

Report to Deputy Leader & Cabinet Member for Transportation

Decision to be taken on or after 16 December 2019

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

Cabinet Member Report No. T32.19

Title: Establish Puffin Crossing - Mill End Road, High
Wycombe
Date: 06/12/2019
Author: Darryl Bonsor
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Local members affected: West Wycombe;

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

[Guidance can be found on the intranet at the following link:
<https://intranet.buckscc.gov.uk/how-do-i/member-services/decision-making/>
Is the report confidential? Please contact Democratic Services.]

Summary

Buckinghamshire County Council, in conjunction with the developer Chancerygate Limited proposes to establish a Puffin Crossing in the publicly maintained section of Mill End Road, High Wycombe. The Puffin Crossing in the publicly maintained highway is to be constructed at a point approx. 135 metres north-east of Eaton Avenue.

Recommendation

**It is recommended that the Deputy Leader & Cabinet Member for Transportation
approves the proposed Puffin Crossing to be established.**

[Please number paragraphs from here]

A. Narrative setting out the reasons for the decision

Planning Permission 17/07655/FUL- Redevelopment of existing commercial site for commercial purposes including demolition of existing buildings, erection of B1(c), B2 and B8 and Trade Counter (including ancillary offices) premises (8470m²), reuse existing accesses onto Chapel Lane and Mill End Road, on-site parking and landscaping.

Condition 26 in the planning consent included the requirement for the developer to construct a pedestrian crossing point on Mill End Road to a point North of the site egress point.

- A statutory consultation was undertaken on the proposals in October/November 2019.
- This scheme has been reviewed by Neil Biggs from Thames Valley Police and Peter Chapman from Transport for Buckinghamshire, neither have objected to the type of crossing proposed or its location.
- No objections to the scheme were received during the consultation stage.

B. Other options available, and their pros and cons

To comply with the planning condition, the only other Controlled Crossing option available is for a Zebra Crossing. However this did not gain the support of Thames Valley Police, the school, or local residents when this option was put forward earlier in the year. The developer could seek a variation of condition to remove the need for a Controlled Crossing altogether, and look to retain the existing pedestrian refuge island.

C. Resource implications

There will be no direct finance resource implications because the consultations and highway works are to be funded by the developer themselves.

D. Value for Money (VfM) Self Assessment

All works including this consultation are funded by the developer.

E. Legal implications

The Council's main powers in relation to provision of Puffin Crossings are set out in the [Road Traffic Regulations Act 1984](#) ("the Act"). Section 23 of the Act allows a traffic authority to establish crossings for pedestrians on roads on which they are the traffic authority.

Before installing such a crossing, the traffic authority is required under section 23 of the Act to consult the chief officer of police about the proposal and to give notice of the proposals to members of the public.

The legal mechanism which these works will be constructed in the highway is through a Section 278 Legal Agreement, entered into by the developer and Buckinghamshire County Council.

It has been held by the courts that to be effective, consultation must meet the following tests:

- the consultation must be at a time when proposals are still at a formative stage;
- the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;

- adequate time must be given for consideration and response; and
- that the product of the consultation must be conscientiously taken into account in finalising any statutory proposals.

It would appear from the content of this report and the background documentation that the above tests were met in this instance.

F. Property implications

Not applicable.

G. Unitary Council

There are unlikely to be any barriers or opportunities arising from this consultation.

H. Other implications/issues

Should this scheme go ahead as proposed, it will result in the loss of the School Crossing Patroller, as they would no longer be required to manually stop traffic. This will result in them being relieved of their duties, unless an alternative location is found for them to patrol by the SCP Team.

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

[**This section must be completed in full**, otherwise the report cannot progress to the decision being taken. Member Services will send reports back to the report author if this section is not fully completed.

It is the responsibility of the report author to ensure that local members are fully consulted in accordance with the Guidance (available from Member Services). All local members affected must be consulted. Where a decision affects all divisions and a corporate issue only then this must be stated in this section.

Local Members must be given advance notification of a forthcoming decision that affects their local division. In addition, they must be consulted on the detail of the decision in question. The following sections must be complete:

Date advance notification of decision given: 28th October 2019

Date local members consulted on draft decision: 22nd November 2019

Deadline given for responses: 29th November 2019

Overview of responses received:

Cllr Darren Hayday – West Wycombe

I am happy with the plans.

J. Communication issues

All Consultees will receive the outcome in either the manner in which they contacted us or via email.

K. Progress Monitoring

Not applicable.

L. Review

Not applicable.

Background Papers

[This section should include unpublished documents on which the report has been based and documents which have been relied upon to a material extent in preparing the report. Exempt or confidential information should not be listed, as any background papers must be made available for public inspection if requested.]

9514-9441-S278 Surface Finishes Rev K

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 Democratic Services Team by 5.00pm on 13 December 2019. This can be done by telephone (to 01296 382343), or e-mail to democracy@buckscc.gov.uk