

# Report to Deputy Leader & Cabinet Member for Transportation

**Decision to be taken on or after 24<sup>th</sup> February 2020**

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

**Cabinet Member Report No. T02.20**

**Title:** Cedar Avenue, Hazlemere – Waiting Restrictions

**Date:** 14<sup>th</sup> February 2020

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**Local members affected:** Cllr Katrina Wood (Hazlemere)

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

## Summary

1. *Transport for Buckinghamshire was commissioned by Hazlemere Parish Council to undertake a waiting restriction review at Cedar Avenue and various junctions with Cedar Avenue in Hazlemere. The scheme has been limited to those measures that will encourage drivers to comply with the Highway Code requirement not to park within 10 metres of a junction.*
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 Service Director, Highways and Technical Services to make the Traffic Regulation Order (TRO) for the scheme outlined in this report; noting that it is slightly different to the one that was advertised during the Statutory Consultation process because it takes into account the responses received during the consultation period.**
- b. **That the TRO be made as advertised at Statutory Consultation but with the following amendments:**
  - Removal of proposed ‘No waiting at any time’ restrictions along the length of Cedar Avenue from Brimmer’s Hill to the mid – point between Fox Field & The Warren however including junctions (Map ref Area Code: AG54 & AG55)
  - Reducing lengths of proposed ‘No waiting at any time’ restrictions on various junctions with Cedar Avenue – Implementing highway code junction protections only – No parking within 10 meters of a junction (Double yellow lines) (Map ref Area Code: AG54 & AG55)
  - Implementing ‘No waiting at any time’ restrictions on Cedar Avenue opposite Cedar Park School (on the inside bend) following notification during the statutory consultation that Thames Valley Police advise that vehicles should not park on the bend as this causes visibility issues
  - Formalising of School keep clear marking outside of Cedar Park School
- c. **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 This proposal has arisen following requests from Hazlemere Parish Council, for waiting restrictions to address parking safety issues at junctions and along certain lengths of Cedar Avenue.
- 1.3 Therefore ‘no waiting at any time’ (double yellow line) parking restriction measures were proposed 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.’”

- 1.4 These proposed parking restriction measures were advertised and promoted locally through a statutory consultation process, carried out between 18<sup>th</sup> January 2019 and 8<sup>th</sup> February 2019 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.
- 1.5 Copies of the statutory consultation documentation can be found on the Buckinghamshire County Council website at the following address:  
<https://democracy.buckscc.gov.uk/mgConsultationDisplay.aspx?ID=9448>
- 1.6 For more details of the consultation responses and working group meetings to agree the way forward, please see section H of this report.

## **B. Other options available, and their pros and cons**

- 1.7 Option 1  
Not to proceed with the waiting restrictions TRO, this would not address the issues raised by Hazlemere Parish Council for the area.
- 1.8 Option 2  
To implement the restrictions as originally advertised at statutory consultation which would go against the results of the consultation

## **C. Resource implications**

- 1.9 The cost associated with this scheme has been allocated within the LAF budget and sufficient budget remains to make the Traffic Regulation Order and implement the measures on the ground.
- 1.10 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**

- 1.11 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 and maintain existing signs and lines.

## **E. Legal implications**

- 1.12 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.

Regulation 14 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provides that an order making authority may modify an order, whether in consequence of any objection or otherwise, before it is made. However, before proceeding to make the modified order it must inform persons likely to be affected by the modifications, giving those persons an opportunity to make representations and ensuring that such representations are duly considered. In these instances, the respective county councillors for the areas have been advised of the representations received and asked for feedback on the proposed recommended way forward in each case.

When the decision is taken and recommendations agreed, the TRO will be made, signed and brought into operation. The respondents to the consultation and persons likely to be affected will be informed of the decision made; and the representations considered.

## **F. Property implications**

1.13 None identified.

## **G. Other implications/issues**

1.14 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” double yellow line restrictions which will allow enforcement across the whole width of the designated public highway when applied on both sides of the carriageway. This will discourage pavement parking as the waiting restrictions apply from highway boundary to highway boundary; and will facilitate ease of pedestrian access along the footways.

1.15 No other issues.

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

1.16 The Statutory Consultation was undertaken between Friday 18<sup>th</sup> January and Friday 8<sup>th</sup> February 2019. A summary of the feedback is shown in Appendix A.

1.17 The full written responses to the statutory consultation are contained in Appendix B. These have been reviewed and considered against the Statement of Reasons.

1.18 These written responses raised a number of comments and issues. These have been Summarised as follows ....

- a) Some respondents felt that the proposals would penalise residents if double yellow lines were installed down the majority of one side of Cedar Avenue. As parking only becomes an issue during school drop off & pick hours.
- b) Some respondents felt that restrictions should only be installed on the junctions.
- c) Some respondents suggested other solutions to improving safety/ parking issues such as: permit parking or timed restrictions on weekdays.
- d) The proposed restrictions would increase traffic speeds if they are only on one side of the carriageway.
- e) The restrictions could result in residents turning front gardens into parking areas.
- f) The restrictions could push parking onto other roads nearby.

