

Report to Deputy Leader & Cabinet Member for Transportation

Decision to be taken on or after 21/02/2019

Decision can normally be implemented at least
5 working days after decision has been signed.

Cabinet Member Report No. T05.19

Title: Chesham Town Parking Review Phase 2

Date: 13/02/2019

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Local members affected: Cllr Noel Brown (Chess Valley)
Cllr Patricia Birchley (Chiltern Ridges)

For press enquiries concerning this report, please contact the media office on 01296 382444

Summary

- 1. Transport for Buckinghamshire was commissioned to undertake a parking restriction review at sites put forward by Chesham Town Council. The project involves measures that will encourage drivers to comply with the Highway Code requirement not to park within 10 metres of a junction and to increase parking for residents by making current "1 hour no return 1 hour" bays shared use with resident permit holders.*
- 2. This Key Decision Report relates to the subsequent review and the Statutory Consultation and makes Recommendations to the Deputy Leader & Cabinet Member for Transportation.*

Recommendation

It is recommended that:

- a. **The Deputy Leader and Cabinet Member for Transportation authorises the Director of Growth, Strategy and Highways to make the Traffic Regulation Order (TRO) for the scheme outlined in this report as advertised during the Statutory Consultation process.**
- b. **That responders to the Statutory Consultation be informed of the Deputy Leader & Cabinet Member for Transportation Decision**

A. Narrative setting out the reasons for the decision

- 1.1 Buckinghamshire County Council is responsible for the highway network within its boundary; this includes the provision, management and enforcement of waiting and parking restrictions.
- 1.2 This proposal has arisen following requests to Chesham Town Council for waiting and parking restrictions to address parking safety issues at junctions and to increase parking for residents at various locations across the town.
- 1.3 Therefore the following measures were proposed:
 - 'no waiting at any time' (double yellow line) parking restriction to encourage compliance with Highway Code, Rule 243 which includes *"Do not stop or park 'anywhere you would prevent access for Emergency Services'; 'opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space'; or 'on a bend' 'except when forced to do so by stationary traffic.'*
 - Shared use of existing "1 hour no return 1 hour" waiting bays with resident permit holders
- 1.4 These proposed restrictions were advertised and promoted locally through a statutory consultation process carried out between 22nd November 2018 and 13th December 2018 in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The Police, Fire & Rescue and the Ambulance Services were included in the consultation.
Copies of the statutory consultation documents are located here:
<https://democracy.buckscc.gov.uk/mgConsultationDisplay.aspx?ID=8423>
- 1.5 Thames Valley Police confirmed that it had no objection to the proposals going ahead.

B. Other options available, and their pros and cons

1.6 Option 1

Not to proceed with the waiting restrictions TRO, this would not address the issues raised by Chesham Town Council and the local County Councillors for the area.

1.7 Option 2

To partially implement the waiting restrictions TRO, this would only partly address the issues raised by the Chesham Town Council and the local County Councillors for the area.

C. Resource implications

1.8 The cost associated with this scheme has been allocated by Chesham Town Council and sufficient budget remains to make the Traffic Regulation Order and implement the measures on the ground.

1.9 Any further reviews or waiting restrictions TRO would require a Project Initiation Document and further agreed funding streams.

D. Value for Money (VfM) Self Assessment

1.10 Any income from the existing Penalty Charge Notices (PCN) will be retained by Buckinghamshire County Council and may be used, to fund and address future waiting restriction schemes for example and maintain existing signs and lines.

E. Legal implications

1.11 Section 122 of The Road Traffic Regulation Act 1984 places a duty on Buckinghamshire County Council 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.

When the decision is taken and recommendations agreed, the Traffic Regulation Order will be made and signed. The respondees to the consultation and persons likely to be affected will be informed of the decision made, representations considered and the TRO will be signed and re-advertised by Buckinghamshire County Council.

