

NOTICE  
OF  
MEETING



**HIGHWAYS, TRANSPORT AND  
ENVIRONMENT OVERVIEW AND  
SCRUTINY PANEL**

will meet on

**WEDNESDAY, 24TH FEBRUARY, 2016**

**At 6.30 pm**

in the

**ASCOT AND BRAY - TOWN HALL,**

TO: MEMBERS OF THE HIGHWAYS, TRANSPORT AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

COUNCILLORS JESSE GREY (CHAIRMAN), HARI SHARMA (VICE-CHAIRMAN), MALCOLM BEER, MARIUS GILMORE, MAUREEN HUNT, PAUL LION AND NICOLA PRYER

SUBSTITUTE MEMBERS

COUNCILLORS DAVID EVANS, DAVID HILTON, WESLEY RICHARDS, DEREK SHARP, JOHN STORY AND LYNDA YONG

Karen Shepherd - Democratic Services Manager - Issued: 16 February 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Wendy Binmore** 01628796251

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## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES</u>  To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any Declarations of Interest.	5 - 6
3.	<u>MINUTES</u>  To confirm the Part I Minutes of the previous meeting.	7 - 10
4.	<u>NIGHT TIME ECONOMY PILOT REVIEW</u>  To receive and consider the above report.	11 - 22
5.	<u>PARKING PENALTY DISCOUNT PILOT</u>  To receive and consider the above report.	23 - 48
6.	<u>CHOBHAM ROAD SUNNINGDALE - PETITION TO REDUCE WEIGHT LIMIT FROM 18T TO 7.5T (CONSULTATION RESULTS)</u>  To receive and consider the above report.	49 - 98
7.	<u>IMPERIAL ROAD/CLEWER HILL ROAD/WINKFIELD ROAD, WINDSOR JUNCTION IMPROVEMENTS</u>  To receive and consider the above report.	99 - 118

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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# Agenda Item 3

## HIGHWAYS, TRANSPORT AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

MONDAY, 1 FEBRUARY 2016

PRESENT: Councillors Jesse Grey (Chairman), Hari Sharma (Vice-Chairman), Malcolm Beer, Maureen Hunt, Paul Lion and Nicola Pryer

Also in attendance: Councillor Colin Rayner, Mr Graham Cribbin and Mr Henry Perez.

Officers: Wendy Binmore and Mark Lampard

### APOLOGIES

Apologies were received from Councillor Gilmore.

### DECLARATIONS OF INTEREST

**Cllr Rayner** - Councillor Rayner declared a personal interest as he is a Parish Councillor for Horton & Wraysbury, a local resident and a businessman in the Royal Borough. He had attended Panel to discuss bridge works in Wraysbury and the decriminalisation and enforcement works in the Borough.

**Cllr Sharma** – Declared a personal interest as he worked for First Group and there were some things in the budget report that may effect his employer.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Windsor Urban Development Control Panel held on 25 November 2015 be approved.**

### BUDGET 2016/17

The Chairman agreed to let Mr Henry Perez, Mr Graham Cribbin and Councillor Colin Rayner address the Panel regarding works required to a footbridge at Wraysbury train station. The main points raised by Mr Cribbin included:

- He was a resident of Wraysbury and lived near the High Street.
- He was one of the founders of the Wraysbury Speedwatch Group.
- There were now more than 250 residents in the group.
- The main concern was Wraysbury footbridge.
- A meeting was organised with Railtrack and the Borough.
- Mr Cribbin and Mr Perez conducted a walk through of the footbridge and no party felt safe during the walkthrough.
- Wheelchairs and buggies were unable to use the footbridge.
- Mr Cribbin had spoken to the railways who said they could raise the platform.
- Four meetings had taken place with stakeholders.
- £85,000 was needed to make the bridge safe for pedestrians.
- All parties had agreed the works were needed immediately.

The main points raised by Mr Perez included:

- The footbridge was clearly not safe.
- The Borough approved works for Sunnymeads and Warysbury bridges but, the works for Wraysbury footbridge were put on hold.

- The population of the local area had increased and so had the footfall on the bridge.
- A lot of local people worked from home and had clients visit them; there were also two sports grounds in the area which increased pedestrian numbers.
- Nothing to date had been done to make the bridge any safer.
- 2,250 people had signed their petition to get the work to commence immediately.
- Pedestrians were sharing the road with cars.
- There was a high rate of speeding traffic along that stretch of road.
- The situation contravened the Highway Code and fails good practice.
- The proposal for the bridge works were produced by the Borough.
- The works were fully supported by Cllr Colin Rayner.
- All local Councillors had signed the petition.
- Mr Perez respectfully requested funding be made available to commence the works to the footbridge.

The main points raised by Councillor Colin Rayner included:

- Cllr Rayner fully supported the residents' actions.
- Officers time had been allocated to get a plan draw up.
- Budgets had been worked on for some six months.
- He had attended the Budget Steering Group who had told him he needed to address the Highways, Transport & Environment Overview & Scrutiny Panel to plead the case of having funds allocated for the works.
- He used the station regularly three times per week.
- Cllr Rayner requested the Panel recommend to Cabinet to include funding for the footbridge project.
- Wraysbury was a very close-knit community and the footbridge was a very important issue.

Councillor Sharma thanked Mr Cribbin, Mr Perez and Councillor Rayner for coming and addressing the Panel. He added that safety was taken very seriously by the Borough. There were signs stating the 30mph speed limit but he shared their concerns. Cllr Sharma stated some works had been carried out to the bridge but that more needed to be done. Councillor Hunt commented she wanted to support the project and put it forward. There were huge amounts of money in capital bids for the upgrade of the parking systems. The bridge works were very important as people were crossing roads with no safety.

Mr Perez confirmed he had look at the Parish Council minutes from the meeting where the bridge was discussed. The Parish had been trying to get funding secured since 2010. Councillor Lenton had tried to get something done but, now residents were trying to organise funds for the project. Southwest Trains had offered to maintain the overhanging bushes as that was their responsibility but, there had been no movement regarding the bridge and the bridge is the Borough's responsibility. Councillor Rayner stated the project had been fully costed. Councillor Beer suggested there should be a strong recommendation to Cabinet; he was surprised the works had not been carried out yet. The roads were getting busier so should be funded as a priority.

The Chairman agreed that a recommendation should go to Cabinet that showed the panel supported the cause. He was pleased members of the public had taken the time to address the Panel.

The Chairman agreed that Councillor Rayner could make a short statement regarding decriminalised parking enforcement (post implementation parking review). the main points raised included:

- Cllr Rayner was speaking in his capacity as Lead Member for Highways & Transport.
- 150 parking reviews had been carried out this year with 50 consultations being sent out week commencing 1 February 2016.

- If resident wanted parking schemes in place, there was no money available in the budget to implement them.
- Virtually every ward in the Borough would require some changes to their parking.
- The scheme would cost £75,000 and would entail painting yellow lines on streets and putting signs up.
- Money had been made available for the consultations but no budget had been made available to carry out the works.

Councillor Hunt mentioned the parking systems upgrade again and stated that there were huge sums of money made available for that. She suggested scaling down the parking systems upgrade and putting some of that money towards the decriminalised parking enforcement project instead. She added that there was £500k available for the parking systems upgrade but there were other things that were more urgent. Councillor Rayner suggested putting forward the Wraysbury Bridge safety works at £85,000 and the decriminalised parking enforcement scheme at £75,000 and scale back the parking system upgrade. He added that installing new parking machines at five sites in one go may not be the best approach. If they are wrong, then they would have been installed across all five sites. He suggested scaling back the replacement parking system upgrade and spend the money saved on the Wraysbury footbridge works and the decriminalised parking enforcement scheme. The Chairman agreed it was necessary to have the right parking systems in place. All Members of the Panel agreed with that course of action.

Mark Lampard, Finance Partner - Corporate Services & Operations then went through the rest of the Budget 2016/17 report. The main points raised included:

- The paper talked about the national context and that there was a reduction in government grant of 45% over four years.
- However, there was more leeway in the Council raising revenue.
- Local authorities with a larger tax base were hit harder by the Spending Review.
- Nationally, there was a consultation of new homes bonus being reduced by 33% but the Borough were addressing that.
- The Borough were received a government grant of £23.1m which was a 6% reduction in 2016/17.
- 2% adult social care precept was ring-fenced.
- Parking rates were being raised to 2012/13 levels in real terms.
  - There was an increase in tariffs for approx. 25 charging car parks from the 50 in the Borough.
  - The Borough decided to raise prices across the board to near 2012/13 prices. The tariff increases represented a 9% increase overall.
  - Some tariffs would be increased and others would not.
- The PCC and EA levies had not been agreed yet.

