

January 2014	ITEM
Delegated Decision Report	
ARAGLEN AVENUE, SOUTH OCKENDON – OBJECTION TO PROPOSAL TO IMPLEMENT A SCHOOL KEEP CLEAR MARKING.	
Portfolio Holder: Councillor A Gaywood – Public Protection	
Wards and communities affected: Ockendon Ward	Key Decision: No
Accountable Head of Service: Basil Jackson, Head of Transportation and Highways	
Accountable Director: David Bull, Director of Planning and Transportation	
This report is Public	
Purpose of Report: To consider objections to a proposal to implement a School Keep Clear marking in Araglen Avenue, South Ockendon.	

EXECUTIVE SUMMARY

As part of the 2013/2014 Capital Integrated Transport Programme funding has been made available from the LSTF, (Safer Routes to School) to improve the parking situation outside Bonnygate Primary school to create a safer environment for children and pedestrians. There are three entrances in total to the school, one each in Araglen Avenue, Arisdale Avenue and Annalee Gardens. A proposal was made to implement School Keep Clear markings at each of the entrances of Bonnygate Primary School

2 letters of objection were received to the proposal on Araglen Avenue. Both objections were from residents of Araglen Avenue.

1. RECOMMENDATIONS:

- 1.1 **It is recommended that following consideration of the objections, the objections are partially upheld and the school keep clear marking is implemented in Araglen Avenue at a length of 25m.**

- 1.2 **It is also recommended that the objectors are notified accordingly.**
- 1.3 **It is further recommended that the school keep clear markings are implemented on Arisdale Avenue and Annalee Gardens as proposed.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 School keep clear markings were proposed on Araglen Avenue, Arisdale Avenue and Annalee Gardens as part of Safer Routes to School programme.
- 2.2 The statutory consultation for the restrictions was carried out between 2nd August and 23rd August 2013. 2 letters of objection were received to the proposal to introduce the school keep clear on Araglen Avenue. Both of the objectors are residents of Araglen Avenue.
- 2.3 The nature of the objections is that the residents feel that they would be adversely affected by the restrictions and that their visitors would not have any space to park which would cause further parking problems.
- 2.4 The length of the School Keep Clear markings proposed was 26m.

3. ISSUES AND/OR OPTIONS:

- 3.1 Araglen Avenue is a residential street. Congestion is occurring during school peak times which needs to be addressed. In accordance with Regulations, the minimum length of a school keep clear marking is 25m. This is the shortest length that is permitted in order for the restriction to be enforceable.
- 3.2 The proposed restriction would be operational Mon-Fri between 8.00am and 5.00pm. This is consistent with all other School Keep Clear markings around the borough.
- 3.3 No objections were received to the school keep clear markings proposed for Arisdale Avenue or Annalee Gardens, therefore it is recommended that these are implemented as proposed.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

Ward Members were consulted on the content of this report between 21st January and 28th January 2014. Cllr B Johnson and Cllr L Carr both support the recommendations. No other comments were received during this period.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 5.1 These actions accord with the Council priorities to create a safer environment.

6. IMPLICATIONS

6.1 **Financial**

Implications verified by: Mark Terry
Telephone and email: 01375 652150 mterry@thurrock.gov.uk

Should parking restrictions be implemented as recommended, the cost will be approximately £1000 and would be funded from the LSTF Safer Routes to School code E3001 9881. There is sufficient funding available for these projects.

6.2 **Legal**

Implications verified by: Mike Kelly
Telephone and email: Ext 2822 Mkelly@thurrock.gov.uk

At a general level, it is important to ensure that delegated decisions are taken by the appropriate officer, and that the origin of the delegation can be readily identified in case of future challenge.

In this instance, should parking restrictions be carried forward to implementation, they would be subject to the making of a Traffic Regulation Order (TRO). Under the provision of the Road Traffic Regulation Act 1984, local authorities can implement TROs, designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. A TRO may take effect at all times or during specified periods, and certain classes of traffic may be exempted from a TRO.

Permanent TROs are subject to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, which impose various legal requirements prior to the making of an order. These requirements include publishing a notice of the proposals in a local newspaper and allowing potential objectors 21 days to make representations. The publicity was undertaken in August 2013 and representations were received. It is incumbent on the Council to take account of any representations made as a consequence of such an advertisement. This has been done and is referred to in paragraph 7.1 of this report.

Should the recommendations made in this report be upheld, there will be no legal implications to consider.

6.3 **Diversity and Equality**

Implications verified by: Samson DeAlyn
Telephone and email: 01375652472
Sdealyn@thurrock.gov.uk

There are no diversity and equality implications noted in this report.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. CONCLUSION

7.1 Residents are concerned that the school keep clear marking will create parking problems for the residents and their visitors. For the safety of pedestrians and children a restriction needs to be implemented. Following consideration of the objections it is recommended that a school keep clear is implemented at a reduced length of 25m which is the minimum length permitted.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Letters of objection

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

Name: Susan Morrison

Telephone: 01375 413367

E-mail: smorrison@thurrock.gov.uk