



Democratic Services

Location: Phase II
Ext: 0833
DDI: 01895 25 0833
My Ref: RD

**To: COUNCILLOR JOHN RILEY
CABINET MEMBER FOR PUBLIC SAFETY AND
TRANSPORT**

c.c. All Members of Executive Scrutiny Committee
c.c. Perry Scott, Residents Services
c.c. Caroline Haywood, Residents Services
c.c. Chairman of the Residents, Education and
Environmental Services Policy Overview Committee
c.c. Ward Councillors for Barnhill
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 23 April 2021

Non-Key Decision request

Form D

CARLYON ROAD, HAYES – OBJECTION TO PROPOSED SCHOOL KEEP CLEAR ROAD MARKING

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Tuesday 04 May 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Ryan Dell
Democratic Services Apprentice

Title of Report: Carlyon Road, Hayes – Objection to Proposed School Keep Clear Road Marking

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

SignedDate.....

Cabinet Member for Public Safety and Transport

CARLYON ROAD, HAYES - OBJECTION TO PROPOSED SCHOOL KEEP CLEAR ROAD MARKING

Cabinet Member(s)	Councillor John Riley
Cabinet Portfolio(s)	Public Safety and Transport
Officer Contact(s)	Caroline Haywood, Transport and Projects
Papers with report	Appendix A - Location plan Appendix B - Plan of proposal

HEADLINES

Summary	To inform the Cabinet Member that an objection has been received to the proposed School Keep Clear marking on Carlyon Road, Hayes.
Putting our Residents First	The request can be considered as part of the Council's annual programme of road safety initiatives.
Financial Cost	The implementation of the proposed School Keep Clear road marking in Carlyon Road is estimated to cost £600 which will be funded from existing revenue budgets within the Transportation Service.
Relevant Policy Overview Committee	Residents, Education and Environmental Services
Relevant Ward(s)	Barnhill

RECOMMENDATIONS

That the Cabinet Member:

1. Considers the objection received from the statutory consultation for proposed School Keep Clear marking on Carlyon Road, Hayes; and
2. Approves the implementation of the proposed School Keep Clear marking on Carlyon Road, Hayes.

Reasons for recommendations

To improve safety and reduce accident risk, it is recommended that parking on this section of Carlyon Road is restricted during school drop-off and pick-up times.

Alternative options considered / risk management

The Council could decide not to proceed with the proposed School Keep Clear marking as advertised.

Policy Overview Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Carlyon Road is a residential road within Barnhill Ward. The majority of properties appear to benefit from off-street parking. Carlyon Road is a no through road with housing on one side and Yeading Junior School, Yeading Infant and Nursery School and Yeading Children's Centre opposite. A plan of the area is shown on Appendix A to this report.
2. The Council received a request through the Road Safety Programme for measures to remove obstructive parking on the school side of the road in between the existing School Keep Clear markings. A detailed site investigation was undertaken by Council officers.
3. Officers observed that there are existing School Keep Clear markings and single yellow lines along the length of the school side of the road, except a small section in between two existing School Keep Clear markings. Vehicles mainly park along the houses side of the road which reduces the carriageway width to one running lane. Vehicles that park in the small gap of the existing keep clear markings severely limited traffic flow and increased congestion outside the school. Subsequently some drivers were forced to stop on the School Keep Clear markings and run the risk of incurring a penalty charge notice. The road is heavily congested during the school drop-off and pick-up times. The gap is wide enough for two vehicles to park.
4. As a result of the site observations and information provided by the Parking Enforcement Team, a proposal was developed to join the School Keep Clear markings together and remove the small section of single yellow line outside the school to help improve access and promote road safety outside the school. The proposed new School Keep Clear markings is shown on the plan attached as Appendix B of this report.
5. The Cabinet Member agreed to take the proposal through the statutory 21-day consultation process, which involved the placing of advertisements in the local press and the display of public notices on site. During this period the Council received one objection.
6. The objector stated *"I am writing to you in the hope that you would reconsider taking this the only parking in Carlyon Road away. The road is busy with visitors to the Children's centre and Yeading Infant School along with Yeading Junior School and this space is the only space for people to park. Opposite side of the road, as you are aware, is residential with many dropped kerbs. With very limited parking in this area and the restrictions implemented by the cameras, I feel disappointed that you feel it necessary to take away this last remaining parking. At the most two cars can fit the space and if those two spaces are now taken away then those drivers will park over residents' driveways. Whilst we understand you are doing this in the interest of safety, I feel there should be two spaces left available for visitors to the road. If, however, you proceed with the implementation of these further parking restrictions, I would politely request flexibility when it comes to School holidays and bank holidays. At the moment the restrictions are enforceable Monday to*

Friday 52 weeks of the year, could it be possible that they are enforced during term time only.”