Councillor Sharma said he had looked at the whole budget. Most services had been protected with some getting more investment. Surrounding Councils such as Slough had put restrictions on their residents using their bus passes before 9.30am but this was not the case in the Royal Borough. He was pleased that residents were able to travel without any restrictions. Cllr Sharma added that the budget report was a blueprint for financial wellbeing for the Borough. Officers had done a brilliant job with more being spent on street cleaning than last year, investment in the Stafferton Way Link Road and money on public rights of way being ring-fenced. Cllr Sharma was happy to support the budget.

Mark Lampard, Finance Partner - Corporate Services & Operations confirmed that parking services expenditure remained the same but with income increased due to the tariff charge increases. General tariffs had not been increased for a number of years. Cllr Sharma suggested more income was being raised from parking charges because more people were visiting the Royal Borough. There was a huge amount of investment taking place in Maidenhead and that would bring further income to the Borough as more people will visit Maidenhead.

In response to Cllr Hunt asking why income had reduced down to £26,000 in Highway Contracts, Mark Lampard, Finance Partner - Corporate Services & Operations confirmed it was because expenditure had dropped and in the year 15/16, the Borough achieved more than forecast. The Chairman stated the borough was investing to save, investment in LED lighting, for example.

**RESOLVED UNANIMOUSLY: That the Panel endorsed the recommendations with the added recommendation To reduce the number of parking systems upgrade from five sites down to one in order to ensure the new machines were suitable (page 67), and then use the money saved to go towards the Decriminalised parking enforcement scheme (post implementation parking review), and the works to the Wraysbury Train Station footbridge to make the bridge safer for pedestrians.**

The meeting, which began at 6.30 pm, finished at 7.50 pm

CHAIRMAN.....

DATE.....



Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	NO - Part I
<b>Title</b>	Night Time Economy Enforcement Services
<b>Responsible Officer(s)</b>	Simon Fletcher, Strategic Director of Operations and Customer Services
<b>Contact officer, job title and phone number</b>	Craig Miller, Head of Community Protection & Enforcement
<b>Member reporting</b>	Councillor Carwyn Cox, Lead Member for Environmental Services
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	25 February 2016
<b>Implementation Date if Not Called In</b>	Immediately
<b>Affected Wards</b>	All

## REPORT SUMMARY

1. The purpose of this report is to consider the results of the six month Night Time Economy Enforcement pilot that concluded on 31 December 2015 and determine whether the service is continued as a permanent arrangement.
2. Performance data and reports have been analysed to inform a recommendation to continue the service as a permanent arrangement using the same configuration as the pilot (Friday & Saturday 19.00 to 03.00).
3. The report also suggests that a service review is undertaken after a further 12 months (February 2017) to ensure the service configuration continues to offer value for money and is in line with residents' needs and concerns.
4. The service has been continued on an interim basis since 31 December 2015 and can therefore be made permanent with immediate effect should members be minded to approve the recommended option.
5. The annual cost of operating this service is £7,000 (revenue) and £2,000(capital).

<b>If recommendations are adopted, how will residents benefit?</b>	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Greater accessibility to enforcement services that can respond to issues at the time and point of need.	Immediately

## **1. DETAILS OF RECOMMENDATIONS**

### **RECOMMENDATION: That Cabinet:**

- i. Approves Option 1 as detailed in point 2.9 below;**
- ii. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to undertake a service review in 12 months and submit a report to Cabinet should any significant changes to the service configuration be considered necessary;**
- iii. Approves the exploration of options for managing the night time economy with relevant night time economy stakeholders and Thames Valley Police to assist with successful egress from night time economy locations;**
- ii. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to prepare a media statement to communicate and promote the continuation of the Night Time Economy service as a permanent arrangement.**

## **2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

- 2.1 Members will recall that Cabinet, at its meeting of 26 November 2015, requested a report to determine whether the Night Time Economy (NTE) Service should be continued as a permanent arrangement following the conclusion of a pilot service implemented from 1 July 2015 to 31 December 2015.
- 2.2 The NTE pilot has been monitored through a number of performance measures which provide a statistical overview of service impact and value. Appendix 1 sets out the performance data for the complete pilot. This information shows a number of positive outputs e.g. just fewer than 700 licensing checks have been undertaken and 301 environmental protection investigations undertaken.
- 2.3 The NTE team has, over the course of the pilot, also gathered evidence and reported 143 issues through to the councils licensing function for further investigation and possible formal enforcement. Interestingly, only three requests for service have been received directly from members of the public or Thames Valley Police and there have only been three occasions where incidents on the street have been reported to the RBWM control room for review. The latter point is an encouraging indication of self compliance potentially connected to the work of the NTE service. The former point could, in part relate to limited awareness and understanding of the NTE service as it imbeds. The council saw a similar pattern when it introduced its out of hours service. Demand was low initially but grew steadily as more people became aware of the service. There is, therefore, a recommendation to better promote service through the communications team.

2.4 Feedback from the service areas that have tasked the NTE resource indicates that this is a valuable addition to the council’s enforcement arrangements and, as aforementioned, assists in encouraging self compliance but also provides the ability to actively investigate incidents of non compliance e.g. where licensed premises do not close at the times specified on their licence or do not operate in accordance with parameters set out by our environmental protection team. Anonymised examples of actions taken as a result of evidence gathered or investigations undertaken by the NTE service are detailed in table 1 below

<b>Table 1 – Examples of actions implemented due to NTE service activity</b>	
** Public House – loud amplified music complaints	DPS & Premises licence holder of public house interviewed as a result of evidence gathered and noise management plan implemented.
** Public House – loud amplified music complaints	Premises licence holders interviewed as a result of evidence gathered. DPS removed from premises and replaced with new management. No further issues reported.
** Public House – loud amplified music complaints	Premises licence holder and DPS interviewed – ongoing observations being undertaken during NTE hours.
Late night refreshment establishment – allegation of trading past permitted hours.	Specific late night refreshment compliance programme scheduled for NTE hours.

2.5 Table 2 below sets out the key implications that were agreed for the NTE pilot by Cabinet. Members will see that two of the three outcomes have been significantly exceeded. The outcome relating to taxi complaints has not been met. The number of complaints received during the pilot period was one less than the number received in the same period in the previous year. The complaint numbers for this parameter are relatively small, 30 complaints in 2015/16 against 31 in 2014/15. Specific enforcement patrols and activity are being scheduled for this work stream within the NTE hours to mitigate this position.

2.6 As reported previously, it is acknowledged that the exceeded outcomes cannot be solely attributed to the introduction of this pilot. Other variables will also have influenced this e.g. two of the biggest night time venues in Windsor were closed during the pilot and complaints and ASB incidents have generally been lower in 2015/16 than the previous year. The NTE service has, however, provided residents with greater accessibility and opportunity to contact council services should they require them during the NTE hours.

<b>Table 2 – NTE Pilot Key Implications Tracker</b>					
Outcome	Measure of Success				Performance 01 Jul – 31 Dec 15
	Unmet	Met	Exceeded	Significantly Exceeded	
Reduce NTE noise & nuisance complaints by:	<10%	10-15%	16-20%	21-25%	26% reduction - 14 less complaints than in '14/15
Reduce NTE ASB complaints by:	<10%	10-15%	16-20%	21-25%	38% reduction - 89 less complaints than in '14/15
Reduce taxi-related NTE complaints by:	<10%	10-15%	16-20%	21-25%	3% reduction - 1 less complaint than in '14/15

- 2.7 Officers have reviewed the workload demand by time for this service to help understand what the optimum hours of operation are. Members will recall that officers staffing this service had reported a reduction in demand, post midnight. Appendix 2 details the workload breakdown on a time base. Members will see that overall 35% of all issues dealt with by the NTE function occur after midnight. Analysis of specific work strands highlights that 68% of all Environmental Protection issues, and 57% of all Streetcare issues, have been actioned between midnight and 3.00am. This data suggests that there is a demand after midnight, albeit that some of these functions are compliance monitoring activities. It is important to note that these could also become reactive situations if the need should arise.
- 2.8 The council is aware that colleagues from Thames Valley Police are dealing with a significant number of issues associated with the NTE between 3.00am and 4.00am, particularly in Windsor. This information has been considered alongside the time based review of workload for the NTE service to determine whether the council should extend the operating hours of the service in view of this. It is understood that the type of issues experienced would not ordinarily fall within the council's jurisdiction.
- 2.9 Officers do, however, believe that an opportunity exists to work with Police colleagues to engage NTE stakeholders. The objective of this would be to determine whether there are any viable options for NTE businesses and organisations to assist with the management of the NTE during these later hours including helping with egress from the areas around the NTE locations. Officers are aware of a model used in the Business Improvement District (BID) at Reading that uses trained Security Industry Authority staff to help manage effective egress from the NTE locations. Council officers and Thames Valley Police could coordinate and facilitate a working group with the NTE stakeholders to explore this area further.

