

PERFORMANCE SCRUTINY – 4 FEBRUARY 2016

PROPOSED BUS LANE & PARKING/WAITING RESTRICTIONS – ORCHARD CENTRE (PHASE 2), DIDCOT

Report by the Deputy Director of Environment and Economy (Commercial)

Introduction

In accordance with of the Scrutiny Procedure Rules, the Proper Officer has agreed to a request from the following Councillors for a Call In of the Cabinet Member for Environment's decision made on 14 January 2016 (Councillor Hudspeth substituting for Councillor Nimmo Smith) in relation to 'Proposed Bus Lane & Parking/Waiting Restrictions – Orchard Centre (Phase 2), Didcot by the following Members:

- Councillor Greene
- Councillor Hards
- Councillor Christie
- Councillor Tanner
- Councillor Beal
- Councillor Curran
- Councillor Pressel
- Councillor Price
- Councillor Webber
- Councillor Smith

The Cabinet Member decision was to approve the implementation of proposals for bus lane, loading and waiting restrictions (as advertised) to restrict access along a planned new stretch of highway to the south of Station Rd.

The proposed changes were brought to Cabinet Members Decisions following South Oxfordshire District Council considering a planning application for redevelopment of Phase 2 Didcot Orchard Centre at their Planning Committee on 29th April 2015. A resolution to grant planning permission subject to prior completion of Section 106 Agreement was given.

The proposed development includes the stopping up of High Street. An application for Stopping up Order has been made by the developer (pursuant to S247 Town and Country Planning Act 1980) to the Secretary of State.

A traffic regulation order limiting traffic use of highway must be for one or more of the reasons set out in Section 1 of the Road Traffic Regulation Act 1984 (in this case the Statement of Reasons referred to Sections 1 (1)(a) "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” and 1 (1)(c) “for facilitating the passage on the road or any other road of any class of traffic”) and in considering the making of the Traffic Regulation Orders the highway authority must, so far as practicable having regard to various identified matters including all other matters appearing to the local authority to be relevant, 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. A matter which must be considered is the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers.

In addition, through the s278/38 approval process the County Council, as Highway Authority, will ensure that design and construction meets the required specification including completion and approval of relevant safety audits.

Reasons for the Call In Request and Responses

1. That the officers dealing with the matter had not been made aware of the fact that a 1500+ signature petition had been presented to Council opposing the proposal;

A petition was received by Cabinet on 14th April 2015 with a response sent on 18th April confirming that we would reflect, as appropriate, on concerns raised when preparing our response to the planning application.

The County Council's response to the planning application, which was considered by the Planning Committee, was submitted on 22nd May 2015 with an update submitted on 9th July 2015 following an amendment to the original application and receipt of further information.

In composing that submission the County Council considered the overall transport needs to mitigate the development and the petition that they had responded to. As the petition was effectively part of the planning application process, it was not relevant to the consideration of the Traffic Regulation Order as this is a legal vehicle that is being used to address the impact of the decision of the Planning Authority.

2. Ian Hudspeth, in giving his decision, was wrong to say that routing buses along Station Road had been around before November 2013. Previous work to extend the Orchard Centre had made no mention of closing High Street and sending buses along Station Road instead;

Whilst Cllr Hudspeth's recollection may have been incorrect, it had no bearing on the decision regarding the Traffic Regulation Order which is looking to address the impact of the decision of the Planning Authority.

3. Whilst it is true that the final section of the A4130 Northern Perimeter Road has been planned for about 30+ years, Garden Town status clearly makes

the prospect of completion of it a realistic proposition. Paragraph 8(a) of item 11 on the Cabinet Agenda for 26 January refers. Also John Cotton is on record as saying that that road would both relieve the congestion at the Jubilee Way Roundabout, and that its completion would be his number one priority should money become available through the Garden Town designation. Therefore if Mr. Cotton is right on both counts a new bus link would not be required.

Whilst a clear aspiration for the County Council, the funding required to deliver the Northern Perimeter Road has not yet been secured and so it is not possible to put a timeframe on the delivery of this scheme.

A bus link through the Orchard Centre not only avoids congestion at Jubilee Way roundabout, but also provides good permeability and access to the Orchard Centre by bus.

Prior to the submission of the development proposals to expand the Orchard Centre the County Council had expressed the need to retain a bus route with associated stops through the Orchard Centre, but was not explicit about how this should be achieved. The specific proposal submitted by the developers, as part of their planning application, was assessed by the County Council and considered by the planning Committee as part of the planning process.

Clearly, as Didcot develops the transport network will evolve and change accordingly. The response by the County Council, as Highway Authority, to South Oxfordshire District Council regarding the mitigations needed for the Orchard Centre development were made based on our current understanding of the network and its performance.

4. New information about funding of £10,000 for a controlled parking zone was provided at the meeting by the Consultants and that offer needs to be properly evaluated before any irrevocable steps to open up Station Road are taken.”

Any offer to contribute to the provision of a Controlled parking Zone will have no impact on the bus movements required around Didcot and so is not relevant to the consideration of the Traffic Regulation Order.