

READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

<b>TO:</b>	<b>TRAFFIC MANAGEMENT SUB-COMMITTEE</b>		
<b>DATE:</b>	<b>15 SEPTEMBER 2021</b>	<b>AGENDA ITEM:</b>	<b>7</b>
<b>TITLE:</b>	<b>WAITING RESTRICTION REVIEW - OBJECTIONS TO WAITING RESTRICTION REVIEW 2021A &amp; REQUESTS FOR WAITING RESTRICTION REVIEW 2021B</b>		
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**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 Twice-annually, requests for new waiting restrictions across the borough, or amendments to existing restrictions, are collated and considered for investigation as part of the Waiting Restriction Review Programme.
- 1.2 This report informs the Sub-Committee of objections received during statutory consultation for the agreed proposals that formed the 2021A programme. Members are asked to consider these objections and conclude the outcome of the proposals.
- 1.3 This report also provides the Sub-Committee with the list of new requests, for potential inclusion in the 2021B programme. Members are asked to consider the requests and whether the investigation of these requests and potential development of design proposals, should be resourced as part of this next review programme.
- 1.4 Appendix 1 - Feedback received during statutory consultation for the 2021A programme and the advertised drawings for those proposals.
- 1.5 Appendix 2 - New requests for consideration in the 2021B programme.

**2. RECOMMENDED ACTION**

- 2.1 That the Sub-Committee Notes the report.
- 2.2 That objections noted in Appendix 1 are considered and the Sub-Committee agrees to either implement, amend or reject the proposals.

- 2.3 That the Assistant Director of Legal and Democratic Services be authorised to seal the resultant Traffic Regulation Order and no public inquiry be held into the proposals.
- 2.4 That respondents to the statutory consultation be informed of the decision of the Sub-Committee accordingly, following publication of the agreed minutes of the meeting.
- 2.5 That the Sub-Committee considers the requests made for waiting restriction changes in Appendix 2 and agree whether each request should, or should not, be investigated by officers as part of the 2021B review programme.
- 2.6 That the officer recommendations, following investigation of the new requests, be shared with Ward Councillors, providing opportunity for local consultation (informal) and for their comments to be included in the next report to the Sub-Committee.
- 2.7 That, should funding permit, a further report be submitted to the Sub-Committee requesting approval to conduct the Statutory Consultation on the recommended schemes for the 2021B programme.

### 3. POLICY CONTEXT

- 3.1 The provision of waiting/parking restrictions and associated criteria is specified within existing Traffic Management Policies and Standards.
- 3.2 The Waiting Restriction Review programme also compliments the Council's Local Transport Plan, Climate Emergency Strategy and Health and Wellbeing Strategy by addressing local parking issues that can impact on traffic flow, perceived safety and accessibility. The resulting improvements can support improved traffic flow (including public transport) with reduced emissions and the removal barriers to the greater use of sustainable, healthy transport options.

### 4. THE PROPOSAL

#### Current Position

- 4.1 The Waiting Restriction Review programme is intended for relatively small-scale alterations to waiting restrictions, to limit costs and resources required for development and ensuring that the programme can be progressed within the expected timescales.

Larger area schemes will be moved to the 'Requests for Traffic Management Measures' list for development when funding is allocated through local CIL contributions, for example.

Requests for new Resident Permit Parking areas will be reported within the associated reports to this committee and will not form part of this review programme. Minor alterations to relatively small areas of existing Resident

Permit Parking restrictions may be considered for inclusion within this programme.

#### Objections to Traffic Regulation Order - 2021A programme

- 4.2 Approval was given by the Sub-Committee in March 2021 to carry out investigations at various locations, following requests that the Council had received for new or amended waiting restrictions.

Investigations were carried out and a recommendation for each scheme was shared with ward councillors between 14<sup>th</sup> May 2021 and 31<sup>st</sup> May 2021 for their comments.

- 4.3 A further report to the Sub-Committee in June 2021 sought approval for officers to conduct a statutory consultation for these recommended schemes.

The statutory consultation took place between 15<sup>th</sup> July 2021 and 3<sup>rd</sup> August 2021. The feedback received during this consultation, alongside the related scheme drawings, is contained in Appendix 1.

- 4.4 The statutory consultation process is a consultation with the public and other statutory consultees to create and seal a Traffic Regulation Order. Traffic Regulation Orders underlie on-street restrictions and allow them to be implemented and enforced.

The statutory consultation process is the Council proposing a new Traffic Regulation Order and in doing so, it must seek any objections so that these may be considered as part of the decision on whether the restrictions be implemented. The Order advertised for this programme contained all of the proposed restrictions and changes, so a decision must be made for all items before it can be sealed and any element implemented.

Statutory consultations are not to be viewed as a vote, where a higher number of objections compared with comments of support would necessarily lead to proposals not being implemented. Rather, it is expected that the responses will be balanced toward objections and the Council needs to consider the reasons provided in the objections and decide whether or not a scheme is amended, removed or installed as advertised.