Option	Comments
1) Continue the NTE service as a permanent arrangement with the same service configuration and operating hours as the pilot unless reviewed.  <b>This is the recommended option</b>	This option is recommended on the basis of the information and data contained within this report. This option is in line with the council's commitment to deliver appropriate services on a 24/7 basis or when need dictates.
2) Continue the NTE service as a permanent arrangement with reduced hours of operation.  Not recommended	This option would not reflect the need or workflow data that the pilot has highlighted and as such is not recommended.
3) Cease the NTE service  Not recommended	The performance data from the NTE pilot demonstrates value and demand for this service. This option is not recommended as a result.
4) Continue the NTE service as a permanent arrangement with extended operating hours.  Not recommended	This option is not recommended. Whilst intelligence has been received about issues experienced in the NTE beyond the current hours of this service, these do not necessarily fall within the council's jurisdiction. Work to explore alternative options, along with partners (TVP) and NTE stakeholders, will assist in alleviating these issues

### 3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Reduce NTE noise & nuisance complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017
Reduce NTE ASB complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017
Reduce taxi-related NTE complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017

### 4. FINANCIAL DETAILS

#### Financial impact on the budget

- 4.1 An additional £7k per annum is requested to be added to the existing Community Warden revenue budget for enhanced staffing costs associated with the NTE hours.
- 4.2 A new capital budget of £2k is requested to provide equipment and wet weather apparel in 2016/17. A further £2k capital budget is sought for 2017/18 to account

for NTE equipment provision as the Community Warden numbers increase in line with the administration's manifesto commitment.

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£7	£0
Reduction	£0	£0	£0

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£2	£2
Reduction	£0	£0	£0

## 5. LEGAL IMPLICATIONS

- 5.1 The NTE function is implemented in accordance with the enforcement powers detailed in the scheme of delegations within the council's constitution.

## 6. VALUE FOR MONEY

- 6.1 The NTE service encourages self compliance, keeping costly enforcement interventions down whilst offering residents a convenient and accessible way to raise their NTW concerns. Alternative models have been considered previously for the delivery of this type of function e.g. third party providers. The current arrangement, however, offers the most cost effective solution.
- 6.2 Officers will continue to monitor the cost of operating this service and have calculated the cost per incident based on the workload experienced during the pilot. This will of course reduce as the service is used more widely. It is difficult to provide benchmark data as very few authorities outside of London or major cities/NTE locations operate this type of service.

## 7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None

## 8. RISK MANAGEMENT

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
Risks to staff safety whilst patrolling NTE.	HIGH	An extensive risk assessment was completed and staff were fully consulted about both the risks and mitigating action that was required	MEDIUM
Increased number of complaints regarding taxi	High	Specific compliance/enforcement patrols and activities scheduled within NTE	Medium

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
related issues.		hours.	

## **9. LINKS TO STRATEGIC OBJECTIVES**

### **9.1 Residents First**

Improve the Environment, Economy and Transport  
Work for safer and stronger communities

#### **Value for Money**

Deliver Economic Services

#### **Delivering Together**

Enhanced Customer Services  
Deliver Effective Services

#### **Equipping Ourselves for the Future**

Equipping our Workforce  
Developing our systems and Structures  
Changing our Culture

## **10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION**

10.1 None.

## **11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS**

11.1 Feedback has been sought from officers who have staffed the NTE function throughout and on completion of the pilot. This has been monitored and analysed in conjunction with the NTE performance and monitoring data to ensure the service remained viable and achieved good value for money for RBWM residents. This soft and hard intelligence will continue to inform the configuration of the service moving forward, if approved.

11.2 Officers are paid an enhanced rate in line with the council's remuneration policy, in recognition of the unsociable hours that this function entails.

11.3 An important point to note is that the number of shifts officers will be expected to perform will reduce as the council increases the number of Community Wardens. An officer will be expected to undertake just three shifts per annum when the warden numbers are increased to the anticipated 36.

## **12. PROPERTY AND ASSETS**

12.1 The Tinkers Lane depot is the operational base for this resource.

## **13. ANY OTHER IMPLICATIONS**

13.1 None

## 14. CONSULTATION

- 14.1 This report is scheduled to be considered by the Crime & Disorder Overview & Scrutiny Panel at its meeting of 4 February 2016 and the Highways, Transport & Environment Overview & Scrutiny Panel at its meeting of 24 February 2016. The Panels comments will be made available to Cabinet when this report is considered on 28 February.
- 14.2 The report will also be shared with the Local Police Authority Commander for their input and comments in relation to working with NTE stakeholders on the management of the later NTE hours. These comments will also be made available to Cabinet.

## 15. TIMETABLE FOR IMPLEMENTATION

Date	Details
25 February 2016	Cabinet agree continuation of NTE services as a permanent arrangement.
03 March 2016	End of call in period
04 March 2016	NTE services continued permanently unless reviewed

## 16. APPENDICES

Appendix 1- Night Time Economy Pilot Performance Data

Appendix 2 - Night Time Economy Pilot – Incidents reported by Wardens by time

## 17. BACKGROUND INFORMATION

Cabinet report – 26 Nov 2015 – Night Time Economy Enforcement Pilot – Interim Review & Report

Cabinet report – 26 February 2015 – Night Time Economy Enforcement

## 18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Burbage	Leader of the Council	27/01/16	28/01/16	
Cllr Cox	Lead Member	22/01/16	25/01/16	
Alison Alexander	Managing Director	27/01/16		
Simon Fletcher	Strategic Director	22/01/16	25/01/16	
Michaela Rizou	Cabinet Policy Assistant	22/01/16	25/01/16	
Mark Lampard	Finance	22/01/16	27/01/16	



<b>Name of consultee</b>	<b>Post held and Department</b>	<b>Date sent</b>	<b>Date received</b>	<b>See comments in paragraph:</b>
	Partner			
Michelle Dear	HR Business Partner	22/01/16	23/01/16	
Terry Baldwin	Head of HR	22/01/16	25/01/16	
Brian Martin	Community Safety Manager	22/01/16	23/01/16	
<b>External</b>				
Supt. B. Rai	LPA Commander TVP	29/01/16		

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>
Key Decision	No

Full name of report author	Job title	Full contact no:
Craig Miller	Head of Community Protection & Enforcement	01628 683598

Appendix 1 – Night Time Economy Pilot Performance Data

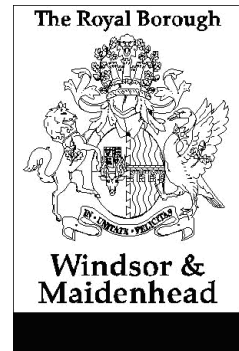
Hours Spent	Jul	Aug	Sept	Oct	Nov	Dec	Total
<b>Number of times visited</b>							
- Windsor	23	28	28	31	28	28	<b>166</b>
- Maidenhead	11	23	16	25	20	24	<b>119</b>
- Ascot	14	20	12	15	14	15	<b>90</b>
Eton & Eton Wick	18	17	6	9	8	8	<b>66</b>
<b>Number of following performed</b>							
- Taxi checks	118	134	126	68	124	126	<b>696</b>
- Environmental Protection Checks	33	60	42	67	50	49	<b>301</b>
- Environmental / Streetcare issues reported	10	10	4	5	19	22	<b>70</b>
- No Trading standards issues reported	0	0	0	0	0	0	<b>0</b>
- Potential trouble making groups called through to the control room	0	0	0	2	0	1	<b>3</b>
- Unplanned requests from the police / members of the public	1	1	1	0	0	0	<b>3</b>
- Other incidents of note	6	3	2	1	1	0	<b>13</b>

