

Report to Chief Officer (Highways and Transportation)

Date: 21 May 2019

Subject: Horsforth Area Traffic Regulation Order – Objection Report

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Horsforth	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- 1 Following approval of a report to the Chief Officer (Highways and Transportation) in May 2017, Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019 was duly advertised and attracted one objection and one representation.
- 2 This report seeks approval of the Chief Officer (Highways and Transportation) to consider and overrule the reported objection to the proposed parking restrictions detailed in Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019.
- 3 The Best Council Plan 2019-2021 outlines how Leeds City Council will achieve its ambition to become the Best City in the UK and Leeds City Council the best local authority. According to the Best Council Plan, the success of the Best Council objective: 'Ensuring high quality public services', will be partly measured through reduced numbers of people Killed or Seriously Injured on the city's roads. This scheme meets these objectives by providing a safer and more user friendly road environment, through improved accessibility and visibility for all persons using the roads in question.

Recommendations

4 The Chief Officer (Highways and Transportation) is requested to:

- i) Consider and over-rule the objection raised to Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019;
- ii) Request the City Solicitor to make, seal and implement Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019; and
- iii) Request the City Solicitor to write to the objector informing them of the decision taken by the Chief Officer (Highways and Transportation).

1 Purpose of this report

- 1.1 This report details an objection received to the proposed Traffic Regulation Order that forms a package of measures across the Horsforth ward to improve road safety, accessibility and to facilitate activities at commercial premises and places of worship.
- 1.2 The Chief Officer (Highways and Transportation) is requested to consider and to over-rule the objection received and give approval to implement the waiting restrictions and the seal the Traffic Regulation Order as advertised.

2 Background information

- 2.1 As detailed in Appendix A of the original report in May 2017, this scheme seeks to introduce restrictions to combat concerns related to indiscriminate and obstructive parking around junctions and sections of highway adjacent to residential properties and a local church.
- 2.2 The measures on Brownberrie Drive and the adjoining Brownberrie Crescent and Brownberrie Gardens were proposed following regular correspondence from residents regarding all-day commuter parking restricting access along the carriageway and regularly blocking access to private driveways.
- 2.3 Special Authorisation has been sought and approved by the Department for Transport for the type of highway sign (time limited waiting and permit exemption, 'past this point') to be used to advertise the restriction proposed on the Brownberrie roads detailed within paragraph 3.1.1 and also on other roads within the wider scheme that are not detailed within this report, but are included within the initial report approved May 2017. This authorisation was granted in January 2018.
- 2.4 Restrictions currently exist on Brownberrie Avenue in the form of a permit holders only scheme, in operation between 8am and 8pm, Monday to Saturday.
- 2.5 The proposals were formally advertised between 15 March 2019 and 14 April 2019, attracting one objection to proposals on the 'Brownberries', Horsforth and one representation to proposals on 'Low Green', Rawdon.

- 2.6 The proposals for Low Green were to introduce sections of 'No waiting at any time' around the junction of Low Green with A65 Leeds Road. The representation received supported the introduction of these measures, but expressed concern that parking may displace further into Low Green, disrupting resident access.
- 2.7 Correspondence was exchanged between Officers and the resident, explaining that further measures may be considered in future but due to the manner Traffic Regulation Orders have to be implemented, this could not be introduced after the advertisement had commenced. This was duly acknowledged by the resident.

3 Main issues

- 3.1 The wider scheme contains a number of restrictions across separate sites within the ward. The objection received relates to the time limited waiting with permit holders exemption on and around Brownberrie Drive, which are detailed below, originally approved in the report presented May 2017:

- 3.1.1 **Brownberrie Avenue/Crescent/Drive/Gardens/Lane:** Provision of 'no waiting at any time' on currently unrestricted sections of Brownberrie Lane, to protect free flow of traffic along this heavily used local distributor route.

The provision of a '4 hours, no return within 2 hours Monday to Saturday 9am – 5pm, except for permit holders' on the full length of Brownberrie Avenue (replacing the existing restriction), Brownberrie Crescent, Brownberrie Drive and Brownberrie Gardens.

- 3.2 Appendix A, the objection summary table, details the objectors concerns and Highways' response.

4 Programme

- 4.1 It is anticipated that the proposals will be implemented within the 2019/2020 financial year, subject to the Chief Officer (Highways and Transportation) approving the contents of this report.

