

## South of the Borough Neighbourhood Committee

27 March 2019

### Gilders Road / Billockby Close, Junction - Traffic Management Order Objections

Report by Assistant Director Highways, Transport and Regulatory Services

#### **Purpose**

To consider two objections received in response to a Traffic Management Order (TMO) advertised on 29 November 2018, for Double Yellow Line “At Any Time” waiting restrictions at the junction of Gilders Road with Billockby Close, and to determine how to deal with those objections.

#### **Recommendations**

To **resolve** that -

1. the objections received in response to the publication of the TMO, described in paragraph 10 of the report, and the officer’s response in paragraphs 11 and 12 of the report are noted: and
2. the objections are rejected for the reasons set out in paragraphs 11 and 12, and the TMO imposing double yellow lines (as detailed by **Annex 1** of the report) be confirmed without modification.

#### **Benefits to the Community:**

The proposed double yellow lines will remove obstructions for pedestrians crossing Billockby Close to access local shops and bus stop.

#### **Key Points**

- A. A Pedestrian Environment Review System (PERS) audit identified several issues that need to be addressed in the Copt Gilders area, following a report considered by this Committee on 7 June 2018.
- B. As part of the works the Committee approved further “At Any Time” waiting restrictions at the junction of Gilders Road with Billockby Close to address access, visibility and sightline issues.
- C. A TMO (KingMap 18) was advertised for the waiting restrictions on 29 November 2018. Two objections were received within the consultation period, which expired on 20 December 2018.

#### **Context**

1. Following enquiries from residents, businesses and local councillors, officers undertook an audit of the Copt Gilders area using the Pedestrian Environment Review System (PERS) developed by Transport for London (TfL). The audit identified several issues that need to be addressed and details of the outcome, along with proposed remedial measures, formed the basis of a report considered by this Committee on 7 June 2018.
2. The Committee approved installation of the recommended package of remedial measures to improve access and safety for pedestrians, along with addressing issues of overrunning of verges and footways. As stated above, the proposals included further “at any time” waiting restrictions at the junction of Gilders Road with Billockby Close.

3. The pedestrian routes across and around the roundabout provide a valuable link to local shops, businesses and public transport. The 71 bus route services Chessington South and North railway stations, along with areas of Hook, Surbiton and Kingston. The crossing facilities are therefore an important and integral part of the local travel network for residents.
4. It is a longstanding objective of the council to provide accessible pedestrian routes to local amenities and in particular public transport. Moreover, this provision is also a requirement of the Disability Discrimination Act 1995, as amended (the DDA).
5. Rules 242 & 243 of the Highway Code stipulate locations where drivers must not stop or park on public roads. This is to protect safety and access for all road users by highlighting locations where a vehicle or trailer may otherwise be parked in a dangerous position or cause an unnecessary obstruction of the road. Rule 243 includes a specific instruction to drivers not to park within 10 metres of a junction unless it is in a marked bay.

### **Gilders Roundabout Scheme**

6. The waiting restrictions are part of a wider project to secure improved safety, access and amenities for pedestrians including persons with mobility difficulties. The improvements approved for installation at committee on 7 June 2018, also seek to address problems with the encroachment of vehicles onto verges and footways.
7. Issues that will be addressed by the scheme have been raised on several occasions by residents, businesses and councillors. The issues guided the primary focus of officers investigations that related to safety and accessibility across, and around, the Copt Gilders area, and to facilitate this a PERS audit was undertaken as part of the design process.
8. Referring specifically to the junction with Billockby Close, the existing advisory hatching is reflective of a history of obstruction of access, and sightlines, by vehicles parked on the corner of the junction, which is supported by residents comments. Recorded damage to the footway surface with extensive cracking also indicates an issue with vehicles encroaching on the footway to manoeuvre and/or park. The existing dropped kerbs are misaligned and there is no tactile paving.
9. Agreed changes at the junction include realigning the positions of the dropped kerbs and installing tactile paving, along with repairing the footways and resetting the kerbs. The advertised waiting restrictions will constitute a fundamental part of these improvements. Ensuring access to the new pedestrian facilities, allowing space for vehicles to access Billockby Close and enhancing safety through the protection of sightlines by reinforcing protection of an area where parking is not permitted by the Highway Code.