Appendix 2 Night Time Economy Pilot – Incidents reported by Wardens by time

<b>Taxi Licensing (taxi licence numbers reported to Licensing)</b>								
<b>Time Slot</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>	<b>%age incidents by time</b>
1900 - 2200	11	12	25	41	36	51	176	63%
2200 - 2400	14	1	10	10	3	3	41	15%
2400 - 0300	14	10	1	1	5	30	61	22%
Sub-total	39	23	36	52	44	84	278	
<b>Environmental Protection (Noise / EP issues reported)</b>								
1900 - 2200	2	1	0	0	0	0	3	10%
2200 - 2400	0	4	1	1	1	0	7	23%
2400 - 0300	3	3	6	4	2	3	21	68%
Sub-total	5	8	7	5	3	3	31	
<b>Streetcare (mainly waste left out by businesses)</b>								
1900 - 2200	4	3	4	2	11	3	27	26%
2200 - 2400	2	0	0	5	4	6	17	17%
2400 - 0300	2	3	11	9	20	13	58	57%
Sub-total	8	6	15	16	35	22	102	
<b>Other</b>								
1900 - 2200	0	0	3	1	3	4	11	44%
2200 - 2400	1	1	0	1	0	0	3	12%
2400 - 0300	1	0	3	2	0	5	11	44%
Sub-total	2	1	6	4	3	9	25	
<b>GRAND TOTAL</b>								
<b>Time Slot</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>	<b>%age incidents by time</b>
1900 - 2200	17	16	32	44	50	58	217	50%
2200 - 2400	17	6	11	17	8	9	68	16%
2400 - 0300	20	16	21	16	27	51	151	35%
Total	54	38	64	77	85	118	436	

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Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	NO - Part I
<b>Title</b>	Parking Penalty Discount Pilot
<b>Responsible Officer(s)</b>	Simon Fletcher Director of Operations and Customer Service
<b>Contact officer, job title and phone number</b>	Jacqui Hurd, Head of Customer Service 01628 683969
<b>Member reporting</b>	Councillor Geoff Hill and Councillor Carwyn Cox
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	25 February 2016
<b>Implementation Date if Not Called In</b>	Immediately
<b>Affected Wards</b>	All

## REPORT SUMMARY

1. This reports sets out a proposal for the Royal Borough of Windsor and Maidenhead to work in partnership with the Department for Transport to conduct a 12 month pilot to assess the potential impacts on parking appeal levels.
2. The pilot introduces a 25% discount to motorists who lose an appeal at tribunal on a trial basis, as recommended by the Transport Select Committee.
3. The council seeks to ensure there is a robust and fair regime for parking enforcement for residents and visitors. This proposal maximises and incentivises the opportunity for people with credible cases to challenge their PCN improving access to justice.

## If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Greater accessibility to justice within the parking appeals process.	31 August 2016
2. Less of a financial burden on vehicle owners should their final appeal be unsuccessful.	31 August 2016
3. Increased Customer satisfaction linked to increased	31 March 2017

confidence to pursue credible appeal cases.	
4. The pilot will inform future local authority parking enforcement.	31 March 2017

## 1. DETAILS OF RECOMMENDATIONS

### RECOMMENDATION: That Cabinet:

- i. Approves a 12 month pilot, with The Department for Transport (DfT), to assess the impact of introducing a 25% discount to motorists who lose an appeal at tribunal on a trial basis.
- ii. Agrees that the cost of the pilot will be shared on a 50:50 basis with the DfT, estimated to be £3,140 per partner.

## 2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Background

- 2.1 The Department of Transport has advised that Ministers think that the current decriminalised parking process in the UK does not encourage those who have a credible case for a Penalty Charge Notice (PCN) being rescinded to utilise the full extent of the appeal process.
- 2.2 There are currently three appeal opportunities, see table 1 and Appendix 1 for a diagrammatic flow for the challenge and appeal process.

**Table 1: Appeal opportunities**

<b>1) Informal challenge</b>	This is made to the issuing authority. If the appeal is rejected at this stage the issuing authority usually allows a further 14 days to pay at the discounted rate. After this time the PCN increases.
<b>2) Formal challenge</b>	This can be made to the issuing authority if an informal challenge is rejected and once a Notice to Owner (NTO) has been issued to the vehicle owner. The appeal case would be considered by a different council officer to that of the informal challenge.
<b>3) Traffic Penalty Tribunal (TPT)</b>	Vehicle owners have 28 days to appeal to the independent adjudicator (TPT) if their formal challenge is rejected by the issuing authority. The case will be heard at a hearing either by e-hearing, in person or via telephone conference. If the case is rejected the penalty stands at the full charge and the vehicle owner has 28 days to settle the charge. If payment is not received after 28 days a charge certificate is issued and the charge is further increased by 50%. If the debt is not settled within 14 days the issuing authority will pursue the debt through the court.

- 2.3 The PCN's issued by the Royal Borough of Windsor and Maidenhead are £50 or £70 depending on the contravention. The discounted rate for both is 50%, £25 and £35 respectively if paid within 14 days.

- 2.4 Ministers believe that motorists may choose to take advantage of the initial discounted rate and are deterred from making a challenge or appeal of the PCN when they may have legitimate reasons.
- 2.5 By paying early and promptly means there is no risk of the Penalty Charge Notice amount being increased to a higher rate which is currently the case by the time the Traffic Parking Tribunal considers the PCN.
- 2.6 The Government launched a consultation paper on Local Authority parking enforcement on 6 December 2013. The consultation closed on 14 February 2014 with the results being published in June 2014, see Appendix 2 for a summary of the response to the consultation.
- 2.7 There were ten questions and 836 responses received from a mixture of individuals and organisations, including the Motoring Organisations and the TPT. Question 5 was “Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment”. The response to the question was that over half of the individuals who responded were in support of the proposal. However 75% of organisations who responded disagreed with this proposal mainly due to concerns that a higher number of spurious appeals would be submitted, see table 2

**Table 2 shows the response totals to question 5**

Table 2	Total responses	Yes	No
Individual	406	55%	45%
Organisation	264	25%	75%

- 2.8 The Transport Select Committee recommended that the Government should conduct a pilot of this proposal with a local authority to assess the impacts on appeal levels. It is hoped that this arrangement will give those that have a potential credible appeal claim a greater degree of confidence and determination to use the full extent of the appeal process.
- 2.9 In August 2015 Andrew Jones MP, Under Secretary of State for Transport contacted the Leader of the Council inviting the Royal Borough to be the partner Local Authority to pilot the scheme. The Royal Borough of Windsor and Maidenhead will be the only council to pilot the scheme as the Department for Transport are only seeking one partner at this stage.

**The Pilot - What would it offer?**

- 2.10 Vehicle owners who pursue a PCN appeal through to the TPT following the rejection of an informal and formal challenge to the issuing authority would be offered a 25% discount off the full charge amount if their final appeal is unsuccessful. At this stage depending on the parking infringement the PCN's will either be £50 or £70 at full charge. This would represent a discount of either £12.50 or £17.50 respectively.
- 2.11 The discount would be offered for a seven day period and the charge would revert to full price again if payment is not received within that period.
- 2.12 It is anticipated that payments may be made more quickly than current practice at this stage as vehicle owners will have a discounted window of opportunity should their appeal be unsuccessful.

### How would the pilot work?

- 2.13 The pilot will be operated for a 12 month period in order to allow a representative sample of cases to run through the process.
- 2.14 It is suggested that PCN's issued during the first nine months of the pilot period qualify for the 25% discount should they be unsuccessful at TPT. The final quarter of the pilot will allow the cases to go through the full appeal process. In addition the final analysis will be undertaken and findings report prepared opposed to adding further time beyond twelve months.

### The impact

- 2.15 The latest statistics from the Traffic Penalty Tribunal are 2013/14 figures. Table 3 sets out the data on appeals submitted to the TPT and the number rejected at appeals stage, for RBWM and surrounding areas.

<b>Authority</b>	<b>No. Appeals to TPT</b>	<b>No. Appeals Rejected</b>	<b>% Rejected</b>
RBWM	154	77	50
Slough	188	70	37
Reading	337	87	26
Bracknell	11	3	27
West Berks	19	5	26
Bucks C. C.	145	56	39

- 2.16 Concerns were raised during the consultation that the discount will lead to an increase in spurious appeals. As a result, in calculating the estimated costs and impact of the pilot, it has been assumed there will be 100% uplift of cases rejected by the TPT taking the cases rejected to 154 for 2016/17 for 12 month period, (Pro-rotta for nine months is 116 cases). This assumption has been made as there is no information to provide a meaningful benchmark other than the number of cases that are submitted to the TPT currently. The worse case scenario has been accounted for.
- 2.17 The council will need to print new PCN tickets with details on the rear of the discount applicable during the pilot period. For the PCN's issued during the first nine months there will be a financial cost of £2,250 and the Royal Borough's share will be £1,125. This is based on the current volume of PCN's issued.
- 2.18 The council will need to make changes to the software used to administer parking PCN's. There will be a financial cost to this estimated at £2,000 and the council's share will be £1,000. This is based on two days software configuration.
- 2.19 The council will lose 25% of the income collected related to appeal cases that are rejected by the TPT. However, payments received after the TPT decision may be received quicker within the discounted seven day period reducing the amount of cases that are sent to collection agents. There maybe a marginal efficiency saving for the council as a result.
- 2.20 It is agreed with the Department of Transport that they will share the cost of the pilot 50:50 associated to the set up, printing and lost income. If 116 cases, as



assumed in 2.16, are rejected at TPT the lost income for the pilot would range from £1,450 (at £12.50 per case) to £2,030 (at £17.50 per case), see Table 4.

