



***Delegated Decisions by Cabinet Member for  
Environment (including Transport)***

**Thursday, 21 November 2013 at 10.30 am  
County Hall, New Road, Oxford**

***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 29 November 2013 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

**These proceedings are open to the public**

Peter G. Clark.

Peter G. Clark  
County Solicitor

November 2013

Contact Officer: **Graham Warrington**  
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Note: Date of next meeting: 9 January 2014

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

## Items for Decision

### 1. Declarations of Interest

### 2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 3. Petitions and Public Address

### 4. Consideration of Objections to Experimental Traffic Regulation Order - Banned Turns on A40 Risinghurst (Pages 1 - 12)

*Forward Plan Ref:* 2013/069

*Contact:* Jim Daughton, Highways & Transport Manager Tel: (01865) 815083

Report by Deputy Director for Environment & Economy - Commercial & Delivery (**CMDE4**).

### 5. Proposed Parking Restrictions - Various Locations in Littlemore and Iffley Turn, Oxford (Pages 13 - 22)

*Forward Plan Ref:* 2013/137

*Contact:* Jim Daughton, Highways & Transport Service Manager Tel: (01865) 815083

Report by Deputy Director for Environment & Economy – Commercial & Delivery (**CMDE5**).

**6. Proposed Removal of Parking Bay - Lime Walk, Headington (Pages 23 - 26)**

*Forward Plan Ref: 2013/136*

Contact: Jim Daughton, Highways & Transport Service Manager Tel: (01865) 815083

At his meeting on 10 October 2013 the Cabinet Member for Environment considered objections which had been received to a formal consultation on a proposal to introduce a new parking restriction to remove a parking bay on Lime Walk in the Headington Central CPZ, which had been required as a result of an adjacent development site. A copy of the report to the 10 October meeting is attached.

Having regard to the arguments and options set out in that report and the representations made to him at the October meeting the Cabinet Member deferred the proposal to introduce the restriction to enable further consideration to be given to the matter and if necessary to reconsider it at this meeting.

Officers will give an verbal update at the meeting.

**7. Charges for Landowner Statements and Declarations (public rights of way & village greens) (Pages 27 - 32)**

*Forward Plan Ref: 2013/153*

Contact: Steve Smith, Highways & Transport Service Manager Tel: (01865) 810435

Report by Deputy Director for Environment & Economy – Commercial & Delivery (CMDE7).

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Division: Barton, Sandhills & Risinghurst

## CABINET MEMBER FOR ENVIRONMENT – 21 NOVEMBER 2013

### CONSIDERATION OF OBJECTIONS TO EXPERIMENTAL TRAFFIC REGULATION ORDER – BANNED TURNS ON A40, RISINGHURST

**Report by Deputy Director for Environment & Economy (Commercial)**

#### Introduction

1. This report considers objections to the consultation following the introduction of an Experimental Traffic Regulation Order which closed the gap in the central reservation of A40 London Road at the Collinwood Road junction in Risinghurst.

#### Background

2. In response to numerous requests over many years for action to be taken to improve road safety at the London Road/Collinwood Road junction, the gap in the central reservation at this location was closed on a temporary basis in May 2012. The legal process for this was to publish an Experimental Traffic Regulation Order which allows a restriction to be put in place without prior consultation for a maximum of 18 months, during which time any objections must be considered before a decision is made to either retain or remove the restriction. The location of the closure is shown in Annex 1.
3. Over the 5 years prior to the introduction of the closure there were 11 reported injury accidents at this location 4 involving vehicles turning right into Collinwood Road and 5 involving vehicles turning right out of Collinwood Road; no accidents have been reported since the closure.
4. In addition to concerns about safety of road users, there have long been requests for a formal crossing in this vicinity. A recent survey counted just over 200 pedestrians and cyclists crossing A40 in this location in a 12-hour period. In the last 10 years there have been no recorded accidents involving pedestrians.

#### Consultation responses

5. There were a small number of complaints about the effect of the closure when it was first introduced, particularly from businesses concerned that customers were having difficulties accessing their premises. In response, additional signing was erected on the approaches to Green Road roundabout.
6. In September this year letters were sent to the emergency services, local councillors, the Parish Council, local businesses and organisations to gather views on whether the closure should remain or alternatively be removed and

reopened to traffic as before. In addition, County Councillor Phillips distributed questionnaires to local residents seeking views on the closure.

7. A total of 30 responses were received which are summarised in Annex 2. Both the Police and Parish Council are in favour of retaining the closure, whilst the 3 local businesses who responded wished to see it removed because of the effect on trade. County Councillor Phillips (representing the area) is opposed to closing the gap permanently but would only support its reopening if traffic signals were in place to make it safe for pedestrians to cross the road and for road users to turn right into Risinghurst. Analysis of the 24 responses from residents shows that there is no clear majority in favour of either retaining the closure or removing it and many respondents requested additional measures to assist pedestrians and/or right-turners.

## **Conclusion**

8. The introduction of the Experimental Traffic Regulation Order has been successful in reducing accidents at this location and does have local support. However, local businesses and some residents have objected to the Order due to the effect on trade and the increase in delays and journey length for those wishing to access the Risinghurst area. In addition, many respondents have raised the need for traffic signals to assist pedestrians wishing to cross A40 and/or drivers wishing to turn right at the junction.
9. Previous outline feasibility work looking at the introduction of signals at this location has suggested that full signalisation could risk eastbound traffic blocking back to Green Road roundabout however it would enable the introduction of improved pedestrian crossing facilities to replace the current uncontrolled crossing.
10. In view of the clear road safety benefits arising from the introduction of the closure of the gap in the central reservation it is proposed that the current Order be made permanent, but that officers be instructed to review the traffic management measures between Green Road roundabout and the Risinghurst junction on A40 (including the possible introduction of pedestrian phases into any potential changes) at the earliest opportunity. As a consequence, no works will be undertaken to effect the permanent closure at this stage.

## **Financial and Staff Implications (including Revenue)**

11. The cost of making the current Experimental Traffic Regulation Order permanent will be met from the revenue budget for general traffic management matters.

## RECOMMENDATION

12. **The Cabinet Member for the Environment is RECOMMENDED to:-**
- (a) **approve the making of a permanent traffic regulation order prohibiting right turns into and out of Collinwood Road; and**
  - (b) **instruct officers to review the traffic management along this section of A40 (including the possible introduction of pedestrian facilities) at the earliest opportunity**

