



## Report to Leader (Logistics portfolio)

**Decision Date:** 3 November 2020

**Reference number:** LG07.20

**Title:** Malthouse Way and Barley Way (S106 Scheme) Implementation of parking TRO (Double Yellow Lines).

**Relevant councillor(s):** Councillor A Collingwood, Councillor N Marshall, Councillor R Wilson, Councillor S Brown, Councillor R Scott.

**Author and/or contact officer:** Johnathon Sahota, Project Engineer, Design Services; Johnathon.Sahota@buckinghamshire.gov.uk

**Ward(s) affected:** Marlow

**Recommendations: That the Cabinet Member for Logistics: -**

- A. Acknowledges the correspondence received to the consultation and determines that no objection remains unresolved**
- B. Authorises the Making of the traffic regulation order as advertised**
- C. Instructs the restrictions to be implemented by TfB;**

**Reason for decision:**

Transport for Buckinghamshire have secured Section 106 funding to consult upon and thereafter, if appropriate to implement a parking Traffic Regulation Order in Malthouse Way and Barley Way. The S106 contribution is made in respect of a new development in Portland Way. Whilst comments were received during consultation, one of which was an objection, following the consultation this has been resolved with the individual objection withdrawn. Full details of the objection can be found in Appendix 2 of this report but a summary is provided below.

In addition to the above and following consultation, a decision was made by the Acting Head of Highways for the former Buckinghamshire County Council (BCC) to proceed to make the TRO and implement the scheme. However, due to the pandemic of COVID-19, a decision was made by BCC to suspend the implementation of any new TRO schemes due to the requirements of Government guidance on the need for isolation and self-distancing, which made the implementation of the scheme impractical. Since, the Council has become a single Unitary Authority and Government restrictions have eased enabling this scheme to progress.

This report is to confirm the making of the TRO at this time. The decision made by Buckinghamshire County Council can be found as Appendix 4.

### Executive summary

- 1.1 To approve the making of a Traffic Regulation Order to implement parking restrictions in Malthouse Way / Barley Way, Marlow. The proposals were subject to a statutory consultation.

### Content of report

- 1.2 This report sets out the proposals to implement parking restrictions in Malthouse Way / Barley Way, Marlow. These proposals have arisen following recent residential development in the area and a Section 106 agreement was made between the property developer and the former Buckinghamshire County Council to mitigate concerns relating to an anticipated increase in demand for on-street parking.
- 1.3 The Section 106 agreement specifies that additional measures will be put in place to mitigate the concerns of unlawful parking occurring as a result of additional residential premises.
- 1.4 The scheme has been developed through joint site meetings between Parish Council and TfB Parking Team Leader.
- 1.5 The proposals have been subject to a full public statutory consultation and the outcome of the consultation is recorded later in this report.
- 1.6 The implementation of the scheme was approved by the former Buckinghamshire County Council but TfB were unable to complete the statutory requirements of making the Traffic Regulation Order due to the restrictions imposed by Government and the Local Authority as a result of COVID-19. This report seeks approval from the current Unitary Authority to implement the scheme.

### Other options considered

- 1.7 No alternative measures to prevent parking on the critical junctions and tight corners within the estate have been considered.

### Legal and financial implications

- 1.8 Section 122 of the Road Traffic Act 1984 places a duty on Buckinghamshire 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 state that an Order making authority may modify an Order. Whether in receipt of any objections or otherwise, before it is made.

- 1.9 When the decision is taken and recommendations agreed, the Traffic Regulation Order will be made and sealed. The responders 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 made and re-advertised by Buckinghamshire Council.
- 1.10 The implementation of the scheme is being funded externally by a Section 106 contribution. The ongoing maintenance of any road markings will form part of a cyclical maintenance programme using the TfB general maintenance budget.

## Corporate implications

### 1.11 Equality and Diversity Issues - Equality Act 2010

This proposal will not have any disproportionate effect upon people with protected characteristics. The scheme will introduce parking restrictions near to road junctions to improve access/egress and visibility, contributing to a safer highway network for all road users.

### 1.12 Property implications

None identified.

### 1.13 Value for Money (VfM) Self Assessment

Road markings will be tendered and carried out by an approved sub-contractor working on behalf of Transport for Buckinghamshire.

### 1.14 Resource Implications

Future maintenance of road markings will be through the Transport for Buckinghamshire general maintenance budget.

The funding of the scheme is to be met by an external contribution committed within a S106 agreement.

## Consultation and communication

- 1.15 The Town Council and Elected member were in agreement with the proposals and supported a full public consultation to take place, and following consultation, continued to support the implementation of the restrictions as were advertised.
- 1.16 Following consultation and recognition of a new Governing Authority, Marlow Town Council and elected Members were contacted. Their responses are recorded below:

Consultee	Response
Cllr Alex Collingwood	I fully support these proposals. How soon can they be implemented?
Marlow Town Council	Many thanks, Jonathan all received no further comments
Cllr Suzanne Brown	Agree
Cllr Richard Scott	Fully support
Cllr Roger Wilson	Fine by me
Cllr Neil Marshall	<i>No response received</i>

1.17 Though comments were received during consultation, one of which was an objection, this objection was withdrawn and no objection remains outstanding to the proposal

1.18 All consultees and respondents 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 Council's web page.

1.19 A summary of all comments received to the consultation are provided below and referenced to Appendix 2:

1.20 ***Summary of all correspondence:-***

Ref:	Correspondent Comments	TfB Comments
1	Can I request copies of the proposals	Details of the proposals sent to correspondent.  (No further response received)
2	Can additional parking restrictions be added to the proposal	We shall implement the proposed parking restrictions as advertised and monitor the effects once implemented. Further restrictions can be considered in the future.
3	Can a 20mph speed limit be imposed and white line fronting the car park	The proposals include yellow lines fronting the car park to address your concern. Please contact your Elected Member and Town Council directly to

		discuss your request for a reduced speed limit and gauge their support / approval.
4	I object to the shortening of the drive protection marking. I object any yellow lines across my driveway.	The white line will only be shortened to comply with the regulations (permitted size of road marking). We also confirm that no yellow lines will be marked across your driveway.  (Objection subsequently withdrawn)
5	Can I request details of the proposals	Details of the proposals sent to correspondent.  (Correspondent confirms no further comment to make)

### Next steps and review

If the making of the Traffic Regulation Order is approved, TfB will write to all correspondents to inform them of the decision. TfB shall proceed to publishing a 'Notice of Making' to confirm the particulars of the TRO and shall aim to implement the parking restrictions within 6 weeks of approval of this report. We shall ensure the making of this order is complete before the commencement of the Buckinghamshire Countywide consolidation order for all Traffic Regulation Orders.

### Background papers

None

### Appendices to the Report

Appendix 1 - Consultation Letter and Plan; Statutory Consultation Detail.

Appendix 2 - Feedback from Statutory Consultation

Appendix 3 – Member and Town Council approvals (post consultation)

Appendix 4 – Signed Officer Decision Report by Buckinghamshire County Council approving the making of the Traffic Regulation Order

### Your questions and views (for key decisions)

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)