

PORTFOLIO HOLDER DECISION RECORD



Report subject	Traffic Order Proposals: Livingstone Road – Sealing of Traffic Order Ref P31 2022
Decision maker	Councillor Mike Greene – Portfolio Holder for Sustainability and Transport
Decision date	24 January 2023
Decision taken	To make and seal the Traffic Order and implement the restrictions which are outlined in Appendix 1 of this report.
Reasons for the decision	<p>To consider the representations received following the advertisement of the Traffic Order and to approve the making and sealing of the Order. This will enable the implementation of waiting and loading restrictions on Livingstone Road that are required to complete the pedestrian improvement scheme planned outside Pokesdown Community Primary School.</p> <p>In taking this decision regard has been had to the council's duty under section 122 of the Road Traffic Regulation Act 1984.</p> <p>It is considered that the Traffic Order proposals will help secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).</p>
Call-in and urgency:	<p>This is a non-key decision. Only key decisions, as defined in the Constitution, are subject to call-in. Key decisions are Cabinet or Leader/Portfolio Holder decisions which exceed the prescribed financial limit or significantly impact or effect two or more wards. Key decisions must also be published on the Forward Plan.</p> <p>To clarify, non-key Portfolio Holder decisions are not subject to call-in and this decision may therefore be implemented immediately after the decision is taken.</p>
Corporate Director	Chief Operations Officer – Jess Gibbons
Responsible officer	Julian McLaughlin
Wards	Boscombe East & Pokesdown;
Status	Open

Background	<p>A Local Transport Plan (LTP) road safety scheme comprising a footway build-out is planned at the pedestrian entrance to Pokesdown Community Primary School on Livingstone Road. This will provide more space for children and parents/carers waiting outside the gates before the start and at the end of the school day and will reduce the ability to park directly outside the school entrance.</p> <p>To accommodate the new highway layout; new waiting/loading restrictions are necessary, which require a Traffic Order to be made. The required restrictions are set out in Appendix 1.</p> <p>The statutory consultation of the proposed Traffic Order has been undertaken. Four representations have been received during the consultation period. Appendix 1 details the outcome of the consultation. No material negative impacts have been identified in relation to the proposed restrictions.</p>
Options appraisal	<p>The options considered:</p> <ul style="list-style-type: none"> • Make the Order and implement the provisions as advertised (this is the preferred option and proposed decision, as set out in Appendix 1). • Amend and make the Order, varying the advertised provisions to be less restrictive. • Not to make the Order.
Consultation undertaken	<p>The statutory consultation process set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 has been carried out as detailed below.</p> <p>A 21-day public consultation opened on Friday 4 November 2022 where:</p> <ul style="list-style-type: none"> • A Notice was placed in the Bournemouth Echo. • Notification emails were sent to all councillors and all statutory consultees (including emergency services, disability groups, local public transport providers, national transport associations and various council departments). • Street Notices with consultation details were displayed in relevant locations. • The Deposited Documents (consultation documents) were published on the council's consultation website. <p>Four representations have been received during the consultation period, two in support and two objections. The consultation outcome and recommendations are shown in Appendix 1.</p>
Financial/Resource implications	<p>The cost associated with the consultation of the Order is estimated to be £1,500 and will be funded from the LTP allocation. The cost of the implementation of the restrictions is included within the Local Transport Plan capital budget for the scheme.</p>

<p>Summary of legal implications</p>	<p>The Road Traffic Regulation Act 1984, as amended (RTRA) provides local authorities the power to make Traffic Orders.</p> <p>Consultation and notice provisions as identified in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 have been carried out as detailed above.</p> <p>All representations received during consultation period have been formally considered as outlined in Appendix 1 and taken into account in making this decision.</p> <p>In reaching a decision regard has been had to all relevant statutory provisions. They include, as appropriate, relevant requirements and duties as set out in s1 and s122 of the RTRA 1984 and s16 of the Traffic Management Act 2004.</p>
<p>Summary of sustainability impact</p>	<p>The waiting and loading restrictions will complete a highway improvement scheme that will complement the council's wider Transforming Travel programme and declared climate and ecological emergency. It will also support the council's Big Plan ambitions for improving local travel and creating an environment where the use of public transport, cycling and walking become more attractive travel choices.</p>
<p>Summary of public health implications</p>	<p>The waiting and loading restrictions will complete a highway improvement scheme that is designed to improve pedestrian safety and promote active travel which should reduce harmful emissions, provide healthy choices, provide better connected communities, thereby improving health and wellbeing.</p>
<p>Summary of equality implications</p>	<p>Children attending the Pokesdown Community Primary School will be the primary beneficiaries of the highway improvement scheme and will see stronger positive impacts from improved road safety conditions that the traffic restrictions will bring. Accompanying parents/carers within protected groups (disability, gender - female, pregnancy and maternity) are also likely to experience stronger positive impacts.</p> <p>The Traffic Order proposals are not expected to adversely impact on any particular group with protected characteristics.</p>
<p>Summary of risk assessment</p>	<p>No material risks associated with the proposed traffic restriction changes have been identified.</p>
<p>Conflicts of interest declared by Cabinet member consulted on this decision</p>	<p>None</p>
<p>Background papers</p>	<p>None</p>

