

<b>This report is public</b>	
<b>Traffic Regulation Order in Pioneer Square</b>	
<b>Committee</b>	Executive
<b>Date of Committee</b>	6 January 2025
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Neighbourhood Services, Councillor Ian Middleton
<b>Date Portfolio Holder agreed report</b>	10 December 2024
<b>Report of</b>	Assistant Director Property, Mona Walsh

## Purpose of report

To promote an off-street Traffic Regulation Order on land the Council owns and has responsibility for outside the entrances to Franklin House including the Travelodge Hotel in order to mitigate the risks to the public at large and to the Council itself caused by unsafe parking and traffic movements in the area.

## 1. Recommendations

The Executive resolves:

- 1.1 To approve the promotion of an off-street Traffic Regulation Order on land the Council owns and has responsibility for outside the entrances to Franklin House including the Travelodge Hotel in order to mitigate the risks to the public at large and to the Council itself caused by unsafe parking and traffic movements in the area.
- 1.2 To authorise the Assistant Director – Property to start formal consultation on the proposed off-street Traffic Regulation Order, and, following due consideration of any representations received at the consultation stage and in consultation with the Monitoring Officer and relevant portfolio holder, to make any decisions and exercise all powers necessary in respect of whether or not to make and/or seal the proposed Order.

## 2. Executive Summary

- 2.1 An area of land, shown shaded green in the plan at Appendix 1, owned by the Council and for which it has responsibility, in front of Bicester Library, Perch and the Travelodge at Franklin House Bicester is subject to unsafe and irregular parking which makes the area unsafe for pedestrians. In addition vehicles entering and leaving Pioneer Square loading and service areas are frequently obstructed preventing access as required.

- 2.2 The circumstances described in 2.1 require the Council to take action. It is proposed that an off-street Traffic Regulation Order is promoted. This will reduce the safety risks, ensure access to Pioneer Square loading and service areas is available and reduce the Council's exposure to liability in the event an accident should occur.

## Implications & Impact Assessments

Implications	Commentary			
<b>Finance</b>	<p>It will be necessary to advertise the proposed Traffic Regulation Order following Executive approval to promote the Order. If successfully promoted following consideration of any objections received, appropriate signage and road/surface lines to ensure the Traffic Regulation Order is enforceable. A budget of up to £7,000 will be required for the costs of advertising costs and installing the signs and lines. This sum can be met from existing Parking budgets.</p> <p>Rachel Ainsworth, Finance Business Partner 21 November 2024</p>			
<b>Legal</b>	<p>Under Sections 32 and 35 of the Road Traffic Regulation Act 1984, the Council has power to create off-street parking places and make restrictions as to the use of those areas, in particular with regards to the vehicles or class of vehicles which may be entitled to use them. The proposed Order will utilise those powers for the regulation of the site and its use by motor vehicles.</p> <p>Adrian Thompson, Principal Solicitor – Property. 22 November 2024</p>			
<b>Risk Management</b>	<p>There are no risks arising directly from this report. Any arising risks will be managed by the relevant service operational risk register and escalated to the corporate leadership risk register as and when necessary. The proposal mitigates the safety risks to the public at large and to the Council itself caused by unsafe parking and traffic movements in the area.</p> <p>Celia Prado-Teeling, Performance Team Leader, 22 November 2024</p>			
<b>Impact Assessments</b>	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>		x		<p>There are no equality implications arising directly from this report.</p> <p>Celia Prado-Teeling, Performance Team Leader, 22 November 2024</p>
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could		x		

impact on inequality?				
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
<b>Climate &amp; Environmental Impact</b>				Not applicable
<b>ICT &amp; Digital Impact</b>				Not applicable
<b>Data Impact</b>				Not applicable
<b>Procurement &amp; subsidy</b>				Not applicable
<b>Council Priorities</b>	An enterprising economy with strong and vibrant local centres			
<b>Human Resources</b>	Not applicable			
<b>Property</b>	The promotion of a TRO as described in this report will lead to a safer environment in the locality of Pioneer Square and enable the Council enforce parking. Mona Walsh Assistant Director Property 5 Nov 2024			
<b>Consultation &amp; Engagement</b>	Legal consulted mid-June to discuss fully the implications of introducing a TRO.			