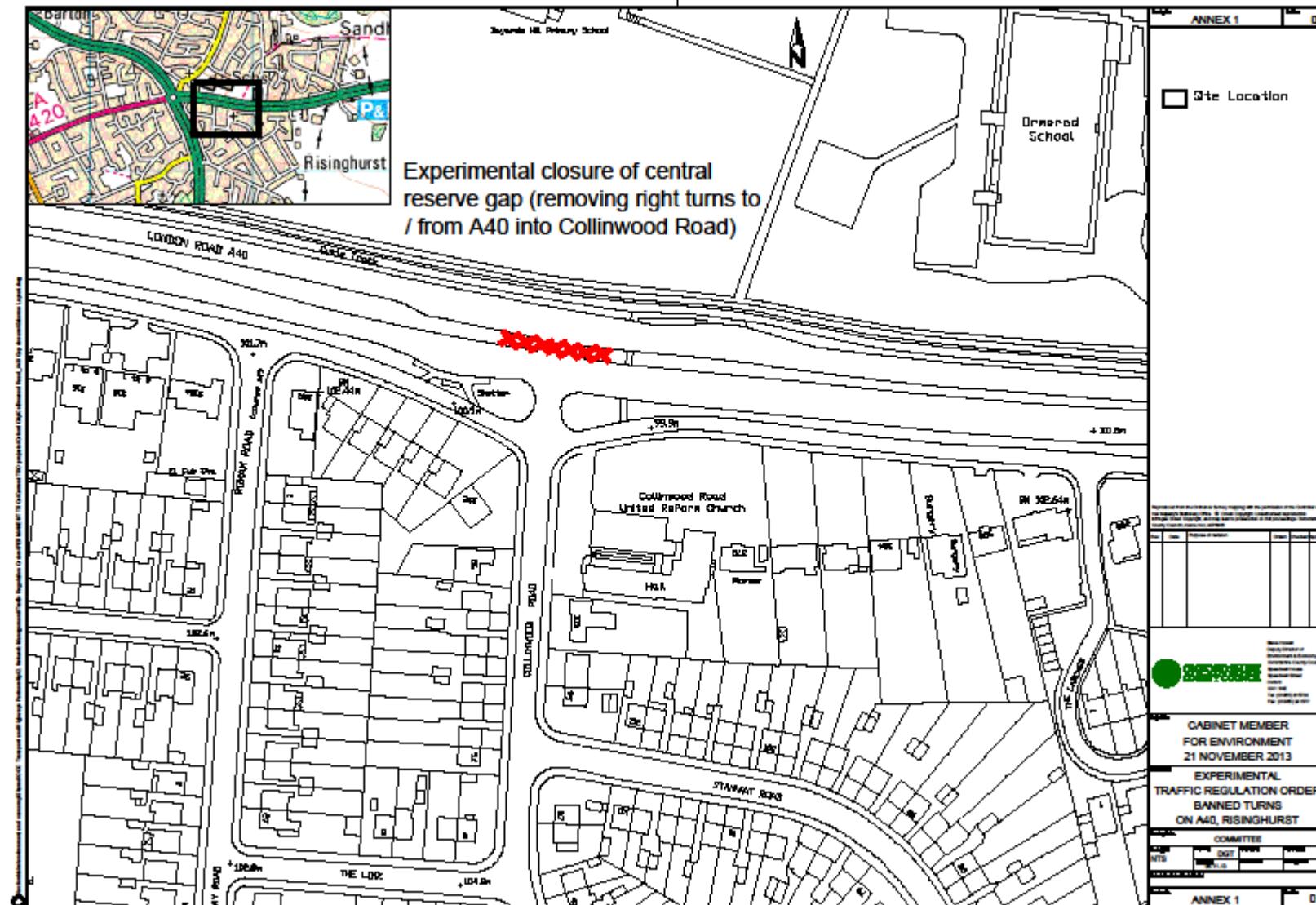
MARK KEMP

Deputy Director for Environment & Economy (Commercial)

Background papers:      Consultation documentation

Contact Officers:      Jim Daughton 01865 815803

November 2013



## RESPONSES TO CONSULTATION

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| RESPONDENT                             | COMMENT   |
|--|---|
| Thames Valley Police                   | <p>Since its closure in 2012 I understand there has been clear casualty saving benefit. I therefore support that the closure is made permanent.</p> <p>I am however conscious that the closure may be impacting on an increase in drivers making illegal turning manoeuvres on the Headington Roundabout and ask if further measures could be investigated to improve this situation should the gap be permanently closed.</p>  |
| Risinghurst & Sandhills Parish Council | This letter was discussed at the last Parish Council Meeting. It was decided that the Parish Council would like it to stay closed as it is.   |
| Carphone Warehouse                     | We would really appreciate it if the gap was reopened. It has caused a great loss of footfall since it closed. The road being opened makes for a better traffic flow and convenience for everyone and I'm sure we are not the only ones who are unhappy with the decision to close it initially. Our opinion is for it to be reopened   |
| McDonalds                              | <p>The closure has had quite a dramatic effect on the business. We have seen lost sales in excess of 10%. This inevitably has a knock on effect, being the reduction in the number of staff we employ. This is evidently going to affect the local economy in which we trade as these people will be added to the already long list of unemployed within oxford.</p> <p>Aside from the effect the closure has had on my business, I have also seen issues elsewhere. There is now a distinct increase in congestion for people trying to get out of Risinghurst. The traffic lights at the Green Road roundabout can sometimes take up to 15 minutes to get through.</p> <p>Due to the massive effect the closure has had on my business and other local businesses, plus the knock on effect that has had on the local economy I strongly feel that the Gap should be re-opened.</p> |
| Headington Superstore                  | The closure of the access has affected my business a lot. The Council needs to do more for small business in order for them to survive. I have a grocery shop and would never know when one day a small Tesco or Sainsbury store suddenly open around me and then I will be closed because I cannot compete them I hope that you will understand my concerns and would put traffic lights rather than a pedestrian crossing.  |

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| County Councillor<br>Glynis Phillips                                | <p>I am opposed to closing the gap on a permanent basis for the following reasons</p> <ul style="list-style-type: none"> <li>- residents need another exit onto the A40 London Road from Risinghurst and need to avoid the busy Green Road roundabout</li> <li>- the Barton West development will increase traffic in the whole area but especially on the Green Road roundabout and it makes sense to allow some of the current traffic to exit right from Collinwood Road to reduce the queues at the roundabout</li> <li>- it is not sensible to look at the issue of opening/closing the gap without making crossing the 2 dual carriageways safe for pedestrians.</li> </ul> <p>I would support opening the gap but only if traffic lights/pedestrian crossings are in place to make it safe for pedestrians to cross the road and for road users to turn right into Risinghurst.</p> |
| County Councillor<br>David Williams<br>(resident of<br>Risinghurst) | <p>I object to the idea of closing the gap on the A40 opposite Collingwood Road as it joins London Road in Oxford.</p> <p>The obvious solution to this very dangerous junction is to move the bus separation lights (200 yards further on towards Oxford) down to the intersection and have lights installed that would allow exit from the Risinghurst estate onto the London bound A40 and at the same time give safe passage to pedestrians across this extremely busy road.</p>  |
| City Councillor Dee<br>Sinclair                                     | <p>I am dismayed that having been promised a full consultation before the decisions around the A40 gap are taken, that this is not going to be the case.</p>   |
| Support Co-ordinator<br>Southern Health<br>NHS                      | <p>As far as I am concerned the safety of pedestrians and motorists is paramount whichever decision is made.</p>   |
| Resident of<br>Collinwood Road                                      | <p>I have to travel by car to Wycombe and London on a regular basis. I have to waste valuable time and money at the moment by turning left and joining the traffic and it takes several minutes to get to the Green Road roundabout. I then have to negotiate the roundabout and finally drive back down the other carriageway passing my road on my right hand side. What a waste of time and money!</p> <p>I often have to pick my daughter up from the city centre when her shift ends late at night. Again, instead of just turning right into Collinwood Road, I have to turn right towards Cowley and then use the exit onto Kiln Lane. Another waste of time and valuable petrol.</p>   |