### **Objections Received**

10. Two objections were received within the 21 day consultation period of our Traffic Management Order (KingMap 18) advertised on 29 November 2018. The intended waiting restrictions are detailed on the plan attached as **Annex 1**, and the objections are set out as follows:

#### **Objection 1**

I wish to object to the parking amendments in order 201 tile ref BT16 on Gilders Road and Billockby Close.

I am a resident of Gilders Road and already find the parking in the area to be an issue. There are insufficient unrestricted spaces in the area to accommodate the

number of residents and I can only imagine that this will be made worse by the proposed amendments.

## **Objection 2**

I am wishing to raise an objection to your Minor parking amendments Ref; KingMap0018.

1. There are currently no issues with sight lines at the top end of the close (and all residents of the close are in agreement that there are no issues with sight lines at the top end of the close)
2. There are no congestion issues at the top end of the close.
3. What is proposed is excessive. Yellow lines on the north-east side of the close should match the existing white lines only. (even doing this will reduce the number of parking spaces by 3).
4. Loss of parking space on the north-east side of the close is unacceptable to residents of the close.
5. With the Dentist surgery in Guilders Road very close to Billockby Close this adds to the issue of parking for guest for the residents of Billockby Close.

## **RBK Response**

11. The points made by both objectors relate to a perceived loss of parking where there is potentially a high level of demand. Paragraph 5 above identifies that the Highway Code specifically precludes parking in the area covered by the advertised restrictions. Furthermore, Paragraph 9 above states the importance of the restrictions in ensuring access and safety at the junction. It is considered that the primary focus at this location should be ensuring that pedestrians, especially those with buggies or those with mobility issues, have clear and safe passage across the side road junction. The removal of the parking in the areas covered by the yellow lines ensures this can happen, and improves sightlines and forward visibility with other traffic.
12. Whilst the objections are noted, it is not considered that they justify any change to the proposed restrictions, and, based on the advice above, it is recommended by the Committee, and that the TMO to impose the waiting restrictions as advertised be confirmed without modification.

## **Consultations**

13. The TMO process includes the publishing of the official notice in the Surrey Comet and the London Gazette, which are statutory requirements. In addition to this notices were placed on street in the location of the proposed restrictions, as per the boroughs usual TMO process, where the 21 day consultation period is also part of the Statutory process. The two objections were received prior to the closing date of 20 December 2018.

## **Timescale**

14. Should the Committee support officers' recommendations, it is anticipated that the the yellow lines will be painted on the ground by the end of March 2019, subject to favourable weather conditions.

## **Resource Implications**

15. The costs for the painting for the yellow lines will be paid for from the LIP Capital Funding for South of the Borough Neighbourhood Improvements.

## **Legal Implications**

16. Under the provisions of the Road Traffic Regulation Act 1984 the Authority may make traffic orders controlling or regulating vehicular and other traffic, including parking. Any traffic order must be made in accordance with the detailed provisions of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI No.1996/2489) as amended. The Regulations require formal consultation, the publication of notice of any proposed order, consideration of any objections received before any Order is confirmed, with or without modification, and giving notice of any order made.
17. The TMO has been published in accordance with the Regulations and objections have been received during the consultation period. The Authority is now required to consider those objections and determine whether the TMO should be confirmed with or without modification. The power to determine the objections to TMOs is devolved to the relevant Neighbourhood Committee to consider.
18. Any person can challenge the validity of the TMO in the High Court within 6 weeks of the date it is made on the grounds:
  - (a) that it is not within the relevant powers, or
  - (b) that any of the relevant requirements has not been complied with in relation to the order
19. On the assumption the statutory process has been followed, there are no legal implications arising from this report.

## **Risk Assessment**

20. The intended yellow lines are expected to provide improved access and safety on the local road network.

## **Equalities Analysis**

21. There is an overarching EQIA in place that covers local implementation plan (LIP) schemes, and as such individual assessments are not required.

## **Environmental, Air Quality and Health Implications**

22. There are no significant implications associated with the proposed yellow lines.

## **Road Network Implications**

23. There are no significant network implications associated with the proposed waiting restrictions.

**Background papers** - held by Graham Clapson, Project Engineer, tel 020 8547 5947  
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