



## Report to Leader (Transport Portfolio, Logistics Portfolio)

**Decision Date:** 2 February 2021

**Reference number:** TR02.21

**Title:** Countywide Consolidation of Traffic Regulation Orders for on-street and off-street parking, traffic movement and speed limits

**Relevant councillor(s):** All

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**Ward(s) affected:** (All Wards);

### Recommendations:

It is recommended that:

- a. **The Leader approves the making of all four of the Traffic Regulation Orders (TRO) for the schemes outlined in this report.**
- b. **That responders to the Statutory Consultation be informed of the Decision**
- c. **The TRO be made as advertised during the statutory consultation subject to the following amendments:**
  - **The Buckinghamshire Council (Traffic Movement) Order 2021** - Removal of the no right turn on Stratford Road in Buckingham into Wharfside Place in Buckingham (see Appendix 2 – Map AQ26).
  - **The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) Order 2021** - Various amendments to Schedule 5 in the On-Street Parking Order – Property entitlement list for the various on-street permit schemes across the county,
    - Zone AY4 - Amend zone entitlement on Buckingham Road, Aylesbury from “Waddon Chase” to Whaddon Chase”.
    - Zone AY6 - Amend zone entitlement for Cambridge Street from “All properties” to “All properties from the junction of Upper Hundreds Way and New Street in a north east direction”.
    - Zone AY7 -

- Amend location from “Willowbridge Terrace” to “Willowbank Terrace”.
  - Amend zone entitlement for Walton Street from “All properties”, to “All properties on the north east side from the junction of Exchange Street in a south east direction”.
- Zone AY10 -
  - Amend location from “Aylesbury” to “Wendover” for both Ellesborough Road and Pound Road
  - Amend zone entitlement on Ellesborough Road from “All properties” to “No’s 10 to 36 only”.
- Zone AY12 - Amend location from “Aylesbury” to “Berryfields, Aylesbury” for both President Road and Laxton Road.
- Zone BK1 –
  - Amend location from “Northend Court, Buckingham” to “Mary Macmanus Drive, Buckingham”.
- Amend property entitlement from “Flats 1 to 18 and (numbers 1, 2, 3, 4, 5, 7, 9, 11, 13, 14, 15, 16, 17, 18, 20, 22 & 24)” to “Northend Court Flats 1 to 18 and property no’s 1, 2, 3, 4, 5, 7, 9, 11, 13, 14, 15, 16, 17, 18, 20, 22 & 24”.
- Zone BU1 - Remove zone, properties are included in zone BK1.
- Zone CH1 - Amend zone entitlement to inclusion property no. 36.
- Zone CH4 - Amend property entitlement from “All Properties” to “No’s 10 to 30 Evens only”, this is in line with original consultation (see Appendix 4 - Germain Street Permit Entitlement).
- Zone CP1 - Remove “Lower Road, Chalfont St Peter” location is covered in zone “CP3”.
- Zone CP3 - Amend to include “Lower Road, Chalfont St Peter property numbers No. 68 to 84 Evens only”.
- Zone GC1 - Amend entitlement from “No. 1 to 4 Langstone Villas only” to “No’s 9 to 12 (known as 1 to 4 Langstone Villas) only”.
- Zone GM4 – Amend entitled for properties on Whitefield Lane, Great Missenden from “All properties” to “No’s 1 to 8a and 20 to 33 only”. All other properties are the other side of the railway lines and have off-street parking.
- Zone HW2 -
  - Oxford Street, High Wycombe amend entitlement from “All properties” to “All properties west of Arch Way” as Oxford Street east of Arch Way is included in zone HW1.
  - Mendy Street, High Wycombe amend from “All properties” to “All properties except Summer House” as this location is covered in zone HW7.
- Zone HW9 – Amend zone entitlement to “Shopmobility only”.
- Zone LC1 – Amend zone entitlement from “All properties” to No’s 9 to 25 only”, all other properties have off-street parking.
- Zone PR1 - Remove entitlement of permits from all households on Wycombe Road, Princes Risborough, as location is included in zone PR2.
- Zone PR2 -
  - Amendment of entitled locations to include Wycombe Road, Princes Risborough properties 4, to 10 and 18 to 24 evens only.