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|                                   | With the closure, there is often a large backlog of traffic trying to get out of Risinghurst at the Kiln Lane exit. This often backs all the way down the slip road into Green Road and Kiln lane - quite unacceptable! Please get our junction reopened and ideally it should be protected by traffic lights. The important thing however is to get it reopened quickly - PLEASE!!!!   |
| Two residents of Collinwood Road. | We recognise the genuine concerns about safety at the reservation and would hope that the council will provide a solution, which is both safe and reasonably convenient.<br>We use the crossing as pedestrians and as car drivers. As pedestrians, we find that the crossing is dangerous even for us as relatively agile people.<br>As drivers, we find that being unable to turn right out of Collinwood Road is very inconvenient. The only two options for us now involve approaching and rounding the Green Road roundabout, where we are delayed by varying amounts according to the traffic conditions and we are then, of course, adding to the traffic congestion. In the event that the roundabout is badly congested, we do not have any reasonable alternative route.<br>We would prefer that the junction is open, with either traffic lights or a pedestrian crossing.  |
| Two residents of Collinwood Road  | Our view is that an open junction (as was the case previously) is inevitably going to be dangerous given the speeds that people drive in both directions on the A40 between the roundabout and Thornhill P&R. However, it is quite a long way round for us when we want to get to the M40, which we do quite regularly. Furthermore, I know that some people do cross over the two parts of the A40 on foot, which seems very dangerous.<br><br>As a result, the best option would be to reopen the junction, but to install sensor-controlled traffic lights which would allow both the movement of traffic to and from Collinwood Road, and pedestrians between Risinghurst and Barton. There are, of course, some traffic lights already installed between Collinwood Road and the Green Road roundabout to allow the flow of buses. Would it be possible to shift these traffic lights away from the roundabout to allow the same lights to fulfil all three functions? |
| Resident of Colwell Drive         | I would wish to see this turning fully open with a pedestrian bridge similar to the Cutteslowe area. I believe it is quite feasible to build a disabled friendly bridge in this area, as there should be sufficient space for a disabled ramp instead of stairs.  |
| Resident of Ridgeway Rd           | I have watched keenly the traffic volumes and routes through Risinghurst since the inclusion of the changes. There has been a change in traffic patterns because of these changes and they have been positive. "Rat run" volumes have reduced significantly<br>I think that fast traffic from either direction in to and from London should not have access through Risinghurst.  |

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|                                | <p>This is a residential area, the huge majority of volume traffic is going to some other destination and yet without this measure anyone who knows about it can cut through the estate.</p> <p>All traffic NOT destined for Risinghurst should be unable to enter the estate. Under the present road system if the temporary closure was made permanent and stopped all traffic entering the estate it would make for a safer place for us all to live.</p>  |
| Two residents of Ridgeway Road | <p>My husband and I both support the closure of the central reservation to the A40 although there is still a rat run through the estate in the morning it is much better at night.</p>  |
| Resident of Risinghurst        | <p>The closure of the reservation has impacted considerably on my day. On mornings when I have to drop off my children by car at school it can easily take 20 minutes (as opposed to previous 5 minutes) to get from my home to Sandhills School. Sandhills is the catchment school used by children in Risinghurst and I cannot be alone in finding this journey time frustrating. I am not able to walk as I need my car to go straight on to work afterwards.</p> <p>I would favour the reservation being open with traffic lights. If traffic lights would be a problem then it would be great just to open it up again.</p>  |
| Resident of Downside End       | <p>I fully support the re-opening of the A40 gap at Collinwood Road Risinghurst Oxford, but with Traffic Lights, like the Kiln Lane / Green Road Junction with the Eastern By Pass.</p> <p>It has been extremely inconvenient having to leave the Estate by Green Road and down to the Hamburger Roundabout or go West along the A40 to the Roundabout and having to go all the way back round to make off for Wheatley, Thame and London, where I work.</p> <p>It is not worth just putting a Pedestrian crossing across the A40 as the cars need to have more than one exit from Risinghurst Estate.</p> <p>I know there was a safety worry about the old gap and a few accidents but its dreadful trying to queue up round the Roundabout to get to London at busy times.</p> <p>My suggestion is also to do away with the Bus Lane traffic lights just before the roundabout and use them at the Collinwood Road Gap – that way the traffic won't be held up too long at Risinghurst.</p> |
| Two residents of Risinghurst   | <p>We agree with the call for the gap to be re-opened with pedestrian crossing / traffic lights as a common sense 'win-win' solution addressing both safety and accessibility issues at the same time. To attempt to deal with traffic safety issues in an over simplistic manner by just closing the gap merely creates other problems and does not represent Best Value.</p>  |

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|   | <p>The temporary experimental closure of the gap has:</p> <ul style="list-style-type: none"> <li>- led to an increase in traffic speeds approaching the Green Road roundabout and this combined with the lack of an adequate crossing is an accident waiting to happen. People will cross there whether there is a crossing or not, it just makes sense to make it safe to do so.</li> <li>- increased congestion at the Green Road-Kiln Lane mini roundabout to the point that it has ceased to function at rush hours - as motorists (including 'rat runners') desperate to exit/enter the estate now simply disregard traffic priorities. Again it is only a matter of time before a significant accident occurs.</li> <li>- led to a decline in local business due to the restricted access. Most worryingly is the impact on the local Post Office which has a vital social/community function and value beyond commercial considerations.</li> </ul>  |
| Resident of Risinghurst (questionnaire response)      | <p>My preferred ranking for the best solution to the A40 central reservation is:</p> <ol style="list-style-type: none"> <li>1 - Open with traffic lights</li> <li>2 - Open with pedestrian crossing</li> <li>3 - Closed with pedestrian crossing</li> <li>4 - Fully open</li> <li>5 - Fully closed</li> </ol> <p>If the decision is to keep this junction closed then measures must be taken to ensure that:</p> <ol style="list-style-type: none"> <li>1- Vehicles travelling from the roundabout towards London are enforced to obey the 30 mph speed limit</li> <li>2 - There is some way for pedestrians to cross the road safely at the present location.</li> <li>3 - Measures are taken to improve the Kiln Lane access. Often cars and buses have difficulty getting onto / out of the estate due to poor parking / and or queuing behaviour.</li> <li>4 - Measures are taken to deter the "rat-running" through the estate that often occurs and therefore compounds the issue in the Kiln Lane area.</li> </ol> |
| Resident of Netherwoods Road (questionnaire response) | <p>I have the following suggestion which I think would allow flexibility of access and improve safety; allow right turns out of Collinwood Road but not right turns into Collinwood Road. Right turns into Collinwood Road can be very dangerous if there is queuing traffic blocking visibility into the bus lane. This arrangement works well for the Nielson building which is on the same stretch of road.</p> <p>If other options must be chosen, this my order of preference:</p> <ol style="list-style-type: none"> <li>1 Open with traffic lights</li> </ol>  |

