

**Cabinet/Commissioners' Decision Making Meeting – 26 May 2016**

Cabinet Member – Councillor Emma Hoddinott  
Commissioner Ney (for decision)

**Summary Sheet**

**Title**

Response to petition opposing the lowering of additional kerbs outside 36 Godstone Road, Rotherham.

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Damien Wilson, Strategic Director, Regeneration & Environment

**Report Author(s)**

Andrew Rowley, Principal Officer, Streetpride  
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Tel: 22962

**Ward(s) Affected**

Boston Castle

**Executive Summary**

This report is written in response to the petition received on 29<sup>th</sup> January 2016, opposing the extension of a vehicle access crossing facility outside property number 36 Godstone Road, Moorgate.

The residents of Godstone Road are experiencing difficulty parking their vehicles in proximity to their homes. The petitioners' concern is that widening the crossing facility reduces on-street car parking space.

**Recommendations:**

- 1 Cabinet is asked to:
  - 1.1 Note the petition and its contents.
- 2 The appropriate Commissioner is asked to:
  - 2.1 Note the petition and its contents
  - 2.2 Approve vehicle access crossing facility by lowering four additional kerbs outside 36 Godstone Road, Moorgate (as highlighted in red on the plan in Appendix 1 of the report), subject to satisfactory planning consent for the change of use being applied for.
  - 2.3 Agree that the lead petitioner be advised of the outcome of the investigation and the action to be taken.

**List of Appendices Included**

Appendix 1 – Location Plan

Appendix 2 – Image of the premise frontage

Appendix 3 – Petition and covering letter from lead petitioner

**Background Papers**

None

**Consideration by any other Council Committee Scrutiny or Advisory Panel**

Not Applicable

**Council Approval Required**

No

**Exempt from the Press and Public**

No

**Title:** Response to petition opposing the lowering of additional kerbs outside 36 Godstone Road, Rotherham.

## **1. Recommendations**

1.1 Cabinet is asked to:

1.1.1 Note the petition and its contents.

1.2 The appropriate Commissioner is asked to:

1.2.1 Note the petition and its contents

1.2.2 Approve vehicle access crossing facility by lowering four additional kerbs outside 36 Godstone Road, Moorgate (as highlighted in red on the plan in Appendix 1 of the report), subject to satisfactory planning consent for the change of use being applied for.

1.2.3 Agree that the lead petitioner be advised of the outcome of the investigation and the action to be taken.

## **2. Background**

2.1 An undated petition was received by the Council on 31<sup>st</sup> January 2016, signed by 13 residents of Godstone Road opposing the extension of a vehicle access crossing at number 36 Godstone Road.

2.2 On 8<sup>th</sup> October 2015, the Council's Network Management team approved an application to extend the existing vehicle access crossing (VAC) at 36 Godstone Road from the Tassibee Group which provides training, education, and social activities for Asian Women.

2.3 The residents at Godstone Road have reported difficulty parking their vehicles in proximity to their homes and lowering additional kerbs effectively removes one on-street car parking space.

2.4 At the time of the application to extend the vehicle access crossing, no record of any planning application had been made for either the change of use of the building or the provision of hard standing for vehicle parking. The Tassibee Group have been invited to submit a retrospective planning application which has been received and validated. This application is currently going through the planning process.

## **3. Key Issues**

3.1 Within the covering letter received with the petition there is a reference to a 'pay and display' car park to the side and rear of 36 Godstone Road, with access from Hollowgate. The petitioners believe that this is in the ownership of the Tassibee Group, and should provide them with adequate parking spaces. However, the land which forms the car park is owned by the Horbury Group. The Tassibee Group has confirmed that they have no business relationship with Horbury Group and have no right to use the

privately owned car park on Horbury Group land.

- 3.2 Lowering additional kerbs to the frontage of 36 Godstone Road should create two additional off-road car parking spaces for visitors to the Tassibee Group facility and would only reduce on-street car parking by one space.

#### **4. Options considered and recommended proposal**

##### **4.1 Option 1 - Revoke the Permission to extend the vehicle access crossing**

On-street car parking for residents would continue to be a challenge. Two off-road car parking spaces would not be made available. This is not the preferred option.

##### **4.2 Option 2 - Undertake the works to extend the vehicle access crossing (subject to satisfactory planning consent for the change of use being applied for)**

On-street car parking space would be effectively reduced by one vehicle length. Two additional off-road parking spaces would be provided thereby reducing pressure for on-street parking spaces. This is the recommended option (subject to satisfactory planning consent).