<b>Table 4 Estimated Pilot Costs</b>	
Staffing time for 12 months*	£6,375
<b>Costs to be shared 50:50 with DfT</b>	
Stationery (PCN Rolls)**	£2,250
Software configuration***	£2,000
Lost Income (at £17.50 per case)****	£2,030
<b>Total</b>	<b>£6,280</b>
<b>RBWM 50% Share</b>	<b>£3,140</b>

\*The work associated with this pilot for 12 months will be assumed within existing resource.

\*\*Based on the current annual amounts for PCN stationery supply (nine months pro-rotta).

\*\*\*Based on two days configuration

\*\*\*\*Based on 116 appeals being rejected at TPT during the pilot

2.21 However, the expectation is that the council will absorb any staffing costs.

<b>Option</b>	<b>Comments</b>
1. Cabinet agree to the implementation of the pilot proposal  <b>Recommended option</b>	This proposal maximises and incentivises the opportunity for the Royal Borough of Windsor and Maidenhead's residents and visitors with credible cases to challenge their PCN improving their access to justice.
2. Cabinet does not agree to the pilot  Not the recommended option	Residents and visitors will not have greater accessibility to justice.

### 3 KEY IMPLICATIONS

3.1 As this is a pilot the figures are estimated. After 3, 6, 9 months the implications will be evaluated and monitored to check validity and ensure future viability.

<b>Defined Outcomes</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date they should be delivered by</b>
Percentage increase of cases submitted to TPT for consideration	0%	1-5%	6-10%	11-15%	31 March 2017
Percentage decrease in parking related complaints	0%	1-5%	6-10%	11-15%	31 March 2017
Percentage increase of PCN's paid	0%	1-5%	6-10%	11-15%	31 March 2017

<b>Defined Outcomes</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date they should be delivered by</b>
within 7 days of TPT decision					

#### **4. FINANCIAL DETAILS**

##### **Financial impact on the budget**

- 4.1 The potential impact on the 2016/17 budget is the cost of set up of pilot, and the potential loss of revenue. The estimated total maximum set up costs are £4,250 with the estimated loss of income being £2,030
- 4.2 The DfT will share these costs 50:50. The council share will be £3,140. Costs will be met from within the existing service budget.

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Revenue £000	Revenue £000	Revenue £000
Addition	£0	£0	£0
Reduction	£0	£0	£0

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Capital £000	Capital £000	Capital £000
Addition	£0	£0	£0
Reduction	£0	£0	£0

#### **5. LEGAL IMPLICATIONS**

- 5.1 This proposal will be implemented in line with the appropriate legislation requirements and processes.

#### **6. VALUE FOR MONEY**

- 6.1 The cost of implementing this pilot is hoped to be offset by a reduction in costs associated with debt recovery that cases that have been rejected at TPT. This pilot does provide greater value to residents and visitors as it provides greater access to justice and greater customer satisfaction.

#### **7. SUSTAINABILITY IMPACT APPRAISAL**

- 7.1 None.

#### **8. RISK MANAGEMENT**

- 8.1 The risks identified are related to the unknown increase in volume of cases appealing to the TPT.

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
Estimated loss of income	Medium	Monitor closely the impact of pilot. The DfT are sharing the loss 50:50 to reduce the impact	Low
Administration Impact of increased number of cases being submitted to TPT	Low	Close monitoring will allow resources to be	Low
Negative impact on reputation and relationship with TPT due to increase cases submitted	Medium	Communication plan and proactive and early involvement of TPT	Low

## **9. LINKS TO STRATEGIC OBJECTIVES**

9.1 The recommendations of this report support the following Strategic Objectives:

### **Residents First**

- Improve the Environment, Economy and Transport

### **Delivering Together**

- Enhanced Customer Services
- Strengthen Partnerships

## **10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION**

10.1 There is no impact on equalities

## **11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS**

11.1 None

## **12. PROPERTY AND ASSETS**

12.1 The adoption of this pilot will not require any material physical modifications to Council property.

## **13. ANY OTHER IMPLICATIONS**

13.1 There will be change in process that will require clear communication

## 14. CONSULTATION

14.1 The report will be considered by Highways Transport and Environment Overview and Scrutiny Panel on 24 February 2016 comments will be made available to cabinet for consideration.

## 15. TIMETABLE FOR IMPLEMENTATION

15.1 To show the stages and deadlines for implementing the recommendations

Date	Details
25 February 2016	Cabinet agreement
3 March 2016	Call in period (1 week)
25 March 2016	Ticket Printing
31 March 2016	Implementation and set up
31 March 2016	Communication and training
1 April 2016	Provisional Go live

## 16. APPENDICES

Appendix 1: Diagrammatic flow for the parking challenge and appeal process

Appendix 2: Response to Department for Transport consultation on local authority parking

## 17. BACKGROUND INFORMATION

17.1 <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmtran/118/118.pdf>

## 18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	27/01/16	02/02/16	No comments
Cllr Cox	Lead Member for Environmental Services	26/01/16	27/01/16	Throughout
Cllr Hill	Lead Member for Customer and Business Services	26/01/16	27/01/16	No Comments
Alison Alexander	Managing Director	27/01/16	31/1/16	Throughout

Simon Fletcher	Strategic Director	20/01/16	22/01/16	No Comments
Michael Llewellyn	Cabinet Policy Assistant	26/01/16	27/01/16	Throughout
Mark Lampard	Finance Partner	26/01/16	02/02/16	4.1 and 4.2
Terry Baldwin	Head of HR	27/01/16	02/02/16	No Comments

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>
Key Decision	No

Full name of report author	Job title	Full contact no:
Jacqui Hurd	Head of Customer Services	01628 683969

# The Parking Penalty Enforcement Process

Step 1

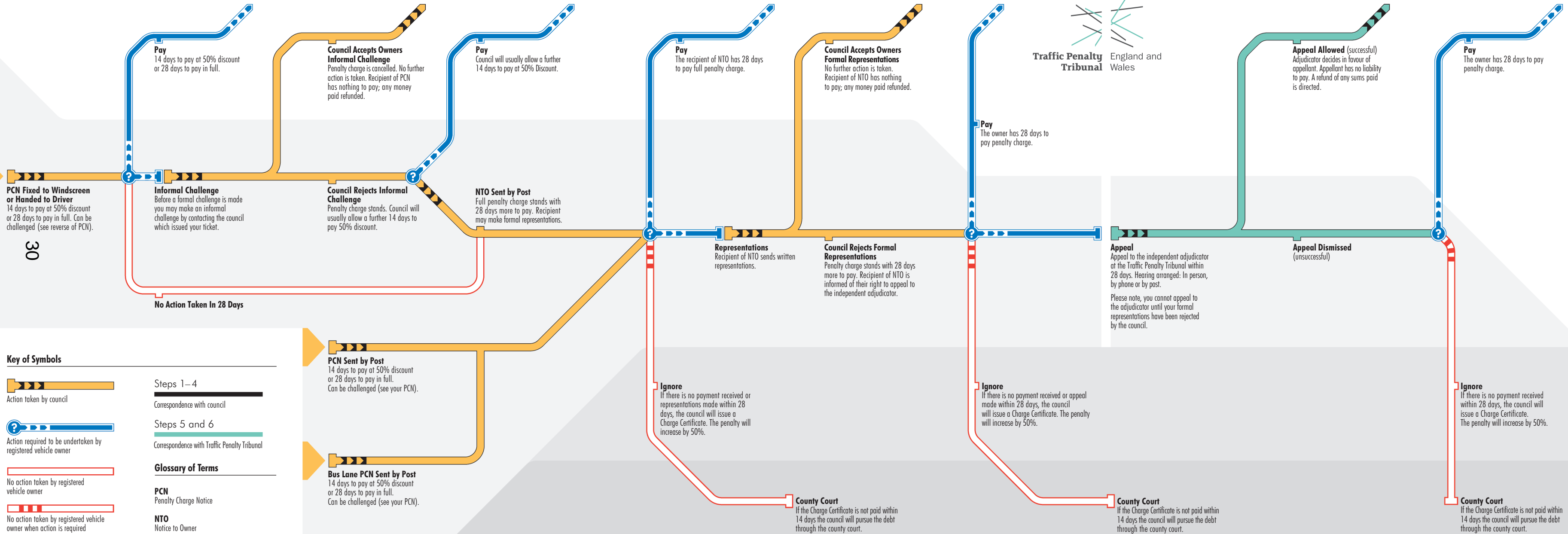
Step 2

Step 3

Step 4

Step 5

Step 6



## Key of Symbols



Action taken by council



Action required to be undertaken by registered vehicle owner



No action taken by registered vehicle owner



No action taken by registered vehicle owner when action is required

Steps 1–4

Correspondence with council

Steps 5 and 6

Correspondence with Traffic Penalty Tribunal

## Glossary of Terms

**PCN**  
Penalty Charge Notice

**NTO**  
Notice to Owner



HM Government

# Response to consultation on local authority parking

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# 1. Introduction and purpose

The Government launched a consultation paper on local authority parking enforcement on 6 December 2013. The consultation closed on 14 February 2014. The purpose of this document is to report on the feedback received during the consultation period. This document also includes a breakdown of who responded to the consultation together with an analysis of their responses to the consultation questions.