Equality Impact Assessment: conversation screening tool

Policy/Service under development/review:	New Traffic Order (ref P31 2022).
What changes are being made to the policy/service?	<p>A road safety scheme comprising a footway build-out is planned at the pedestrian entrance to Pokesdown Community Primary School on Livingstone Road. This will provide more space for children and parents/carers waiting outside the gates before the start and at the end of the school day and will reduce the ability to park directly outside the school entrance.</p> <p>To accommodate the new highway layout; new waiting/loading restrictions are necessary, which require a Traffic Order to be made. The required restrictions are set out in Appendix 1. The Location can be viewed in the Traffic Order consultation documents: (Ref P31 2022) LTP - Pokesdown Primary School Road Safety Proposals</p>
Service Unit:	Transport and Engineering
Persons present in the conversation and their role/experience in the service:	Sally Swaine – Traffic Consultant
Conversation dates:	28 December 2022
Do you know your current or potential client base? Who are the key stakeholders?	<p>Road users. School children attending Pokesdown Community Primary School and their accompanying parents/carers Residents of Livingstone Road and their visitors Organisations on the statutory consultation list for Traffic Orders including the emergency services - Police, Fire, Ambulances, Taxi associations/operators and DOTS Disability - community interest company.</p>
Do different groups have different needs or experiences in relation to the policy/service	<p>The highway improvement scheme is designed to create a safer environment for children and their parents/carers accessing Pokesdown Community Primary School.</p> <p>Pedestrians are one of the most vulnerable road user groups. The proposed Traffic Order restrictions would be an effective measure at preventing parking on the widened footway thereby improving road safety conditions for pedestrians.</p> <ul style="list-style-type: none"> • Age (children) Children under the age of 16, are one of the most vulnerable road users, in particular child pedestrians which account for the majority of child casualties across all road user types. In contrast to older pedestrians, child pedestrians are not experienced and well educated about using the road. They are therefore particularly vulnerable to injuries and accidents. <p>The largest numbers of child pedestrian injuries occur between 8am to 9am and between 3pm to 7pm.</p> <p>Children attending the Pokesdown Community Primary School will be the primary beneficiaries of the highway</p>

	<p>improvement scheme and will see a stronger positive impacts from improved road safety conditions that the traffic restrictions will bring.</p> <p>Parents/carers accompanying their children in the following protected groups are also likely to experience stronger positive impacts:</p> <ul style="list-style-type: none"> • Disability The build-out outside the school entrance gate will provide more gathering space and reduce congestion on the footway. People with a disability, including those using mobility aids, a wheelchair or a mobility scooter will benefit more from an increased waiting space and a less congested footway. • Gender (females) Data from the National Travel Surveys shows that women are more likely to do the school run than men. • Pregnancy and maternity Parents/carers with prams and/or walking with small children will benefit more from an increased waiting space and a less congested footway. <p>Traffic Orders require a public consultation (which took place from 4 November to 25 November 2022). Disability groups are a statutory consultee; no responses from these consultees were received. The Traffic Order consultation feedback (consultation responses are provided in Appendix 1) did not highlight any specific concerns from any group with protected characteristics.</p>
<p>Will the policy or service change affect any of these service users?</p>	<p>The highway improvement scheme is designed to create a safer environment for children and their parents/carers accessing Pokesdown Community Primary School.</p>
<p>What are the benefits or positive impacts of the policy/service change on current or potential service users?</p>	<p>The Traffic Order restrictions will help keep the localised widened footway outside the school entrance clear of obstructive parking thereby improving road safety conditions.</p> <p>The build-out outside the school entrance gate will provide more gathering space and reduce congestion on the footway.</p>
<p>What are the negative impacts of the policy/service change on current or potential service users?</p>	<p>No negative impacts have been identified resulting from the Traffic Order proposals this EIA is reviewing.</p> <p>Parking will be removed by the footway build-out itself. The proposed waiting and loading restrictions will safeguard the new road layout from inconsiderate and obstructive parking.</p> <p>A negative impact of the footway build-out is that it will result in the loss of three parking spaces. At present there is no certainty of being able to park close to home. It is acknowledged that there will be a lower likelihood of being able to do this for some residents (as highlighted in the consultation feedback).</p>

