

CARLISLE HIGHWAYS AND TRANSPORT WORKING GROUP
Meeting date: 7 August 2019
From: Acting Executive Director – Economy & Infrastructure

KENDAL STREET AND NEWCASTLE STREET, CARLISLE – INTRODUCTION OF NO WAITING AT ANY TIME AND NO LOADING/UNLOADING AT ANY TIME RESTRICTIONS; AND PETTERIL TERRACE, CARLISLE - INTRODUCTION OF NO WAITING AT ANY TIME RESTRICTIONS

1.0 EXECUTIVE SUMMARY

- 1.1 *This report requests that the Highways and Transport Working Group (the Working Group) recommends to Local Committee to proceed to statutory consultation and advertisement of “no waiting at any time and no loading/ unloading at any time” restrictions on Kendal Street and Newcastle Street.*
- 1.2 *This report also requests that the Working Group recommends to Local Committee to proceed to statutory consultation and advertisement for the introduction of “No Waiting at any Time” restrictions on Petteril Terrace, Carlisle to address the issue of anti-social parking and obstruction of this road caused by users of the new KFC drive-through premises on London Road.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 In considering any implications, members must consider if there are any adverse effects on the community and if the proposals impact on the Council Plan. The Highways and Transport Working Group is advised that generally the measures contained in these proposals contribute to the Council Plan by continuing to ensure that the Council are able to provide an effective, efficient and safe Highway Network.
- 2.2 No significant equality implications have been identified at this stage, and the statutory processes have provided the mechanisms for any Equality Issues to be raised and aired.

3.0 RECOMMENDATION

- 3.1** *That the Working Group recommends to the Carlisle Local Committee to proceed to statutory consultation and advertisement of the proposal to introduce “No Waiting At Any Time and No Loading/Unloading At Any Time” restrictions on Kendal Street and Newcastle Street, Carlisle, as shown on the attached plan in Appendix 1 in place of the existing parking bays (which have been removed on site).*
- 3.2** *That the Working Group recommends to the Carlisle Local Committee to proceed to statutory consultation and advertisement of the proposal to introduce “No Waiting At Any Time” restrictions as shown on the attached plan in Appendix 2 of this report.*
- 3.3** *Any representations received will be reported back through the Local Committee process for determination. However, in the absence of any such unresolved representations, the Working Group is asked to recommend that Local Committee resolve that the restrictions detailed in paragraphs 3.1 and 3.2 above, be brought into operation as advertised.*

4.0 BACKGROUND

- 4.1** Following planning permission being granted for a new housing development on the land between Kendal Street and Newcastle Street, several parking bays needed to be removed and some replaced with permanent “No Waiting At Any Time and No Loading/Unloading At Any Time” restrictions, to provide the vehicle accesses which have been established.
- 4.2** A temporary TRO, introducing “No Waiting at Any Time and No Loading/Unloading At Any Time” restrictions has been extended with the approval of the Department for Transport until 5 March 2020, but a permanent Traffic Regulation Order needs brought into operation as soon as possible. This report is seeking approval the Working Group to agree to progress to statutory consultation and advertisement of those restrictions.
- 4.3** A layout plan is included in Appendix 1 which shows the lengths of parking bay that are to be removed.
- 4.4** The estimated cost to implement the Traffic Regulation Order on Kendal St/Newcastle Street is £2,500. We are currently in negotiation with the developer of the housing site to recover this cost through a Private Works Agreement.
- 4.5** The recent opening of the new KFC drive-through on London Road has created significant issues with parking on the un-adopted Petheril Terrace. Meetings have taken place with all parties, at which it was agreed that Cumbria County Council would seek to introduce No Waiting At Any Time restrictions on parts of the road to address the issues raised by residents.
- 4.6** It is understood that the Landlord for the KFC would be prepared to meet the cost of the required signage and lines.
- 4.7** The proposed restrictions are shown on the plan in appendix 2.

5.0 OPTIONS

- 5.1 That the Working Group recommends that Local Committee agree the Recommendations at paragraph 3.
- 5.2 That the Working Group does not support the Recommendations.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 The estimated cost to implement the Traffic Regulation Order on Kendal St/Newcastle Street is £2,500. If negotiations with the developer of the housing site are successful these costs could be recovered through a Private Works Agreement.
- 6.2 With regard to the works on Petteril Terrace it is expected that the cost of the legal work to introduce this order could be recovered from the KFC by means of a private works agreement, and if agreed KFC would be responsible for carrying out any necessary road marking and signing.
- 6.3 Local Committee is asked to note that If these schemes were to proceed to implementation any future maintenance costs could be met from the relevant years devolved Highways revenue allocation to Local Committee.

7.0 LEGAL IMPLICATIONS

- 7.1 The County Council, as Traffic Authority, must take into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") detailed below, in considering whether it is expedient to agree to the implementation of the Traffic Regulation Order detailed in this Report for the reason specified at sections 1(1) (a) and (f) of the 1984 Act, namely:-
 - (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, and
 - (b) for preserving or improving the amenities of the area through which the roads run.
- 7.2 Under Section 122(2), the matters which must be taken into account in exercising that duty are: -
 - (a) The desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on amenities of an area;
 - (c) the national air quality strategy prepared under section 80 of the Environment Act 1995;
 - (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - (e) any other matters appearing to the authority to be relevant.

7.3 Local Committees may, pursuant to Part 2D, paragraph 5.1.2 (g) of the Constitution, approve the making of traffic regulation orders in accordance with powers under Parts I, II and IV of the Road Traffic Regulation act 1984, **except** for the making of Traffic Regulation Orders which involve the introduction for on-street residents permits, which are delegated to the Executive Director – Economy and Infrastructure subject to a decision of the appropriate member body to introduce such charges. (KB – 19.7.2019)

8.0 CONCLUSION

8.1 Once planning permission was granted selections of parking bays on Kendal Street and Newcastle Street were removed and some replaced with no waiting at any time and no loading/unloading restrictions to allow the provision of vehicle accesses for a new housing development.

8.2 The requirement for No Waiting At Any Time restrictions on Petteril Terrace has come about as a result of unanticipated overspill, and inconsiderate parking from users of the new KFC on London Road.

8.3 This report seeks to address the above issues by the introduction of the restrictions detailed in paragraphs 3.1 and 3.2 above.

Angela Jones

Acting Executive Director - Economy and Infrastructure

August 2019

APPENDICES

Appendix 1: Plan showing - No Waiting At Any Time and No Loading/Unloading At At Any Time restrictions and removal of existing parking bays Kendal Street/ Newcastle Street plan

Appendix 2: Plan showing - Proposed No waiting at any Time restrictions on Petteril Terrace

Electoral Divisions: Castle & Harraby

Executive Decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No
Key Decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Is the decision exempt from call-in on grounds of urgency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No

Has an environmental or sustainability impact assessment been undertaken?

		N/A
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Has an equality impact assessment been undertaken?

		N/A
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N.B. If an executive decision is made, then a decision cannot be implemented until the expiry of the eighth working day after the date of the meeting – unless the decision is urgent and exempt from call-in and necessary approvals have been obtained.

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

None

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny

BACKGROUND PAPERS

No background papers

REPORT AUTHOR

Contact:
Abigail Dodds – Traffic Management Officer
abigail.dodds@cumbria.gov.uk 07917 747174