

REPORT AUDIT TRAIL:- Report receipt of objections to proposed No Waiting at any Time restriction on Cumwell Lane, Hellaby CONSULTATION

*This is important as it shows that consultation has been undertaken in the preparation of the report and provides a quick reference point for specific comments, whilst the report will not be publishable if these areas have not been completed by the named persons below. **You must liaise with and receive sign off from the relevant Cabinet Member(s).***

Name/Position	Portfolio/Ward/ Directorate	Date Sent	Date Received	Comments in para:
Councillor Dominic Beck	Cabinet Member for Transport and Environment	08/06/23	12/07/23	
<i>Paul Woodcock</i>	Assistant Chief Executive/ Strategic Director for Regeneration and Environment	Click here to enter a date.	Click here to enter a date.	
<i>Jon Baggaley,</i> Finance	Finance and Customer Services	08/06/23	12/07/23	6
<i>Stuart Fletcher,</i> Legal Services	Legal Services	08/06/23	08/06/23	7
<i>John Crutchley,</i> Human Resources	Assistant Chief Executive's Office	08/06/23	12/07/23	8
<i>Steve Eling,</i> Equalities	Assistant Chief Executive's Office	08/06/23	20/07/23	10
<i>Rob Savage,</i> Change and Innovation	Assistant Chief Executive's Office	08/06/23	08/06/23	11

<u>REPORT APPROVAL TRACKING</u>			
Equalities Your report will not be authorised for submission to Cabinet by your Strategic Director if you have not undertaken and included an initial equalities screening. All equalities analysis documents should be included as appendices	Initial Screening completed and included with report	YES	7/6/23
	Full Assessment completed and included with report	Yes	Insert date agreed
Carbon Impact Assessments Carbon Impact Assessments are to be appended to the associated cabinet reports. Carbon Impact Assessments should be sent to climate@rotherham.gov.uk for feedback prior to your report being sent to your Strategic Director for approval.	Carbon Impact Assessment completed and included with report.	YES	7/6/23
Background information MANDATORY: Insert headings for a few main public documents you have used or referenced to write this report. This is a legal requirement. For Cabinet reports, <u>insert hyperlinks</u> . Do not list private documents.	Traffic Signs Manual Chapter 5		
Appendices If appendices are essential to the understanding of the report, list titles here. Equality Analysis documents should be listed as Appendix 1 for all reports. Ensure that appendices have proper titles.	Appendix A Cumwell Lane - Proposed No waiting at any time Appendix B Equalities Assessment Appendix C Carbon Impact Assessment		
Cabinet Member Approval You should retain an email confirming the Cabinet Member approval for your records. Strategic Directors should not authorise reports unless Cabinet Members have given sign off		Click here to enter a date.	
Report Authorised by Strategic Director		Click here to enter a date.	
Report Authorised for publication by Chief Executive	YES/NO (delete as appropriate)	Click here to enter a date.	

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 12 August 2023

Report Title

Cumwell Lane, Hellaby proposed No waiting at any time restriction

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

No, but it has been included on the Forward Plan

Assistant Director Approving Submission of the Report

Simon Moss, Assistant Director of Planning, Regeneration and Transport

Report Author(s)

Nigel Davey Engineer

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Ward(s) Affected

Hellaby and Maltby West

Report Summary

The purpose of this report is to consider an unwithdrawn objection to a proposed no waiting at any time restriction on Cumwell Lane (both sides of the road), Hellaby, from its junction with the A631 Bawtry Road for a length of approximately 415m in a southerly direction. The key recommendation of the report is to continue with the making of the order.

Recommendations

That the Assistant Director of Planning, Regeneration and Transport exercises his delegated powers with regard to the proposal shown on drawing No 100780/1 attached as Appendix A, and gives approval to:-

- Not accede to the objections submitted
- Respond to the objector making them aware that it is intended to implement the no waiting at any time proposal as advertised and consulted upon.
- Authorise the Head of Legal Services to make the order and implement the waiting restriction

List of Appendices Included

Appendix A Cumwell Lane - Proposed No waiting at any time

Appendix B Equalities Assessment

Appendix C Carbon Impact Assessment

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

Report receipt of objections to proposed No Waiting at any Time restriction on Cumwell Lane, Hellaby