7. To enable effective enforcement of the restrictions it is not feasible to limit them to term time only as term times vary from year to year and from area to area. Vehicles can park on the school keep clear markings outside the hours of operation as shown on the signs installed on site. Parking will still be maintained on the houses side of the road.
8. After careful consideration of comments received from the statutory consultation and the views of the local Ward Councillors; it is recommended that the Cabinet Member agrees to proceed with the installation of the proposed School Keep Clear road marking as advertised.

Financial Implications

The cost of implementing the School Keep Clear markings on Carlyon Road is estimated to be £600, which will be managed within existing revenue budgets within the Transportation Service.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The effect of introducing the proposed School Keep Clear marking will be that safety is maintained during school drop-off and pick-up times.

Consultation carried out or required

Consultation has been carried out on this proposal through a notice on site and in the local press. Local Ward Councillors have also been consulted.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

The decision makers must ensure that there is full consideration of the representations that have been received. In exercising the power to approve the proposal for the School Keep Clear markings on Carlyon Road, the Council have to consider their power to make such an order, as set out in Part I of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures that should be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

If the decision is taken to make the proposed order, Part V of the Road Traffic Regulation Act 1984 and the Traffic Signs Regulations and General Directions 2016 set out the signage requirements which must be observed.

In considering consultation responses, section 122 of the Road Traffic Regulations Act 1984 means that the Council must balance the concerns of the objectors with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

There are a set of well-established common law rules which set out the requirements of a lawful public consultation which are known as the Gunning principles. They were endorsed by the Supreme Court in the Moseley case.

- The principles can be summarised as follows:
- Consultation should occur when proposals are at a formative stage;
- Consultations should give sufficient reasons for any proposal to permit intelligent consideration;
- Consultations should allow adequate time for consideration and response;
- The product of consultation should conscientiously be taken into account by the decision maker.

There are a very significant number of judicial review cases which involve successful challenges to the lawfulness of a consultation undertaken by a public authority, so it is imperative that the Gunning principles are closely followed in this case.

Infrastructure / Asset Management

There are no property implications resulting from the recommendations set out in this report.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