- Removal of entitlement to permits for Berndene Rise, Princes Risborough, as location is included in zone PR3.
- Zone PR3 - Amendment of entitled locations to include Berndene Rise, Princes Risborough properties 1 to 10 only.

**Reason for decision:**

Buckinghamshire Council is responsible for the highway network within its boundary; this includes the provision and management of restrictions both on the highway and in council run car parks, which includes the enforcement of waiting restrictions in both on-street and off-street locations:

- for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- for preventing damage to the road or to any building on or near the road, or
- for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (without prejudice to the generality of paragraph (1.4) above) for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot, or
- for preserving or improving the amenities of the area through which the road runs or
- for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).]

**1. Executive summary**

- 1.1. Transport for Buckinghamshire was commissioned to undertake a County-wide review of existing Traffic Regulation Orders as the authority had not reviewed all its records of signs, lines, speed limits and moving traffic controls for some years and in some instances the legal records did not match what is on the public highway or in our car parks.
- 1.2. The project scope is to create four new separate and distinct composite orders held on a single secure electronic based platform, from the existing various Traffic Regulation Orders accessed via the internet for Council Officers and an online system available to the public. These orders will be known as:-



- The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) Order 2021
- The Buckinghamshire Council (Off-Street Parking Places), Order 2021
- The Buckinghamshire Council (Traffic Movement) Order 2021
- The Buckinghamshire Council (Speed Limit) Order 2021

1.3. This Key Decision Report relates to the subsequent review of the Statutory Consultation and makes recommendations to both the Cabinet Member for Logistics and the Leader of the Council.

## **2. Content of report**

2.1 Buckinghamshire Council is responsible for the highway network within its boundary; this includes the provision and management of speed, movement and static restrictions on the highway and in council run car parks.

2.2 In addition it is also responsible for parking enforcement of waiting restrictions in both on-street and off-street locations owned and or run by the Council.

## **3. Other options considered**

3.1 Not to proceed may affect enforcement activities of both the Police and the Council due to historic inaccuracies between the lines and signs and the appropriate Traffic Regulation Order.

3.2 To partially proceed may affect some enforcement activities of both the Police and the Council due to historic inaccuracies between the lines and signs and the appropriate Traffic Regulation Order.

## **4. Legal and financial implications**

4.1 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.

4.2 The TRO Regulations state that an Order making authority may make an Order. Whether in receipt of any objections or otherwise, before it is made. However, before proceeding to make the 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.

4.3 When the decision is taken and recommendations agreed, the Traffic Regulation Orders will be made, and brought into operation. The respondees to the

consultation and persons likely to be affected will be informed of the decisions made and representations considered. The made orders will then be re-advertised by Buckinghamshire Council.

## **5. Corporate implications**

- 5.1 No property implications have been identified.
- 5.2 Equality and Diversity Issues – Equality Act 2010. This proposal will not have any disproportionate effect upon people with protected characteristics.
- 5.3 The consolidation of orders is funded from budgets managed by Parking Services.

## **6. Consultation with local Councillors & Community Boards**

- 6.1 These measures were advertised and promoted locally through a Statutory Consultation process carried out between Friday 13th November 2020 and Thursday 10th December 2020 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 in the Appendices below. The Buckinghamshire Council (Off-Street Parking Places), Order 202\* was extended to 6th January 2021 with notices placed in all the car parks to allow less frequent users time to comment if required.
- 6.2 The Police, Fire and Rescue Service and Ambulance Service were made aware of the consultation. No response has been received for the proposal as advertised.
- 6.3 Details of the proposed scheme were placed on the authorities' web site (see appendix 3) detailing the restrictions and locations affected and how they could obtain more information and provide feedback. The draft notice was also advertised in various local papers covering the county.
- 6.4 From the formal consultation, Transport for Buckinghamshire (TfB) received no responses in relation to the Speed or Car Parks orders, four responses in relation to the On-Street Parking order and one response in relation to the Traffic Movement order. These included comments from two Buckinghamshire Councillors; the responses to the statutory consultation are contained in Appendix 1 – Comments.
- 6.5 A summary of the comments are:-
  - a) Councillor Bendyshe-Brown
    - i. **Wycombe Road, Princess Risborough** – Requested the addition of households 4 to 10 evens only into the permit entitlement for zone PR2.

