



## Report to Leader (Transport portfolio)

**Decision Date:** 17 February 2022

**Reference number:** TR06.22

**Title:** **Various schemes relating to planning conditions (from November 2021 consultation)**

**Cabinet Member(s):** Councillor Steve Broadbent

**Contact officer:** Ian Thomas [Ian.Thomas@buckinghamshire.gov.uk](mailto:Ian.Thomas@buckinghamshire.gov.uk)

**Ward(s) affected:** Abbey; Aston Clinton & Bierton; Aylesbury East; Aylesbury South East; Buckingham East; Buckingham West; Chiltern Ridges; Downley; Grendon Underwood; Iver; Ryemead & Micklefield; Stone & Waddesdon; Tylers Green & Loudwater; Wendover, Halton & Stoke Mandeville;

### Recommendations:

- A. That the Leader approves the making of the following orders as advertised during the Statutory Consultation exception of:
- i. The speed reduction on Tingewick Road Area of Buckingham, as the decision will be deferred until after further discussion with the Police.
  - ii. The withdrawal of the proposed Permit Parking restrictions on Hughenden Boulevard in High Wycombe as there was insufficient support.
- The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) Order 2021
  - The Buckinghamshire Council (Traffic Movement) Order 2021
  - The Buckinghamshire Council (Speed Limit) Order 2021
- B. That responders to the Statutory Consultation be informed of the Decision

## **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
- for preserving the character of the road in a case where it is specially 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).]

## **Executive summary**

- 1.1 Transport for Buckinghamshire was commissioned to undertake statutory consultation on various sites in relation to recommendations made in planning conditions.
- 1.2 The project scope is to delivery these recommendations if appropriate and supported in line with 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.
- 1.3 This Key Decision Report relates to the subsequent review of the Statutory Consultation and makes recommendations to the Cabinet Member for Transport.

## **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.



- 2.1 In addition it is also responsible for parking enforcement of waiting restrictions in both on-street and off-street locations.

### **Other options considered**

- 3.1 Not to proceed may affect enforcement activities of both the Police and the Council.
- 3.2 To partially proceed may affect some enforcement activities of both the Police and the Council.

### **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 respondents 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.

### **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 making of orders is funded by funds provided through Planning Consent condition funding.

### **Local councillors & community boards consultation & views**

- 6.1 These measures were advertised and promoted locally through a Statutory Consultation process carried out between Wednesday the 13th October 2021 and Monday the 8th November 2021 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.

- 6.2 The Police, Fire and Rescue Service and Ambulance Service were made aware of the consultation. The Police have responded in the form of a report detailing their support to a lesser reduction in relation to the change of speed request associated with Tingewick Road area near Buckingham, in addition to this the authority's Network Safety Team have also submitted a report detailing a lesser reduction in the speed limit in this location. Both reports are appended to this report.
- 6.3 Details of the proposed scheme were placed on the authority's web site (see appendix 2, 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.
- 6.1 A summary of the comments made by ward councillors are:

**Councillor Caroline Cornell**

- a) **Tingewick Road, Buckingham** – This is a narrow road that comes off the Buckingham Ring Road down a hill with a child's day nursery and three housing estates egressing on to it. There are children trying to cross this road morning and evening, often in rush hours, and walk along a narrow pavement together with other pedestrians either walking into Buckingham or back from Buckingham. There is precious little street lighting and presumably where this is will be 30mph. This road leads directly into the 30mph for the town itself so really not too much problem to extend the town boundary 30mph limit zone for the sake of safety especially as this road and developments now are part of Buckingham Town itself. There are no pedestrian friendly crossings on this road and visibility coming in and out of all the estates is poor. Added to this the road surface, at the moment is appalling with ruts, dips and mud and dust, which will continue for many months to come.

**Councillor Patrick Fealey**

- a) **Tingewick Road, Buckingham** – I'm totally opposed to the proposal for 40 MPH on this road, there are number of new housing estates in addition to an children's nursery on this section of road as it enters Buckingham.

**Councillor Robin Stuchbury**

- a) **Tingewick Road, Buckingham** – I'm in completely supporting 30mph on the Tingewick Road, having historically been suggesting this since 2014/15 and supporting the Buckingham neighbourhood again which aspirations for the same to have 30 limit voted for through referendum by the Buckingham residence in support of the town councils Buckingham neighbourhood development plan and believe the proposal for 40mph isn't workable and will

not suffice to resolve historical aspirations. The residents who have moved into development presently, I'm believing I've corresponded previously expressing my personal preference which is in line with my ward councillor colleagues to establish a 30 mile an hour limit on the Tingewick Road. Not a 40 limit as suggested.

#### **Councillor Warren Whyte**

- a) **Tingewick Road, Buckingham** – there is a loud call from residents, councillors, and the town council for Tingewick Road to be reduced to a 30mph limit, as is the case for EVERY other residential road within the bypass limits of the town. The Community Board also supported this proposed speed limit change.

6.4 From the formal consultation Transport for Buckinghamshire (TfB) received only two objections from the public for these proposals.

6.5 A summary of the objections submitted by the public is:-

#### **Buckingham Ring Road, Buckingham**

- a) A member of the public commented that “The speed limit for Buckingham ring road should be 40mph all the way from the Radclive Road roundabout to the Gawcott Road roundabout where the 40mph limit currently starts.”.

#### **Tingewick Road, Buckingham**

- a) A member of the public commented that “There is no need to reduce the speed traffic moves at on this stretch of road, the road layout itself dictates a safe speed and there are not many pedestrians using this area, there are also adequate footpaths for any pedestrians that have ample room to allow safe passage.”.

### **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.

### **Next steps and review**

8.1 Transport for Buckinghamshire will, if this report is approved make the Traffic Regulation Order. The council manager responsible for the enforcement of the 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, disabled bay applicants will be informed, and no further action will be taken in relation to the Traffic Regulation Order.

### **Background papers**

- 9.1 Appendix 1 – Static Map Tiles.
- 9.2 Appendix 2 – Speed Map Tile.
- 9.3 Appendix 3 – Movement Map Tile.
- 9.4 Appendix 4 – Consultation Details.
- 9.5 Appendix 5 – Public Consultation Report.
- 9.6 Appendix 6 – Safety Team Report.
- 9.7 Appendix 7 – Police Report Tingewick Road Buckingham.
- 9.8 Appendix 8 – Police Report Various Sites

### **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).