Will the policy or service change affect employees?	Possibly, as some BCP Council colleagues will visit or live in the area.
Will the policy or service change affect the wider community?	Possibly, the traffic restrictions resulting from the implementation of these Traffic Orders could possibly affect the wider community insofar as all road users should comply with the restrictions.
What mitigating actions are planned or already in place for those negatively affected by the policy/service change?	<p>No negative impacts have been identified resulting from the Traffic Order proposals.</p> <p>It is important to note that disabled people that hold a Blue Badge who travel either as drivers or passengers are allowed to park in the limited wait parking bays in Livingstone Road without restriction. In addition, residents that are Blue Badge Holders can apply (at a cost) for a residential disabled parking bay, which if successful would be located as close as practical to their home.</p> <p>On-street residential disabled parking bays (bcpcouncil.gov.uk)</p>
Summary of Equality Implications:	<p>Children attending the Pokesdown Community Primary School will be the primary beneficiaries of the highway improvement scheme and will see stronger positive impacts from improved road safety conditions that the traffic restrictions will bring. Accompanying parents/carers within protected groups (disability, gender - female, pregnancy and maternity) are also likely to experience stronger positive impacts.</p> <p>The Traffic Order proposals are not expected to adversely impact on any particular group with protected characteristics.</p>

Appendix 1 – Consultation Outcome and Recommendations
Local Transport Plan Pokesdown Primary School Road Safety Proposals (Ref P31 2022)

Consultation dates: 4 November 2022 – 25 November 2022

Road Name/ Location	Advertised Restrictions	Comments Received	Decision
Livingstone Road, BH5: Northern side of the carriageway opposite Nos. 13-15, approx. 10m	No waiting at any time & No loading/unloading at any time	<p>2 in support:</p> <ul style="list-style-type: none"> • In support of this application Would prefer it if you actually closed the road for school drop off and pick up, but this is better than nothing. Currently children's lives are at risk. There have been many near misses. • I support this application. <p>2 Objections:</p> <ul style="list-style-type: none"> • I object to the above proposal for the following reasons: The proposal is to ban waiting in the 10 metre area AT ANY TIME. This will severely restrict parking facilities for residents in the evenings and at weekends. The restrictions at present in the layby are from 8am to 6pm Monday to Friday. Although I can see the requirement for no waiting outside the school gate, I believe it would be much more sensible to apply this enforcement to the same hours as the rest of the layby, i.e. Mondays to Fridays from 8am to 6pm. This would not affect the safety of those attending the school. • To whom it may concern I do not see the logical reason for removing parking spaces in Livingstone Road outside of school times. It is a narrow, one way road which at times has inadequate parking. It seems sensible to do this during the school day especially at drop off and pick up times but not during evenings and weekends. I would appreciate a response to the point I have raised above. 	<p>Implement as advertised</p> <p>Reason:</p> <ul style="list-style-type: none"> • The introduction of a School Street for Livingstone Road is outside the scope of this Traffic Order consultation and would require a separate Traffic Order consultation • The implementation of the footway build-out outside of the school entrance gates will result in the loss of 3 limited wait parking spaces in the layby. The loss of 3 car parking spaces is a small proportion of the total number of spaces available in the area and it is considered that there is sufficient capacity to accommodate vehicles that currently park in the affected area. • The limited wait parking spaces currently at this location need to be formally revoked. The proposed 'No waiting at any time & No loading/unloading at any time' restriction is required to prevent obstructive parking on the widened footway and to maintain the free the free flow of traffic on Livingstone Road. • It would not be practical to have less restrictive times as suggested. Following the construction of the footway build-out, parking occurring at this location will inevitably cause an obstruction such as a vehicle straddling the footway; a situation that the council may not be able to enforce against should this occur outside the suggested times of the restriction.