- **Recommendation** – Request be upheld and entitlement to permits is at the discretion of the council, therefore these households have been added as requested by a councillor for this area.

b) Councillor Whyte

- Bridge Street, Buckingham** - We need to clarify the controls over the "loading bay" in front of the Old Town Hall. There are numerous proposals to reduce all day parking which blocks the Old Town Hall entrance, conflicts with pedestrian movement and also limits the availability for proper loading, together with safety concerns of traffic movements on and off the space during the day. There is potential to time limit the loading use for early morning or evening hours and to have the space as a pedestrian zone during shop hours. A localised exemption would be required to enable the Villiers Hotel to have wedding and funeral cars etc. on event days to access the space outside loading hours. A discussion with local businesses and local BC councillors will be beneficial.

- **Recommendation** - The On-Street Parking Manager has been in contact with Councillors Whyte and other local interested parties to discuss potential recommendations for changes to the restriction at this site, these discussions are currently still on-going and may require an amendment to the on-street static Traffic Regulation Order.

Any further amendment to a Traffic Regulation Order are likely to require funding which will need to be secured prior to undertaking any additional public consultation, the making of the amendment order and implementation on the highway. This will be a separate order and is not part of this consolidation.

- Burleigh Piece, Buckingham** - These lines are important to reduce risk to pedestrians/school children and poor parking.

- **Recommendation** - We thank the Councillor for his support in relation to this restriction.

- Stratford Road, Buckingham** - As a local Councillor I have never had this no right turn in Wharfside Place requested and would make it very convoluted for residents to enter their street.

- **Recommendation** - Objection to be upheld and restriction removed from the draft Traffic Regulation Order.

- A member of the public commented; that the permit restrictions on Berndene Rise in Princes Risborough serve absolutely no purpose. 10am-

11am is not a time in which the close is busy with cars. To charge residents an exuberant amount of money to park by their houses for 1 hour a day, when the road is not even busy is ridiculous. The school, which is the presumed reason for doing this, does not get busy at this time and therefore this is of no purpose.

- **Recommendation** - Objection to be overruled as this restriction was requested by the Princes Risborough and Monks Risborough Waiting Restriction Review working group for Princes Risborough and was subject to both informal and formal public consultations. During which the days and times of the restriction were agreed by the residents and Princes Risborough & Monks Risborough Waiting Restriction Review working group. The formal public consultation took place from 17th January 2019 to the 27th March 2019 during which time the public were invited to submit comments. Due to comments received at this time a petition was circulated for which the results were in favour of introducing permit holder restrictions which should be limited to one-hour periods on set days.

As this consultation does not change the previously agreed restrictions at this location, just to combine the four former County Council District based Traffic Regulation Orders into one single Countywide order it is recommended that this objection be overruled and the member of the public directed to the Traffic Regulation Order amendment process already set up through the local area Community Boards.

## **7. Communication, engagement & further consultation**

- 7.1 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 Council's web page.

## **8. Next steps and review**

- 8.1 Transport for Buckinghamshire will, if this report is approved, make the Traffic Regulation Orders. The council managers responsible for each Traffic Regulation Order will then review the restrictions in relation to complaints, penalty charge notices issued and income received from penalty charge notices.
- 8.2 If this report is rejected, no further action will be taken.

## **9. Background papers**

- 9.1 Appendix 1 - Comments.
- 9.2 Appendix 2 - Map AQ26.
- 9.3 Appendix 3 - Schedule 5.
- 9.4 Appendix 4 - Germain Street Permit Entitlement (original scheme map).
- 9.5 Appendix 5 - Consultation details.
- 9.6 Appendix 6 – Equality Impact Assessment.

## **10. Your questions and views (for key decisions)**

- 10.1 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).