

Proposed amendments to Parking Restrictions on Main Road, Exminster

Report of the Chief Officer for Highways, Infrastructure Development and Waste

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that:

- (a) the results of the consultation are noted; and**
- (b) the limited waiting is re-introduced on Main Road and the traffic order is made and sealed.**

1. Summary

This report is to consider the submissions to the statutory consultation on the Traffic Regulation and On-Street Parking Places Amendment Order. This County Wide order seeks to resolve discrepancies that have come to light between what is marked on the ground and what is detailed within the Civil Parking Enforcement Traffic Regulation Order.

2. Background

As part of a review of restrictions a discrepancy was identified in Main Road, Exminster. A limited waiting bay is included within the countywide traffic regulation order, however whilst there is a sign, a bay has never been marked on street and therefore the restriction is unenforceable.

As the restriction had not been formally introduced, the existing traffic order can no longer be enacted and therefore a new traffic regulation order (TRO) is required to correct this discrepancy.

The advertised proposal is to remove the bay from the TRO and remove the sign on street as it was considered the restriction was not obvious and that the limited waiting restriction was not being adhered to.

3. Consultations/Representations

A small number of responses were received to the County Wide order, but we received 2 objections for the proposal in Main Road, Exminster from the Local Member and the Parish Council.

Details of the objections received to this specific proposal, and the County Council's response are shown in Appendix I to this report and the details of the proposals advertised for Main Road, Exminster can be found in Appendix II.

In summary, it is recommended that the limited waiting bay is re-introduced. This means that works will be ordered to mark a bay at this location and the proposed traffic order will be modified to include the limited waiting bay before it is sealed. This will allow the council to enforce the short stay parking for the local amenities.

4. Financial Considerations

The total costs of the scheme will be funded from the On-Street Parking Account.

5. Legal Considerations

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When making a Traffic Regulation Order it is the County Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 that states that it is the duty of a local authority, so far as practicable, secures the expeditious, convenient and safe movement of traffic and provision of parking facilities. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic.

6. Environmental Impact Considerations (Including Climate Change)

It is not considered that the recommendation will have an effect on the environment and therefore the Environmental Impacts of the scheme are neutral.

7. Equality Considerations

There are not considered to be any equality issues associated with the proposals. The impact will therefore be neutral.

8. Risk Management Considerations

No risks have been identified.

9. Public Health Impact

There is not considered to be any public health impact.

10. Reasons for Recommendations

After considering the responses, it is recommended to re-introduce the limited waiting to retain short term parking for the local amenities.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Division: Exminster & Haldon

