



Report to Leader (Transport portfolio)

Decision Date:	17 February 2022
Reference number:	TR07.22
Title:	TRO Project Phase 2 Scheme (from November 2021 consultation)
Cabinet Member(s):	Councillor Steve Broadbent
Contact officer:	Ian Thomas Ian.Thomas@buckinghamshire.gov.uk
Ward(s) affected:	Abbey; Amersham & Chesham Bois; Aston Clinton & Bierton; Aylesbury North; Beaconsfield; Buckingham East; Chalfont St Peter; Cliveden; Denham; Flackwell Heath, Little Marlow & Marlow South East; Gerrards Cross; Great Missenden; Iver; Terriers & Amersham Hill; The Risboroughs; Tylers Green & Loudwater; Wendover, Halton & Stoke Mandeville;

Recommendations:

It is recommended that:

- A. The Leader approves the making of the orders as advertised during the Statutory Consultation and detailed in Appendix 1, 2, 3, 6, 7, 8 and 9, SUBJECT TO the following conditions:**
 - a. school permits being valid as dispensation in Queen Alexandra Road, High Wycombe pay and display bays,**
 - b. that "School Permits" condition of use for all school permit locations be valid for dropping off or collecting children attending a school based within a permit holder parking area. The vehicle may park during school term time only, Monday- Friday, 08.00 - 16.00 for a maximum period of 1 hour with no return 2 hours**
 - c. in "The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (AMENDMENT 002) Order 2022" Schedule 4 column 4 the period of validity for visitor voucher be updated to**

read “From date of purchase for 12 months or until end of day on date first used within the original 12 month period.”

Orders

- The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (AMENDMENT 002) Order 2022
- The Buckinghamshire Council (Traffic Movement) (AMENDMENT 001) Order 2022 (including amendments to schedules 2)
- The Buckinghamshire Council (Speed Limit) (AMENDMENT 001) Order 2022 (including amendments to schedules 2)

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 a County-wide review of existing Traffic Regulation Orders. As part of this process the authority has identified sites where the historic signed or marked restrictions did not match the Traffic Regulation Order in relation to waiting, loading, stopping, speed limits and moving traffic controls

- 1.2 The project scope is to correct these issues to ensure that the on-street restrictions match the Traffic Regulation Orders, which are available for public inspection via the authorities online system.
- 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.
- 2.2 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 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.

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 consolidation of orders is funded by Parking Services.

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. One response has been received from the statutory consultees for the proposal as advertised.
- 6.3 Details of the proposed scheme were placed on the authority's web site (see appendix 4, 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 A summary of the comments made by ward councillors are:-

Amersham Road A413 (from Tattling End to Kingsway)

- a) **Councillor P Bass** commented "In general I have no objection, and I support all but one of the recommendations. The A413 from Tatling End to Kingsway (and vice versa) is an accident black spot, and whilst I understand your reasoning, I must question the approach being taken for this particular stretch of road. As councillors are lobbying for changes to slow down the traffic along this racetrack, not encourage speed. So, for this one recommendation only my request is that the stretch of road is consulted upon and we don't add what would be a statutory hurdle to a safer road for all at this time. I must question your recommendation of support for this proposal, clearly not a regular user, resident or aware of the accident numbers along this stretch."
- i. **Recommendation** – Objection in relation to Amersham Road be overruled as the restriction has been in place for several years and this process is to amend the legal documents to match the restrictions in

place. Councillor P Bass' request be forwarded to the Community Board for the area to consider funding the formal public consultation that would be required to reduce the existing restriction.

- 6.5 From the formal consultation Transport for Buckinghamshire (TfB) received only one objection from the public for these proposals.
- 6.6 A summary of the objection submitted by the public is:-

Abbey Way, High Wycombe

- a) A member of the public commented that; the current speed on the A40 flyover known as Abby Way is correct and reducing it would result in reduced traffic flow, increased travel times.
- i. **Recommendation** – Objection in relation to Abbey Way be overruled as the restriction has been in place for several years and this process is to amend the legal documents to match the restrictions in place.

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 – Static Schedule 4.
- 9.7 Appendix 7 – Static Schedule 5.

9.8 Appendix 8 – Static Schedule 6.

9.9 Appendix 9 – Article Updates.

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.