

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

**MINUTES** of the meeting held on Thursday, 14 February 2019 commencing at 10.00 am and finishing at 11.23 am

**Present:**

**Voting Members:** Councillor Yvonne Constance OBE – in the Chair

**Officers:**

Whole of meeting G. Warrington (Law & Governance); H. Potter and A. Kirkwood (Infrastructure Operations)

Part of meeting

**Agenda Item**                      **Officer Attending**  
4.    C. Rossington (Infrastructure Operations)

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

### 4/18    **PETITIONS AND PUBLIC ADDRESS** (Agenda No. 3)

<i>Speaker</i>	<i>Item</i>
Sajad Khan (COLTA)	4.- Oxford Queen Street & Bonn Square – Taxi access
Adele Stockdale (on behalf of resident 4A North Parade Avenue) Phoebe O'Donnell (resident (resident 4C North Parade Avenue) Adam Bates (resident Garden Flat, 84 Marlborough Road)	) ) 5. Oxford: South Oxford and Walton Manor Controlled Parking Zone – Proposed Exclusion and Amendments to Permit Eligibility )

**5/18 OXFORD, QUEEN STREET & BONN SQUARE - TAXI ACCESS**  
(Agenda No. 4)

The Cabinet Member for Environment considered (CMDE4) a report presenting the details of a statutory consultation on an experimental TRO to permit taxis licenced by Oxford City Council to access the Carfax taxi rank at the east end of Queen Street via Bonn Square and Queen Street (a pedestrian zone) between 6.30pm and 8am on all days of the week.

Sajad Khan for COLTA welcomed the recommendation as far as it went but his organisation felt that not to reinstate Sunday use would be a blow to the taxi trade which was suffering. The relatively small number of taxis would not raise any safety issues and he was not aware of any such incidents with taxis and buses. Some 270 buses went through Queen Street as opposed to 40/50 taxis which were smaller and as such presented a lower risk to other users. His organisation were proud to be helping initiatives to improve air quality but that came at a cost and so he asked the Cabinet Member to reconsider the Sunday use element.

The Cabinet Member reported an email from City Councillor Tom Hayes supporting the recommendation before her but which made no mention of Sunday reinstatement.

Councillor Susanna Pressel had commented by email that taxis needed to be reminded that if this permission was granted then speeds should not exceed 5 mph and could a reference be included that there was a designated space for a taxi rank in Old Greyfriar’s Street which was not currently in use.

Mr Rossington confirmed that paragraphs 13 and 14 in his report addressed the issue of taxis using Queen Street on a Sunday and why that was not being recommended. Enforcement of the rank would be carried out by the City Council as licensing authority. The City Council were progressing proposals to provide ranks in High Street and New Road with the former likely by the end of the summer.

Having regard to the information set out in the report before her and the representations made to her at the meeting the Cabinet Member for Environment confirmed her decision as follows:

to approve making permanent evening/night time access (6.30pm to 8am) by taxis through Bonn Square and Queen Street in Oxford to a taxi rank at Carfax as provided for in a variation to an experimental traffic regulation order (TRO) which came into effect on 21 December 2017 and which expired on 12 April 2019 and to raise issue of expediency with the City Council regarding provision of additional taxi ranks in New Road and High Street.

Signed.....  
Cabinet Member for Environment

Date of signing.....

**6/18 OXFORD: SOUTH OXFORD AND WALTON MANOR CONTROLLED PARKING ZONE - PROPOSED EXCLUSION AND AMENDMENTS TO PERMIT ELIGIBILITY**

(Agenda No. 5)

The Cabinet Member for Environment considered (CMDE5) responses received to a statutory consultation on a proposal to exclude from eligibility for residents and visitor permits for numbers 4a and 4c North Parade Avenue Oxford and restore eligibility for such permits for number 84 Marlborough Road Oxford, but with a restriction of one permit each for the Garden Flat and Upper Flat.

Adele Stockdale speaking on behalf of her daughter who lived at North Parade Avenue understood the concerns regarding setting a precedent but pointed out that there was a lot of parking available locally. Reinstatement for 4 (a) and 4(c) was supported by both City and County Councillors. There was some confusion why 4(b) had a permit and that had created some tension. Her daughter was very happy living where she was but as a teacher needed her car for work reasons and public transport did not sadly offer enough flexibility and she hoped a compromise could be reached to allow 1 permit per household.

Phoebe O'Donnell also resident at North Parade Avenue and born and bred in Oxford appreciated the issues in the City regarding traffic and parking. However, she had objected to the ineligibility status attached to her property because of the area and availability of parking in the area. It was not a highly residential area and because of that specific availability there was room for compromise. She agreed that public transport was not a viable option for her to get to work.