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|  | <p>2 Open with pedestrian crossing<br/>     3 Fully open<br/>     4 Closed with pedestrian crossing<br/>     5 Fully closed</p>   |
| Resident of Lewis Close                | <p>The central reservation should be re-opened for traffic into and out of Risinghurst. The junction should have a pedestrian crossing. The pedestrian crossing and the turning traffic should be controlled by traffic lights.</p> <p>My reasons are these:</p> <ul style="list-style-type: none"> <li>- Re-opening the junction to traffic both ways will reduce local traffic flow through the residential area as people have a choice of access points.</li> <li>- It will relieve the current congestion in Green Road and the slip road at the bottom of Kiln Lane especially during peak periods.</li> <li>- There are both functional and social needs for people living in Risinghurst to cross the A40 to the Barton side, and vice versa, as the facilities each side of the main road are not duplicated eg schools, leisure centre, post office etc. Currently, crossing the dual carriageway on foot is a risky business - and that's for someone who is fit and healthy; for those who are less mobile or are crossing with children or pushchairs it is a significantly perilous undertaking.</li> </ul> |
| Two residents of Risinghurst           | <p>Our view regarding the closure of central reservation on A40 at the junction with Collinwood Road should be that it is either fully closed. If it opens it should have a pedestrian crossing and traffic lights placed just before Collinwood Rd junction coming from London.</p>  |
| Resident of Delbush Avenue (Sandhills) | <p>If the only options are to open or keep closed the gap without additional lights or crossings I would be very much in favour of letting it stay as it is i.e. closed. I use that stretch of road several times a day and when the gap was open people took such ridiculous risks to get across either by foot or vehicle.</p> <p>If the gap by Collinwood Road is re-opened it should only be done when there is a budget to install traffic lights (not just a marked pedestrian crossing)</p>  |
| Resident of Green Ridges (Barton)      | <p>One thing is clear: the junction needs a pedestrian crossing with traffic lights for two reasons:</p> <ol style="list-style-type: none"> <li>1) As you probably already know, many people cross the road, and it seems to me a large number of those people are children. As the Barton Leisure Centre on one side, and the church on the other, many go to activities run at both venues. I've seen countless and harrowing close calls then children have crossed on their own or with ignorant adults.</li> <li>2) Motorists coming out of the roundabout and driving east frequently speed. I see this every time I cross (several times per week). My impression is that many drivers believe they are on the M40 or close enough.</li> </ol>   |

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| Two residents of Stanway Road                           | <p>We feel the turning should remain closed, as any car wishing to access Risinghurst has two other points of access e.g. off the ring road; or up to Thornhill and back down the westerly A40. Having lived in Risinghurst for a year I can't say I've missed the closed section at all.</p> <p>Also, a pedestrian crossing with traffic light to allow safe access to Barton Leisure Centre, the Children's Centre and primary school would be of great value. It can be a perilous crossing for a patient adult, but watching some of the kids charge across looking like an accident waiting to happen, if it hasn't already done so.</p>  |
| Resident of Collinwood Road (questionnaire response)    | <p>As a resident of Collinwood Rd my preference, in order of priority, would be:</p> <ul style="list-style-type: none"> <li>1) Closed with pedestrian crossing</li> <li>2) Open with traffic lights (with pedestrian crossing?)</li> <li>3) Fully closed</li> <li>4) Open with pedestrian crossing</li> <li>5) Fully open</li> </ul>   |
| Two residents of Ringwood Road (questionnaire response) | <p>Our preferences for the A40 gap are as follows:</p> <ul style="list-style-type: none"> <li>(1) Closed with pedestrian crossing</li> <li>(2) Fully Closed</li> <li>(3) Open with traffic lights</li> <li>(4) Open with pedestrian crossing</li> <li>(5) Fully open</li> </ul> <p>We feel that the central reservation should remain closed. The road is very fast road it has been a good decision to close the road and force people up to the roundabout to the other exit out of Risinghurst. We don't feel that there has been a build of traffic at the Risinghurst traffic lights as a result of the Collinwood Road/A40 closure.</p> <p>I would not contemplate crossing the road to get to Barton Leisure Centre or the Roundabout Centre as it is unsafe due to the fast flowing traffic. It is also a long walk to the subways at Barton or the one at Sandhills. Whether the central reservation remains closed or is re-opened then there definitely needs to be a safer way for pedestrians to cross.</p> |
| Resident of Risinghurst                                 | For the options presented, my preferred ranking is as follows:   |

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|---|---|
| (questionnaire response)                              | <ol style="list-style-type: none"> <li>1. Closed with pedestrian crossing</li> <li>2. Open with pedestrian crossing</li> <li>3. Open with traffic lights</li> <li>4. Fully closed</li> <li>5. Fully open</li> </ol>   |
| Resident of Risinghurst (questionnaire response)      | <p>For the options presented, my preferred ranking is as follows:</p> <ol style="list-style-type: none"> <li>1. Fully closed</li> <li>2. Closed with pedestrian crossing</li> <li>3. Open with pedestrian crossing</li> <li>4. Open with traffic lights</li> <li>5. Fully open</li> </ol>   |
| Residents of Collinwood Road (questionnaire response) | <p>We live in Collinwood Road and our son attends Wheatley Park School and we shop at Asda, Wheatley so we are all affected by the closure. However, we appreciate the increased safety to road users since the closure.</p> <p>Our ranking options as follows</p> <p>1-Closed with pedestrian crossing<br/>     2-Open with traffic lights<br/>     3-Open with pedestrian crossing<br/>     4-Fully open<br/>     5-Fully closed.</p> |

Division: Rose Hill & Littlemore, Isis

## CABINET MEMBER FOR ENVIRONMENT – 21 NOVEMBER 2013

### PROPOSED PARKING RESTRICTIONS VARIOUS LOCATIONS IN LITTLEMORE AND IFFLEY TURN, OXFORD

**Report by Deputy Director for Environment & Economy (Highways & Transport)**

#### Introduction

1. This report considers objections to a formal consultation on proposals to introduce new parking restrictions in various locations in Littlemore and Iffley Turn, Oxford

#### Background

2. The proposals in this report are part of a package of measures to restrict parking in various locations in Littlemore and Iffley Turn, the public consultation has been combined to reduce costs. Those proposals which had no outstanding objections have been approved under delegated powers, but objections remain to the proposals in Cardinal Close, Littlemore and at Iffley Turn. This report deals with those objections.
3. When planning approval was granted for the redevelopment and extension of Cardinal House (sheltered accommodation for the elderly) it was with the intention that parking restrictions should be implemented along the road to ensure safe movement and funding via a S106 Agreement was secured to do that. Prior to formal consultation the Council had also received a petition from residents of Cardinal House asking that the parking restrictions be implemented to prevent parked vehicles blocking the footway and thus making movement difficult for elderly and disabled pedestrians.
4. In Iffley Turn, residents have complained that parking, particularly in the vicinity of Augustine Way, causes obstruction and loss of forward visibility, a problem exacerbated when there is overnight parking of (largely foreign-registered) coaches whose drivers are understood to use nearby accommodation. The opportunity has been taken to extend the proposed restrictions around the adjacent mini-roundabout to ensure that displaced parking does not occur here.
5. The proposals for both of these locations are shown at Annex 1.

#### Formal Consultation

6. Oxfordshire County Council sent a copy of the draft amendment orders, statement of reasons and a copy of the public notice appearing in the local

press, containing the proposed changes to formal consultees in September 2013. These documents, together with supporting documentation and plans were deposited for public inspection at County Hall and at Littlemore Library. They are also available for inspection in the Members' Resource Centre.

7. At the same time the Council wrote to residents of properties in Cardinal Close and along Iffley Turn and adjacent streets, explaining the proposals and asking for their comments. Public notices were also displayed on site and in the Oxford Times.

## **Cardinal Close**

8. Three responses were received regarding the proposals for Cardinal Close which are summarised at Annex 2. Of these, 2 object on the grounds that the restrictions will prevent residents from parking near their homes and 1 (a Parish Councillor) is in support of the proposals.

## **Iffley Turn**

9. A total of 18 responses were received regarding the proposals for Iffley Turn which are summarised at Annex 3. Of these, 2 object on the grounds that the restrictions are unnecessary as the coaches are not a problem and another objects that the restrictions are not required and will make it more difficult for residents to find somewhere to park. Conversely 8 respondents support the proposals and a further 7 (including the Chair of the Friends of Iffley Village and a City Councillor) are in support but would want there to be further restrictions, particularly to prevent coach parking in the area.

