

Item No.

REPORT TO THE HEAD OF HIGHWAYS & TRANSPORTATION

DECEMBER 2018

OBJECTION TO PROPOSED TRAFFIC REGULATION ORDERS – KIMBERLEY ROAD, KIMBERLEY CLOSE & CAE BANC, SKETTY

Summary

Purpose:	This report refers to a single letter of objection in respect of proposals to introduce prohibition of waiting at any time restrictions on Kimberley Road, Kimberley Close and Cae Banc, Sketty to improve road safety.
Reason for Decision:	To consider comments received and determine how to proceed.
Consultation:	Local Ward Members, Legal & Democratic Services.
Recommendation(s):	It is recommended that <ul style="list-style-type: none">• the comments received are noted but that the scheme as proposed is progressed.• the objector is informed of the decision.

1.0 Background:

- 1.1 Following reports made by the Local Ward Member and residents regarding localised inconsiderate parking and visibility constraints on Kimberley Road at its junctions with Cae Banc and Kimberley Close a series of Traffic Regulation Orders were developed to help mitigate the reported concerns.
- 1.2 The proposals were duly advertised for comment. In response to this a single piece of correspondence was received objecting to the proposals.

2.0 Detail of the objection.

- 2.1 The letter of objection highlighted one area of concern, the loss of parking on the western side of Cae Banc (on Kimberley Road). The objector noted that if implemented they would not be able park outside their home.
- 2.2 The resident also commented that they had no objection to the proposal on the eastern side of Cae Banc (on Kimberley Road).

3.0 Comments on the objections:

- 3.1 The Traffic Regulation Order is being proposed due to visibility constraints experienced by motorists negotiating junctions in the area, including Cae Banc onto Kimberley Close. Site assessments undertaken by officers of the Traffic Group confirmed the limited visibility reported and supported residents road safety concerns.
- 3.2 The measures proposed are consistent with the Highway Code which noted that you should not park within 10metres of a junction.
- 3.3 Whilst it is advantageous to be able to park close to your home, the Council do not have a duty to provide adequate parking, under the Highway Act 1980; it is the duty of the Council to maintain the safe and free flow of traffic on the highway. There is no infringement of the Human Rights Act, as it does not provide a right for individuals to park outside their property, vehicles are only to park on the highway if they do not cause an obstruction, or contravene any traffic regulation orders.

4.0 Conclusions

- 4.1 The City & County of Swansea recognise that the measures proposed will impact on local residents, however as Highway Authority they have a duty to address road safety concerns. The current parking arrangements in the vicinity of the local junctions significantly restrict the visibility splays for drivers negotiating them, consequently it is considered necessary to restrict parking to the recommendations set out in the Highway Code.

5.0 Legal Implication:

- 5.1 The Traffic Regulation Order has been proposed in accordance with the provisions of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which require that Notice of the proposals is advertised in a newspaper circulating in the area. Before a Traffic Regulation Order can be made it is necessary to consider all objections. Where objections have been made the Council must be satisfied that it is appropriate to make the order, having considered the objections.

6.0 Recommendation:

6.1 It is recommended that

- the comments received are noted but that the scheme as proposed is progressed.
- the objector is informed of the decision.

7.0 Background Papers:

7.1 One letter of objection was used in the preparation of this report.

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File.Refs: U:\Projects 2016-2017\Community Budgets\Sketty\T.16.CB.33.005 - Cae Banc Kimberley Road TRO\Reports and schedules

Date: December 2018