Adam Bates advised that the Garden Flat at 84 Marlborough Road having two permits had had a significant bearing on his and his partner's decision to purchase the property in 2015. However, the decision to grant the Upper Flat a permit had meant they had lost one of those permits which had had a huge effect on their lives as they needed 2 cars and it would have been unlikely that they would have bought the property if it only had one permit attached to it. He was seeking an amendment to the proposals to revert back to the original 2 permits and suggested that could be attached to their tenancy and not to future owners of the Flat.

Responding to questions from the Cabinet Member Mr Kirkwood confirmed that parking pressures in the Walton Manor residential area were not as severe as South Oxford and regarding the suggestion by Mr Bates that would be difficult in practice as it was specifically excluded by a Marlborough Road TRO and in that case he considered the proposed allocation to be equitable.

In response to submissions from Mr Bates legal advisers the County Council's legal team had expressed the following view that quite apart from the fact that the City Council were not empowered to provide assurances on entitlement to parking permits because it is not a City function and thus overrode the provisions of the CPZ order, it would have been unlawful (*ultra vires*) for the County to give any assurance that there would be permanent entitlement to 2 permits because the County may not

lawfully commit not in the future (or to in the future) to apply its statutory powers in a particular way.

Mr Kirkwood agreed that with regard to the Garden Flat it appeared that an error had been made by the City Council and parking manager. Regarding North Parade any changes to allow one permit per property was not consistent with City Council policy.

The Cabinet Member while accepting that Mr Bates felt aggrieved the only course of action open to her in view of the legal advice from the County Council’s legal team was to approve the officer recommendation with regard to 84 Magdalen Road. However, with regard to the Walton Manor properties there seemed to be an anomaly insofar as when the application was approved for redevelopment it was stated as car-free but one permit existed. Therefore, having regard to the information set out in the report and the representations made to her at the meeting she was minded to:

Defer a decision with regard to the proposed exclusion of eligibility for 4a and 4c North Parade Avenue, Oxford but uphold the restoration of eligibility for the Garden Flat and Upper Flat at 84 Marlborough Road but with a restriction of one permit for each flat.

Signed.....  
Cabinet Member for Environment

Dated.....

**7/18 OXFORD: BARRACKS LANE - PROPOSED WAITING RESTRICTIONS**

(Agenda No. 6)

The Cabinet Member for Environment considered CMDE6 a report presenting responses received to a statutory consultation on a proposal to introduce additional waiting restrictions at Barracks Lane. put forward at the request of the local member in response to concerns over safety and the obstruction of traffic arising from parking in the area.

Councillor Sanders the local member had been unable to attend but had submitted an email registering his opposition to the officer recommendation to defer implementation of parking restrictions in Barracks Lane until the introduction of the CPZ controls. The reason for the proposed controls (yellow lines) had been to prevent residents from Hollow Way parking along the section of Barracks Lane from Hollow Way to William Morris Close. That caused a serious bottleneck for traffic as Barracks Lane was a cul-de-sac and school traffic tried to pass in both directions at the beginning and end of the school day. Tyndale Primary School on William Morris Close was a free school, had a city-wide catchment, and consequently a high proportion of children who were driven to school. The School founded in 2013 had been growing each year, adding another two new classes (60 pupils) up to its maximum next September. Unusually for school traffic, parents parking was not too much of a problem as the school had a good drop-off lane on school grounds, so the problem was one of access in and out of Barracks lane. He was not particularly

concerned about the inconvenience to parents at the School, who should be more discouraged from driving their children, but Barracks Lane was the only road entrance to 100 dwellings beyond the School. This meant that parents of children living in the cul-de-sac were unable to drive out between 8 and 9 in the morning and working people unable to drive to work in those hours. Although it was inconvenient for cars dropping off children to get in and out of William Morris Close, it was considerably more difficult for residents to drive out past the school traffic to leave Barracks Lane. Although officers had agreed that the controls were needed they preferred understandably to introduce the yellow lining as part of the CPZ programme. However, he was concerned that this bottleneck was quite dangerous and with even more children due to start school in September would be even more so. Additionally, it should be noted that Barracks Lane was a designated Cycle Route but cyclists needed to dismount and walk on the pavement to pass the school, moving around parents walking their children to school. To underline his concern he had agreed to subsidise the costs of this work from his Councillor Priority Fund.

Officers advised that although some way off yet a development proposed on the William Morris playing field would address congestion on Barracks Lane through a double yellow line scheme similar to the one suggested by Councillor Sanders although not quite as restrictive. In the meantime it could be possible to implement the advertised proposals in part to help alleviate the problems outlined by councillor Sanders.

Having regard to the information set out in the report before her and the representations made to her at the meeting the Cabinet Member for Environment confirmed her decision as follows:

To defer a decision on the proposed waiting restrictions in Barracks lane, Oxford which might be more appropriately considered as part of a controlled Parking Zone proposed for the area but that a detailed modified proposal for a potential compromise scheme to introduce additional waiting restrictions as put forward by the local member be brought forward to the 28 March 2019 Cabinet Member for Environment Delegated Decisions meeting.

