

Report to Deputy Leader & Cabinet Member for Transportation

Decision to be taken on or after 19 July 2019

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

Cabinet Member report no: T18.19

Title: Marlow Parking Review 2019 – Waiting Restrictions

Date: 11 July 2019

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Local Members Affected Cllr Alex Collingwood
For press enquiries concerning this report, please contact the media office on 01296 382444

Decision

Approval to advertise permanent Traffic Regulation Orders

Summary

- A. On behalf of Marlow Town Council, Transport for Buckinghamshire were commissioned to undertake a waiting restriction review for locations in Marlow. The project scope includes proposals to implement changes to the elected locations such as “No Waiting At Any Time” Restrictions, Limited Waiting Restrictions and No Verge Parking at Any Time Restrictions.
- B. This Key Decision Report relates to the subsequent review and the Statutory Consultation and makes recommendations to the Deputy Leader & Cabinet Member for Transportation.



INVESTOR IN PEOPLE



Recommendation

It is recommended that:

- a. **The Deputy Leader and Cabinet Member for Transportation authorises the Executive Director for Transport, Economy, Environment to make the Traffic Regulation Order (TRO) for the scheme outlined in this report. Noting that it is different to the one that was advertised as part of the Statutory Consultation process.**
- b. **That the Traffic Regulation Order be made as advertised at Statutory Consultation but with the following amendment:**
- c. **Reduction from three new parking bays to one new parking bay from the end of the current parking bay towards Portlands Alley (41 West Street), an increase of 2 new parking bays to be added to the end of the parking bay going towards Spittal Street (19-21 West Street).**
- a. **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 restrictions:
- 1.2 These measures were advertised and promoted locally through a Statutory Consultation process carried out between 22nd March 2019 and 12th April 2019 in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the TRO Regulations") Copies of the Statutory Consultation Documents can be found here:
<https://democracy.buckscc.gov.uk/mgConsultationDisplay.aspx?ID=9482>

A copy of the consultation documents were deposited with the local libraries and at County Hall, Aylesbury. The Police, Fire and Rescue Service and Ambulance Service were made aware of the consultation.
- 1.3 In support of the formal consultation Transport for Buckinghamshire distributed letters to residents of the roads where waiting restriction changes were proposed. This letter included the methods by which the residents could obtain more information and provide feedback.
- 1.4 Notices and posters were placed on site informing the public of the formal statutory consultation and the road names affected and how they could obtain more information and provide feedback. The draft notice was also advertised in the local press.
- 1.5 This proposal has arisen following requests to and subsequently from Marlow Town Council for parking and waiting restrictions within the area. The proposal identified a number of locations where there are potential additional parking opportunities and parking safety issues.

1.6 The Town Council's proposals were put out to public consultations as follows:

Claremont Gardens, Marlow

d. "No Waiting At Any Time on Verge or Footway".

Lock Road, Marlow

e. "No Waiting At Any Time on Verge or Footway".

West Street, Marlow

f. "Blue Badge Holders Only",

g. "No Waiting At Any Time",

h. "Limited Waiting 1 Hour No Return 1 Hour Mon-Sat 8am-6pm".

1.7 The reason for implementing the proposal detailed in this report is:

Claremont Gardens, Marlow

i. To facilitate and avoiding danger to persons or other traffic using the verge or footpath.

Lock Road, Marlow

j. To facilitate and avoiding danger to persons or other traffic using the verge or footpath.

West Street, Marlow

k. Blue Badge parking space – For facilitating parking availability for a local resident with mobility issues who holds a valid blue badge,

l. Extension of the "No Waiting At Any Time" restriction – For avoiding danger to persons or other traffic using the road or the likelihood of any such danger while facilitating the passage on the road or any other class of traffic including pedestrians,

m. Inclusion of additional parking bays with a "Limited Waiting 1 Hour No Return 1 Hour Mon-Sat 8am-6pm" restriction – For facilitating additional controlled kerb side parking in a location with high demand for short stay parking.

B. Other options available, and their pros and cons

1.8 Option 1

Not to proceed with any of the proposed additional parking bays or restrictions, this would not address the issues raised by Marlow Town Council.

1.9 Option 2

To partially implement the proposed additional parking bays or restrictions, this would only partly address the issues raised by Marlow Town Council and may lead to displacement issues.

C. Resource Implications

1.10 If the recommendation is agreed, the traffic regulation order will be made by Buckinghamshire County Council and implementation of lining, signing and subsequent management/enforcement would be delivered by Transport for Buckinghamshire and its supply chain partners. The cost associated with has been raised via Community Infrastructure Levy (CIL) and Marlow Town Council.

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

D. Value for Money (VfM) Self-Assessment

- 1.12 Any income from the existing Penalty Charge Notices (PCNs) will be retained by Buckinghamshire County Council and will contribute to the running cost of parking enforcement across the County.

E. Legal Implications

- 1.13 Section 122 of the Road Traffic Act 1984 places 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.

Regulation 14 of the TRO Regulations provide that an Order making authority may modify an Order. Whether in consequences of any objections or otherwise, before it is made.