#### **5. Consultation**

- 5.1 The Council has a statutory duty to promote the free and safe movement of traffic on the highway. Consequently residents are not routinely consulted by the Council regarding proposals to lower kerbs for the purpose of providing off road car parking
- 5.2 Consultation was undertaken with Ward Members and the Cabinet Member in March 2016 via email to inform them that an application to lower additional kerbs outside 36 Godstone Road had been approved, and that following attempts to undertake works a petition had been received from nearby residents.
- 5.3 Streetpride has written to both the lead petitioner and the applicant in February 2016 to acknowledge receipt of the petition and advise that works are on hold until a decision is made by Cabinet.
- 5.4 The Council's Parking Manager has confirmed that enforcement of car parking adjacent to lowered kerbs can be undertaken by Civil Enforcement Officers.

#### **6. Timetable and Accountability for Implementing this Decision**

- 6.1 The Council's Highway Delivery Team could complete the works within two weeks of the decision subject to the cooperation of the residents of Godstone Road.

## **7. Financial and Procurement Implications**

- 7.1 The applicant has accepted an estimate for the works and has paid £1,250. This amount will need to be refunded should the recommended option not be approved.

## **8. Legal Implications**

- 8.1 Under Section 184 (Vehicle Access Crossing over the Highway) Highways Act 1980, the Council may authorise works for the construction of a vehicle crossing over a footway or verge in the highway.

## **9. Human Resources Implications**

- 9.1 Not applicable

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 Not applicable

## **11. Equalities and Human Rights Implications**

- 11.1 Any person may park their vehicle on the highway in a manner that does not cause an obstruction to traffic, and does not compromise the safety of highway users.

## **12. Implications for Partners and Other Directorates**

- 12.1 It is anticipated that enforcement of lowered kerb obstruction may be required by the Council's Parking Service should the preferred option be accepted.

## **13. Risks and Mitigation**

- 13.1 There is a risk that the further attempts to lower the kerbs may be resisted by residents and Streetpride may require support from South Yorkshire Police.

## **14. Accountable Officer(s)**

Karen Hanson, Assistant Director, Community Safety and Street Scene

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services: **not applicable**

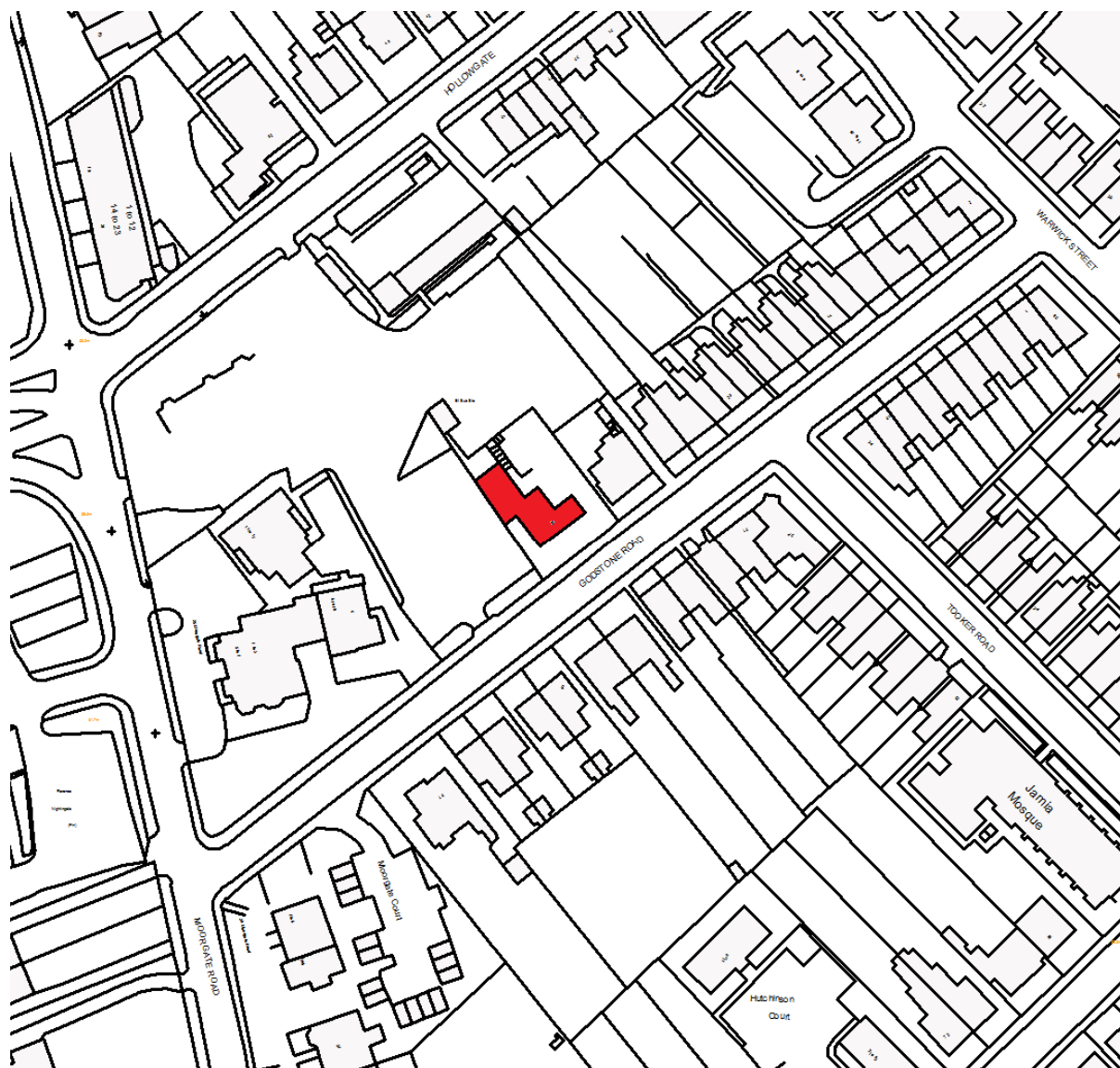
Legal and Democratic Service: **Stuart Fletcher 12 April 2016**