5 Corporate Considerations

5.1 Consultation and Engagement

- 5.1.1 Ward Members: A site meeting was held with Ward Members in October 2018 to discuss the proposals for this scheme, following the election of two new Ward Members in May 2018. All three Ward Members support the introduction of the measures contained within this report and the initial report approved May 2017.
- 5.1.2 Emergency Services and the West Yorkshire Combined Authority (WYCA): The Emergency Services and West Yorkshire Combined Authority were consulted by email in October 2018, with no objections being received to the proposals.
- 5.1.3 A direct consultation period with residents and businesses in the areas of the proposed scheme was undertaken via letter from 18 October 2018 and alterations to the proposals adopted where feasible following this, with residents being notified of the final scheme proposals via letter from 17 January 2019. Residents within the

Brownberrie Crescent, Drive and Gardens area were generally supportive of the proposals, due to the perceived benefit these would bring.

5.2 Equality and Diversity / Cohesion and Integration

5.2.1 An Equality, Diversity/ Cohesion and Integration Screening (Appendix 1) has been carried out on the proposals and has determined that an impact assessment is not required for the approvals requested. The screening process identified the following impacts:

Positive impacts:

- By reducing the volume of parking along Brownberrie Avenue, Crescent, Drive and Gardens it is anticipated that parking practices need not take place in the obstructive manner they currently do, due to there generally being more availability on-street;
- By removing the obstructive parking, residents will find accessibility to their properties and their private driveways easier, which will be beneficial to elderly residents and those generally with reduced mobility;
- By removing obstructive parking practices on the footways, all pedestrians will benefit by not having to step into the live carriageway to pass parked vehicles. In particular this would benefit vulnerable pedestrians such as children and the elderly, as well as those parents and guardians with pushchairs and wheelchair users also.

Negative impacts:

- Current parking practices related to all-day commuter parking will be displaced to a new location and subsequent issues may arise resulting from this. Furthermore, by freeing up carriageway space, the speed of passing vehicles may increase. Both matters shall be monitored following introduction of the scheme and further work can be considered to tackle resultant issues where determined necessary.

5.3 Council policies and City Priorities

5.3.1 The proposals contained in the report have no implications for the council constitution.

5.3.2 Climate Emergency: By delivering the proposed Traffic Regulation Order, levels of on-street parking in the area associated with non-residents driving into the area will decrease, thus reducing greenhouse gas emissions levels in this immediate area. Whilst it is acknowledged that these vehicles will be displaced to other locations, this may be over a wider area meaning emissions will not be concentrated into one location.

5.4 Resources and value for money

5.4.1 The total estimated scheme costs for the Traffic Regulation Order works are £15,000, consisting of £6,000 design fees, £8,000 works costs and £1,000 legal costs.

5.5 Legal Implications, Access to Information and Call In

5.5.1 There are no specific legal implications included within this report, nor is any information contained within the report to be deemed confidential. The scheme is expected to be completed within the 2019/2020 financial year subject to the Chief Officer (Highways and Transportation) approving the contents of this report.

5.6 Risk Management

5.6.1 There are no risk issues, over and above those expected when working in the public highway, generated by the proposals contained within this report. The introduction of the scheme will mitigate existing road safety risks caused by on-street parking.

6 Conclusions

6.1 Over-ruling the received objections detailed in Appendix A, in accordance with the recommendations, will allow this scheme to progress.

6.2 Provision of these measures will improve accessibility at points on various roads within the Horsforth area, particularly around junctions and into private driveways. The measures will allow for a more appropriate and fair use of the highway in the Horsforth area.

7 Recommendations

7.1 The Chief Officer (Highways and Transportation) is requested to:

- i) Consider and over-rule the objection raised to Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019;
- ii) Request the City Solicitor to make, seal and implement Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) 2013, Amendment Order No.1 2019; and
- iii) Request the City Solicitor to write to the objector informing them of the decision taken by the Chief Officer (Highways and Transportation).

8.1 Background documents

8.1.1 None.

APPENDIX A

SUMMARY OF OBJECTION TO HORSFORTH PROPOSED TRAFFIC REGULATION ORDER

Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.26) Order 2013 Amendment Order (No.1) 2019

