



Democratic Services

Location: Phase II
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CMD No: 257

To: **COUNCILLOR JOHN RILEY**
CABINET MEMBER FOR PUBLIC SAFETY AND
TRANSPORT

c.c. All Members of the Public Safety & Transport Select Committee
c.c. All Councillors
c.c. Perry Scott – Infrastructure, Transport & Building Services
c.c. Roy Cliss – Infrastructure, Transport and Building Services
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 13 August 2021

Non-Key Decision request

Form D

DUCKS HILL ROAD AND DRAKES DRIVE, NORTHWOOD - RESULTS OF THE FORMAL CONSULTATION ON PROPOSED 'AT ANY TIME' WAITING RESTRICTIONS

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Monday 23 August 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Neil Fraser
Democratic Services Officer

Title of Report: DUCKS HILL ROAD AND DRAKES DRIVE, NORTHWOOD – RESULTS OF THE FORMAL CONSULTATION ON PROPOSED 'AT ANY TIME' WAITING RESTRICTIONS

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

Signed Date
Cabinet Member for Public Safety and Transport

DUCKS HILL ROAD AND DRAKES DRIVE, NORTHWOOD - RESULTS OF THE FORMAL CONSULTATION ON PROPOSED 'AT ANY TIME' WAITING RESTRICTIONS

Cabinet Member(s)	Councillor John Riley
Cabinet Portfolio(s)	Cabinet Member for Public Safety and Transport
Officer Contact(s)	Roy Cliss, Residents Services Directorate
Papers with report	Appendices A & B

HEADLINES

Summary	To inform the Cabinet Member of the comment received to the proposed 'At Any Time' waiting restrictions on Ducks Hill Road and Drakes Drive, Northwood.
Putting our Residents First	This report supports the Council objective of Our People. The request can be considered as part of the Council's annual programme of road safety initiatives.
Financial Cost	The estimated cost associated with the recommendations to this report is £85 and will be funded from existing revenue budgets within the Transportation service.
Relevant Select Committee	Public Safety and Transport.
Relevant Ward(s)	Northwood.

RECOMMENDATIONS

That the Cabinet Member for Public Safety and Transport:

1. considers the comments received from the statutory consultation for the proposed waiting restrictions on Ducks Hill Road and Drakes Drive, Northwood.
2. approves the 'At Any Time' waiting restrictions on Ducks Hill and Drakes Drive, Northwood as advertised and shown on Appendix B of this report.

Reasons for recommendations

The recommendations reflect the road safety concerns raised from a resident that parking close to the junction of Drakes Drive with Ducks Hill Road is giving rise to safety concerns that when

entering Drakes Drive from Ducks Hill Road from a southerly direction a driver could not see another driver exiting Drakes Drive.

Alternative options considered / risk management

The Council could decide not to progress with the implementation of the proposed restrictions. However, this would compromise road safety if not progressed.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Drakes Drive is a residential cul de sac off Ducks Hill Road. Residents have complained that builders' vans were parking within the close, which residents associated with a number of developments in Ducks Hill Road. The entrance to Drakes Drive is at an oblique angle which gives rise to poor visibility when entering from a southerly direction from Ducks Hill Road. A location plan of the area is shown as Appendix A to this report.
2. As a result of officers' on-site observations, proposals were developed to implement 'At Any Time' waiting restrictions at the junction of Ducks Hill Road and Drakes Drive, as shown on the plan attached as Appendix B.
3. The proposal was taken through the statutory 21-day consultation process, which included consulting with the emergency services, bus operating companies in addition to the placing of advertisements in the local press, the London Gazette and the display of public notices on site. During this period, the Council received a single objection to the proposed 'At Any Time' waiting restrictions from a resident.
4. The objector stated, "*I am in favour of having a shortened set of double yellow road marks up to my front gate*". Shortening the double yellow lines would not give a driver entering Drakes Drive from the lido direction enough forward to see another exiting Drakes Drive due to the geometry of the junction.
5. After careful consideration of the comment received to the statutory consultation, officers' site observations, it is recommended that the Cabinet Member agrees that the 'At Any Time' waiting restrictions are required as planned on Ducks Hill Road and Drakes Drive.

Financial Implications

The estimated cost to 'make' the Traffic Management Order for the 'At Any Time' waiting restrictions on Ducks Hill Road and Drakes Drive is approximately £85 and will be managed within existing Transportation revenue budgets.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

The recommendation of this report is to 'make' the Traffic Management Order for 'At Any Time' waiting restrictions on Ducks Hill Road and Drakes Drive as proposed. These restrictions are intended to prevent obstructive parking and promote road safety.

