

## DELEGATED DECISIONS BY CABINET MEMBER FOR ENVIRONMENT (INCLUDING TRANSPORT)

**MINUTES** of the meeting held on Thursday, 9 January 2014 commencing at 10.30 am and finishing at 11.50 am

**Present:**

**Voting Members:** Councillor David Nimmo Smith – in the Chair

**Other Members in Attendance:** Councillor John Sanders  
Councillor Les Sibley (for Agenda Item 4)  
Councillor Hilary Hibbert-Biles (for Agenda Item 8)

**Officers:**

Whole of meeting G. Warrington (Legal & Culture); J, Murray (Environment & Economy)

Part of meeting

<b>Agenda Item</b>	<b>Officer Attending</b>
4-8	D. Tole (Environment & Economy)
9	S. Smith (Environment & economy)

*The Cabinet Member for Environment considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

**1/14 PETITIONS AND PUBLIC ADDRESS**  
(Agenda No. 3)

The following requests to address the meeting had been agreed:

<i>Speaker</i>	<i>Item</i>
L Swartz	5. Proposed parking restrictions, Kidlington
Alistair Granger	)
Steven Willoughby	)
Lisa Thompson	)
Mr Kempson	)
Mr Holmes	) 8. Proposed parking Restrictions,
Adrian Pallett	)Enstone

Mrs Langford	)
William Paget	)
Jennifer Blakemore	)
Andrew Hay	)
Councillor Hilary Hibbert-Biles	)

**2/14 PROPOSED PARKING RESTRICTIONS, MURDOCK ROAD, BICESTER**

(Agenda No. 4)

The Cabinet Member considered objections received to a formal consultation on proposals to introduce new parking restrictions in parts of Murdock Road, Bicester.

County Councillors Les Sibley (Bicester West) and Lawrie Stratford (Bicester North) had both expressed support for the scheme.

Having regard to the arguments and options set out in the documentation before him the Cabinet Member confirmed his decision as follows:

To approve the proposed parking restrictions for Murdock Road, Bicester as advertised and amended as described in the report CMDE4.

Signed.....

Date of signing.....

**3/14 PROPOSED PARKING RESTRICTIONS - KIDLINGTON**

(Agenda No. 5)

The Cabinet Member for Environment considered (CMDE5) objections to a formal consultation on proposals to introduce new parking restrictions in Exeter Road, Kidlington and results from an initial consultation on similar proposals in the eastern service road adjacent to A4260 Oxford Road in Gosford.

Mr Swartz referred to agreement amongst all authorities and road safety experts that double yellow lines were required for driving safety purposes, and it was now a matter of line. The original proposal had been for 55 metres, which was now being scaled down to as few as 20 metres, apparently to address objectors who have been subjected to an intensive/misleading door-to-door dialogue/petition orchestrated by non-Exeter Road residents in an effort to preserve what they consider to be their own little parking sanctuary. However, the "real situation on the ground" was that double yellow lines (of appropriate length) were very much in the best interests of all Exeter Road residents. He referred to similar situation at the Home Close intersection to where double yellow lines, approximately 26 metres, had been installed several years ago, for the same driving safety reasons, with complete success and no parking problems for residents. It is his contention for driving safety reasons that double yellow lines for the Exeter Road intersection needed to be at least 35 metres in length as a minimum because, unlike the Home Close cul-de-sac which no longer had high

speed through traffic, the Exeter Road drivers would confront higher speed/through traffic oncoming vehicles turning into Exeter Road. This situation required 2-way vehicle clearance road width for a distance of at least 35 metres and preferably the 55 metres proposed to minimise head-on collision risk. Such a move would not as had been suggested parking problems for all Exeter Road residents as daily counts (day and night) during the past 12 months had shown at least 25 open on-street spaces closer to residences than the proposed double yellow lines area, while the latter would only displace parking space for approximately four vehicles.

Mr Tole confirmed there had been a great deal of opposition to the original proposal for 55 metres. The situation was different to that of Home Close and he considered that the revised proposal as set out in Annex 3 would be sufficient to meet road safety concerns and needs of residents.

The Cabinet Member confirmed he had visited the site on the previous Friday afternoon and had not seen any great problems in this area. He acknowledged Mr Swartz's comments but having regard to the arguments and options set out in the documentation before him and the support expressed by local councillors he confirmed his decision as follows:

- (a) to approve the proposed parking restrictions for Exeter Road, Kidlington as advertised and amended as described in the report (CMDE5);
- (b) not proceed with the proposed parking restrictions on the eastern service road of Oxford Road, Gosford but to carry out further consultations.

Signed.....

Date of signing.....

**4/14 PROPOSED EXTENSION TO 30MPH SPEED LIMIT, FARINGDON ROAD/SPRING HILL, SOUTHMOOR**  
(Agenda No. 6)

The Cabinet Member for Environment considered objections and other comments to a formal consultation on a proposed extension of the 30 mph on Faringdon Road/Spring Hill to replace the full length of the 40 mph limit currently in place.