## **Conclusion**

10. The proposals for Cardinal Close have arisen as a result of the redevelopment of Cardinal House and concerns that the resulting intensification of the site will lead to dangerous parking if left uncontrolled. The objectors point out that if the restrictions are implemented there will be increased difficulties for residents needing to park on the street. Recent observations have indicated that, if the restrictions were implemented as advertised, the current level of parking can still be accommodated, albeit in different parts of the street. As a consequence, it is proposed that the restrictions be implemented as advertised.
11. The proposed restrictions in the Iffley Turn area clearly have local support but some residents want more to be done to deal with the issue of coach parking, whilst a few are content with the current situation. Given the overall spread of responses it is suggested that the restrictions be implemented but that the situation be reviewed in 12 months to see whether further action is required

## **Financial and Staff Implications (including Revenue)**

12. The cost of the advertising, consultation and any subsequent works described in this report will be met from S106 funds arising out of developments in the areas concerned

## **RECOMMENDATIONS**

13. **The Cabinet Member for the Environment is RECOMMENDED to:-**
  - a) **approve the proposed parking restriction for Cardinal Close, Littlemore as advertised, and**
  - b) **approve the proposed parking restrictions in the Iffley Turn area as advertised but that the situation be reviewed in 12 months to see if further action is required, as set out in this report**

MARK KEMP

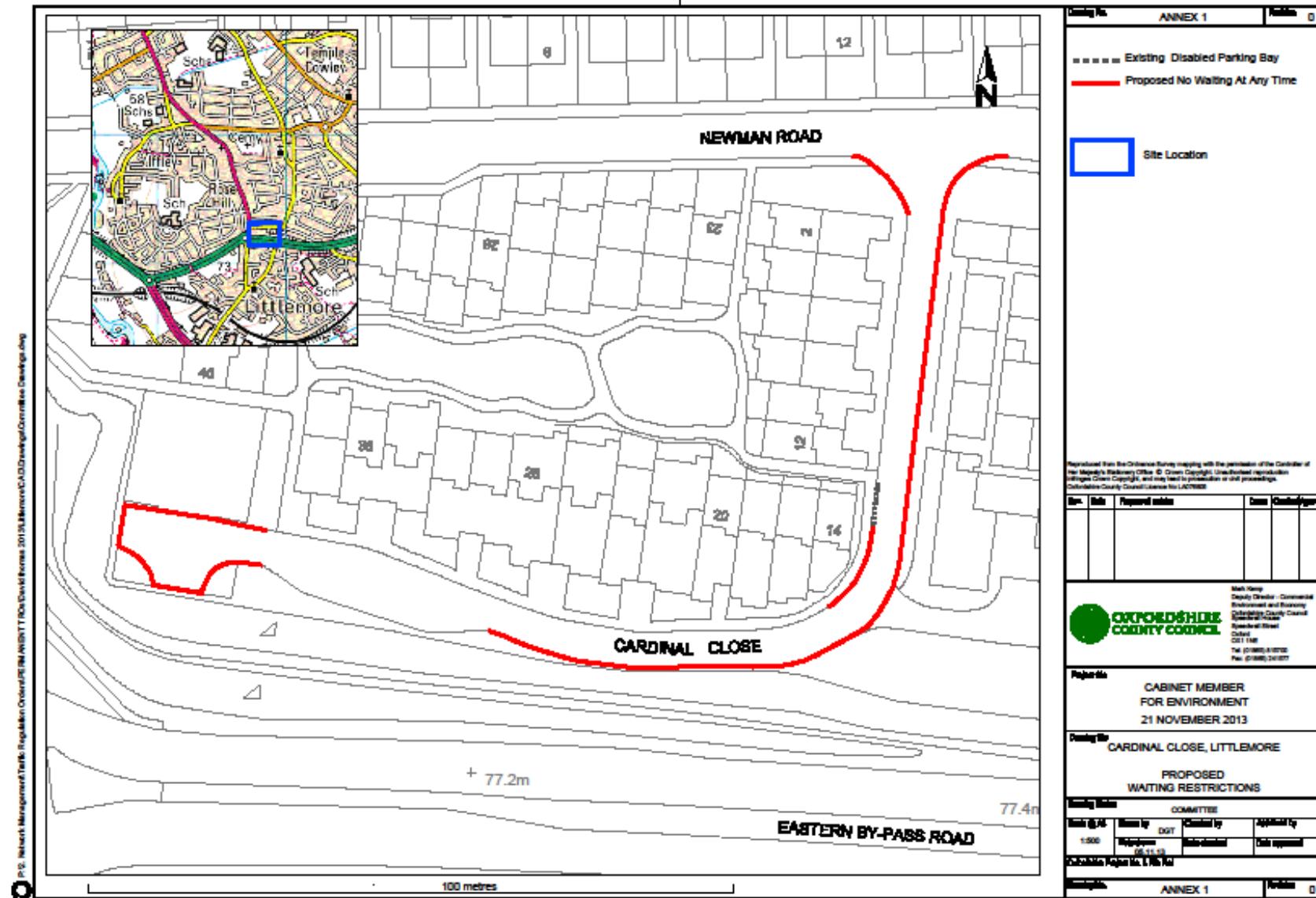
Deputy Director for Environment & Economy (Highways & Transport)

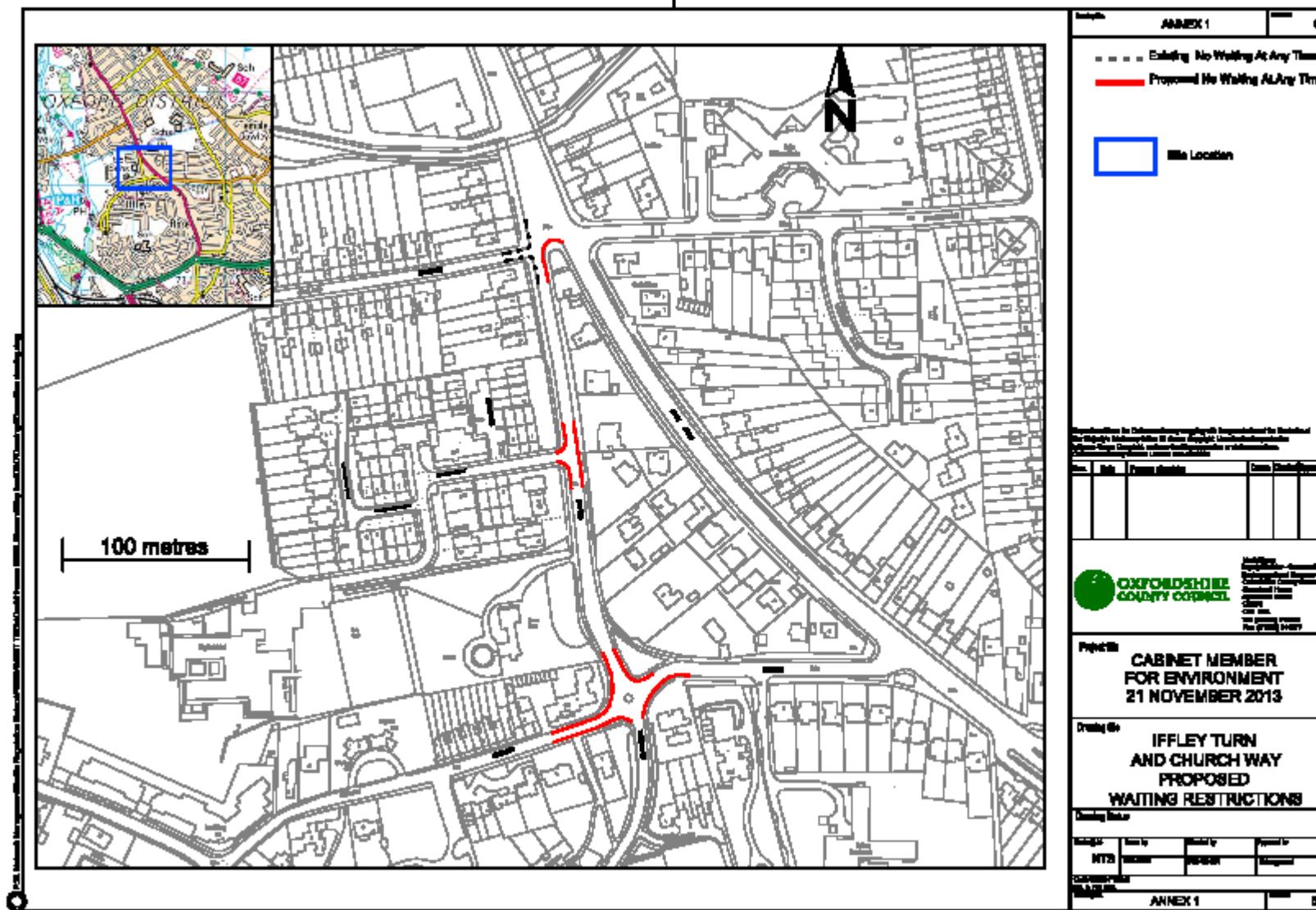
Background papers:      Consultation documentation