Consultation carried out or required

Statutory 21-day consultation undertaken.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

The decision makers must ensure that there is full consideration of the representations that have been received. In exercising the power to approve the proposal for 'At Any Time' waiting restrictions on Ducks Hill Road/Drakes Drive, Northwood, the Council has to consider its power to make an order creating a waiting restriction is set out in Part I of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures that should be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

If the decision is taken to make the proposed order, Part V of the Road Traffic Regulation Act 1984 and the Traffic Signs Regulations and General Directions 2016 set out the signage requirements, which must be observed.

In considering consultation responses, section 122 of the Road Traffic Regulations Act 1984 means that the Council must balance the concerns of the objectors with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

There are a set of well-established common law rules which set out the requirements of a lawful public consultation which are known as the Gunning principles. They were endorsed by the Supreme Court in the Moseley case. The principles can be summarised as follows:

- Consultation should occur when proposals are at a formative stage;
- Consultations should give sufficient reasons for any proposal to permit intelligent consideration; and
- Consultations should allow adequate time for consideration and response.

The product of consultation should conscientiously be taken into account by the decision maker. There are a very significant number of judicial review cases which involve successful challenges

to the lawfulness of a consultation undertaken by a public authority so it is imperative that the Gunning principles are closely followed in this case

Infrastructure / Asset Management

None at this stage.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

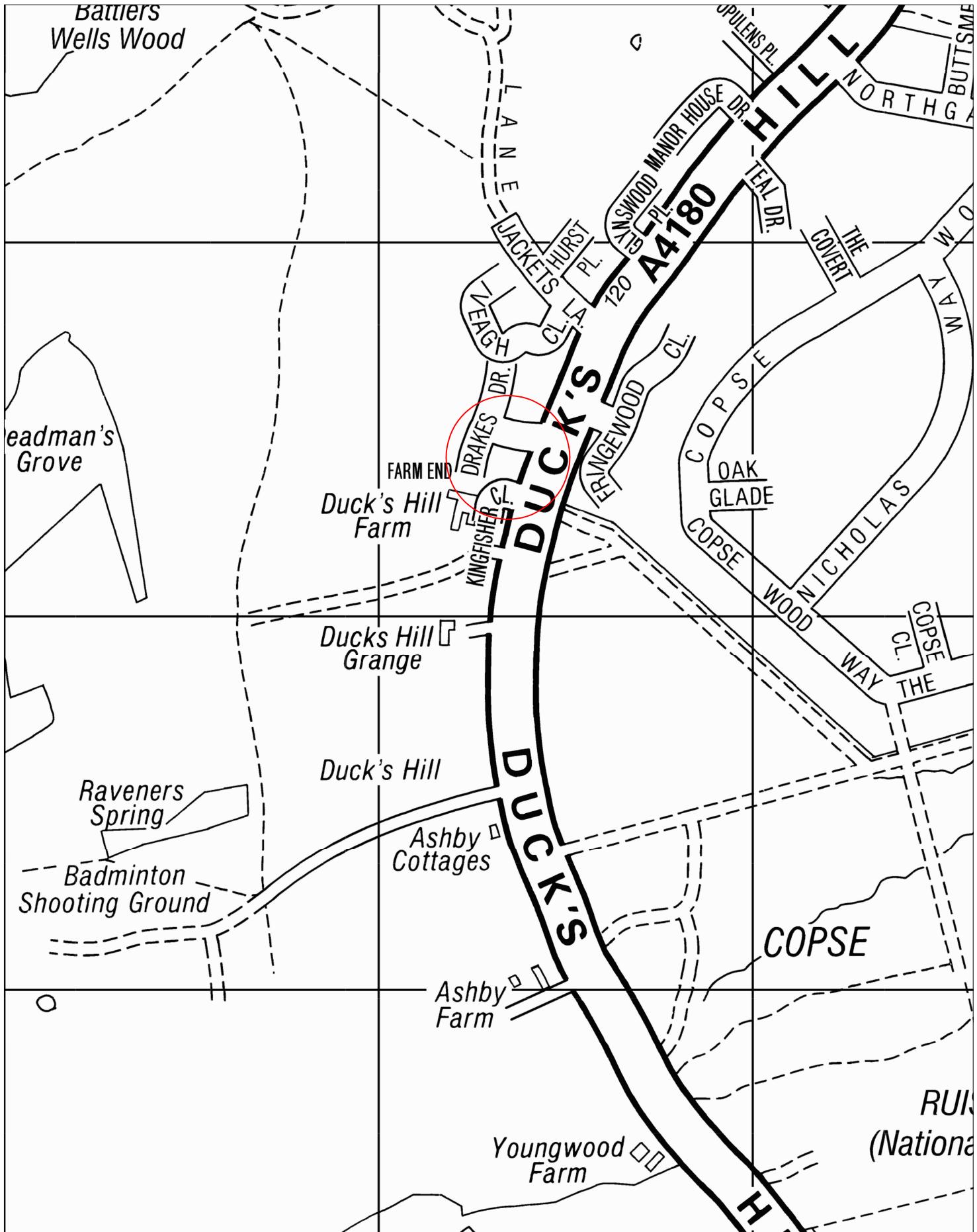
None.

TITLE OF ANY APPENDICES

Appendix A - Location Plan

Appendix B - Detailed plan of the proposed 'At Any Time' waiting restrictions

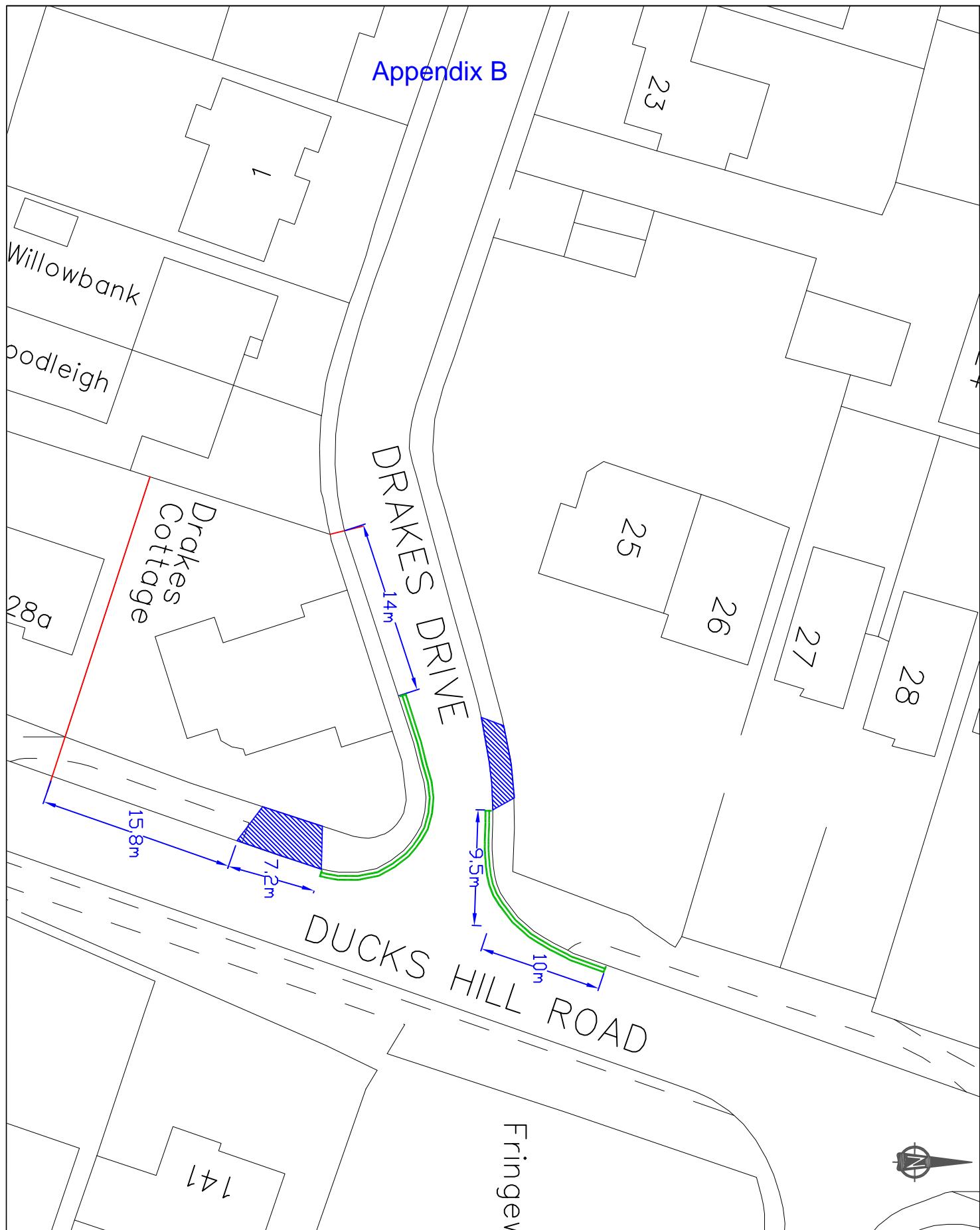
APPENDIX A



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Drakes Drive, Ducks Hill Road, Northwood

Appendix B



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London Borough of Hillingdon 100019283, 2020

HILLINGDON	
Project	
Road Safety Programme	
Source: RSP/CAO drawings/Jackets Lane	
Description	Drakes Drive, Northwood
Scale	1:2500
N.T.S.	RC
Drawn	11/20
Checked	
Paper Size	A4
Drawing No.	RSP
Rev.	Rev.