Mr Tole confirmed that the view of the police was that the proposal could weaken the existing 30 limit. However, evidence in other places had not borne out that view and officers felt that drivers in the main respected signing.

Having regard to the arguments and options set out in the documentation before him, the comments set out above and the support expressed by local councillors he confirmed his decision as follows:

To approve the extension to the 30mph speed limit as advertised.

Signed.....

Date of signing.....

**5/14 PROPOSED TRAFFIC CALMING, TOWNSEND ROAD & STATION ROAD, SHRIVENHAM**  
(Agenda No. 7)

The Cabinet Member for Environment considered objections and comments received to a formal consultation and advertisement of a flat top road hump on Townsend Road, Shrivenham and speed cushion on Station Road, Shrivenham.

Mr Tole confirmed that was a reduced scheme and although there remained some concern locally officers felt this was the best way forward and a reasonable compromise.

Having regard to the arguments and options set out in the documentation before him, the comments set out above and the support expressed by the local councillor the Cabinet Member confirmed his decision as follows:

to approve the traffic calming scheme as advertised.

Signed.....

Date of signing.....

**6/14 PROPOSED PARKING RESTRICTIONS, ENSTONE**  
(Agenda No. 8)

The Cabinet Member for the Environment considered representations received to a formal consultation on proposals to introduce new parking restrictions along a short stretch of road adjacent to A44 Oxford Road in Enstone.

Mr Grainger asked that the scheme be deferred and stated that the law was clear concerning changes which could only be imposed if they maintained reasonable access. He considered the process had been rushed through with no evidence to show the scheme was required. The proposals seemed excessive and were the wrong side to protect access to the shop, which in his view only needed 1 or 2 spaces, yet there was no alternative off street parking for a number of residents. The consultation process had been one sided and in his view flawed with some residents only notified of the specific proposal in November 2013, even though discussions had been ongoing for some considerable time. The report itself was biased insofar as it did not adequately reflect the opinion of all parties concerned and the summary of responses received was not impartial. He maintained access to the shop could be secured without adversely affecting parking by residents and a decision needed to be deferred to allow an independent traffic survey to be carried out.

Mr Willoughby said that as he had lived in the cottage overlooking the store for some years he was ideally placed to gauge the situation. He confirmed that there were several places always available for visitors to the shop and he supported those neighbours who would be affected by a lack of provision for residents parking. The proposals had created conflict and he felt that there would inevitably be further confrontation. Councillor Ian Hudspeth the previous local councillor had admitted that parked vehicles had caused problems but had decided no changes were needed so he wondered what had changed. This represented a waste of money which could be better used elsewhere. He endorsed the comments made by the previous speaker and all the objections to the scheme.

Lisa Thompson lived in a property off the village green which could only be reached by foot along with 4 other houses which had no alternative parking other than on the opposite side of the A44 which was not a viable alternative. The proposal discriminated against people who worked at or who were at home and those who did not work conventional office hours. It seemed more sensible to restrict parking on the shop side. It would also restrict trade vehicles visiting adjoining residential properties. The emergency services had not considered that there was a problem here but there was the possibility that spaces could be taken up by people parking and commuting to Oxford. The scheme had been politically and commercially motivated, offered no support to residents as it reduced the already limited parking and did not address safety issues. It was clearly not the right way to deal with the issues concerned.

Mr Kempson the shopkeeper wholeheartedly supported the proposals.

Mr Holmes was the freehold owner of the 2 shops and owned the adjacent house on the service road which was not a car park. The road was often blocked because of selfish parking causing access problems and was also used as a 'park & ride' site. Emergency and delivery vehicles experienced problems and he often saw people who appeared to want to visit the shop driving on because there was no parking available. The 2 hour restriction would help. He feared that if the store suffered a decline in trade then the shopkeeper could move on. Due to his age he would find it impossible to carry on the business and he could be forced to close it and seek other uses in order to protect his investment. The shop had become a hub for the village and was an important asset.

As a resident for 25 years Adrian Pallett had concerns regarding safety. He supported the proposals but felt they did not go far enough. Vehicles including delivery vehicles regularly were unable to pass through and had to reverse out onto the A44. The proposals were a step in the right direction but he felt there might be a future need for additional double yellow lines.

Mrs Langford had been a resident in Chapel lane for 32 years and ran a farming business. On many occasions she and another farmer had had difficulty transporting livestock passed parked cars, her son had also had problems accessing his trade vehicle. Use of the public highway was a right and she agreed that reversing vehicles on to the A44 was extremely dangerous and should be avoided.

William Pagett a resident of Little Tew was a regular user of the store and felt it provided an excellent service to the community in a variety of ways. It was a

tremendous asset and would be a great loss and therefore deserved the protection offered by these proposals.