F. Property implications

1.12 None identified.

G. Other implications/issues

1.13 Equality and Diversity Issues – Equality Act 2010. This proposal will not have any disproportionate effect upon people with protected characteristics. This scheme will introduce “No waiting at any time” restrictions which will allow enforcement across the whole width of the designated Public Highway, this will discourage pavement parking as the waiting restrictions apply from highway boundary to highway boundary. This will facilitate ease of pedestrian access along the footways.

1.14 No other issues.

H. Feedback from consultation, Local Area Forums and Local Member views

- 1.15 The Statutory Consultation was undertaken between Thursday 22nd November and Thursday 13th December 2018. A summary of the feedback is shown in Appendix A.
- 1.16 The full written responses to the statutory consultation are contained in Appendix B. These have been reviewed and considered against the Statement of Reasons.
- 1.17 The restrictions proposed at the following locations received either support or no objections. As a result, it is recommended that they be introduced as advertised.
- Sunnyside Road j/w Higham Road (map ref Area Code V27)
- 1.18 The remaining responses raised a number of comments and issues. These have been summarised as follows
- a) Requests for new proposals / proposals not in scope such as resident permit parking, 24 hour resident permit parking and timed yellow lines. This would be instead of the proposals advertised.
 - b) Some respondents felt that the proposals didn't go far enough and that more extensive restrictions should be provided.
 - c) In areas where there are local businesses operating there was concern that the restrictions would impact upon their livelihood by preventing customer parking.
 - d) There was concern that the implementation of proposed 'No Waiting at Any Time' double yellow lines would remove valuable parking spaces for residents with no / limited off street parking provision; residents who work shifts / arrive late in the night; or that vehicles displaced by the proposals will park where residents currently park.
 - e) There was concern that existing and new restrictions will not be enforced.
 - f) There was a concern that permits given out would be much more than the available parking spaces.
- 1.19 As has already been stated, the proposed 'no waiting at any time' double yellow line parking restriction measures have been developed to encourage compliance with Highway Code, Rule 243. Unfortunately, the majority of these summarised feedback points are highlighting issues, concerns or suggestions that are outside the scope of this scheme. Consequently, to enable a more holistic solution to be found in these particular instances would require further investigation and subsequent associated funding; possibly via a future scheme brief.
- 1.20 Although there have been objections and calls to extend the restrictions for Chartridge Lane j/w Lowndes Avenue (map ref Area Code: U28, V29) and Chartridge Lane j/w Penn Avenue (map ref Area Code: U28), those restrictions that have been advertised have received mostly support. The objections received refer to extending the restrictions and a comment that it will displace cars to other roads. However, the double yellow line proposal is for junction protection only according to Highway Code, rule 243 and therefore will not reduce available parking space and cars will not be displaced. For these reasons and because of the nature of objections received, it is recommended that the proposed 'no waiting at any time' double yellow line proposals for Chartridge Lane j/w Lowndes Avenue (map ref Area Code: U28, V29) and Chartridge Lane j/w Penn Avenue (map ref Area Code: U28) be implemented as advertised. Further restrictions could be investigated at a later date subject to future successful scheme briefs.