Statutory consultations are open for anyone to respond, meaning that the respondent's address and other personal information irrelevant. Under Data Protection law, capturing this information is not necessary and therefore is not a requirement for response.

#### Bi-annual waiting restriction review - 2021B

- 4.5 Appendix 2 provides a list of requests that have been received for potential consideration in the 2021B programme.

For each request that is agreed for inclusion in this next Waiting Restriction Review programme, Officers will investigate the issue and consider a recommendation. This may be a proposed scheme that would overcome an issue, or a recommendation against developing a scheme, following investigation.

- 4.6 Officer recommendations will be shared with respective ward Councillors prior to reporting deadlines for the Sub-Committee meeting in January 2021 and will be the recommended schemes for the programme. This period provides Councillors with an opportunity to informally consult with residents, consider the recommendations and provide any comments for inclusion in the recommendations report to the Sub-Committee.

This next report will seek approval by the Sub-Committee to conduct statutory consultation for the recommended schemes.

### Options Proposed

#### Objections to Traffic Regulation Order - 2021A programme

- 4.7 The Sub-committee is asked to consider the feedback received against each scheme in Appendix 1 and can make the following decisions:

- Agree with objections - the recommended proposal will be removed from the programme and will not be implemented
- Overrule objections - the recommended proposal will be implemented, as advertised.
- Amend a proposal - an amended proposal will be implemented, provided such proposed modifications do not compromise the legality of the consultation process and resultant Traffic Regulation Order. The detail of that amendment will need to be agreed by the Sub-Committee and officer representatives at this meeting.

Those proposals that did not receive objections, nor other comments, will be implemented as advertised.

#### Bi-annual waiting restriction review - 2021B

- 4.8 The Sub-Committee is asked to consider whether each request should, or should not, be considered in this next programme.

The Sub-Committee is asked to take into account the resources required in investigating, designing and sharing schemes, when considering a recommendation to include requests in this programme. This same resource is shared across numerous projects reported through this Sub-Committee.

### Other Options Considered

- 4.9 None at this time.

## **5. CONTRIBUTION TO STRATEGIC AIMS**

- 5.1 This proposal contributes to the Council's Corporate Plan Themes as set out below:

### **Healthy Environment**

Waiting restrictions can assist in preventing obstructive, hazardous or other nuisance parking. In some situations, inconsiderate parking can compromise safety or result in difficulties for residents and businesses. Many parking issues can create delays or accessibility obstructions for users of the network such as pedestrians, cyclists, domestic vehicles, delivery vehicles, emergency services and public transport.

Proposals promoted through the Waiting Restriction Review programme can help to reduce some of these parking issues. They can lead to more efficient traffic flow, clearer footways, improvements to perceived Highway safety and greater containment. These can lead to lower vehicle emissions, the removal of barriers toward the greater use of sustainable and healthy transport modes and the greater appeal for local communities to consider Play Street initiatives. The proposals will contribute to the Council's goal of making the town carbon neutral by 2030.

5.2 This proposal contributes to the TEAM Reading Values, as set out below:

**Together** - The Waiting Restriction Review programme develops schemes based on community engagement throughout the development process, regarding local parking issues.

**Efficiency** - This programme develops various proposals in an efficient and cost-effective way (see Section 10).

**Ambitious** - As per section 5.1, Waiting Restrictions support the Council's goal of making Reading a carbon neutral town by 2030 by aiming to improve traffic flow and remove barriers to the greater adoption of healthy and sustainable transport options.

**Make a Difference** - As per the above.

## 6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1 The Council declared a Climate Emergency at its meeting on 26<sup>th</sup> February 2019 (Minute 48 refers).

6.2 A climate impact assessment has been conducted for the recommendations of this report.

There will be some minor negative impacts for investigation and design, through travel and energy usage. Travel impacts will be mitigated through preferred use of the Council's electric pool cars and through walking and cycling to site wherever possible. Advertised notices need to be weatherproof and are, therefore, not typically recyclable. The implementation of schemes currently requires burning of fossil fuels for the specialist machinery and some road marking application/removal techniques.

The making of this permanent TRO will require (by regulation) advertisement of the legal Notice in the local printed newspaper, which will have a negligible, one-off impact in terms of likely additional printing and paper usage.

However, it is expected that these relatively minor negative impacts over a short period of time will be more than overcome by the benefits of scheme implementation. The proposals cover perceived local safety, accessibility and traffic flow issues that, once resolved, should improve traffic flow (lower

emissions, improved flow for public transport) and remove some barriers toward increased use of sustainable and healthy transport options.

## **7. COMMUNITY ENGAGEMENT AND INFORMATION**

- 7.1 Persons requesting waiting restrictions are informed that their request will form part of the waiting restriction review programme and are advised of the timescales of this programme.
- 7.2 Ward Councillors are provided with the recommended proposals prior to these being agreed for statutory consultation by the Sub-Committee. This provides an opportunity for a level of informal consultation in order to provide initial feedback to officers.