Contact Officers:      Jim Daughton 01865 815803

November 2013

## ANNEX 1





## RESPONSES TO CONSULTATION – CARDINAL CLOSE

| RESPONDENT                  | COMMENT  | OFFICER RESPONSE  |
|-----------------------------|--|---|
| Resident of Cardinal Close  | Objects to the proposals.<br>Every household on the street has more than one car and so need to park on street. The loss of parking will mean that residents will have to park on Newman Road.   | It is considered that the restrictions should be implemented to prevent obstruction. In addition, on the basis of recent observations, sufficient parking will remain in the immediate vicinity to accommodate residents' needs.  |
| Resident of Cardinal Close  | Objects to the proposals as they will not resolve one of the main issues which is that visitors to Cardinal House do not use the car park provided. The restrictions will mean that one of the household's cars may have to be sold as there will be nowhere to park it. | Oxford City Council (who own Cardinal House) will be asked to encourage visitors to use the car park provided.<br>It is considered that sufficient parking will remain in the immediate vicinity to accommodate residents' needs. |
| Cllr Hancock, Littlemore PC | Supports the proposal.   | Noted.  |

## RESPONSES TO CONSULTATION – IFFLEY TURN

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| RESPONDENT               | COMMENT  | OFFICER RESPONSE   |
|--------------------------|--|--|
| Resident of Iffley Turn  | Supports proposals which will keep the road clearer to improve safety.   | Noted.   |
| Resident of Church Way   | <p>Proposed restrictions will not deter the coaches as there will be plenty of space for this to still occur. Suggests a series of lengths of double yellow lines with insufficient gaps to enable coaches to park legally between them.</p> <p>No parking currently takes place at the mini-roundabout so why prevent it?</p> | <p>The proposals were intended to prevent all vehicles – including coaches – parking in unsuitable locations. The suggested use of double yellow lines is ingenious and will be considered when the situation is reviewed.</p> <p>The purpose of the restrictions at the mini-roundabout is to ensure that no displaced parking occurs here.</p> |
| Resident of Maywood Road | In favour.   | Noted.   |
| Resident of Iffley Turn  | In favour – would like all coach parking removed.  | Noted.   |
| Resident of Iffley Turn  | Welcomes the proposal as the coach parking is a blight and a menace.   | Noted.   |
| Resident of Church Way   | <p>Concerned that the restrictions will move the coach parking onto Church Way.</p> <p>Currently the coach drivers are courteous and do not cause any problems. The restrictions should not be implemented – we should be more tolerant towards visitors.</p>  | <p>This is considered unlikely as the road is a cul-de-sac and it would be difficult for a coach to turn round.</p> <p>A majority of respondents consider that the current location of parked coaches does cause problems.</p>   |
| Resident of Iffley Turn  | Supports the proposals.  | Noted.   |
| Resident of Iffley Turn  | The proposals are a good first step but more needs to be done to prevent coaches from parking in Iffley Turn to avoid paying parking charges.  | <p>Noted.</p> <p>The situation will be reviewed in 12 months.</p>  |

|                                  |   |   |
|----------------------------------|---|---|
| Chair, Friends of Iffley Village | Overall the proposals are welcomed as residents have become increasingly concerned about parking in Iffley Turn.<br>Wants to see additional restrictions at the mini-roundabout to improve visibility for traffic.  | Noted.<br><br>The sightlines at the roundabout have been checked and it is considered that, if the proposed restrictions are implemented, there will be sufficient inter-visibility for the junction to operate safely (within the physical constraints of the site). |
| Two residents of Iffley Turn     | Pleased that the Council is trying to alleviate the parking problems around Iffley Turn.<br>Would wish to see additional restrictions to reduce the danger from drivers misusing the mini-roundabout.<br>Does not consider that the proposals will solve the nuisance of coach parking. | Noted.<br><br>The situation will be reviewed in 12 months.  |
| Resident of Iffley Turn          | Pleased that something is being done to try to control coach parking, it is not enough as the coaches will continue to park where the restrictions end. The whole road needs to have restrictions to stop the coaches parking.  | Noted. It is hoped that the proposals will improve the parking situation, and the matter will be reviewed in 12 months.   |
| Resident of Augustine Way        | Supports the proposals to ease the coach parking problem.   | Noted.  |
| City Cllr Michele Paule          | Supports the proposal but would like to see coaches (but not cars) prevented from parking along the whole road.   | It is hoped that the proposals will improve the parking situation, and the matter will be reviewed in 12 months.  |
| Resident of Grove Court          | Supports the proposed restrictions which will improve safety.   | Noted.  |
| Resident of Iffley Turn          | Objects to the proposals. They will not affect the coaches as they park in parts of the road where no restrictions are proposed, but will make it harder for residents and their visitors to park. The coaches do not cause any problems.   | The purpose of the restrictions is to address the parking of coaches particularly in the vicinity of Augustine Way which obstruction and loss of forward visibility, a problem exacerbated when there is overnight parking.   |
| Resident of Maywood Road         | Supports the proposal. Has complained to Police about the problems caused by coaches parking and blocking drivers vision.   | Noted.  |

|                         |   |  |
|-------------------------|---|--|
| Resident of Iffley Turn | Supports the proposal.  | Noted.   |
| Resident of Church Way  | Considers the proposals entirely unnecessary and the expense of implementing them is a waste of Council resources. Has lived in the area for many years and has not observed anything but momentary hold-ups. | The restrictions are intended to address concerns of many residents in the area. |

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Division: Headington &amp; Quarry

## CABINET MEMBER FOR ENVIRONMENT – 10 OCTOBER 2013

### PROPOSED REMOVAL OF PARKING BAY LIME WALK, HEADINGTON, OXFORD

**Report by Deputy Director for Environment & Economy (Commercial)**

#### Introduction

1. This report considers objections to a formal consultation on a proposal to introduce a new parking restriction to remove a parking bay on Lime Walk in the Headington Central CPZ, required as a result of an adjacent development site.