- 1.21 Although two objections has been received on the proposed restrictions for Kirtle Road, one resposdee comments that over 60 cars will be displaced, this is a misunderstanding, as no parking spaces will be reduced, it will just formalise the parking to one side of the road so that emergency vehicles and bin lorries can pass through safely and smoothly. One resposdee agreed to the proposal if it all were on the west side on the road, however, if all parking spaces were on the west side then there would be a loss in available parking spaces, as on the bend there are garages which require access, so in this section the parking will be available on the west side and switches back to the east side after the garages finish, forming a chicane which allows sufficient space for vehicles to pass. In majority, those restrictions that have been advertised have received support. It is therefore recommended that the proposed 'no waiting at any time' double yellow lines for these roads be implemented as advertised.
- 1.22 Although objections were received on the proposed restrictions for Broad Street (map ref Area Code: W27, W28), these can be implemented without adversely affecting any future proposals that may be identified. Objections highlighted the concern of the bays being used predominantly by permit holders and shoppers will not have spaces to park, that too many new permits will be granted and changes to the scope. However, it's been assessed the bays are underused and mostly empty during the day and permits will be given based on individual basis, ensuring the correct amount is distributed ensuring the spaces available are sufficient. It is therefore recommended that proposed shared use of current "1 hour no return 1 hour" parking bays with permit holders be implemented as advertised.
- 1.23 Although an objection has been received on the proposed restrictions for Wesley Hill (map ref Area Code: V28) the resposdee states that vehicles overhanging the parking bay is causing problems by cars parked there blocking his drive. This is out of the scope of the scheme, however an APM could be applied for to protect the access. For this reason, it is recommended that the proposed shared use of current "1 hour no return 1 hour" parking bays with permit holders be implemented as advertised.
- 1.24 Although there have been calls to extend the restrictions for White Hill j/w White Hill Service Road and White Hill j/w Cheyne Walk (map ref Area Code: X28), those restrictions that have been advertised have received support. The objections received refer to suggesting single yellow lines and that it will displace cars to other roads. The double yellow line proposal is for junction protection only according to Highway Code, rule 243 and therefore will not reduce available parking space and cars will not be displaced. For these reasons and because of the nature of objections received, it is recommended that the proposed 'no waiting at any time' double yellow line proposals for White Hill j/w White Hill Service Road and White Hill j/w Cheyne Walk (map ref Area Code: X28) be implemented as advertised. Further restrictions could be investigated at a later date subject to future successful scheme briefs.
- 1.25 Although there has been an objection for Harding Road (map ref Area Code: X28), the objection received suggests that it will displace cars to other roads. The double yellow line proposal is for junction protection only according to Highway Code, rule 243 and therefore will not reduce available parking space and cars will not be displaced. For these reasons and because of the nature of objections received, it is recommended that the proposed 'no waiting at any time' double yellow line proposals for Harding Road (map ref Area Code: X28) be implemented as advertised.
- 1.26 The area where the waiting restrictions are proposed covers two County Council electoral divisions, the largest area being Chess Valley division, covered by Cllr Noel Brown and Chiltern Ridges covered by Cllr Patricia Birchley.

Cllr Noel Brown has reviewed the proposed measures subsequent objections and feedback and made the following comments: "I am happy for you to proceed with all recommendations"

Cllr Patricia Birchley has also reviewed the proposed measures and subsequent objections and feedback within her electoral division and has made the following comments. "I am satisfied that you have carefully considered the objections, only one of which is relevant to these proposals, displacing cars that park within 10 m of a junction, which is covered by the Highway Code. Therefore I accept your proposals for making these junctions safer."

I. Communication issues

All consultees and responders to the consultation will be contacted by either e-mail or letter and will be informed of the decision and where they can find the details of the statutory consultation and the decision taken. This report will be published on the County Council's web page.

J. Progress Monitoring

If implemented, the enforcement of the restrictions would provide ongoing monitoring of the scheme.

K. Review

No further review of parking restrictions in Chesham is proposed at present but if implemented the restrictions will be monitored via enforcement.

Background Papers

None

Appendices to the Report

Appendix A:

Summary of Objections & Feedback

Appendix B:

Responses to Statutory Consultation

Appendix C:

Plans of Chesham Town Parking Review Phase 2 Proposed waiting restrictions (Parking Traffic Regulation Order Tiles)

Appendix D:

Statement of Reasons, Notices & Traffic Regulation Order

Links to current documentation

1. Parking Delivery Plan: <https://www.buckscc.gov.uk/services/transport-and-roads/parking/parking-implementation-plan/>
 2. Parking Guide for Local Area Forum: <https://www.buckscc.gov.uk/services/transport-and-roads/parking/parking-guide-for-lafs/>
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Your questions and views

If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.

If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Member Services Team by 5.00pm on 20/02.2019. This can be done by telephone (to 01296 382343), or e-mail to democracy@buckscc.gov.uk