities Impact Assessment and the Equalities Act 2010

N/A

## Children and Families (Wales) Measure

N/A

## Wellbeing of Future Generations (Wales) Act 2015

N/A

## Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

## Consultation

Comments received from wider consultation, including comments from elected members, are detailed in each application report in the attached schedule.

## Background Papers

### 1) Police Comments



Police comments.pdf

### 2) Rodney Road Existing Traffic Orders (TRO's)



Rodney Road  
existing traffic orders

### 3) Plan showing proposed additional spaces



Plan showing three  
additional parking spaces

### 4) Received Objections



Objections  
Appendices 1, 2 3.pdf

### 5) Advertised Traffic Regulation Order



Rodney Road -  
advertised TRO plan