

<b>Joint Western Arun Area County Local Committee</b>	<b>Ref No: WA04 (20/21)</b>
<b>July 2020</b>	<b>Key Decision: No</b>
<b>Middleton-on-Sea – Elmer Road - Proposed Traffic Regulation Order – Urgent Action</b>	<b>Part I</b>
<b>Report by the Director of Highways, Transport &amp; Planning</b>	<b>Electoral Division: Middleton</b>

## **Summary**

At its meeting of the 31 October 2018, the Joint Western Arun Area (CLC) was presented a report on Traffic Regulations Orders (TRO) prioritisation. The Committee selected a proposal to convert a seasonal parking restriction in Elmer Road, prohibiting parking between the 01 June and 30 September to a year-round restriction and include it in its 2019/20 TRO works programme.

Problems had been reported of vehicles parking all year round on seasonal restrictions, parking too close to the junctions and in a turning area. A Traffic Regulation Order (TRO) prohibiting parking is proposed in the order to relieve the problem of obstructive parking.

During the formal consultation stage, 13 objections together with 2 individual letters of support were received.

### **Recommendation.**

That the County Council Members of the Joint Western Arun Area Committee, having considered that the resulting benefits to the community outweigh the objections raised, authorise the Director of Law and Assurance to make the Order as advertised.

## **1. Background and Context**

- 1.1 At its meeting of the 31 October 2018, the Joint Western Arun Area Committee (CLC) was presented a report on Traffic Regulations Orders (TRO) prioritisation.
- 1.2 The Committee selected a proposal to convert a seasonal parking restriction in Elmer Road, prohibiting parking between the 01 June and 30 September to a year-round restriction and include it in its 2019/20 TRO works programme.
- 1.3 Elmer Road is a residential road and the main access to local beaches, the principal reason a seasonal restriction would have been introduced. However

with the increase in traffic levels concerns had been raised locally that inconsiderately parked vehicles caused a nuisance all year for pedestrians, many of whom are elderly and disabled, when crossing the road, and can reduce visibility for drivers joining Elmer Road from the many side roads. It was considered that the current seasonal waiting restrictions were no longer adequate to control parking.

- 1.4 The County Council had received an application for a new Traffic Regulation Order supported by a petition confirming support from some 171 signatories for a proposal to change the seasonal waiting restrictions in Elmer Road to all year restrictions. The applicant also provided further evidence of support of some 18 residents from Elmer Road; 21 who wished to maintain the status quo and 12 residents that wished to see an extension of the seasonal restriction. On balance all evidence provided by the applicant suggested that there was a majority locally in favour of some change, with the majority of those in favour of a year round restriction.
- 1.5 The County Council had also received further representations to provide all year-round waiting restrictions at the junction of East Drive and West Drive, and this was supported some 96 expressions of support.
- 1.6 While reviewing the parking in the area the opportunity was taken to address all concerns pertaining to the road about poor visibility caused by vehicles parking too close to the junction of Elmer Road with West Drive, and about obstruction of the turning head at the eastern end of the publicly maintained section of the road. New lengths of double yellow line waiting restrictions are proposed at these locations to keep them clear of parked vehicles.

## **2. Proposal**

2.1 The proposal will introduce a prohibition of waiting at all times as follows:

- Elmer Road - Throughout its entire length to convert the current seasonal restrictions to all year round.
- Elmer Road - at its junction with West Drive introduce a prohibition of waiting at all times.
- Elmer Road – at its eastern end, extend the proposed prohibition of waiting at all times on its south side to the limit of the publicly maintainable highway, to facilitate turning manoeuvres.

2.2 The lengths of road which are the subject of the proposed Order is shown Appendix A to the report with the following drawing number:

- SU9700sen
- SU9700ses
- SU9800ses
- SU9800sws

2.3 The new Order is proposed to facilitate the passage of traffic and improve the amenities of the area through which the affected lengths of roads run.

### **3. Resources**

3.1 The estimated implementation cost for the signing and lining works required for Elmer Road is £2700, which will be met from Infrastructure Plan TRO Budget and ordered through the County Council's term contract, thus ensuring value for money. The administrative work for the TRO will be carried out internally.

#### **Factors taken into account**

### **4. Consultation**

4.1 **Members** - At the design stage, the local member for Middleton Division was consulted, supported the proposals as outlined, and approved the wider consultation and public advertisement.

4.2 **External** - Sussex Police were consulted and raised no objection.

4.3 **Public** -The three week formal consultation period for the traffic regulation orders to support the scheme ran between 23 January 2020 and 13 February 2020. This included the Police, Arun District Council, Middleton Parish Council and motoring organisations. During this consultation period, notices were erected on site; a copy of plans and a statement of reasons were placed at the local library; the advertisement placed in the local press and on the County Council's website.

4.4 During the consultation period 13 objections were received to the proposals which have been summarised in Appendix B to this report together with comments from the Director of Highways, Transport & Planning. There were also two individual letters of support.

4.5 The general points raised by the objectors were:

- Concerns about displacement of parking
- Preventing access to properties on Elmer Road.
- No reasonable alternative for residents to use.
- Additional restrictions required
- Request for traffic calming and Zebra Crossing

4.6 The local County Councillor has confirmed her continued support for the proposals.

## **5. Risk Management Implications**

- 5.1 Should the proposed TRO not be made, the risk to the County Council is that the concerns raised by the local community through its CLC and local member will not have been addressed.
- 5.2 Should the proposed TRO be made the risk to the County Council is that parked vehicles will create problems in other roads in the locality. The Council will monitor the situation and propose further restrictions if necessary.

## **6. Other Options Considered**

- 6.1 No other options were considered at the time as there is no other means of prohibiting parking other than by the introduction of a TRO.

## **7. Equality Duty**

- 7.1 The protected characteristics as defined in the Equality Act were duly considered in the course of the development and design of this TRO proposal.
- 7.2 For those with restricted mobility or wheel chair users, they are very likely to have access to a blue disabled badge. Vehicles displaying such a badge can park on double yellow lines for up to three hours, provided it is safe to do so. There is also unrestricted parking in the road.

## **8. Social Value**

- 8.1 The proposals aligns with the County Council's policy on Social Value insofar as they are community led, raised through the Committee and demonstrates a considerable level of local support for the proposal with a view to improving the local road environment

## **9. Crime and Disorder Act Implications**

- 9.1 The County Council does not consider there to be any foreseeable Crime and Disorder Act implications associated with this proposal. The view of Sussex Police has been sought, who confirm they believe there are no issues in relation to the Crime and Disorder Act.

## **10. Human Rights Implications**

- 10.1 It is unlawful for a public authority to act in a way that is incompatible with a convention right. The policy objective to avoid danger to all road users and reduce congestion should then be set against these rights. Taking these points into consideration it is believed that the introduction of this Traffic Regulation Order is still justified.

**Matt Davey**

Director of Highways, Transport & Planning

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**Appendices**

Appendix A – plans of existing and advertised proposals  
Appendix B - consultation responses and highways response

**Background Papers**

None

Agreed



**Katharine Eberhart**

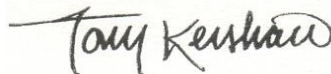
Director of Finance and Support Services



**Cllr David Edwards**

Chairman  
Joint Western Arun Area Committee

Action Authorised



Tony Kershaw  
Director of Law and Assurance

Date.....29/06/20.....