

## Deputation governing TRO-16-2016 in St. Margarets Place Loading Only zone removal

A precedence has been set by the House of Piccolo case in Portslade. They wanted to 'regularize' Sunday deliveries against the wishes of residents. Councillor Les Hamilton said, "the road was being used as a loading area with 40 tonne lorries and fork lift trucks". Carol Theobald said, "It's not fair on the residents. Enforcement was needed". The situation in St. Margarets Place is strikingly similar.

A point of procedure may not have been met by the Metropole and Sussex Heights. This concerns submissions possibly breaching the deadline of 22nd July. Richard Hopton a director of the Metropole told me weeks after the deadline the council had agreed to accept their and Sussex Heights submissions even though the deadline had passed. If true I would with respect request both submissions be withdrawn and have no influence on the final decision.

Late submissions, contrary decisions, missing notices on lamp posts put together suggest an attempt to manipulate the outcome.

The hotel have enough space without this zone. They have two loading bays in St. Margarets Place, A loading bay and parking area along Cannon Place. A loading bay in Queensbury Mews. They can use the Loading zone in Cannon Place and the zone at Black Rock.

Planning consent (No. BN 80/2079 says loading/unloading shall only take place in the building to avoid traffic congestion and to protect the amenities of the occupiers of adjoining building(s).

Access to Sussex Heights for emergency vehicles is compromised by hazardous parking.

Vehicles line the street, park on pavements, unload in the street, are noisy and in the worst cases drivers abuse residents when asked to switch off their engines. Pedestrians find it difficult to use the pavement, Wheelchair users and mothers with push chairs have to weave around parked vehicles. These people live here and have a right to access.

Two years ago the street was controlled by double yellow lines and two chevrons. In 2014 TRO-16-2016 was implemented at the behest of the Metropole because some vehicles were ticketed and they needed more space. This has created an area of some size which attracts people to wait, sometimes unload, and park overnight opposite our front door. It is an infringement of our right for peaceful existence.

Charles Field saw the need for change and said, "Due to the evidence (photos) received we are intending to propose a change to remove the loading bay", thus acknowledging the bay is a mistake.

Before the change a CEO could move vehicles on or issue a FPN. Now we are governed by the 10 minute rule often abused creating uncertainty in the mind of CEO's. Thus have our rights been diminished. St. Margarets Place is a residential street in a conservation area with three listed buildings. It should have the protection of the council's environmental goals and not be pressurised by commercial interests.

The TRO does not meet the requirements of the Road Traffic Regulation Act 1984 viz.  
Under 1 Legislation sections 1(a),1(b), 1(c), 1(d), 1(e), 1(f),  
Under 3 section 2 What TROs can be used for (2)(a), (2)(c), (4)(b)  
Under 3.1 Banning lorries from residential areas.  
See attached notes.

John Clinton,

21st September 2016 Page 1 of 3

**Under 1 Legislation section (1a), for avoiding danger to persons or other traffic using the road or any other road or preventing the likelihood of any such danger arising,** The TRO exacerbates the problem.

**1(b) for preventing damage to the road or to any building on or near the road.**

St. Margarets Place is a narrow cul-de-sac designed as a residential street is unsuitable for large trucks up to 44 tonnes. Damage to property has occurred. Fences to protect pavements have been damaged. Pavements cracked.

**1(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or (d)....** Parked and double parked vehicles do not facilitate the passage of vehicles or pedestrians entering the street.

**1(d) The law says for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.**

The installation of the loading zone has increased rather than prevented the use of the road by vehicular traffic by giving tacit permission to unloading in the street. These vehicles dwarf the residential buildings emitting noise and pollution.

A mobile fun fair comprising a large diesel tractor, and trailer a 4 X 4 vehicle all used by the hotel for social events. This is a fairly regular visitor to St. Margarets Place disrupting the street with its sheer size, noise and diesel pollution. As given above it is unsuitable for the area and does not meet loading only restrictions.

**1(e) without prejudice to the generality of a paragraph (d) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or.** Pedestrians, in particular Sussex Heights residents and visitors find difficulty in finding a way through parked vehicles. Clearly St. Margaret Place is specially suitable for pedestrians. They are the ones affected. Children use the street, when empty of traffic.

**1(f) for preserving or improving the amenities of the area through which the road runs.** Lining the street with vehicles does not preserve or improve the area. It degrades it.

**Under 3 Section 2 What TROs can be used for. (a) requiring vehicular traffic, or vehicular traffic of any class specified in the order, to proceed in a specified direction or prohibiting its so proceeding; (c) prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles. (4)(b) prohibiting.... the use of heavy commercial vehicles ....in such zones or on such roads as may be specified. as they consider expedient for preserving or improving the amenities of their area.....**

**Under 3.1 Banning lorries from residential streets. ....section 2(4) allows TRO's to restrict the use of heavy commercial vehicles. The definition of a heavy commercial vehicle.....exceeding 7.5 tonnes. This is the maximum laden weight of a vehicle not drawing a trailer,.....one or more trailers. Large articulated lorries and those with trailers are unsuitable in St. Margarets Place. Some are forced to unload in the street blocking the highway. They limit access for others.**

Supporters of this deputation  
Spokesperson, John Clinton,

Jo Clinton,  
Davide Gatti,  
Tom Coady,  
Tom Druitt Regency ward councillor  
Suzanne Hinton,  
Nicole Svatek,  
Kayla Griffiin,  
Trevor, Ca  
Fozija Greeb,  
Isabel Madejz,  
Gisella Mattera,



Angry resident



Space in building but blocking pavement



St. Margarets Place is unsuitable for this! Shutters down why?



No driver, double parked



Triple parking and loading



Could this work with parked vehicles, I don't think so



Unloading in street in breach of code



Shutters down, double parked, yet space in Cannon Place below. No control



Space in building? Park there!



An environmental nightmare



No control and nowhere to go



This lot should not be here



Empty loading bay but loads in road. No control



It does not get much worse! The road is not a factory



Fun fair incl vehicle behind

