

## CHERRY ORCHARD, WEST DRAYTON – PETITION REQUESTING LOADING RESTRICTIONS

<b>Cabinet Member</b>	Cllr Keith Burrows
<b>Cabinet Portfolio</b>	Planning and Transportation
<b>Officer Contact</b>	Danielle Watson
<b>Papers with report</b>	Appendix A – Plan of existing restrictions

### HEADLINE INFORMATION

<b>Purpose of report</b>	To inform the Cabinet Member that a petition has been received from residents of Cherry Orchard asking for 'At any time' waiting and loading restrictions.
<b>Contribution to our plans and strategies</b>	The request can be considered as part of the Council's strategy for on-street parking controls.
<b>Financial Cost</b>	If the Cabinet Member asks officers to proceed to detailed design and statutory consultation on 'At any time' waiting and loading restrictions the estimated cost is £300.
<b>Relevant Policy Overview Committee</b>	Residents' and Environmental Services.
<b>Ward affected</b>	West Drayton

### RECOMMENDATION

That the Cabinet Member;

- 1. Meets and discusses with petitioners their concerns with parking in Cherry Orchard and notes their request to extend the existing 'At any time' waiting restrictions and implement 'At any time' loading restrictions.**
- 2. Subject to 1 above asks officers to add this request to the Council's parking programme so detailed design and statutory consultation can be carried out at the earliest opportunity as resources permit.**

### INFORMATION

#### Reasons for recommendation

The petition was signed by the majority of households in Cherry Orchard requesting the introduction of 'At any time' loading restrictions and the extension of 'At any time' waiting restrictions to improve road safety.

## **Alternative options considered**

To include the request as part of the subsequent review of the West Drayton/Yiewsley Parking Management Scheme.

## **Comments of Policy Overview Committee(s)**

None at this stage

## **Supporting Information**

1. A petition with 53 signatures has been received from residents living in Cherry Orchard, West Drayton requesting that the Council installs 'At any time' loading restrictions and extends the existing 'At any time' waiting restrictions at its junction with Station Road. This represents 30 households of the 38 located on Cherry Orchard. Cherry Orchard is a 'no through road' located to the northwest of Station Road, West Drayton, the location is indicated in Appendix A.
2. Cherry Orchard is part of the West Drayton and Yiewsley Parking Management Scheme which became operational on 6<sup>th</sup> September 2010 as a majority of residents wanted to give priority to themselves and their visitors for the available on-street parking. As part of the detailed design 'At any time' waiting restrictions were proposed and advertised for the junction of Cherry Orchard and Station Road. While these prevent vehicles from parking they do not stop them from loading/unloading for as long as necessary before 11am and for a maximum of 20 minutes in any hour thereafter.
3. Residents have complained that businesses of Orchard House, Cherry Orchard load and unload throughout the day at its junction with Station Road causing access problems. As there are no loading restrictions at this location residents allege that businesses continue to carry out daily deliveries that block access to residents and emergency services. Photographic evidence provided by residents shows loading/unloading taking place on the footway which is a danger to pedestrians and may cause damage to the surface.
4. In May 2010 the business occupiers of Orchard House requested a loading bay to enable them to carry out their deliveries. However following further investigation it has been determined that it is not feasible to implement a loading bay on Cherry Orchard due to the limited width of the carriageway which is 5.5 metres. The minimum required width for a loading bay is 2.7 metres which would only leave 2.5 metres of carriageway. Fire Service guidelines require a minimum clearance of 3.1 metres of carriageway for a fire engine therefore it could not be recommended to install a loading bay at this location.
5. It is clear the residents of Cherry Orchard are concerned with the deliveries to businesses at this location and the effect it has on access for vehicles and pedestrians. It is therefore recommended that the Cabinet Member asks officers develop proposals and carry out statutory consultation on measures to prevent vehicles from loading and unloading at this junction. This can either be done as part of the future review of the West Drayton/Yiewsley Parking Management Scheme or added to the Council's Programme and progressed earlier if resources permit.

## **Financial implications**

If the Cabinet Member asks officers to proceed to detailed design and statutory consultation on extending the existing 'At any time' waiting restrictions and 'At any time' loading restrictions the estimated cost is £300. This could be funded from an allocation made from the Parking Revenue Account Surplus to install waiting restrictions. If subsequently the Council decides to implement the scheme the additional cost is estimated to be £200 which can also be funded from this allocation.

## **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendation?**

If the Cabinet Member agrees the recommendations to this report, the consultation will establish the level of support for the introduction of 'At any time' loading restrictions and extending the existing 'At any time' waiting restrictions

### **Consultation Carried Out or Required**

If the Cabinet Member approves the recommendation to this report, statutory consultation would be undertaken with the delivery of a letter to residents and businesses of Cherry Orchard asking for their comments. The consultation will also include insertion of public notices in the local newspaper and notices displayed on site.

## **CORPORATE IMPLICATIONS**

### **Corporate Finance**

No comments

### **Corporate Procurement**

No comments

### **Corporate Landlord**

No comments

### **Legal**

A meeting with the petitioners is perfectly legitimate as part of an informal listening exercise, especially where consideration of the policy, factual and engineering issues are still at a formative stage. Fairness and natural justice requires that there must be no predetermination of a decision in advance of any wider non-statutory consultation.

In considering any informal consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

Following a meeting with petitioners, should there be a decision that further measures are to be considered then the relevant statutory provisions will have to be identified and considered. The Council's power to make orders imposing waiting restrictions are set out in Part 1 of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures to be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489). The consultation and order making statutory procedures to be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

Section 122 of the Road Traffic Regulation Act 1984 means that the Council must balance the concerns of the objectors with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic. The safety risks identified in this report, and the objections raised by residents are a relevant consideration in deciding whether to make the form of order being considered.

## **BACKGROUND PAPERS**

Cabinet Member Decision 14<sup>th</sup> May 2010 – Results of formal consultation on a proposed Parking Management Scheme  
Petition received 14<sup>th</sup> July 2010