

# Report to Deputy Leader & Cabinet Member for Transportation

Decision to be taken on or after 25 February 2020

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

Cabinet Member Report No: T03.20

**Title:** Downley Parking Restrictions 2019 – Waiting Restrictions

**Date decision taken:**

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**Local Members Affected** Cllr Wendy Mallen

*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 Downley Parish Council, Transport for Buckinghamshire were commissioned to implement “No Waiting At Any Time” parking restrictions along Commonside and Plomer Green Avenue in Downley.
- 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.

### 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.



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- b. The TRO be made as advertised at Statutory Consultation but with the following amendment:
  - A slight reduction in the length of “No Waiting At Any Time” restriction on Commonsode (plan Y60). The new restriction will run opposite the existing restriction on the north side of Commonsode on the bend, starting 10m south of the bus cage and terminating opposite Number 6 Commonsode.
- c. The 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 to and subsequently from Downley Parish Council for waiting restrictions with the area. This identified Commonsode and Plomer Green Avenue where there are parking safety issues around bends and around junctions.
- 1.3 Therefore, ‘No Waiting At Any Time’ (double yellow lines) waiting 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*’, ‘*on a bend*’ ‘**except** when forced to do so by stationary traffic.’
- 1.4 These measures were advertised and promoted locally through a Statutory Consultation process carried out between 4<sup>th</sup> October 2019 and 1<sup>st</sup> November 2019 in accordance with the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (“the TRO Regulations”). 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.

Copies of the Statutory Consultation Documents can be found here:

<https://democracy.buckscc.gov.uk/mgConsultationDisplay.aspx?ID=10542>

- 1.5 In support of the formal consultation Transport for Buckinghamshire distributed letters to residents of the roads where waiting restrictions were proposed. This letter included the methods by which the residents could obtain more information and provide feedback.
- 1.6 Notices and posters were placed on site informing the public of the 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.

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

### **1.10 Option 1**

Not to proceed with the waiting restrictions TRO, this would not address the issues raised by Downley Parish Council.

### **1.11 Option 2**

To implement the waiting restrictions TRO as advertised. This is not possible because of objections to the introduction of “No Waiting At Any Time” on Commonside outside the War Memorial Hall. The hall is used for a variety of functions for example a nursery, and there are a number of local businesses in the vicinity for which currently, there is limited parking. The decision to install 10m of restriction south of the bus stop is to allow vehicles turning out of Chapel Street to get on their side of the carriageway whilst maintaining some parking for the war memorial and its various functions.

## **C. Resource Implications**

1.12 The costs associated have been raised via Local Area Forum (LAF) and Downley Parish Council. Sufficient budget remains to make the Traffic Regulation Order and implement its measures on the ground.

1.13 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**

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

## **E. Legal Implications**

1.15 Section 122 of the Road Traffic 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 TRO Regulations provide that an Order making authority may modify an Order, whether in consequences of any objections or otherwise, before it is made.

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

## **F. Property Implications**

1.16 None identified.

## **G. Other Implications/Issues**

1.17 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 on the Public Highway. On Commonside this will increase safety, as vehicles will now be able to travel on their side of the road around the bend as there will now be no parked vehicles. Furthermore, vehicles turning out of Chapel Street will now have good visibility to the right, as the restrictions here will prevent parking. This will also allow the footway to be clear of parked vehicles again, as there are currently no restrictions here and parking on the footway is abused.

On Plomer Green Avenue, the restrictions will allow the bus to travel down this road, without being blocked by parked cars on either side of the public highway. Also, this will allow delivery vehicles accessing Cross Court shops to manoeuvre safely.

- 1.18 No other issues.

## **H Feedback from Consultation and Local Member Views**

- 1.19 The Statutory Consultation was undertaken between 4<sup>th</sup> October and 1<sup>st</sup> November 2019. A summary of the number of objections received are contained within Appendix A.
- 1.20 The full written responses to the Statutory Consultation are contained in Appendix B these have been reviewed and considered against the Statement of Reasons.
- 1.21 These proposed restrictions fall within the electoral division of Downley (Cllr Wendy Mallen).

## **I. Communication Issues**

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**

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

## **K. Review**

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

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### **Background Papers**

None

### **Appendices to Report**

**Appendix A:** Summary of Objections to Statutory Consultation of proposed Waiting Restrictions in Downley 2019

**Appendix B:** Responses to Statutory Consultation, Downley 2019

**Appendix C:** Original Plans of Downley Proposed Waiting Restrictions  
(Parking Traffic Regulation Order Tiles)

**Appendix D:** Amended Plans (following Statutory Consultation)

**Appendix E:** Downley Waiting Restrictions, Statement of Reasons, Notices and Draft Traffic Regulation Order

**Appendix F:** Equality-Impact-Assessment

Links to current documentation

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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 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 24 February 2020. This can be done by telephone (to 01296 382434) or by email to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)