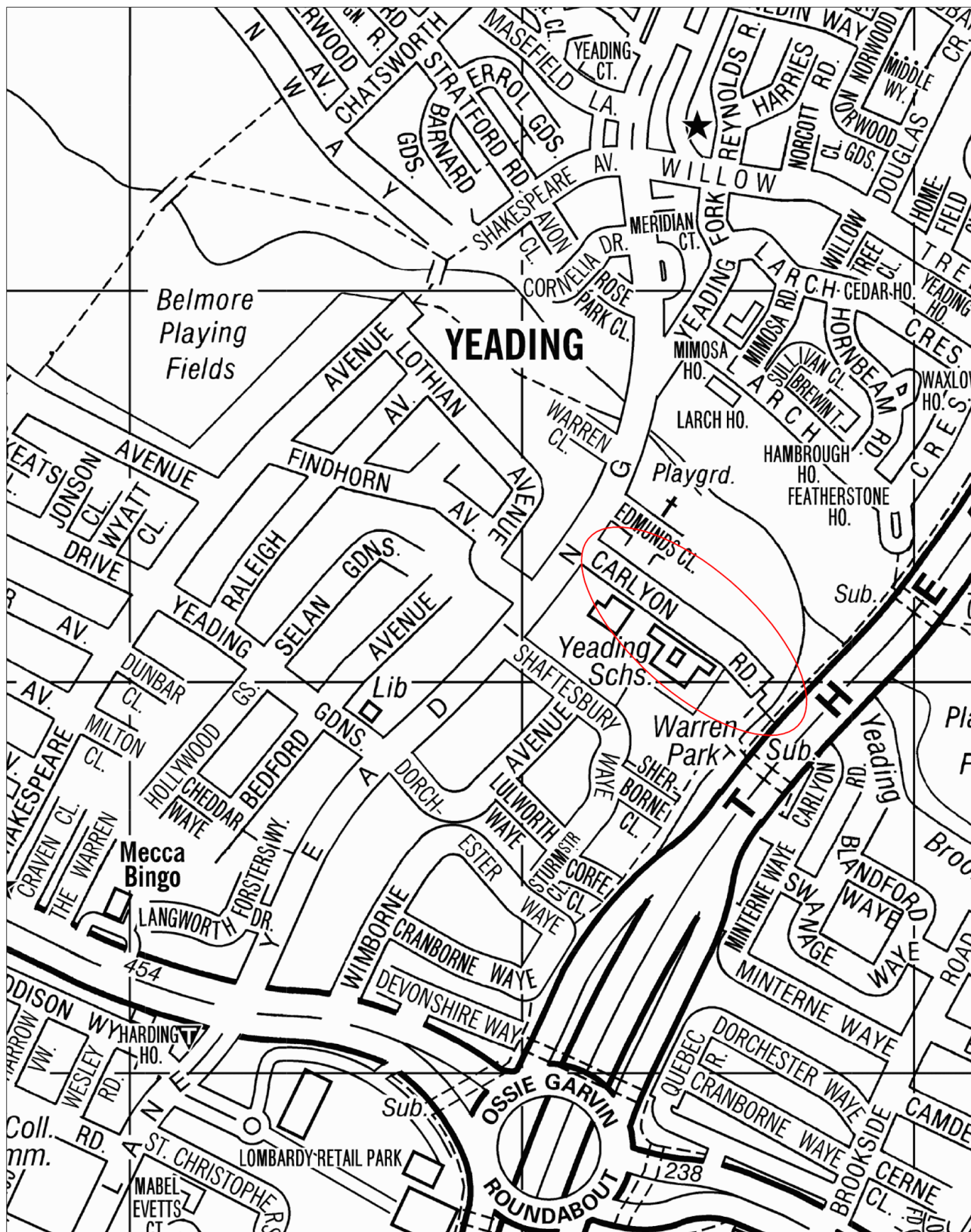
- Traffic order
- Objection email

TITLE OF ANY APPENDICES

Appendix A - Location plan

Appendix B - Plan of proposal

Appendix A - Location plan

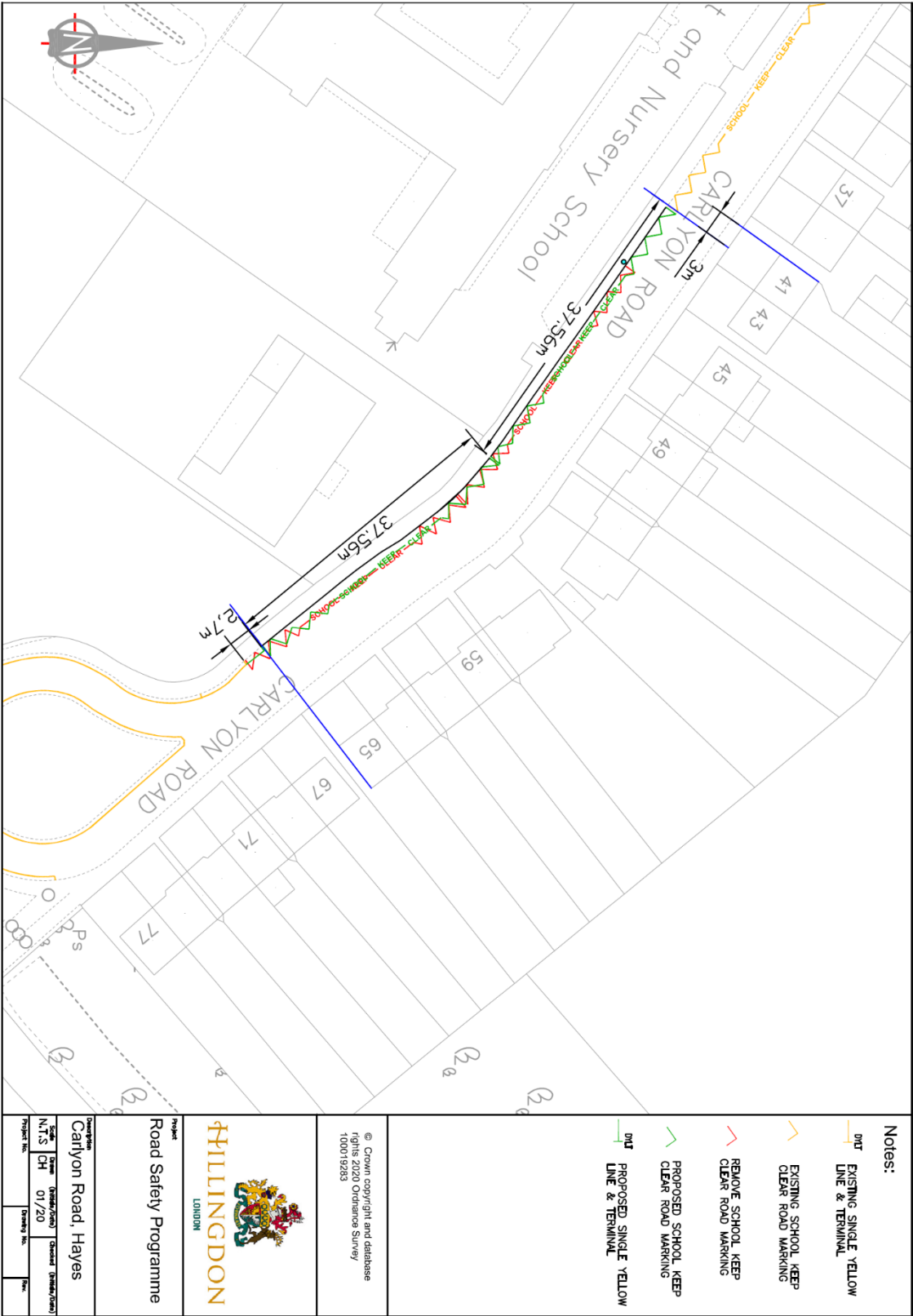


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Carlyon Road

Appendix B - Plan of proposal



APPENDIX B