The consultation asked a number of questions and invited views on a number of aspects of local authority parking enforcement. These were:

- Do you consider local authority parking is being applied fairly and reasonably in your area?
- What are your views on Government proposals to ban CCTV cameras for parking enforcement?
- Do you think the Traffic Adjudicators should have wider powers to allow appeals?
- Do you agree that guidance should be updated to make clear in what circumstances adjudicators may award costs? If so, what should those circumstances be?
- Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment?
- Do you think local residents and firms should be able to require councils to review yellow lines, parking provision, charges etc in their area? If so, what should the reviews cover and what should be the threshold for triggering a review?
- Do you think that authorities should be required by regulation to allow a grace period at the end of paid-for parking?
- Do you think a grace period should be offered more widely - for example a grace period for over-staying in free parking bays, at the start of pay and display parking and paid for parking bays, and in areas where there are traffic restrictions (such as loading restrictions, or single yellow lines)?
- If allowed, how long do you think a grace period should be?
- Do you think the Government should be considering any further measures to tackle genuinely anti-social parking or driving? If so, what?

## 2. Overview of respondents

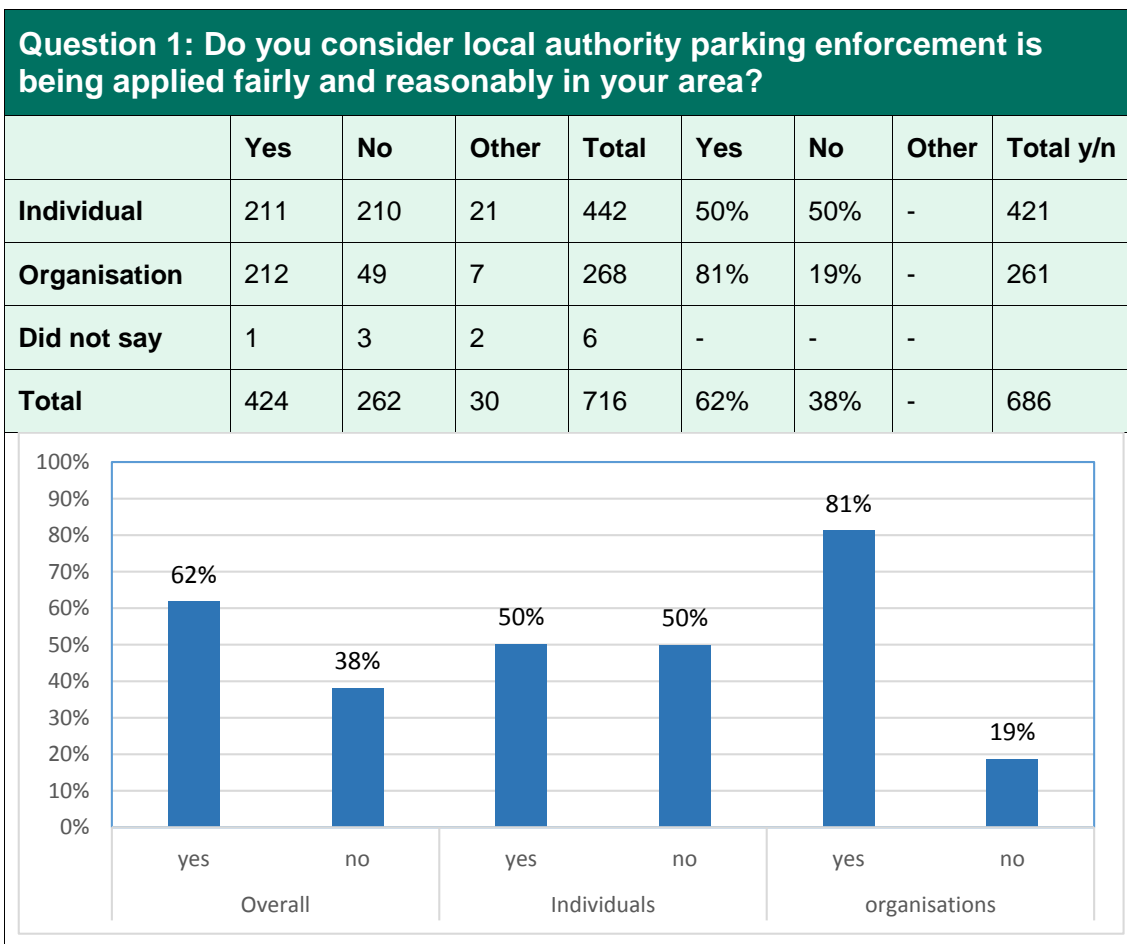
A total of 836 responses were received to the consultation. Responses were received via letter, email and through an online response form. The consultation also asked whether respondents were responding on behalf of an organisation or as an individual, to which 805 respondents gave an answer.

In total 481 responses (58%) were from individuals, 324 (39%) were from organisations, and 21 (3%) did not say.

### 3. Analysis of responses

The charts which follow summarise the consultation responses. Many respondents did not answer all the questions, did not enter a response or did not make the view explicit in their response.

The tables show all the responses that were received. The first four columns include all the results, whereas the percentages are calculated only from those who gave a "yes" or "no" answer. For example, in the first table 442 individuals responded to the question, of which 421 gave a yes/no answer. The percentages are calculated from the yes/no answers, so for "yes" answers Individual is calculated as  $211/421=50\%$ , Organisation as  $212/261=81\%$  and Overall as  $424/686=62\%$ , and so on. This method is used in all the tables, and the percentages are shown in the charts in this document.



- The majority of respondents considered that local authority parking enforcement is applied fairly and reasonably. However this response varied considerably between organisations and individuals.

- For individuals half agree or disagree that enforcement is applied fairly and reasonably
- For organisations, the numbers agreeing that parking is applied fairly and reasonably are much higher, at 81%. Many of the organisational responses were from local authorities.

### Government Position

The Government will amend guidance to make it clear that motorists parking at an out-of-order meter should not be issued a penalty charge where there are no alternative ways to pay.

### Question 2: The Government intends to abolish the use of CCTV cameras for parking enforcement. Do you have any views or comments on this proposal?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	378	26	14	418	94%	6%	-	404
<b>Organisation</b>	264	22	5	291	92%	8%	-	286
<b>Did not say</b>	2	3	0	5	-	-	-	
<b>Total</b>	644	51	19	714	93%	7%	-	695

Whilst many respondents said that they had a view, not all choose to express their view in the consultation. The views and comments from those who did express their view were considered to see if the respondent supported the proposal to abolish the use of CCTV cameras for parking enforcement or not.

### How different groups responded to the proposal to ban CCTV enforcement of parking

**Local authorities** – generally opposed an outright ban on cameras. Although many local authorities do not use CCTV for parking enforcement they tended to consider that it should be available as a tool, if required. Those that used it, for example in urban areas, considered that it was a necessary and efficient means of ensuring that road safety issues (e.g. around schools) and traffic congestion (e.g. bus lanes, access to hospitals) were adequately managed as part of the statutory network management duty.

**Cycling groups** – generally did not support a ban. They reported problems where vehicles are parked inconsiderately and in contravention of the regulations, making cycle and pedestrian journeys not just inconvenient but more dangerous. They thought that CCTV should be used if appropriate and that it would continue to be an important tool in the reduction of rogue parking.

**Disabled Groups** – generally did not support a camera ban. They would welcome visible blue badge parking enforcement but saw CCTV as a vital tool to help improve road safety, especially outside schools and at bus stops.

