



<u>Committee and Date</u> Whitchurch and Prees Local Joint Committee 9 September 2009
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<u>Item</u> 10

REMOVAL OF BOLLARDS - BELTON ROAD, WHITCHURCH

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Summary

In response to a request from a resident for measures to prevent inconsiderate parking opposite the driveway of No 79A Belton Road, the Traffic Management and Regulation Team installed bollards to prevent parking in this location.

Following this we received a complaint from a neighbouring resident about the installation of these bollards. This issue is clearly a difference of opinion between two local residents and therefore we carried out a small consultation asking the 9 properties in the immediate vicinity of the bollards if they felt the bollards should remain or be removed. Five residents supported their removal, three believed the bollards should remain and one resident did not express a preference. In addition, we received a letter supporting the bollards from a local farm.

Unfortunately, it would not have been appropriate to undertake this consultation during the pre-election period for Shropshire Council and consequently this has delayed the decision making process.

Recommendation

The Local Joint Committee is recommended to support the removal of the bollards from Belton Road, as the majority of those consulted support their removal.

REPORT

Background Information

1. In April 2006 a written request was received for double yellow lines to prevent parking opposite No 79A Belton Road. This request was repeated a number of times by telephone and then again in writing in February 2009.

2. Two officers of the council carried out an inspection of the location, and confirmed that vehicles had been parking half on and off the verge at this location and such parking would make it difficult to access the driveway opposite. However, double yellow lines were not considered appropriate as this would require continued enforcement by Shropshire parking services. Bollards on the verge to prevent the parking were considered a better option. Five oak bollards were installed on 06/02/2009 as shown in Appendix 1.
3. Unfortunately, the neighbour of the resident who made original request was, and is unhappy about this installation of the bollards and raised the issue during and after the Local Joint Committee (LJC) meeting of 24th March 2009 and subsequently in emails to officers of the council. One of these emails did not receive a reply as a result of a communication error between two officers.
4. On 3rd July 2009, a formal complaint was made regarding this issue. This complaint related to three separate points:
 - That the author had not received a reply to an email sent on 14th April 2009
 - That the author was unhappy about the decision to place bollards on Belton Road,
 - That it has taken some time for action to be taken regarding this issue
5. An apology was given regarding the communication error that had led to the poor response to the email of 14th July.
6. The decision to install the bollards was made by officers from the Traffic Management and Regulation Team and the Divisional Maintenance Office as detailed above. The installation of these bollards was in line with our current protocols for minor traffic management schemes of this nature and our agreed consultation process (see Appendix 2). It is clear that consultation prior to the installation of these bollards would have identified the local difference of opinion on this issue. We are therefore reviewing our consultation process for this type of work; however, it should be borne in mind that we issue several thousand works orders a year for minor works and it would not be appropriate or feasible to consult on all minor works.
7. With regard to the delay in addressing this issue, it was clear from the correspondence, discussions with the local council member and discussions with the gentlemen requesting the bollards, that this was largely a very local problem. Officers advised the local member that the best approach would be to consult with the local residents in the vicinity, regarding the removal of the bollards. Unfortunately, it was not appropriate to carry out this consultation in May or June due to the protocols around consultation during the run up to Council elections. The complainant should have been informed of this delay and an apology has been given.
8. A letter was sent to the nine residents of Belton Road in June. Five residents supported the removal of the bollards, three opposed the removal and 1 chose not to express a preference. We also received a letter requesting the bollards remain from the farm serviced by Belton Road. This was verbally reported to the LJC meeting of 29 June where there were representations on behalf of those wishing for the bollards to be removed.

9. Following the meeting of 29 June, it was agreed that a full report would be brought to the next meeting of the Local Joint Committee.

Local Joint Committee Remit

10. The Constitution for the Local Joint Committees allows them:

- 3.1 (a) to scrutinise local services delivery by the Council and Town/Parish Councils with the power to request members of the Executive or senior managers to attend to explain decisions affecting the locality and service “failures”.
- 3.1 (d) to act as decision maker with regard to the local delivery of a range of services and to prioritise resource allocation in their area.
- 3.1 (f) to act as a formal consultation mechanism for the Council over and above that taken with individual Parish and Town Councils.

11. Local Joint Committee Members are recommended to support the removal of the bollards in Belton Road, as this was the majority view of those who responded to the consultation. Should issues of obstruction re-occur, then local police would be asked to consider appropriate action.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Human Rights Act Appraisal No Human Rights Issues. There is no right in law to park on the public highway and although the resident may have enjoyed this privilege it may have been at the detriment of his neighbours.
Environmental Appraisal No Environmental Issues
Risk Management Appraisal Removal of the bollards may result in parking which could result in inconvenience to the access to a property.
Community / Consultations Appraisal Consultation regarding this issue has been carried out and is detailed in this report.
Member Champion Community Working - Cllr G Butler
Local Member Cllr T Biggins
Appendices Appendix 1 Plan and Photos showing the location of the bollards. Appendix 2 Shropshire Council consultation protocol for minor traffic schemes.