Jennifer Blakemore a resident of Lidstone supported the proposals. She had been a regular user of the store for a number of years during which time it had expanded its services extensively. However, on a number of occasions she had been unable to park because of indiscriminate parking and it was vital that sufficient parking was provided in order to protect this vital asset.

Andrew Hay a resident in a neighbouring village which had no shop was a regular user of the Enstone store. However, on frequent occasions he had been unable to park and had had to go elsewhere and had often had to reverse out on to the A44. He accepted this would be a difficult decision to take as evidenced by the different views expressed on both sides but it was important for the village to retain this service and to do that it was essential to provide good parking.

Setting out the history behind the proposal Councillor Hilary Hibbert-Biles confirmed that the previous County Councillor Ian Hudspeth had been unable to take this scheme forward due to lack of funds. However, following an approach by the shopkeeper and the availability of funds through the locality budget she had contacted County officers to draw up plans which had been presented to and supported by the Parish Council. It was that support which had encouraged her to take the proposals forward. Due process had been followed. At a second Parish meeting, which she had attended residents of The Mount had requested resident parking. That had not been possible to provide and neither was a traffic impact assessment appropriate. She regretted that some residents had taken offence at that meeting as none had been intended and she understood their concerns. However, the proposal was not meant to penalise residents and imposed a restriction on only one side and that ceased after 6 pm. She had thought that double yellow lines were optional but understood that was not so and that some yellow lining was needed for safety reasons. Changes had been made to the scheme to try to be fair to all parties and she further suggested a review of the scheme after 18 months.

Councillor Nimmo-Smith acknowledged receipt of additional documents from Dr Honey Lucas, Charmian Beckett, Asher Minns and 'Natalie's' and took a short adjournment to consider each document.

Mr Tole apologised that some residents had been omitted from the original consultation process but confirmed that had now been corrected and everyone had had an opportunity to comment. He then addressed the points raised by the speakers.

There would be pressure on long stay parking but it was imperative that safety on the A44 was not compromised. There had been anecdotal evidence from both sides regarding safety incidents but no independent evidence had been gathered.

The proposal had met with legal requirements and the consultation period of 28 days had been longer than the minimum required.

With regard to access legal advice had confirmed that physical access was required to be maintained.

There were conflicting views regarding need for any restriction whilst others felt the money could be spent on more worthwhile projects. However, the costs of the scheme were being funded from the local councillor's area stewardship fund.

Responses had indicated that the proposed restriction was on the side more appropriate for car door access.

The restriction should address safety concerns, relieve pressures on vehicle manoeuvrability and support the viability of local businesses.

The review suggested by Councillor Hibbert-Biles could be included. However, it needed to be noted that if such a review led to changes to the scheme as it now stood there could be funding issues bearing in mind that the project was being funded by locality funding, which was only available this year.

The late responses referred to in the addenda sheet had raised similar points to those previously made regarding parking for local residents and costs involved. The response from 'Natalie's' supported the change to a 2 hour restriction

Enforcement in West Oxfordshire District was no longer a police matter but one of civil enforcement by the District Council. No additional costs from that were anticipated.

Officers considered the proposal to be a fair balance between allowing residents to park and support for the local shop.

Councillor Nimmo-Smith had visited the site on the previous Friday lunchtime and hadn't seen many problems. The proposal had undoubtedly divided opinion in the village and meant that a difficult decision needed to be made. Some residents would find it very difficult to park close to their properties. There was no accident evidence but there had been anecdotal evidence from some of the speakers who had referred to close incidents. There were also funding issues to be considered if any future review recommended changes. Views had also been put forward regarding the viability of the shop if a restriction was not implemented but it had been trading for a number of years. The matter was clearly finely balanced but in such cases he was minded to support the view of the local County Councillor.

Having regard to the arguments and options set out in the documentation before him and the representations made to him the Cabinet Member for Environment confirmed his decision as follows:

to approve the proposed parking restrictions for Enstone as advertised and amended as described in the report (CMDE8) subject to review after 18 months.

Signed.....

Date of signing .....

**7/14 PRE-CONSULTATION DRAFT RIGHTS OF WAY IMPROVEMENT PLAN**

(Agenda No. 9)

The Cabinet Member for Environment considered the detail of a draft Countryside Access Management Plan for public consultation prior to submitting a finalised draft to Cabinet later in 2014.

Presenting the report Mr Smith asked the Cabinet Member to agree a revised title for the Plan to “Rights of Way Management Plan” to better reflect its content.

Having regard to the arguments and options set out in the documentation before him the Cabinet Member confirmed his decision as follows:

- (a) approve the proposed change to the title of the document from Rights of Way Improvement Plan to Countryside Access Management Plan;
- (b) agree to the submission of the draft Plan for public consultation with a view to submitting a finalised document to Cabinet in early summer 2014;
- (c) agree to extend the lifespan of the current Rights of Way Improvement Plan until such time that approval for the finalised Countryside Access Management Plan document by Cabinet has been confirmed.

Signed.....

Date of signing.....