

Eastern Area Planning Committee

Date – 28th July 2021

Proposed Traffic Regulation Order – Pony Drive, Upton

For Decision

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Councillor(s): Cllr Pipe, Cllr Brenton, and Cllr Starr

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Recommendation: That having considered the objections received, committee be recommended to approve the proposed waiting restrictions as originally advertised or as revised and recommend this approval for executive decision.

Reason for Recommendation: The proposed restrictions for Pony Drive are to facilitate clear visibility for all highway users, to avoid danger to persons or other traffic using the road (including pedestrians).

1 Executive Summary

This report considers the objections, support and comments received during the public consultation stage of the Traffic Regulation Order (TRO).

- 1.1 Pony Drive leads to a residential area. It is situated opposite a free car park that is used predominantly for walkers using Upton Country Park. There is another pay and display car park in an easterly direction approximately three hundred metres from Pony Drive.

2 Well-being and Health Implications

- 2.1 Residents have reported the parking by visitors using Upton Park in obstructive and dangerous positions lead to stress and possibly confrontational situations.

3 Climate implications

- 3.1 Although difficult to measure directly less vehicles parking within Pony Drive could reduce carbon emissions within the immediate area.

4 Other Implications

N/A

5 Risk Assessment

- 5.1 Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6 Equalities Impact Assessment

- 6.1 The proposed waiting restrictions will have the usual exemption for disabled badge holders where appropriate and in accordance with the Highway Code.

7 Appendices

Appendix 1 - Consultation plan

Appendix 2 – Revised plan following public consultation.

8 Background Papers

Responses from Lytchett Minster & Upton Town Council, Dorset Police and the local County Councillors are available to view on request

Background

- 8.1 Primary consultation responses from Lytchett Minster & Upton Town Council, Local Dorset Councillors and Dorset Police.
- 8.2 Proposals were advertised for public consultation on 25th February 2021 for new No Waiting at Any Time restrictions on Pony Drive.
- 8.3 32 responses were received in total. This breaks down to 27 objections, 4 approvals and one information request.
- 8.4 The request for No Waiting at Any Time restrictions on Pony Drive was made initially by Lytchett Minster & Upton Town Council on behalf of requests from residents.
- 8.5 When the public consultation completed the objections raised enabled Dorset Council to consider a revised proposal which would better accommodate residents and visitors.
- 8.6 The revised proposal of 'No Waiting Between the Hours Of 9.00am and 5:00pm' was sent to Lytchett Minster & Upton Town Council and Local Councillors to confirm if they were supportive of the revised restrictions.
- 8.7 Lytchett Minster & Upton Town Council discussed the proposal in a meeting on 20th April 2021 and confirmed their decision was to continue to support the original proposal.
Councillor Bill Pipe responded by email confirming that he supports the original proposal.
- 8.8 Dorset Council Parking services team have been contacted on occasion about vehicles parked inconsiderately along Pony Drive. Vehicles were not parked on an enforceable restriction by a Civil Enforcement Officer.

9 Law

- 9.1 Sections 1 and 2 of the Road Traffic Regulation Act 1984 allow the Council to make an Order prohibiting or restricting the waiting of vehicles or the unloading of vehicles. The circumstances where an Order may be made include:
 - For avoiding danger to persons or other traffic using the road.
 - For facilitating the passage on the road of any class of traffic.

10 Consultation

- 10.1 Under Dorset Council's procedure, primary consultation was carried out and is supported for public consultation by the Local Members, Lytchett Minster & Upton Town Council, and Dorset Police.

10.2 There were thirty-two responses in total for the proposal. The objections and support have been summarised in the tables below with officer's comments:

Supportive comments
<ul style="list-style-type: none"> • The abuse of the existing parking is usually accompanied by abusive behaviour and offensive language when residents challenge them. • This is a matter of safety which is obviously much more important than convenience. • The current parking severely restricts access by emergency vehicles and refuse lorries. • I have had near head on collisions and had to perform an emergency stop when turning into the Pony Drive from Poole road due to vehicles parked near the junction. • The traffic has increased considerably- the road is usually full by mid-day. • This proposal will reduce the danger to residents by allowing the road to be used as intended, whilst not forcing drivers on the wrong side of the road when approaching the main junction to Poole Road.