Head of Procurement (if appropriate): **not applicable**

This report is published on the Council's website or can be found at:-  
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

## **Appendix 1 - Location Plan**

36 Godstone Road is highlighted in red.



## **Appendix 2 – Image of the premise frontage**

The request has been made and approved to lower 4 kerbs to the left hand side of the existing lowered kerbs to allow 2 vehicles to access perpendicularly to the kerb line and park side by side.



### Appendix 3 - Petition and covering letter from lead petitioner

2 pages

#### Petition against the extension of the driveway of Tasibee Group.

To Rotherham borough council-relevant department

We have reasons for concern in regards to the actions of Mrs Khalida Luqman of Tassibee group at 36 Godstone Road, Moorgate, S60 2PU. She has requested to have the kerb dropped to extend the driveway in front of the property however, we, the residents within the vicinity of tassibee group are very much against this plan. We are currently already experiencing difficulty finding parking space on our road and have immediate concerns that this will only further exacerbate the issue. We have previously had problems with Mrs Khalida and her guests at 36 Godstone Road as we are finding it difficult to park our cars on our road.

Furthermore she already has two driveways and parking space within the premises of 36 Godstone Road and a 'pay and display' carpark at the rear. We believe they possess adequate parking space for the activities they hold at the tasibee group.

We hope our concerns are taken into serious consideration before the building of this driveway. Mrs Luqman is not a resident of Godstone Road, she runs an organisation which we have no affiliation with. We are having issues with the number of vehicles her guest's park on a daily basis. We feel up to this point we have been very accommodating of Mrs Luqman but we are feeling very frustrated and feel rather than understanding our concerns she is making the situation much worse.

Yours sincerely,

The residents of Godstone Road.

Enclosed are a list of the names and addresses of the people who this letter is written on behalf of.

Name &/or signature	Address	No of cars at address
SHIFAAT ISMAIC	39 GODSTONE RD	3
ZULFICAR ALI Z. W	41 GODSTONE RD	1



SHARIF S. Hussain	30 GODSTONE RD.	3 CARS
B. Houghton BRIAN HOUGHTON	26 GODSTONE RD	2 CARS
ROBERT DUNKA	28 GODSTONE ROAD	1 CARS
A-REHMAN	15-GODSTONE ROAD	1 - 11 -
LADISLAV C. REJA	43 GODSTONE ROAD	2 CAR.
ABIGAIL THOMAS	45 GODSTONE ROAD	2 Cars (in the house)
AROON DIN	49 GODSTONE ROAD	2 CAR
JOHN T ADWITT	18 GODSTONE ROAD J T Adwitt	1 CAR
M. RASHID	32 GODSTONE RD M Rashid	2 CAR
M. AKIF	37 GODSTONE RD M Akif	2 CAR
Iftikhar Hussain	16 Godstone Rd.	1 car.