

The Vale of Glamorgan Council

Cabinet Meeting: 17 October, 2016

Report of the Cabinet Member for Building Services, Highways and Transportation

LLWYN PASSAT, PENARTH MARINA – PROPOSED NO WAITING AT ANY TIME (NWAT) RESTRICTION - OBJECTION REPORT

Purpose of the Report

1. To advise Cabinet of an objection received to the proposed Traffic Regulation Order, to restrict the waiting of vehicles at the western end of Llwyn Passat, Penarth Marina.

Recommendations

1. That the objection is rejected for the reasons contained in this report and that the Traffic Regulation Order to restrict the waiting of vehicles at the western end of Llwyn Passat, Penarth Marina is progressed as proposed.
2. That the objector be advised of this decision.

Reasons for the Recommendations

1. To enable the Order to be made
2. To confirm the Cabinet's position.

Background

2. On 18th December 2015 the then Cabinet Member for Environment and Visible Services and Director of Visible Services and Housing gave approval to give notice of proposal to introduce a No Waiting at any Time (NWAT) Order, to prohibit vehicles waiting on sections of Penarth Portway, including the most western end of Llwyn Passat. A copy of this report is provided at [Appendix A](#).
3. Accordingly, public notice of the proposal was given on 4th February 2016 with objections being invited in writing by 26th February 2016.

Relevant Issues and Options

4. Penarth Marina is a popular area for visitors / tourists access the amenities around the Cardiff Bay Barrage and the Marina area. Several complaints have been received regarding parking due to the lack of space and narrow nature of the road.
5. Due to the lack of private parking provision for the private apartments and increasing resident car ownership, inconsiderate parking takes place in the hammerhead turning area.
6. One letter of objection was received from a resident, a copy of which is contained within [Appendix B](#). Extracts of which are outlined below, together with Traffic Officer's response.

Resident Concern 1

7. My property does not have any allocated parking spaces. When you consider that the houses are 4 bedroom, you might well ask how this situation was allowed under planning laws. So as a result we are often forced to use this area, to park our vehicles overnight because of the number of cars now using what little space there is on this part of the Marina.

Response 1

8. No vehicle should be parked within the hammerhead area as it is dedicated to allow vehicles to carry out a turning manoeuvre and for vehicle emergency access.

Resident Concern 2

9. On Plas Taliesin there are 10 'visitor' parking spaces, which is totally out of proportion with the rest of the development. These spaces are now used by residents who already have 1 allocated space to park their second car. We would welcome your proposal with open arms if we could somehow get back what was originally ours on the original development plan.
10. Sadly the controlling management company continue to refuse our request to re-designate 4 visitor spaces into residential parking. Until then I have no alternative but to object to this proposal.

Response 2

11. This is an on-going dispute between the residents and the private development company. This is not a Council matter as it is private development off the adopted highway. No vehicle should park within the hammerhead area as it is dedicated to allow vehicles to carry out a turning manoeuvre.

Resource Implications (Financial and Employment)

12. The cost of implementing the scheme and the associated statutory legal procedure will be approximately £3,000 and will be funded from the Council's Traffic Management revenue budget for 2016 / 2017.
13. The Council's own administrative resources will be used to progress this scheme, should approval be given. The proposed works will implemented by the Council's Highways Construction Unit.

Sustainability and Climate Change Implications

14. The unhindered movement of road vehicles assist in terms of road safety and the local economy.

Legal Implications (to Include Human Rights Implications)

15. The Road Traffic Regulation Act 1984 allows Highway Authorities to make and vary Traffic Regulation Orders to regulate the movement of vehicular traffic, restrict or prohibit certain classes of vehicle and to improve the amenities of an area.
16. The Council as Highway Authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984.
17. There are no human rights implications.

Crime and Disorder Implications

18. The scheme and legal Order is being proposed for the purpose of reducing inappropriate parking and keeping the carriageway clear at the turning head.

Equal Opportunities Implications (to include Welsh Language issues)

19. There are no equal opportunities implications.
20. All associated traffic signs and road markings forming part of the scheme will be in accordance with the Councils Welsh language policy.

Corporate/Service Objectives

21. Managing and maintaining a safe highway network is related to the key Wellbeing Outcome in the Corporate Plan W02 "An Environmentally Responsible and Prosperous Wales".

Policy Framework and Budget

22. This is a matter for Executive Decision.

Consultation (including Ward Member Consultation)

23. The ward Members have been consulted and are in favour of the proposal.
24. Stakeholder consultations took place in accordance with the Road Traffic Regulation Act 1984.

Relevant Scrutiny Committee

25. Environment and Regeneration.

Background Papers

None.

Contact Officer

David Hunt - Traffic Management

Officers Consulted

Operational Manager Legal Services
Accountant, Building and Visible Services

Responsible Officer:

Miles Punter - Director of Environment and Housing Services