1.	Background
1.1	Following approval of a planning application for new industrial units, adjacent to Cumwell Lane, (application No RB2021/2317, approved June 2022), it was required that a length of 'no waiting at any time' yellow line restrictions be implemented on Cumwell Lane western side, (adjacent to the proposed development frontage). This length of waiting restriction, from the junction with the A631 Bawtry Road extends for a distance of approximately 415m in a southerly direction and would maintain the free and safe flow of traffic into and out of the new development, whilst also ensuring that the visibility splays associated with the 2no new vehicle accesses into the site are protected from any parked vehicles. The proposed waiting restrictions would also 'protect' the detector loops on the approach to the proposed traffic signals at the junction of Cumwell Lane and the A631 Bawtry Road. The opposite side of Cumwell Lane (east side, fronting the residential premises) was also included, in order that any displaced parking, would not transfer to the opposite side of the road, potentially, affecting the visibility splays for drivers exiting a nearby side road (Bateman Road) and any residential driveways. See Appendix A.
2.	Key Issues
2.1	The approved planning application will develop the land to the west of Cumwell Lane. This area of land was previously undeveloped land, with only farm vehicle access. On the east side of Cumwell Lane, there are a small number of residential properties and a car sales unit opposite the proposed development.
2.2	As part of the approved development, 2no new vehicle accesses are proposed from Cumwell Lane into the site. These new accesses are a standard 'T' junction and permit both entry and exit to the development with one access being for smaller private vehicles, and the second access catering for Heavy Goods Vehicles. In order to ensure that the drivers' visibility is clear when exiting these accesses, a length of no waiting at any time restriction is proposed to 'protect' the visibility splay from any parked vehicles. In order to ensure that the lengths of waiting restriction do not terminate in an inappropriate location, the length of the restriction along the development frontage extend from the junction with the A631 Bawtry Road to the Thurcroft side of the existing double bend, as shown on Appendix A.
2.3	It was also identified that any displaced parking that may result as a consequence of the proposed restrictions along the development frontage, may relocate to the opposite side of Cumwell Lane (east side), then this side of Cumwell Lane has also been identified as requiring parking restrictions. These restrictions would help to maintain visibility for drivers exiting from Bateman Road and the small number of private driveways in this area. Initially it was considered that the length of this restriction would mirror that on the west side of Cumwell Lane. All residential properties benefitted from off street parking in the form of driveways.

2.4	<p>The proposed no waiting at any time traffic order was advertised from 17th November 2022 to 16th December 2022 in the Rotherham Advertiser, on street in the form of notices attached to existing lighting columns, as well as letters being delivered to affected frontages. Two responses objecting to the proposal were received. One being from a resident of Cumwell Lane, the second was a business situated on Cumwell Lane. Following discussions between officers and the business owner, the objection from the business was subsequently withdrawn. Correspondence with the resident was undertaken to try to resolve their objection, however, the objection from the resident remained. It can be summarised as follows:</p> <ul style="list-style-type: none"> • Concerns regarding the position of the new accesses into the development. • Concerns that visitors will not be able to park outside their home. • Concerns that when they have to change vehicle around from their driveway, that they would be parked on a waiting restriction for a temporary period of time.
2.5	<p>In addressing the objection received, the Council's response is as follows</p> <ul style="list-style-type: none"> • Concerns regarding the position of the new accesses into the development. The position of the 2no new accesses into the site was subject to the planning process associated with the approved application to develop the site. The location of the new accesses is therefore fixed and is not part of the consultation for the proposed waiting restrictions. The proposed no waiting restriction aims to ensure that drivers have a clear view to both the left and right when exiting the accesses. • Concerns that visitors will not be able to park outside their home. The proposed no waiting at any time restriction will remove all parking from this section of Cumwell Lane. It is noted that all residential properties along this section of Cumwell Lane, do have off street parking available, in the form of driveways. It should also be noted that there is no right to park on the public highway nor is there a duty for the Local Highway Authority to provide parking for residents. • Concerns that when they have to change vehicle around from their driveway, that they would be parked on a waiting restriction for a temporary period of time. Where residents are changing vehicles around, officers in the Council's Parking Services Department, have confirmed that no penalty notice tickets would be issued, where this activity is clearly taking place.
2.6	<p>Further correspondence with the resident was undertaken, to establish whether a reduced length of waiting restriction which would remove the restriction from outside their property, was acceptable to them. Whilst correspondence between officers and the resident took place, a reduced length of no waiting at any time waiting restriction which would permit a short</p>

