

# OFFICER DECISION REPORT - TRO OBJECTION REPORT

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ADDRESSED TO: Group Manager, Highways & Traffic  
PREPARED BY: Traffic Regulation Order Team

**TITLE OF REPORT: Mead Lane, Saltford**  
**PROPOSAL: Proposed Overnight Parking Restrictions**  
**SCHEME REF No.: TRO 16-005**

## 1. STATEMENT

The delegation to be exercised in this report is contained within **Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

<b>Section A</b>	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility...."
<b>Section B</b>	Without prejudice to the generality of this, Officers are authorised to: serve any notices and make, amend or revoke any orders falling within his/her area of responsibility.
<b>Section D9</b>	An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator.

For the purpose of this report, in January 2016, the Divisional Director Environmental Services delegated the power to make, amend or revoke any Orders to the Group Manager, Highways and Traffic.

## 2. BACKGROUND

The residents of Mead Lane together with the Parish Council have raised concerns about activities by a small element of the boating community as regards their anti-social behaviour when moored along the river bank fronting Mead Lane. The complaints include:

- Excessive lengths of stay, exceeding the 14 day term within the boating licence, leading to:
- Noise, aggressive behaviour, trespass onto adjacent private property, littering and fouling along the riverbank,
- Associated visitors' vehicles being used for overnight habitation over extended periods, causing obstruction to driveways.

## 3. ISSUES

The grounds for objection have been summarised below with the technical responses in italics underneath each one. 64 responses were received; 19 were in favour and 45 against the proposed scheme.

Objections to the proposal can be summarised by:

- a) Implementation of the scheme will create a loss of convenient parking for those living on boats at the locality. The effect will be to force those affected to have greater foot journeys to work, school etc. Ultimately this could jeopardise employment, and/or risk children not getting to school on time.

*Whilst the ability to park outside of one's residence is desirable, it is not a right that is expected to be fulfilled by the local authority.*

- b) Implementation of the scheme will detrimentally affect recreational users of the canal at the location, particularly early morning/overnight users such as anglers and paddle boarders, who will be forced to leave expensive equipment unattended whilst they re-park vehicles.

*The proposal is for no parking is between 01:00hrs and 08:00hrs, therefore vehicles should not be parked to unload equipment between these times. However this is a valid point for some users who are unable to carry their equipment in one go.*

- c) Implementation of the scheme will detrimentally affect other recreational users of the canal at the location, including cyclists, walkers and swimmers.

*It is anticipated that fewer users will need to park during limited hours. There is alternative unrestricted parking in the locality.*

- d) Implementation of the scheme will displace current permanent parking elsewhere in the village, which is already short of parking.

*Implementation will displace current parking. The effect of this displacement cannot be quantified at this time.*

- e) There are no practical reasons for implementation of the scheme, which would have a particularly adverse impact upon those living on boats on the moorings, particularly women, disabled and young persons. Such implementation would be in breach of the Equality Act.

*Implementation of the proposal would be on the grounds of "preserving or improving the amenities of the area through which the road runs." The views of all parties have been sought and considered from an equalities perspective.*

- f) The staff are not available to enforce restrictions.

*Parking Enforcement Staff are available to enforce these restrictions from 07:00hrs to 20:00hrs. However, that is the same for all restricted parking across Bath and North East Somerset.*

- g) Reasons given for the proposal include “preserve or improve the amenities of the area through which the road runs”. Implementation of the scheme will have an opposite effect, by deterring visitors as they will not be able to park in the immediate vicinity.

*In general, visitors do not have an expectation of parking immediately next to the amenity they are visiting. There is other unrestricted parking in the locality. The proposed times of the restriction is such that fewer visitors would likely to be affected.*

- h) The Officer Decision Report states that residents and parish councillors have complained about excessive mooring and anti-social behaviour caused by a number of those using the moorings. Those using the moorings have complained of antisocial behaviour aimed at them by residents due to their parking of vehicles at the location.

*The proposal is not intended to help control the length of stay of those using the moorings. We are not aware of any evidence of anti-social behaviour from either residents or those using the moorings.*

- i) Implementation of the scheme will force members of the boating community away from the locality, therefore having a detrimental effect on the diverseness of the community.

*Whilst the ability to park outside of one’s residence is desirable, it is not a right that expected to be fulfilled by the local authority.*

- j) People who leave their cars overnight because they have had too much to drink in the local pub would be disadvantaged by this proposal.

*The lack of overnight parking may encourage some patrons to drive instead of leaving their cars parked along the edge of the river if the pub car park is full.*

Support for the proposal can be summarised by:

- a) Implementation of the scheme will restrict overnight parking, which will in turn reduce anti-social behaviour.

*We have not seen any evidence as to how vehicles parked overnight are leading to anti-social behaviour and how removal such parking would prevent it from happening.*

- b) Implementation of the scheme will reduce damage to grass verges/riverbank.

*Implementation of the scheme will not cover such parking. This is covered by other legislation, including “driving elsewhere other than on a road”.*

c) Implementation of the scheme will prevent larger vehicle parking all day.

*Current parking practices have not been identified as an issue to local users, themselves often using larger vehicles.*

d) Implementation of the scheme will assist access of emergency vehicles.

*Current parking practices have not been identified as a hindrance to emergency services.*

e) A representative from the sewage treatment works states it is not affected by current parking practices between the hours of 0100hrs and 0800hrs.

*This confirms current parking practices do not impact on the passage of vehicles on the road.*

The purpose of this proposal is to improve the amenities of the Mead Lane area because of complaints about overnight parking are leading to anti-social behaviour. However, there does not appear to be evidence of the anti-social behaviour or how that is caused by vehicles parking overnight.

In addition to this, since some people using the moorings may own a vehicle, particularly those who are boat dwellers, they have a need to park. The level of parking seen in Mead Lane has not been observed to cause a problem to passing traffic.

It is therefore recommended that the proposed parking restrictions should not be implemented.

#### **4 SOURCE OF FINANCE**

This proposal up to this point has been funded from the Highways and Traffic capital budget for Traffic Regulation Orders. If the proposal is implemented a further source of funding will be required.

#### **5. MEMBERS' COMMENTS**

Police:

A copy of the report sent for information.

Ward Members:

A copy of the report sent for information.

Cabinet Member:

A copy of the report sent for information.

**6**      **RECOMMENDATION**

It is recommended that the objections:

		Place "X" below.
a)	Be not acceded to and the Order as advertised be made.	
b)	Be acceded to in full and the proposal be withdrawn.	x
c)	Be acceded to in part and the following adjustments, being of minor significance; be included in the Order to be sealed.  <i>specify minor amendment to Order here:</i>	

Signature: .....   
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Report Reference: **16-005**  
Date: 25<sup>th</sup> July 2018

**7**      **BACKGROUND PAPERS**

None.