## Supporting Information

### 3. Background

- 3.1 The area proposed for the promotion of an off-street Traffic Regulation Order is shaded green on the plan at Appendix 1. It is part of the Pioneer Square development in Bicester, comprising Sainsburys supermarket, other retail and restaurant outlets and Franklin House. Franklin House includes Bicester Library, the Perch office suite, a Travelodge hotel and offices.
- 3.2 The area in question is owned and controlled by the Council and is not an adopted highway. Its original and present purpose is to enable very short-term drop-off and pick-up waiting between Manorsfield Road and the hydraulic bollard outside The Perch and to afford servicing access to the Vue Cinema, some nearby retail and restaurant units. It also includes two taxi waiting spaces and a disabled parking space.

- 3.3 The area has been habitually abused. The taxi and disabled spaces are constantly used for long stay parking by those avoiding nearby parking charges. Additionally, the parking routinely obstructs authorised servicing vehicles. Vue cinema and other retail units at Pioneer Square have had deliveries turned away when unable to access the goods yard within this area. The Council regularly receives complaints about the congestion and the impact caused, visits have been made to see the evidence.
- 3.4 The area is considered unsafe for pedestrians as a result of inappropriate and unregulated parking which poses significant risks. Many children and families walk through this area daily on their way to and from the Bicester schools. If an accident should occur The Council may find itself liable as a result of not managing the area effectively. The continual abuse of the area is routinely observed by Council staff including Community Safety officers, Health and Safety Advisor, Property and Parking teams. The need to regulate the area has the strong support of all concerned.

#### **4. Details**

- 4.1 Regulation can be achieved through an Off-Street Car Parking Order made under Sections 32 and 35 of the Road Traffic Regulation Act 1984. Traffic cannot be excluded altogether because of the servicing needs. The proposed Order would prohibit parking in the designated area other than in one marked bay allocated for disabled parking and taxi driver pick-up/drop-offs shown on the plan at Appendix 1 .
- 4.2 The Order would provide for “no waiting at any time except for loading and unloading.” This exemption would apply up to the rising bollard for the loading and unloading of persons as well as goods.
- 4.3 It will be necessary to advertise the proposed Traffic Regulation Order following Executive approval to promote the Order. If successfully promoted following consideration of any objections received, appropriate signage and road/surface lines will be installed to ensure the Traffic Regulation Order is enforceable. A budget of up to £7,000 will be required for the costs of advertising costs and installing the signs and lines. This sum can be met from existing Parking budgets.
- 4.4 Enforcement of this Off-Street Traffic Regulation Order and issue of Penalty Charge Notices will be carried out by Oxfordshire County Council via the Councils Agency Agreement with the County Council for enforcement of its Off-Street Parking Orders. There will be no additional cost incurred.
- 4.5 The promotion of the Parking Order needs the support of the Highway Authority (Oxfordshire County Council) who have confirmed their support.

#### **5. Alternative Options and Reasons for Rejection**

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Do nothing.

This option has been rejected. Not promoting the off-street Traffic Regulation Order means proper enforcement to manage parking will not be available and car users will continue to abuse parking. Furthermore, the Council runs the risk of possible claims from the public if an accident were to happen.

## 6 Conclusion and Reasons for Recommendations

- 6.1 Approval of the promotion of an off-street Traffic Regulation Order as described will remove obstructions caused by unregulated parking and obstructions to traffic needing to access service areas.
- 6.2 This will improve safety for pedestrians and ensure that the existing taxi drop offs and disabled parking space are accessible and available to use.
- 6.3 The costs associated with promoting and implementing the Traffic Regulation Order can be met from existing budgets. Enforcement of this Off-Street Traffic Regulation Order and issue of Penalty Charge Notices will be carried out by Oxfordshire County Council at no additional cost to the Council.

## Decision Information

<b>Key Decision</b>	Yes
<b>Subject to Call in</b>	Yes
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All wards affected

## Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Area of Proposed TRO Pioneer Square
<b>Background Papers</b>	None
<b>Reference Papers</b>	None
<b>Report Author</b>	Mona Walsh Assistant Director Property
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<b>Corporate Director Approval</b>	Stephen Hinds, Corporate Director Resources 26 Nov 2024