	length of on street parking directly outside their dwelling was rejected by the resident.
3.	Options considered and recommended proposal
3.1	One option considered was that Cumwell Lane would be left as it is in it's present state i.e. without any waiting restrictions being introduced. However, due to the requirement to ensure that the vehicle accesses to the development do not have their visibility splay obstructed by stationary vehicles, and that the operation of the proposed signalised junction of Cumwell Lane and the A631 Bawtry road was not compromised, then this option was not considered a viable option.
3.2	Another option was omitting waiting restrictions on one side, which could be dismissed on the basis of leaving only a clear carriageway width of 5.5m, impacting capacity near the signals and potentially worsening congestion, which is known to be a sensitive issue locally.
3.3	A further option, following receipt of the objection from the resident, was a shorter length of waiting restriction directly outside the residential properties in order to alleviate the concerns expressed in the resident objection. Following discussions with the affected resident, this option was not progressed as the resident did not wish to have parked vehicles unknown to them directly outside their property. However, the resident did request omitting restrictions only at the objectors driveway, which can be dismissed owing to risk of drivers (incorrectly) inferring they may park from absence of yellow lines where it would (likely) present unlawful obstruction.
3.4	It is proposed to implement the no waiting at any time restriction shown on drawings no 100780/1
4.	Consultation on proposal
4.1	All statutory consultees including South Yorkshire Police, South Yorkshire Fire and Rescue etc. the Cabinet Member for Transport and Environment, Hellaby and Maltby West Ward Members and the general public via notices on street and in the Rotherham Advertiser have been consulted. One objection was received from a business on Cumwell Lane, as highlighted previously within this report which following a meeting between officers and the business was subsequently withdrawn, and one objection from a resident on Cumwell Lane.
5.	Timetable and Accountability for Implementing this Decision
5.1	The purpose of this report is to seek approval to implement the proposed 'no waiting at any time restrictions'. Should approval be granted, the amendments to the consolidation order will be undertaken by the Councils Legal department.

5.2	The works to implement the proposed speed limit on site will be undertaken by the developer through an agreement under section 278 of the Highways Act. The changes will be coordinated with the sealing of the order.
6.	Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)
6.1	The cost of the traffic regulation order and amendments to the signing and lining on site will be met by the developer
7.	Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)
7.1	The relevant Traffic Regulation Order will be amended as set out in the body of the report to reflect the proposals described. The TRO is made pursuant to the Road Traffic Regulation Act 1984 which helps the Council to manage the highway network for all road users, including pedestrians with the aim to improve road safety and access to facilities.
7.2	The appropriate statutory procedure including consultation had been followed as set out in the body of the report.
8.	Human Resources Advice and Implications
8.1	There are no human resources implications arising from this report.
9.	Implications for Children and Young People and Vulnerable Adults
9.1	There are no specific implications for children, young people and vulnerable adults arising directly from this proposal.
10.	Equalities and Human Rights Advice and Implications
10.1	An Equalities Assessment has been completed for this report and is attached at Appendix B.
11.	Implications for CO2 Emissions and Climate Change
11.1	A Carbon Impact Assessment has been completed for this report and is attached at Appendix C.
12.	Implications for Partners
12.1.	Failure to secure the traffic regulation order may result in vehicles parking on, or near to the proposed new accesses into the development, which may affect the free and safe flow of traffic, potentially affecting response times for emergency services etc, or collisions at the accesses due to restricted visibility.

13.	Risks and Mitigation
13.1	Failure to secure the traffic regulation order may result in vehicles parking on, or near to the proposed new accesses into the development, which may affect the free and safe flow of traffic, or collisions at the accesses due to restricted visibility. The proposed change to the traffic regulation order addresses this.
14.	Accountable Officers
	Nigel Davey, Engineer
	Matthew Reynolds Head of Transport Infrastructure Service

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Jon Baggaley	12/07/23
Head of Legal Services (Monitoring Officer)	Stuart Fletcher	08/06/23

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