#### Background

2. The proposal in this report arose as a result of the granting of planning permission in June 2012 for a development at 129 Lime Walk described as: "*extension to existing property plus extension and alteration to form 2 x 3-bed and 1 x 2-bed chalet bungalows; provision of 1 car parking space per property, together with cycle and bin stores*". In granting planning consent, it was noted that the introduction of additional parking places off the highway and the provision of the associated dropped kerbs, would reduce the length of the existing on-street 'Permit Holders Only' parking bay from 12 metres to 6 metres. The cost of this alteration is to be met by the developer.
3. In June 2013 the developer approached the County Council seeking to have the change to the on-street bay implemented. On visiting the site it was clear to council officers that the private parking bays and associated dropped kerbs had been designed and constructed in such a way that it was no longer feasible to have any parking bay on this part of Lime Walk. As a result, the Traffic Regulation Order (TRO) would need to be amended to remove the 12 meter bay in its entirety. Annex 1 sets out the proposal.

#### Formal Consultation

4. Oxfordshire County Council sent a copy of the draft amendment orders, statement of reasons and a copy of the public notice appearing in the local press, containing the proposed changes to formal consultees in July 2013. These documents, together with supporting documentation and plans were deposited for public inspection at County Hall. They are also available for inspection in the Members' Resource Centre. Public notices were also displayed on site and in the Oxford Times.
5. Responses have been received from County Councillor Roz Smith, the Highfields Residents Association and an individual resident of Lime Walk. All these respondents object to the proposal to completely remove the parking

bay. Copies of these objections are available for inspection in the Members' Room but can be summarised as (a) that the proposal does not accord with the planning consent for the site and (b) the presence of the parking bay (when occupied) is a key element of the current and emerging traffic calming scheme in Lime Walk and, therefore, its removal will increase traffic speed and also have a negative impact on pedestrian safety at the Old Road junction.

6. Following receipt of these objections Oxford City Council have confirmed that the development and associated off-street parking places (and thus the dropped kerb) have been built in accordance with the permissions for the site and that the developer has complied with all the permissions for the site. It has become clear that since the substantive consent was issued in June 2012, the developer applied in April 2013 to vary a number of aspects of the development, which included the layout of the off-street parking. This application was consulted on by the City Council and received no objections.
7. The development of a comprehensive traffic calming scheme for Lime Walk has been the subject of discussions with the local community for some time. The junctions at Old Road and All Saints Road were treated in 2012 but there are currently no plans agreed for further features. It is acknowledged that removal of the single space outside 129 Lime Walk will reduce any traffic calming benefits that it may have given when a vehicle was actually present, given the general layout of parking bays elsewhere in this part of the street. However, the effect is likely to be minor. Further, should a traffic calming scheme be developed in the future alternative methods to narrow the road (such as a small build-out or planter) could be placed in the vicinity of No 129.

### **Financial and Staff Implications (including Revenue)**

8. The cost of advertising, consultation and subsequent works described in this report will be met from the contributions received from the developer of the adjacent site

### **RECOMMENDATION**

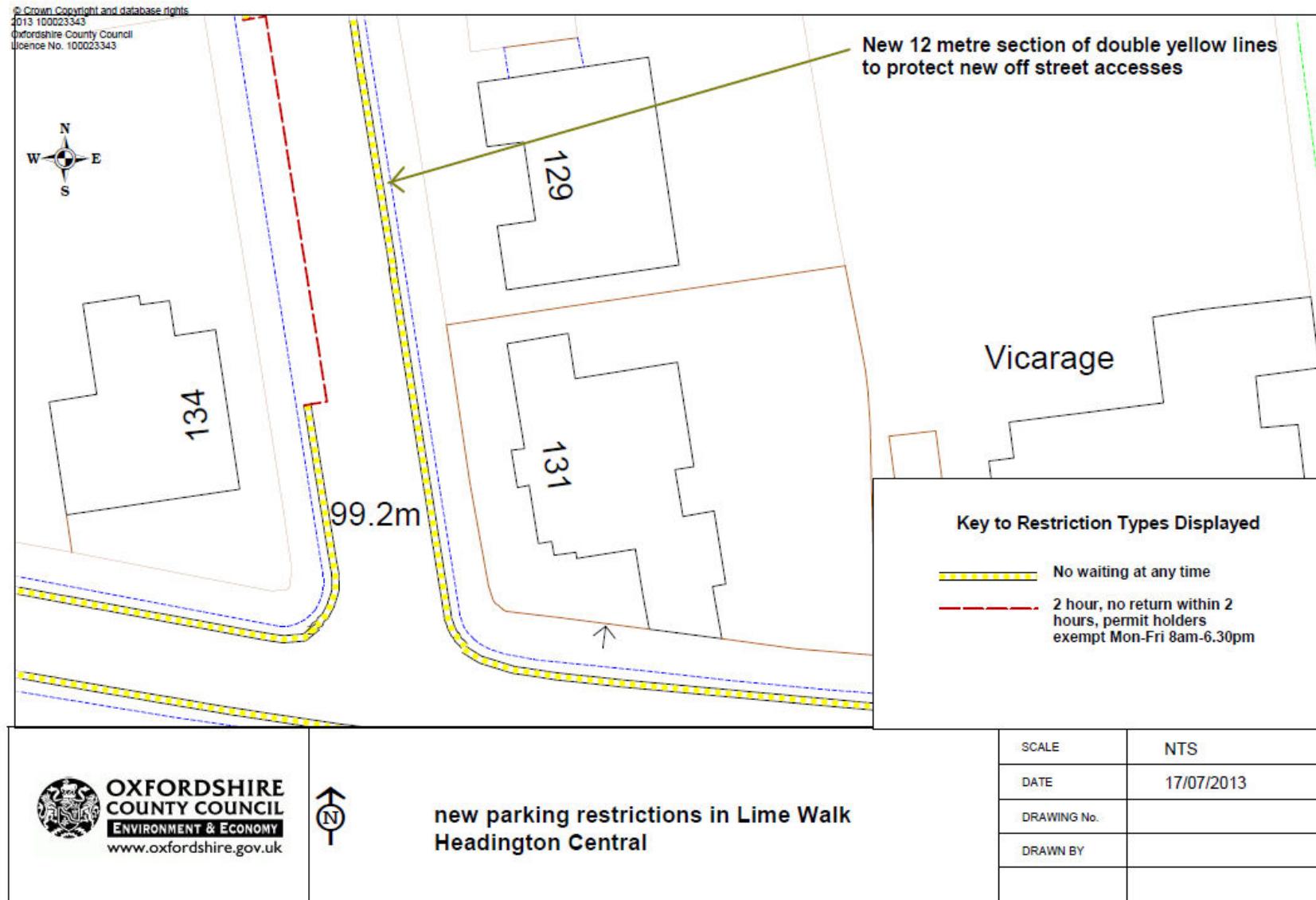
18. **The Cabinet Member for the Environment is RECOMMENDED to approve the advertised parking restriction for Lime Walk, Headington as set out in this report.**

MARK KEMP  
Deputy Director for Environment & Economy (Commercial)