SUMMARY OF OBJECTION	HIGHWAYS RESPONSE
<p>Objection No.1</p> <p><i>This objection focuses on the Brownberrie Drive element of the wider scheme, shown on drawing TM/18/2852/TRO/BD.</i></p> <p>Objector commutes from Pateley Bridge each day, parking in Brownberrie Drive and then commuting via cycle into Leeds City Centre. Objector chooses to utilise this area due to it being on the outskirts of the city.</p> <p>Objector states that there is ample parking availability and does not believe their parking impinges upon residents.</p> <p>Objector claims they have received positive comments from residents regarding parking on the street and cycling into the city centre.</p> <p>Objector claims they have not witnessed parking that blocks private driveways and that inconsiderate parking is not likely to be affected by this TRO.</p> <p>Objector claims there have been objections from residents in the area.</p> <p>Objector claims that by restricting parking on the periphery of the city, commuters will be forced to drive closer to the city centre, exacerbating air quality concerns and that the propose works against the Council's policies of promoting cycling and rail use.</p> <p>Objector claims that by removing parking from suitable areas, it may commence in unsuitable areas instead.</p>	<p>The proposals were brought forward due to consistent complaints from residents regarding all-day commuter parking restricting accessibility along the streets and access into private driveways.</p> <p>Officer observations show that during the working day, these roads see a degree of on-street parking that reduces available carriageway width. Residents have consistently reported obstruction of the carriageway and driveways as a result of parking practices on the roads in question.</p> <p>Responses to the initial consultation were supportive of the proposals to remove all-day commuter parking.</p> <p>Officers have witnessed parking practices that obstruct driveways and residents have consistently reported parking that obstructs driveways and the carriageway.</p> <p>No other objections have been received to the advertised Traffic Regulation Order.</p> <p>The objector has been advised that free Leeds City Council car parks exist in the area, including the Cricket Club on the opposite side of Brownberrie Lane. The Council does encourage cycle and rail use and would agree that it does not wish to encourage driving into the city centre where avoidable. The measures have been proposed to limit the displacement of parking to the minimal where possible, but it would not be appropriate to allow current practices to continue.</p> <p>The Council identifies this risk with all Traffic Regulation Order schemes and commits to undertaking further work where required to combat resultant issues, following schemes introduced.</p>

Equality, Diversity, Cohesion and Integration Screening



Appendix B

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Highways Services	Service area: Traffic Engineering
Lead person: Jonathan Waters	Contact number: 0113 3787492

1. Title: Horsforth Traffic Regulation Order Objection Report
Is this a:
<input type="checkbox"/> Strategy / Policy <input type="checkbox"/> Service / Function <input checked="" type="checkbox"/> Other
Provision of Traffic Regulation Order

2. Please provide a brief description of what you are screening
The screening focuses on a report to the Highways and Transportation Board, requesting the authority to overrule an objection received to a proposed Traffic Regulation Order in the Horsforht area.

3. Relevance to equality, diversity, cohesion and integration
All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.
The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.		
Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	X	
Have there been or likely to be any public concerns about the policy or proposal?	X	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration
If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.
Please provide specific details for all three areas below (use the prompts for guidance).
<ul style="list-style-type: none"> • How have you considered equality, diversity, cohesion and integration? (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected) <p>Consultation has taken place with Ward Members, the Emergency Services and West Yorkshire Combined Authority. Support was received from the Ward Members and WYCA, West Yorks Fire and Rescue raised no objections. Consultation has taken place with residents directly and the proposals have been formally advertised in the usual manner.</p>
<ul style="list-style-type: none"> • Key findings (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

Positive impacts:

- By reducing the volume of parking along Brownberrie Avenue, Crescent, Drive and Gardens, it is anticipated that parking practices need not take place in the obstructive manner they currently do, due to there generally being more availability on-street;
- By removing the obstructive parking, residents will find accessibility to their properties and their private driveways easier, which will be beneficial to elderly residents and those generally with reduced mobility;
- By removing obstructive parking practices on the footways, all pedestrians will benefit by not having to step into the live carriageway to pass parked vehicles. In particular this would benefit vulnerable pedestrians such as children and the elderly, as well as those parents and guardians with pushchairs and wheelchair users also.

Negative impacts:

- Current parking practices related to all-day commuter parking will be displaced to a new location and subsequent issues may arise resulting from this. Furthermore, by freeing up carriageway space, the speed of passing vehicles may increase. Both matters shall be monitored following introduction of the scheme and further work can be considered to tackle resultant issues where determined necessary.

• **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

Comments received from members of the public towards the proposals will be duly considered in the design process. Should there be a comment raised that we feel requires accommodation within the scheme and is safe and reasonable to do so, then it shall be done.

Post-scheme implementation monitoring of the site will be carried out. Should there be a need for further works to alleviate post-implementation issues then this will be duly considered at the time.

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.

Date to scope and plan your impact assessment:

N/A

Date to complete your impact assessment

N/A

Lead person for your impact assessment
(Include name and job title)

N/A

6. Governance, ownership and approval		
Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Nick Borrás	Principal Engineer	30/4/2019
Date screening completed		30/4/2019

7. Publishing	
<p>Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision.</p> <p>A copy of this equality screening should be attached as an appendix to the decision making report:</p> <ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. <p>Complete the appropriate section below with the date the report and attached screening was sent:</p>	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: