



DARKLAKE VIEW 2

1. INTRODUCTION

This report seeks delegated authority to implement amendments to The City of Plymouth (Traffic Regulation and Street Parking Places) (Consolidation) Order 2004 in association with the Darklake View 2 TRO.

2. TRAFFIC REGULATION ORDERS REQUIRED

2.1 The elements that need a Traffic Regulation Order are as follows:

No Waiting At Any Time

Darklake View, the south side, for its entirety including the turning circle.

REVOCATIONS

No Waiting At Any Time

Darklake View, the south side, for its entirety.

3. STATUTORY CONSULTATION

Proposals

The proposals for the Southway Drive TRO were advertised on street, in the Herald and on the Plymouth City Council website on 18th July 2024. Details of the proposals were sent to the Councillors representing the affected wards and statutory consultees on 08th August 2024.

There has been 1 representation received relating to the proposals included in the Traffic Regulation Order.

Consultation	Comment
<p>I would like to express my support for the additional double yellow lines that are proposed in the turning head of the Darklake View Industrial Estate.</p> <p>The situation has become an issue for businesses and access users in the lower end of this estate, since an owner has sub-let part of their building to a business.</p> <p>The business has numerous vehicles, as well as office staff and regularly hold training events for groups of people for their space alone. This does not include the other businesses located in this unit.</p>	<p>Response sent:</p> <p>Thank you for your recent comments towards the proposals – 2024.2137320 Darklake View 2.</p> <p>The road on Darklake View is not HMPE land (Highway, Maintainable at Public Expense) but it is owned by Plymouth City Council Corporate Property and therefore Plymouth City Council can implement and enforce Traffic Regulation Orders on this road.</p> <p>Your comments have been logged on our records and will be considered as part of the final decision</p>

The business does not even cover the spaces needed. Therefore, all staff and visitors are literally double parking in any spare area in this lower section of Darklake View. This includes the turning head, which is critical for any HGV's to turn, or for access.

I raised the issue via email (copy can be provided) to the local councillors on the 20th September 2022, when a delivery had to be turned away, as access was completely blocked. This matter was also raised with the Police.

Plymouth City Council advised me that nothing could be done – even with yellow lined added – as Darklake View has not yet been adopted and only adopted highways can be enforced. This is despite the request for its adoption being requested on numerous occasions by both businesses and service users.

I met with the business owners, who explained that the owner advised them that they are legally allowed to park in the turning head, as it's a private road and not adopted, which is similar to what the City Council has also advised. Maybe clarification can be sort on this?

I do however, think that it is matter of safety, that additional yellow lines are added to the blind bend in Darklake View, as currently, that stretch of road is being used as a storage area for vans and trailers, which have been sat there for months at a time.

This means, that cars travelling down the road, are pushed into the central area of road to go around this blind bend. I want it noted that is something is not done; an accident will happen.

Please see the attached photos regarding the above-mentioned matters.

I appreciate that businesses on Darklake View do a valuable and critical role, but this situation has only happened, due to miss-information on parking availability on this estate.

I have made the suggestion, to contact other businesses, as they may have unused parking spaces that other businesses could rent. This is one solution.

making process. At the end of the consultation period, a report will be prepared summarising any concerns that have been raised and making recommendations. In line with the statutory process, the decision on whether or not to proceed with these proposals will be made by the Cabinet Member for Transport.

You will be notified if and when the proposals will be implemented.

- A further site visit is planned for the 14th August 2024 to see if further parking restrictions are required.

4. RECOMMENDATION

It is recommended that the proposals are implemented as advertised.

5. LEGAL CONSIDERATIONS

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When considering whether to make a traffic order it is the Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 (as amended) that sets out that it is the duty of a local authority, so far as practicable subject to certain matters, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic in and around Plymouth and provide for suitable and adequate associated parking facilities.