**Transport Groups** – commented that they regarded CCTV as an effective deterrent, without which school ziz-zag markings would be difficult to enforce. They also said that some areas can become "no go" areas for Civil Enforcement Officers because of the risk of verbal or physical abuse and considered that CCTV had a vital role to play in promoting adherence to traffic regulations, aiding road safety and maintaining traffic flow..

**Motoring Groups** – had mixed views about a camera ban. Some thought a blanket abolition would be a retrograde step, but others considered that if CCTV is to be retained, its use should be prescribed in law and on the Penalty Charge Notice. They commented that local authorities should also be required to include, in annual parking reports, information about the reasons, practices and impact of CCTV enforcement in their areas.

**Schools** – were opposed to a camera ban. Views expressed included that it was a significant safety issue to maintain safe parking outside schools. Others suggested it would leave schools powerless to rein in reckless parents. Head teachers warned of more disputes and greater safety hazards. The visibility of cameras was seen to have a useful deterrent effect. Some local authorities reported a decline in the number of tickets issued due to the deterrent effect of cameras. When camera cars are not used, dangerous parking was reported to increase.

**Business** had mixed views – some supported a ban of CCTV because of its abuse by local authorities. Some businesses reported that customers visiting shops regularly received parking tickets. Others opposed a complete ban where CCTV is used appropriately and offers an economic means of enforcing parking restrictions. They commented that it could remain beneficial at particular times and at particular locations.

**Bus operators** – opposed a camera ban on the grounds that authorities should be able to enforce bus lane contraventions in the most efficient and cost effective way. They considered a ban would increase congestion, prevent the free movement of buses and result in modal shift from public transport to cars.

### **Government Position**

The government intends to press on and take action to see a ban on the use of CCTV cameras to enforce parking contraventions in the vast majority of cases.

The consultation showed that many respondents argued for some CCTV use to be retained where there are clear safety or serious congestion issues such as outside schools, in bus lanes and on red routes.

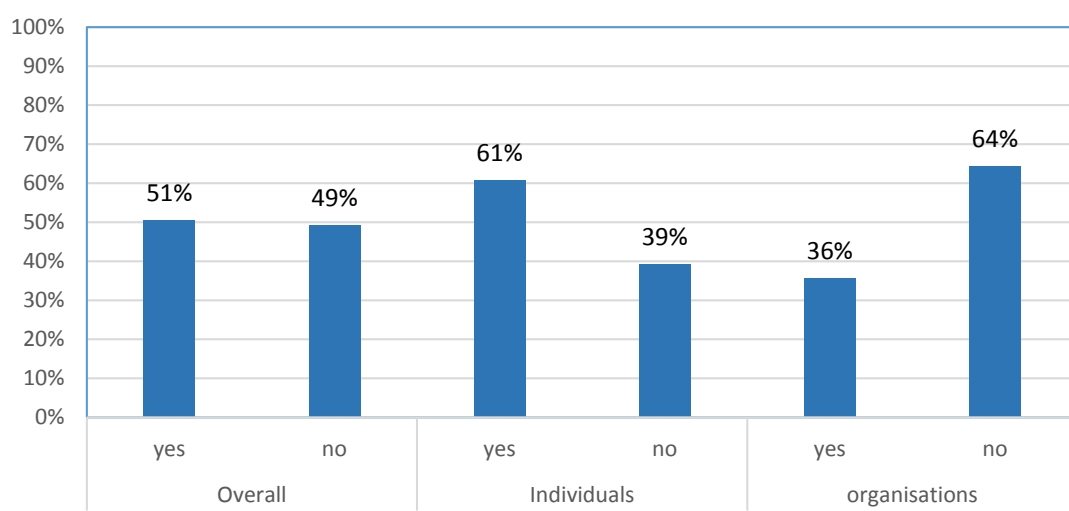
The Government therefore intends to see a ban on the use of CCTV cameras with some limited exceptions. At present there are over 40 different parking contraventions, and in future the government intends that CCTV cameras will be banned in all but the following limited circumstances:

- When stopped in restricted areas outside a school;
- When stopped (where prohibited) on a red route;
- Where parked (where prohibited) in a bus lane;
- Where stopped on a restricted bus stop or stand;

The Government will seek to legislate through the Deregulation Bill currently before Parliament.

### Question 3: Do you think the traffic adjudicators should have wider powers to allow appeals?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	206	133	67	406	61%	39%	-	339
<b>Organisation</b>	85	153	21	259	36%	64%	-	238
<b>Did not say</b>	4	1	1	6	-	-	-	
<b>Total</b>	295	287	89	671	51%	49%	-	582



- Overall, opinions were split 51:49 on this question
- Individuals were more in favour of giving the traffic adjudicators wider powers to allow appeals (61%), but a minority of organisations supported this (36%).

### Government Position

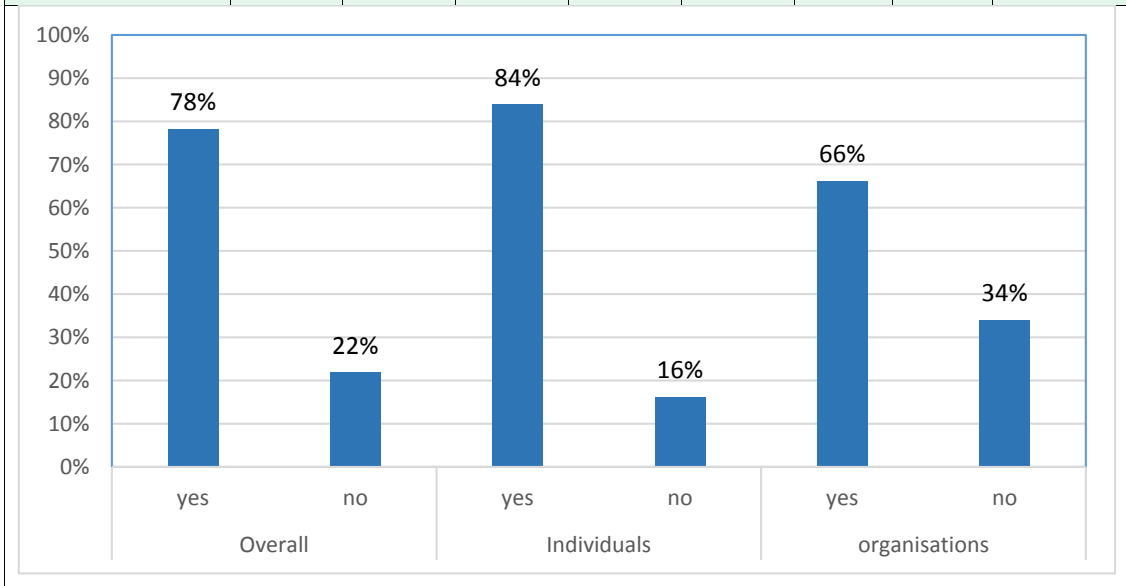
The Government intends to legislate at the earliest opportunity to see a ban on the use of CCTV cameras to enforce parking contraventions in the vast majority of cases. If successful, adjudicators can take account of this when determining appeals.

The Government proposes to widen the powers of parking adjudicators. This could include, for example, measures to protect drivers where adjudicators have repeatedly identified a problem at a specific location (such as inadequate signage) and parking tickets have repeatedly been issued. In such circumstances, potential measures could include the ability for an Adjudicator to direct an authority to stop issuing tickets or direct the authority to change the signage, or indeed both.