Ward Councillors are also made aware of the commencement dates for statutory consultation, so that there is an opportunity for them to encourage community feedback in this process.

- 7.3 Any Statutory consultation will be carried out in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, advertised on street, in the local printed newspapers and on the Council's website (the 'Consultation Hub').
- 7.4 Where this report contains petitions that have not been separately reported, the lead petitioner(s) will be informed of the decision of the Sub-Committee, following publication of the agreed meeting minutes.

## **8. EQUALITY IMPACT ASSESSMENT**

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 It is not considered that an Equality Impact Assessment is relevant as the proposals are not deemed to be discriminatory to persons with protected characteristics and statutory consultations provide an opportunity for the content of objections/support/concerns to be considered prior to a decision being made on whether to implement the proposals. Waiting Restrictions can have a positive impact whereby the roads are made safer for all users as locally problematic parking issues are reduced.

The agreed requests for the 2021B programme (Appendix 2) will be investigated and the equality impact will be considered as these proposals develop.

## 9. LEGAL IMPLICATIONS

- 9.1 The Order for the 2021A programme of restrictions will be made under the Road Traffic Regulation Act 1984 and advertised in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

This report seeks agreement for the Assistant Director of Legal and Democratic Services to undertake this process.

- 9.2 Following the making of this Order, the public must be afforded a period of six weeks to raise any legal challenge, prior to any alterations to the restrictions within being proposed through statutory consultation.

## 10. FINANCIAL IMPLICATIONS

The cost of implementing the 2021A and developing the 2021B programmes will be dependent on a number of factors, including the number proposals that are agreed for implementation (2021A) / investigation (2021B), the number progressed to statutory consultation (2021B), the number agreed for implementation (2021B) and the extent/complexity of the schemes. Lining-only schemes, such as double-yellow-line restrictions will be considerably less costly to implement, compared with restrictions that require signing.

Section 4.1 outlines the remit of this review programme, which helps to mitigate financial and resource risks.

### 10.1 Revenue Implications

	2021/22 £000	2022/23 £000	2023/24 £000
Employee costs	NIL	NIL	NIL
Other running costs			
Capital financings costs			
<b>Expenditure</b>	NIL	NIL	NIL
Income from:			
Fees and charges	NIL	NIL	NIL
Grant funding			
Other income			
<b>Total Income</b>	NIL	NIL	NIL
<b>Net Cost(+)/saving (-)</b>	NIL	NIL	NIL

While the above table is typical of the expected revenue implications for the implementation of a Waiting Restriction Review programme, it should be noted that there is potential for an increase in revenue through the civil enforcement of the restrictions that are delivered. This, however, cannot be guaranteed and the expectation upon delivery of the programme is of compliance with the signed restrictions.

Staff costs are capitalised.



## 10.2 Capital Implications

Capital Programme reference from budget book: page line	2021/22 £000	2022/23 £000	2023/24 £000
Proposed Capital Expenditure	£20	NIL	NIL
Funded by Grant (specify) Section 106 (specify) Other services Capital Receipts/Borrowing	Capital integrated transport block (ITB) grant funding	N/A	N/A
Total Funding	£20	NIL	NIL

The above table is representative of the expected / average full project costs for delivery of a typical bi-annual Waiting Restriction Review programme.

## 10.3 Value for Money (VFM)

The programme provides value for money by collating requests and developing and delivering schemes as a single project. In comparison to an alternative of addressing requests on a more ad-hoc basis, this provides the benefit of resourcing efficiency and financial economies of scale. For example, the restrictions are included in a single Traffic Regulation Order, minimising advertising costs and the lining implementation is commissioned as a single project.

All aspects of the programme that can be delivered using Reading Borough Council's own resources will be delivered internally and not outsourced. This includes investigation and designing of the schemes, drafting creation of the Traffic Regulation Orders and the delivery of many engineering elements on street.

## 10.4 Risk Assessment

The primary risk with the 2021A programme is any deferral of a decision regarding the elements of the programme to be agreed (or otherwise) for delivery. The Waiting Restriction Review programmes are developed on the basis of a short-turnaround for each stage and a deferral will result in crossover of resource-intensive elements for multiple programmes. With resources shared across a number of projects, this will result in slippage to other schemes, which could have financial implications as well as impacting on the delivery expectations of these other schemes.

The financial risks against the 2021B programme should be mitigated by the Sub-Committee and Ward Councillors taking note of the remit of this programme, as outlined in Section 4.1. The costs of the programme, both in terms of deliverables and resource costs, will directly correlate to the scale and complexity of the resultant schemes.

## **11. BACKGROUND PAPERS**

11.1 Waiting Restriction Review - 2021A Proposals for Statutory Consultation (Traffic Management Sub-Committee, June 2021).

11.2 Waiting Restriction Review - Objections to Waiting Restriction Review 2020 & Requests for Waiting Restriction Review 2021A (Traffic Management Sub-Committee, March 2021).