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
Nil		

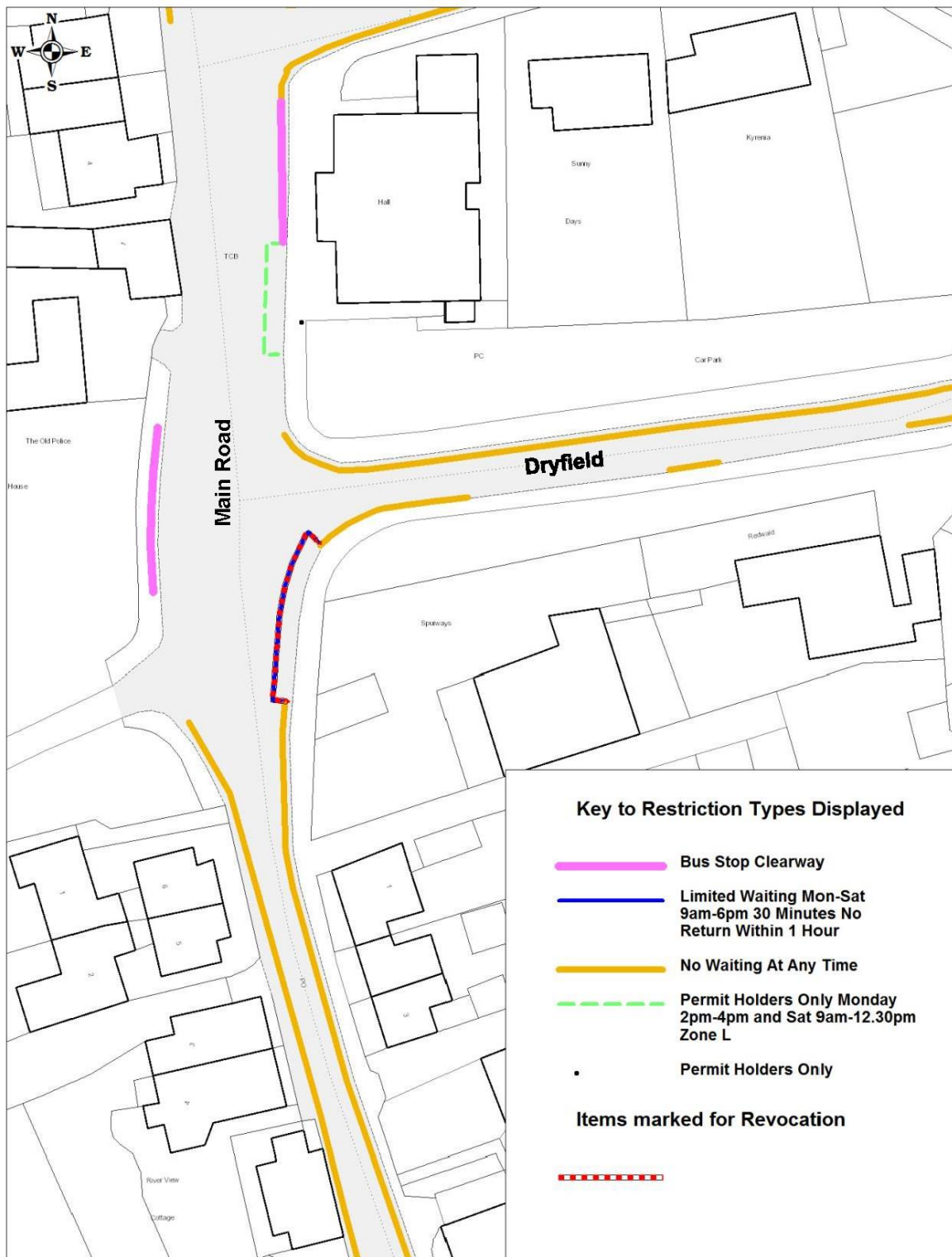
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Appendix I
To HIW/21/11

Comment	Devon County Council's response
First Respondent: Exminster Parish Council	
Strongly objects to the proposed removal of the Limited Waiting from Main Road at the junction with Dryfield.	Noted.
Current restriction does not cause a problem, essential for people using the amenities in the village including the doctor's surgery and concerns it would affect viability of Post Office.	Noted, it is recommended to re-introduce the limited waiting to retain short term parking for the local amenities.
Parking already limited and the restriction is essential to limit the number of commuters parked all day in the centre of the village.	Noted.
Would like the parking made enforceable, not removed.	The reasons are detailed in the report above.
Would like a reason for this decision and can it be stopped?	The recommendation is to re-introduce the limited waiting.
Second Respondent: County Councillor Alan Connett	
Agrees with Exminster Parish Council as above and strongly opposes revocation.	Noted.
Believes it will adversely impact the village, especially village shops and the Post Office.	Noted.

<p>If the issue was the bay not being marked, it would have been easier to mark a bay and not proceed with a revocation that has no merit.</p>	<p>As the restriction had not been formally introduced, the existing traffic order can no longer be enacted and therefore a new traffic regulation order (TRO) is required to correct this discrepancy.</p> <p>The advertised proposal is to remove the bay from the TRO and remove the sign on street as it was considered the restriction was not obvious and that the limited waiting restriction was not being adhered to.</p> <p>However, it is recommended to re-introduce the limited waiting to retain short term parking for the local amenities.</p>
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Appendix II To HIW/21/11



Existing Traffic Order Descriptions (to be revoked from TRO)	Proposed Traffic Order Descriptions (to be added to TRO)
<p>Limited Waiting Mon-Sat 9am-6pm 30 Minutes No Return Within 1 Hour</p> <p>Main Road, Exminster east side from its junction with Dryfield for a distance of 16 metres in a southerly direction</p>	

<p>Why is this change being made? The TRO is being amended to remove the limited waiting bay that has never been marked.</p>