Signed.....  
Cabinet Member for Environment

Date of signing.....

**8/18 CHESTERTON THE HALE - PROPOSED 30MPH SPEED LIMIT**  
(Agenda No. 7)

The Cabinet Member for Environment considered CMDE7 a report presenting responses received to a statutory consultation to reduce the speed limit to 30mph (from the national speed limit of 60mph) on the road known locally as 'The Hale' at Chesterton from the terminal point of the existing 30mph speed limit just south of its

junction with the A4095 southwards by approximately 180 metres, to include the access to a new residential development on the east side of The Hale.

She noted the support of the local member for this proposal and his support for further discussion between County officers and Chesterton Parish Council regarding measures along the remaining length of The Hale although noting that any extension would move away from the residential area and therefore require additional funding as the scheme currently before her was developer funded.

Having regard to the information set out in the report before her and the further representations made to her the Cabinet Member for Environment confirmed her decision as follows:

to approve a proposed reduction of the current limit of 60 mph to 30 mph on the road known locally as 'The Hale' at Chesterton from the terminal point of the existing 30mph speed limit just south of its junction with the A4095 southwards by approximately 180 metres, to include the access to a new residential development on the east side of The Hale.

Signed.....  
Cabinet Member for Environment

Date of signing.....

**9/18 CHERWELL AND WEST OXFORDSHIRE DISTRICTS: PROPOSED DISABLED PERSONS PARKING PLACES**

(Agenda No. 8)

The Cabinet Member for Environment considered CMDE8 a report presenting responses received to a statutory consultation on proposals to introduce proposed Disabled Persons Parking Places (DPPPs) at various locations in Cherwell and West Oxfordshire districts.

Having regard to the information set out in the report before her the Cabinet Member for Environment confirmed her decision as follows:

- (a) approve the proposed Disabled Persons Parking Places in; Fiennes Road and Windrush Banbury; Fox Close, Chipping Norton and Wise Avenue, Kidlington;
- (b) defer a decision on the proposed bays in Blake Road, Bicester; The Paddocks, Deddington; Walkers Height, Finstock, High Street, Hook Norton and Springfield Park, Witney pending further investigation by officers; and
- (c) note that the bay in Upper Arcott (Greenfields) was no longer required.

Signed.....  
Cabinet Member for Environment

Date of signing.....

**10/18 CHECKENDON: PROPOSED 20MPH AND 30MPH SPEED LIMITS**

(Agenda No. 9)

The Cabinet Member for Environment considered CMDE9 a report presenting responses received to a statutory consultation on a proposal to reduce the speed limit on the village road at Exlade Street to 30mph (from the national speed limit of 60mph) and introduce a 20mph speed limit (in place of the current 30mph limit) on the Main Street at Checkendon in the vicinity of the school, village hall and other village amenities together with residential properties. The proposals had been put forward by Checkendon Parish Council due to concerns over the danger posed by traffic at these locations who would, if approved, fund the proposal.

Having regard to the information set out in the report before her the cabinet Member for Environment confirmed her decision as follows:

approve the proposed introduction of a 30mph speed limit at Exlade Street as advertised but defer approval of the proposed 20mph on the Main Street at Checkendon pending consideration of the provision of traffic calming measures to support compliance with the limit.

Signed.....  
Cabinet Member for Environment

Date of signing.....

**11/18 ABINGDON: B4017 BATH STREET - PROPOSED WAITING RESTRICTIONS**

(Agenda No. 10)

The Cabinet Member for Environment considered CMDE10 a report presenting responses received to a statutory consultation on a proposal to introduce waiting restrictions comprising double yellow lines - 'no waiting at any time' – on the B4017 Bath Street, Abingdon as part of the proposed provision of advisory cycle lanes. The proposed restriction would remove approximately 54 metres (8 car spaces) of parking that currently allowed 2 hour waiting on Monday to Saturday between 8am and 6pm (parking at other times is unrestricted). The proposal had been put forward as part of plans to improve safety and amenity for cyclists along the B4017 Wootton Road/Bath Street and was seen as integral to the goal of encouraging cycle trips as an alternative to the use of private cars, including for residents of the new development, thereby serving to help reduce congestion in the town and encourage active and low-carbon travel. If approved, the scheme would be funded by approved residential development in north Abingdon.

Having regard to the information set out in the report before her the Cabinet Member for Environment confirmed her decision as follows:

to approve the proposed double yellow lines (no waiting at any time) restrictions on the B4017 Bath Street, Abingdon as advertised.

Signed.....  
Cabinet Member for Environment

Date of signing.....