Objection Raised	Officer Comments
<p>There will not be enough spaces for the residents to park and lines would make it impossible to get a space after work and on weekends.</p>	<p>The area affected by the proposal is at the top end of Pony Drive, starting from its junction with Poole Road. (Appendix 1)</p> <p>Pony Drive from its junction with Stirup Close will have no restriction. This enables the opportunity to park where safe.</p> <p>After the public consultation an alternative proposal of 'No waiting at any time between the hours of 9am and 5pm' was provided to the Parish Council and Local Councillors to review. This could provide further parking after 5pm.</p>

<p>The parking restriction would cause great inconvenience when parking to visit residents. There is no other nearby parking.</p> <p>Only residents who have off road driveways have complained</p> <p>How about issuing resident parking permits?</p> <p>Residents who work until late would have to park at a distance to reach their home.</p> <p>Double yellow lines will move the parking issues to smaller roads. Put the restriction around the whole area.</p>	<p>The two car parks and surrounding roads could be used to park a vehicle for a short period.</p> <p>This proposal was made to our community highways team by Lytchett Minster & Upton Town Council. The parking issues were raised to the Parish Council by residents of Pony Drive. The parking issues have also been witnessed by Local Councillors and the Community Highways Team.</p> <p>The Parish Council was asked if it still wished to pursue the proposal. The Parish Council responded positively and continues to support the initial proposal. A resident parking scheme would need to complete a full consultation process, with significant resident support and could restrict parking further with a financial cost to the resident.</p> <p>Along Pony Drive there are nine streetlights (Dorset Explorer) that would provide a well-lit area. Dorset Police have supported the proposal and raised no concerns about safety in the area.</p> <p>This proposal was made to our community highways team by the Parish Council to manage the reported obstructive and dangerous parking reported on Pony Drive. When a motorist visibly sees a parking restriction, they will in most cases look for an alternative safe place to park and not drive down the road with the restriction.</p>
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<p>Reduce the prices in Upton house or reduce the overflow car park to an hour instead of 2 hours or give free permits to residents and extras for visitors.</p>	<p>Upton Country House car park is managed by BCP Council not Dorset Council. The response below about pricing within the car park is from a representative of BCP Council: “We are aware of parking issues in Pony Drive near Upton Country Park and will continue to support the work led by Lytchett Minster and Upton Town Council to help find an amicable resolution. We continue to promote car park facilities at Upton Country Park and encourage visitors to use it, including with our annual pass which equates to parking for as less than 12p a day. All money raised from parking helps support the maintenance and improvements around the park, including our recent expansion which saw enhancements to the cycle network.”</p>
<p>Just put the restriction on the corners and on one side of the road with space for users to get in and out of pony drive safely</p>	<p>The proposed restriction will help enforce no parking around junctions or opposite junctions discouraging parking opposite or within 10 metres (32 feet) of the major junctions on Pony Drive.</p>
<p>Yellow Lines cause a detrimental effect on the amenities of the surrounding area.</p>	<p>The proposed restriction will help restrict obstructive and dangerous parking whist encouraging motorists to look for alternative safe parking. For example, Upton House main car park.</p>

11 Consideration of Proposal

- 11.1 The implementation of a 'No Waiting at any Time' restriction along sections of Pony Drive would address the issue of inconsiderate and potentially dangerous parking whilst improving access at junctions for large vehicles including refuse vehicles, delivery vehicles and emergency service vehicles. The downside to this proposal is that during non-peak hours the restriction would still be active thus restricting residents possible parking opportunity. The revised proposal after the public consultation for the implementation of the 'No Waiting between 9am and 5pm' restriction along sections of Pony Drive would also address the issue of inconsiderate and potentially dangerous parking whilst improving access at junctions for large vehicles including refuse vehicles, delivery vehicles and emergency service vehicles. The limited time restriction may ensure provide availability for residents to park in the evening and overnight on the road if required. The downside to this proposal is that after 5pm when the restriction ends the junctions and areas where parking would cause visibility and traffic flow issues will be unprotected.

12 Conclusion

The Implementation of yellow lines will help enforce no parking around junctions or opposite junctions and increase visibility when emerging from Pony Drive. The revised proposal was put forward for consideration after feedback was received from residents during the public consultation stage. The proposed single yellow line could enable residents parking options if required between the hours of 5pm until 9am thus addressing concerns raised about safety and opportunity to park on the highway if required by visitors and residents. This would however leave the identified disruptive and possibly dangerous areas exposed when the restriction ends.

Having considered all the responses received and proposed an alternative restriction to Local members and Lytchett Minister and Upton Parish Council, officers conclude that both proposals have equally balanced advantages and disadvantages. As a result, officers consider it appropriate to recommend proceeding with the proposal as originally supported by the Parish Council and local members rather than leave the situation as existing.

13 Footnote:

- 13.1 Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Appendix 1- Original Public Consultation



Appendix 2- Proposal for consideration after public consultation

