

PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

DATE	19 June 2023
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport.
RESPONSIBLE OFFICER	Carolina Borgstrom – Director for Environment, Economy and Infrastructure
SUBJECT	Traffic Regulation Order 23-09: Estate Road 2- No Waiting at Any Time restrictions
STATUS	Open
FORWARD PLAN REF NO.	PHET 06/23/03

CONTRIBUTION TO OUR AIMS

The introduction of No Waiting at Any Time restrictions (double yellow lines) on a section of Estate Road 2, will contribute to the health and wellbeing of all road users, residents and visitors to the area by creating, and maintaining, a safer highway environment for all highway users.

EXECUTIVE SUMMARY

In order to support the introduction of a new vehicular access to the approved DFDS development on Estate Road 2 (planning application reference DM/0352/22/FUL), it is proposed to introduce No Waiting at Any Time restrictions on a section of Estate Road 2.

RECOMMENDATIONS

It is recommended that:

- a) Approval be granted for the making of a TRO to introduce No Waiting at Any Time restrictions as shown indicatively on drawing TR-22-09-13 at Appendix 1.
- b) In the event there are unresolved material objections to the Order, these are referred back to the Portfolio Holder for determination and a decision as to whether or not the Order be confirmed and executed.

REASONS FOR DECISION

The introduction of No Waiting at Any Time restrictions is proposed in order to improve road safety for all road users, by keeping the area free of parked vehicles, which will in turn ensure clear visibility for drivers exiting or egressing the new DFDS access.

1. BACKGROUND AND ISSUES

- 1.1 Planning approval was given to the DFDS development (DM/0352/22/FUL) which included the installation of a new vehicle access on Estate Road 2. Condition 3 of the planning consent states:

'No development shall commence until a Traffic Regulation Order is implemented to restrict on street parking. Once implemented, the yellow lining shall be installed in line with the principles detailed within the approved plans of this submission. The scheme shall remain in place thereafter unless otherwise agreed in writing with the Local Planning Authority.'

- 1.2 In order to comply with the above Condition, the Traffic Team is required to implement new No Waiting at Any Time restrictions in order to ensure clear visibility for vehicles accessing and egressing the new DFDS facility, the extent and location of which is detailed in the drawing (ref: TR-22-09-13) in Appendix 1.
- 1.3 Informal consultation has taken place with the properties in the immediate vicinity of each of the proposals which commenced on 5th April 2023 for a period of two weeks.
- 1.4 The Traffic Team have received feedback from a business on Estate Road 2 to extend the No Waiting at Any Time restrictions to cover their business access. This would allow HGV's and larger vehicles to access and egress the site without obstruction or hindrance. We have no objection to this extension and have extended the restrictions in the proposal.
- 1.5 Ward Councillors are in support of the proposals.

2. RISKS AND OPPORTUNITIES--

2.1 Should these proposals not be implemented, the risks are:

- That visibility for all road users, particularly those who are vulnerable may be impaired as a result of parked vehicles increasing the likelihood of collisions and injuries.

2.2 Should this proposal be adopted, the opportunities are:

- To implement restrictions that are of adequate length and duration to ensure they are respected by drivers.
- To prevent parking and improve visibility.
- To provide traffic flow benefits.
- To give improved visibility for pedestrians of approaching vehicles.
- To introduce mandatory restrictions which are supported by a legal TRO will enable the NELC Civil Enforcement Team to enforce any vehicles parked in contravention, under the Council's Civil Parking Enforcement (CPE) powers.

3. OTHER OPTIONS CONSIDERED

Take no action. This would though prevent delivery of the approved site layout as stipulated in the planning consent. Therefore, this is not recommended.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 It is expected there will be little potential for negative reputational implications for the Council resulting from the decision given that the DFDS development along with any associated changes to the highway infrastructure, has already been given formal Planning consent. The proposed restrictions simply seek to support those changes and ensure that any potential road safety risks are reduced.
- 4.2 If approval is given to this proposal, the Order will be formally advertised in accordance with the statutory Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Public notices will be published in the local press to advise of the Council's intention to make the Order. This provides a formal opportunity for anyone to object to the making of the order.

5. FINANCIAL CONSIDERATIONS

The recommendation does not require any capital expenditure. Any standard lining, signing and public notices required are covered through the Council's Regeneration Partnership arrangement with Equans.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The proposals will create a safer environment for all road users, including children and young people who are recognised as vulnerable road users.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The proposals are not expected to have any significant impact on climate change or the environment.

8. CONSULTATION WITH SCRUTINY

There has been no consultation with Scrutiny in relation to this matter.

9. FINANCIAL IMPLICATIONS

As indicated in section 5, there are no direct financial implications to the Council as a result of this report.

10. LEGAL IMPLICATIONS

- 10.1 Under Section 1 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Regulation Orders (TROs) for (inter alia) the reasons set out at the beginning of this report. Section 2 specifies what TROs may require and the recommended order is within those powers.
- 10.2 The procedure for making TROs is set out in Schedule 9 Part III of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and provides for advertisement and consideration of any objections before making a final decision on the proposed TRO.