Background papers:      Consultation documentation

Contact Officers:      Jim Daughton 01865 815803

September 2013



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# Agenda Item 7

Division(s): All

## CABINET MEMBER FOR ENVIRONMENT – 21 NOVEMBER 2013

### FEES FOR LANDOWNER STATEMENTS AND DECLARATIONS (PUBLIC RIGHTS OF WAY AND VILLAGE GREENS)

Report by Deputy Director for Environment & Economy (Commercial)

#### Introduction

1. The Commons (Registration of Town & Village Greens) and Dedicated Highways (Landowner Statements and Declarations) Regulations 2013 ("the regulations"), Statutory Instrument No 1774 came into effect 1 October 2013.
2. The regulations stem from changes introduced under the new Growth & Infrastructure Act 2013 ("the 2013 Act") that aim to promote growth and facilitate provision of infrastructure. They result from concerns at the impact town and village green applications were having on the planning system.
3. The 2013 Act firstly amends the law by allowing a landowner to deposit a statement to bring to an end any period of recreational use of land "as of right" thereby protecting against any subsequent claim to register the land as a green. Secondly, it amends and extends an existing provision under section 31(6) of the Highways Act 1980 which enables landowners to counter deemed dedication of rights of way over their land.
4. The regulations prescribe the forms of application, set out the procedural requirements and detail how the information is to be notified and made available to the public. These elements therefore do not require an executive decision.
5. However Regulation 2 (d) gives a power for authorities to set a reasonable fee for applications which needs to be decided.

#### Exempt Information

6. Not applicable.

#### Background

7. Claims to record previously unrecorded public rights of way or to register land as a town or village green can be very expensive for landowners to defend when contested. Successful claims can have a major effect on the value of land and restrict its future use. By lodging a deposit the landowner is able to clearly demonstrate their intentions and prevent the accrual of new public rights.

8. Two types of deposit, either made singularly or jointly are now possible:
  - A statement accompanied by a map to bring to an end any period of recreational use “as of right” and thus prevent recreational users from acquiring new green rights on the land.
  - An amendment to the procedure to deposit a statement and map under section 31(6) of the Highways Act 1980 to declare non-intention to dedicate any new public rights of way (highways) on the land.
9. Neither type works retrospectively, so if rights have already been acquired there remains an opportunity for the public to lodge a claim to prove the rights exist (limited to one year for greens). However once lodged, a deposit offers the landowner on-going protection against the acquisition of new rights, subject to renewal at 20 year intervals.
10. Up to now, Legal Services has carried out the work under section 31(6) Highways Act 1980 on behalf of Environment & Economy Directorate. As a result of these changes, the function is currently transferring direct to Environment & Economy where it will be dealt with alongside other public rights of way and commons functions.
11. It is proposed that Oxfordshire charges a fee varying from £180 - £220 for this service, depending on the number of land parcels in each application. The reasoning for the level of this fee is provided in Annex 1.

## **Corporate Policies and Priorities**

12. These changes to the 2013 Act are relevant to the aims of *A Thriving Oxfordshire Corporate Plan 2013/14 – 2017/18: Enhancing the Environment*. In particular they will help address the need to manage the tension between our desire for economic growth and the need to enhance and protect our environment.

## **Financial and Staff Implications**

13. The new duties will be accommodated within existing staffing resources and through reprioritisation of workloads. In addition, up to now the authority has not been allowed to make a charge for registering deposits. By establishing a fee the authority will be able to recover its reasonable costs thus creating a positive situation whereby the service can become cost neutral and offsetting other budgetary pressures.

## RECOMMENDATION

14. The Cabinet Member for Environment is RECOMMENDED to:

- a) approve the principle of charging fees for applications made under The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013 as set out in the schedule above to take immediate effect and
- b) approve that the scale of fees as varying from £180 - £220 and as set out within this report be added within the Councils published list of charges.

MARK KEMP

Deputy Director for Environment & Economy (Commercial)

Contact Officer: Steve Smith, Service Manager Network and Asset Manager (01865)  
810435

Background papers: available on request

- The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013. Statutory Instrument 2013 No, 1774
- Department for Environment, Food & Rural Affairs "Guidance to Commons Registration Authorities in England on Section 15A to 15C of the Commons Act 2006" version 2 dated August 2013

November 2013

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## LANDOWNER DEPOSITS REGULATIONS – FEE CRITERIA

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### Fee Requirements

1. Regulation 2 (d) of the Regulations states an application must be accompanied “*by such reasonable fee (if any) specified by the authority for an application of that type*”
2. DEFRA’s “*Guidance to Commons Registration Authorities in England on Sections 15A to 15C of the Commons Act 2006*” version 2 dated August 2013 advises as follows:

#### “Fees

51. *Applications must be accompanied by the appropriate fee, if any is specified by the authority. The 2013 Regulations do not provide any fee amounts: instead the authority has the power to set fees. A fee specified by the authority must be reasonable for the application of that type. The power allows different fees for different types of application. The following are examples of why the authority may wish to consider setting different fees for different purposes:*

- *applications which relate to either highways deposits or the deposit of a green statement*
- *applications which relate to deposits under both highways and greens regimes*

52. *The authority is advised to keep fees under review to ensure that amounts are commensurate with the authority's costs.”*

3. The specific example given above is not considered to be relevant in Oxfordshire's circumstances as the work involved to deal with either one or both regimes together is unlikely to be significantly different. However, it is considered that the number of land parcels included in any application is a material factor affecting costs.
4. It should be noted that the 2013 Act effectively reserves powers for government to set a fee direct in future regulations if required.

### Estimated work and costs

5. The processing of applications involves four defined stages: 1) initial checks, 2) acknowledgement of application, 3) serving notice of the application, and 4) recording the deposit in the register.
6. Stages 1, 2 and 4 are largely administrative. It is estimated that on average these will take a total of about 4 officer hours per application. In addition to staff time there will be computer, stationery, scanning, digitisation and indexing costs.

7. Stage 3 is more complex. Notice must be publicised:- i) by publication on the authority's website, ii) by email to all who have requested notification of applications and iii) by posting a copy of the notice and map at or near at least one obvious entry point to the land for at least 60 days.
8. Therefore in addition to administrative costs this stage will involve travel costs and journey time to post and remove notices. It is estimated on average to take around 3.5 hours where only 1 – 2 parcels of land are involved, increasing where there are more land parcels as this will necessitate additional work.

### **Proposed Schedule of Fees**

9. The following table sets out a proposed scale of charges, based on the number of land parcels included in any single application:

|  |  |
|--|--|
| a) Standard fee per application (including up to 2 land parcels) | £180                                     |
| b) Fee per application (3 - 4 land parcels)                      | £200                                     |
| c) Fee per application (5 - 7 land parcels)                      | £220                                     |
| d) Fee per application (exceeding 7 land parcels)                | £220 + £19.80 per additional land parcel |

### **Cost calculations**

10. The costs proposed above are derived by multiplying the number of estimated hours' work per category by an hourly rate and then adding estimated average mileage costs.
11. The category (a) fee is assumed to take 7.5 hours on average, category (b) 8.5 hours, category (c) 9.5 hours, and category (d) 9.5 hours' work + one hour per additional land parcel.
12. An hourly rate at £19.80 has been applied to include staff overhead (based on Grade 10 officer) plus supervision costs and other overheads, i.e. scanning, printing, digitisation and indexing costs.
13. Mileage costs have been applied at £32 per application. This represents two return trips of an average one-way journey of 17.8 miles, i.e. 71 miles at 45p per mile. Average derived from distance from Eynsham to locations of deposits made October 2012 to September 2013.