- 1.14 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 decisions made and representations considered. The Traffic Regulation Order will be signed and re-advertised by Buckinghamshire County Council.

F Property Implications

- 1.15 None identified.

G Other Implications/Issues

- 1.16 Equality and Diversity Issues – Equality Act 2010. This proposal will not have any disproportionate effect upon people with protected characteristics. This scheme introduces new “Limited Waiting 1 Hour No Return 1 Hour Mon-Sat 8am-6pm” parking bays which will assist with the demands for kerb side parking in the town centre and “No Waiting At Any time” and “No Verge Parking At Any time” restrictions which will allow enforcement across the whole width of the designated Public Highway. This will discourage pavement and verge parking as the restrictions can be enforced from highway boundary to highway boundary. This will facilitate the ease of public access along the footways.

- 1.17 Within the scope of the proposals is the introduction of a “Disabled Badge Holders Only” parking bay, in order to provide parking for blue badge holders where there is a need for a Disabled Badge Holder parking bay but currently no provision in place.

H Feedback from Consultation and Local Member Views

- 1.18 The Statutory Consultation was undertaken between 22nd March and 12th April 2019 a summary of the number of objections received are contained within Appendix A and a total of 48 comments were received, the full written responses to the Statutory Consultation are contained in Appendix A these have been reviewed and considered against the Statement of Reasons and the overview of the responses fell into a number of categories.

- 1.19 A summary of the objections, the comments and responses to the comments are detailed below:

No Waiting At Any Time on Verge or Footway

Citing the potential lack of residential parking if any proposals to restrict verge parking come into effect.

- No waiting at any time on verge or footway does not stop parking on the carriageway and the highway code clearly states in Rule 244; 'You MUST NOT park partially or wholly on the pavement unless signs permit it.' As parking on the verge or pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

There are concerns that without the verge parking and with more available carriageway space, there may be an increase of vehicle speed.

- The implementation of this restriction should not diminish the number of vehicles using the area for parking and without the current option to park mainly on the verge vehicles will be required to park fully on the carriageway which will slow traffic flow as vehicles will have to give way to oncoming traffic that has priority.

Suggestions include a Residents Parking Scheme or limited verge parking restrictions.

- The introduction of dedicated space parking on the public highway would require a full feasibility study to ascertain the practicality of such a scheme for which additional funding would be required. If practicable the scheme would be subject to a separate public consultation before being implemented. These comments will be forwarded to the Local Area Forum Manager to be included for consideration at the next meeting in line with Council policy.
- Limiting the restriction would not fully remove the danger to persons or other traffic using the verge or footpath

Limited Waiting 1 Hour No Return 1 Hour Mon-Sat 8am-6pm.

In the areas where there were businesses affected due to the additional parking bays that were proposed, there was concern that the proposed additional bays would block the access way for deliveries and private parking.

- It is a legal requirement when introducing parking bays that cross property entrances to end and restart the bays, currently at these locations there is a no waiting at any time restriction it is proposed to leave these restriction in place across the entrances to protect access rights.

No Waiting At Any Time

Responses citing the need for residents to be able to use a bus layby to park in as a deterrent to parking on-street and obstructing residents.

- The layby was introduced to facilitate the use of buses and coaches for loading and unloading passengers, the introduction of general parking at this location would obstruct the use by buses and coaches and may lead to obstruction of the highway at peak times.

General

There was some concern that the existing and new restrictions will not be enforced.

- The current restrictions are enforced on a daily basis, once the new restrictions have been formalised on the Traffic Regulation Order enforcement activities of the new restrictions can be commence.

- 1.20 These proposed restrictions fall within the electoral division of Marlow (Cllr Alex Collingwood).

Following the consultation and review of the responses to the Statutory Consultation Councillor Alex Collingwood was asked for his comments, which are laid out below:

“In summary I am not against the principle of these proposals.

I support the introduction of additional on street parking spaces in West Street.

Please confirm that my request to move two of the proposed spaces from the junction of Oxford Road to outside the Ship and only one proposed space outside Tiger garden.

In terms of the yellow lines I am concerned that the proposals will potentially just move the issue further up the Henley Road.

I would prefer that we introduced a time limited single yellow line with no parking between 11 AM and 2 PM.

Based on the responses received during the formal consultation I am happy to support the majority who favour these proposals.

However put on record that we may have to revisit these proposals within 6 to 12 months depending on actual impact on the residents once the proposal is introduced.”

I. Communication Issues

- 1.21 All consultees and responders to the consultation will be contacted by either email 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

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

K. Review

- 1.23 No further review of Waiting Restrictions in Marlow are proposed at present but if implemented the restrictions will be monitored via enforcement.

Background Papers

None

Appendices to Report

Appendix A: Responses to Statutory Consultation, Marlow 2019

Appendix B: Schedule

Appendix C: Plans of Marlow Proposed Waiting Restrictions
(Parking Traffic Regulation Order Tiles)

Appendix D: Statement of Reasons, Notices and Traffic Regulation Order

Links to current documentation

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 and email address are given at the top 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 5pm on 18th July 2019. This can be done by telephone (to 01296 382434) or by email to democracy@buckscc.gov.uk