10.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.

10.4 If it is decided to make the TRO notwithstanding any objections made it can only be challenged by Judicial Review in the Administrative Court.

11. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications.

12. WARD IMPLICATIONS

The proposals relate to issues within the Freshney Ward.

13. BACKGROUND PAPERS

[Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

[Road Traffic Regulation Act 1984](#)

[The Traffic Signs Regulations and General Directions 2016 No 362](#)

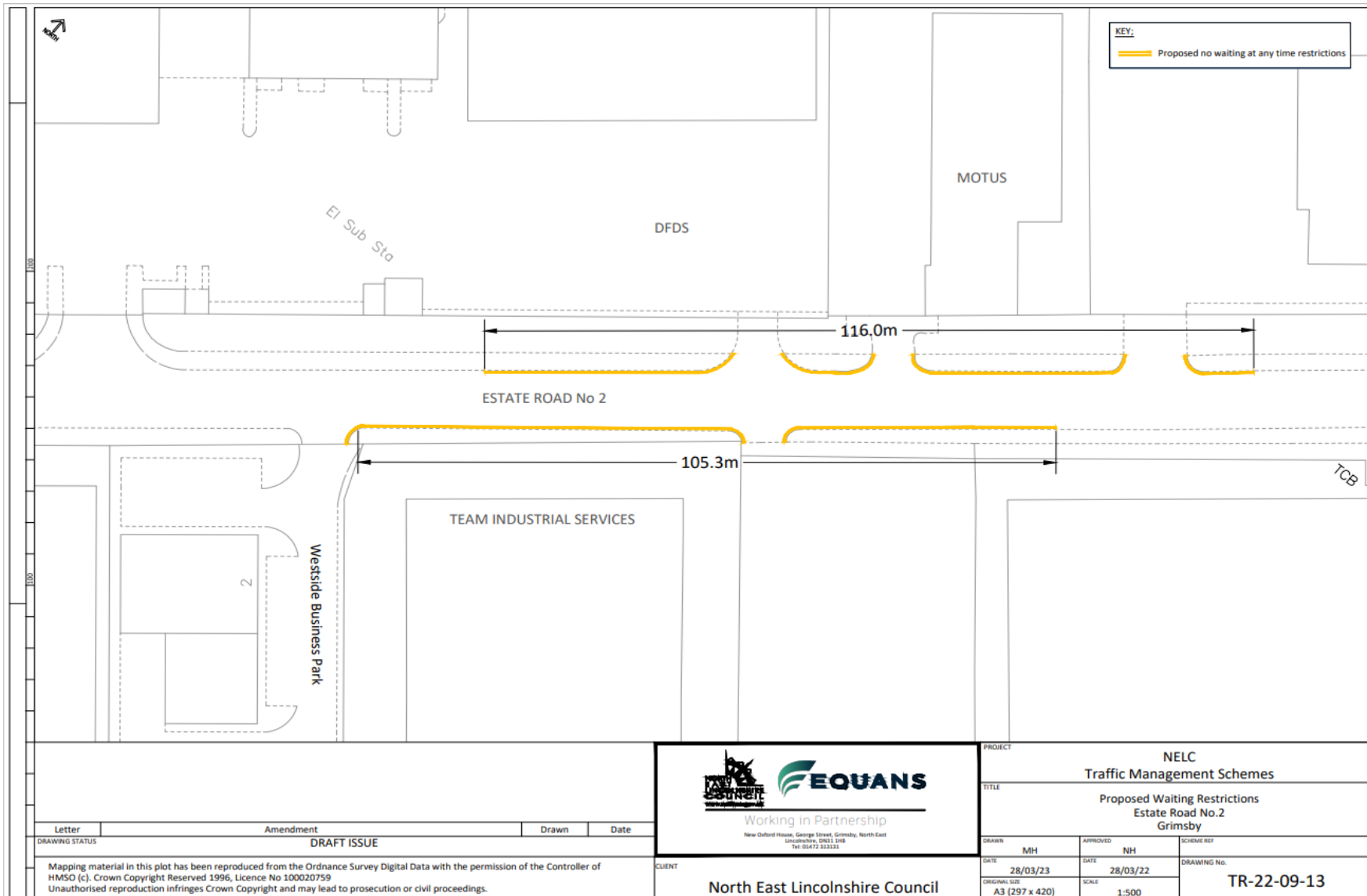
14. CONTACT OFFICER(S)

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COUNCILLOR STEWART SWINBURN

PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT



Letter	Amendment	Drawn	Date
DRAWING STATUS: DRAFT ISSUE			

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CLIENT: North East Lincolnshire Council

PROJECT: NELC Traffic Management Schemes		
TITLE: Proposed Waiting Restrictions Estate Road No.2 Grimsby		
DRAWN: MH	APPROVED: NH	SCHEME REF:
DATE: 28/03/23	DATE: 28/03/22	DRAWING NO.:
ORIGINAL SIZE: A3 (297 x 420)	SCALE: 1:500	TR-22-09-13

Appendix 1