- 1.19 Taking all feedback received during the statutory consultation process, all the restrictions proposed received more objections than support. As a result, a meeting was held with the Parking Team and Hazlemere Parish Council to discuss the best way forward. Following these meetings, it was recommended a reduction of the proposed restrictions to mainly cover junction protections, double yellow lines opposite Cedar Park School (on the inside bend) and formalising of school keep clear markings.
- 1.20 As has already been stated, the revised proposals for 'no waiting at any time' restrictions have been developed to encourage compliance with Highway Code, Rule 243.
- 1.21 Restrictions for Cedar Avenue from the junction of Brimmers Hill to the mid-point between Fox Field & The Warren (map ref Area Code: AG54 & AG55), those restrictions that were advertised mainly received objections and very little support. The nature of the objections are based on concerns that installing double yellow lines would penalise residents as the parking issue is worst during school drop off/ pick up times, traffic speeds could increase, residents could turn front gardens into parking areas. It is therefore recommended that the proposed 'no waiting at any time' restrictions for this section of road is removed however 'No waiting at any time' restrictions should be implemented on the inside bend opposite Cedar Park School following notification during the statutory consultation that Thames Valley Police advise that vehicles should not park on the bend as this causes visibility issues.
- 1.22 Restrictions for Cedar Avenue junction with Brimmers Hill & Upper Lodge Lane (map ref Area Code: AG54), those restrictions that were advertised received a mix of objections & support. It is therefore recommended that the proposed 'no waiting at any time' restrictions for these roads be implemented as advertised as they comply with Highway Code Rule 243.
- 1.23 Restrictions for Cedar Avenue junction with Roberts Ride (map ref Area Code: AG54), those restrictions that were advertised received a mix of objections & support. The nature of the objections are based on the parking issue being pushed onto other roads & installing double yellow lines would penalise residents as the parking issue is worst during school drop off/ pick up times. It is therefore recommended that the proposed 'no waiting at any time' restrictions for these roads be implemented but for the length of the restriction on Roberts Ride to be reduced to cover the 10 meters from the junction only.
- 1.24 Restrictions for Cedar Avenue junction with Shepherds Lane (map ref Area Code: AG55), those restrictions that were advertised received a mix of objections & support. The nature of the objections are based on concerns that installing double yellow lines would penalise residents as the parking issue is worst during school drop off/ pick up times. It was noted during the statutory consultation that there were concerns raised over the grass verges being damaged and footpath being blocked. It is therefore recommended that the proposed 'no waiting at any time' restrictions for these roads be implemented but for the length of the restriction on Shepherds Lane to be slightly reduced to cover the 10 meters from the junction only.
- 1.25 Restrictions for Cedar Avenue junction with Fox Field (map ref Area Code: AG55), those restrictions that were advertised received a mix of objections & support. The nature of the objections are based on the parking issue being pushed onto other roads & installing double yellow lines would penalise residents as the parking issue is worst during school drop off/ pick up times. It is therefore recommended that the proposed 'no waiting at any time' restrictions for these roads be implemented but for the length of the restriction on Fox Field to be reduced to cover the 10 meters from the junction only.

1.26 The local County Councillor affected by the proposed restrictions was invited to comment upon the proposed recommendations.

1.27 The local member for Hazlemere, County Councillor Katrina Wood, has confirmed that she is supportive of the proposals and commented:

*"I am pleased with the progress the parking sub committee is making and the involvement of parish councillors on that committee creates a much better buy in from the community. The proposals for Hazlemere are long wanted and fought for but in the last round they were not quite right, hence being withdrawn and presented again now. Hazlemere have waited a long time for these safety restrictions and as with everything they are not exactly what everyone wanted but then you will never be able to please everyone and it is agreed by the majority. I am in agreement with the compromises and the final scheme as presented."*

**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**

If implemented, the restrictions will be monitored via enforcement.

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## **Background Papers**

None

## **Appendices to the Report**

### **Appendix A:**

Summary of Objections & Feedback, Cedar Avenue, Hazlemere Waiting Restrictions

### **Appendix B:**

Responses to Statutory Consultation, Cedar Avenue, Hazlemere Waiting Restrictions

### **Appendix C:**

Original Plans of Cedar Avenue, Hazlemere Waiting Restrictions (Parking Traffic Regulation Order Tiles)

### **Appendix D:**

Amended Plans following statutory consultation (Revised Parking Traffic Regulation Order Tiles)

### **Appendix E:**

Cedar Avenue, Hazlemere 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 21<sup>st</sup> February 2020. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)*