**Question 4: Do you agree that guidance should be updated to make clear in what circumstances adjudicators may award costs? If so, what should those circumstances be?**

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	207	40	133	380	84%	16%	-	247
<b>Organisation</b>	76	39	32	147	66%	34%	-	115
<b>Did not say</b>	4	1	0	5	-	-	-	
<b>Total</b>	287	80	165	532	78%	22%	-	367



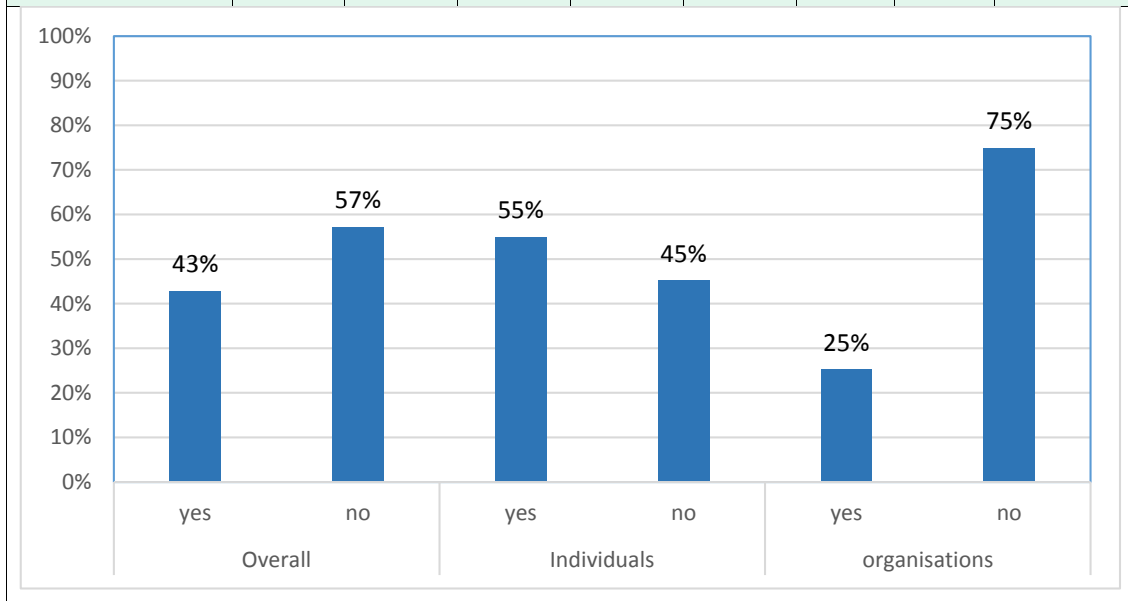
- The majority of respondents supported the proposal for guidance on costs to be updated to clarify where adjudicators may award costs.
- Many of the responses were “in principle” on the basis that greater clarity should always be supported.
- However, the Traffic Adjudicators made clear in their response to the consultation that they considered the current cost provisions to be adequate. They pointed out that the costs involved in appealing are low, and that the act of appealing is becoming easier with online appeals. They added that costs are not awarded punitively but to cover costs and expenses reasonably incurred. They suggest that changing the costs provisions would complicate the process and not encourage proportionality.

### **Government Position**

Government promotes transparency and will change the guidance on costs, when the statutory guidance is revised, to make it clearer what provisions there are available to the public.

**Question 5: Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment?**

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	209	172	25	406	55%	45%	-	381
<b>Organisation</b>	64	190	10	264	25%	75%	-	254
<b>Did not say</b>	1	4	0	5	-	-	-	
<b>Total</b>	274	366	35	675	43%	57%	-	640



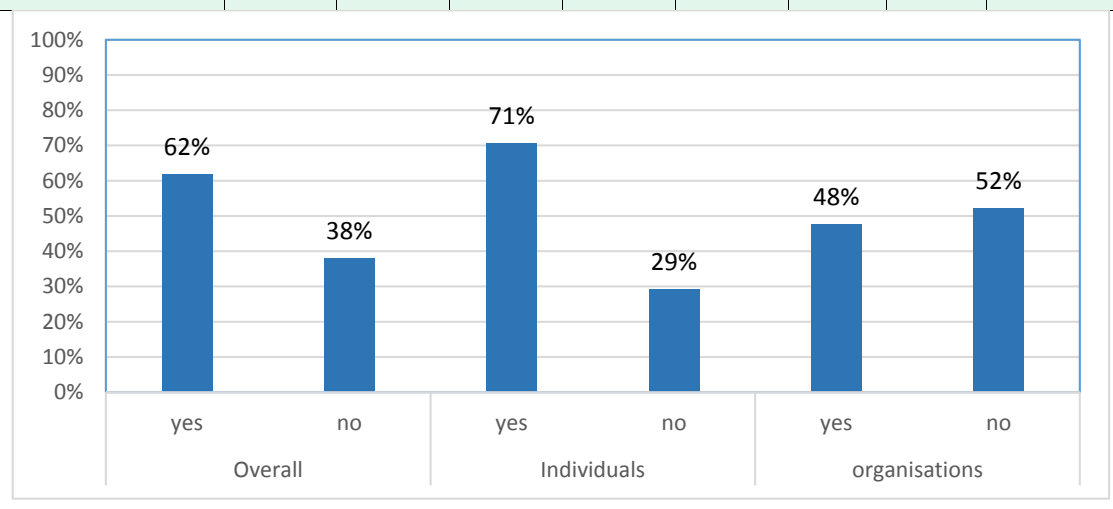
- Opinions on a further discount on appeal were broadly split, with just over half of individuals agreeing with this proposal. However the majority (75%) of organisations disagreed with this proposal.
- Whilst there was support for this proposal from some quarters, others were concerned that providing a discount to motorists who lose an appeal would encourage a high level of spurious appeals.
- The Transport Select Committee recommended that the Government should conduct a trial of this proposal with a local authority to assess the potential impacts on appeal levels.
- The Traffic adjudicators did not support this proposal, indicating that it could generate spurious appeals.

**Government Position**

The Department will look to work in partnership with a local authority to assess the impacts of introducing a 25% discount to motorists who lose an appeal at tribunal level on a trial basis, as recommended by the Transport Select Committee.

**Question 6: Do you think local residents and firms should be able to require councils to review yellow lines, parking provision, charges etc in their area? If so, what should the reviews cover and what should be the threshold for triggering a review?**

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	283	117	11	411	71%	29%	-	400
<b>Organisation</b>	119	130	14	263	48%	52%	-	249
<b>Did not say</b>	4	1	0	5	-	-	-	
<b>Total</b>	406	248	25	679	62%	38%	-	654



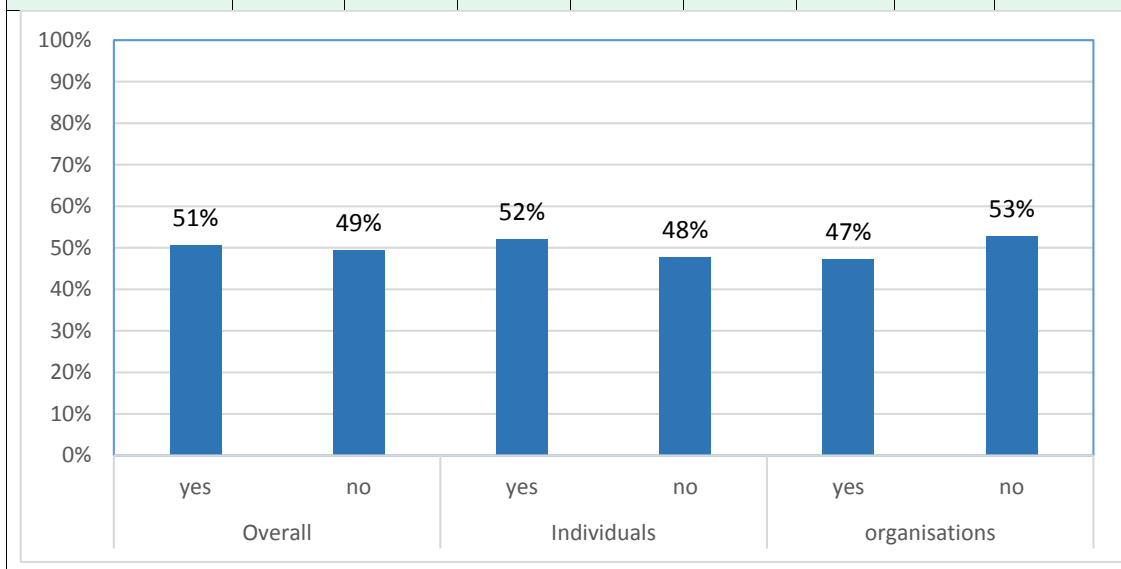
- Overall the majority of respondents were in favour of this proposal, with greater support from individuals (71%) than from organisations (48%).
- Most local authorities were against this proposal, arguing that reviews were already carried out relatively frequently, and that there was already provision for people to make representations under the current local government arrangements.
- Others expressed concerns that any threshold to trigger a review should be set appropriately high to prevent local authorities being required to act by relatively small lobbying groups, and that a minimum period between reviews should be set to prevent multiple applications.

### **Government Position**

The Government wants to encourage councils to review their use of parking restrictions such as yellow lines, and to consider introducing more short stay parking bays. Local authority parking strategies should benefit the efficient operation of the local community, and the Government (under the Department for Communities and Local Government) will change the rules so that local residents and firms will be able to make their council review parking, including the provision of parking, parking charges and the use of yellow lines.

### Question 7: Do you think that authorities should be required by regulation to allow a grace period at the end of paid for parking?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	208	191	14	413	52%	48%	-	399
<b>Organisation</b>	122	136	13	271	47%	53%	-	258
<b>Did not say</b>	5	0	0	5	-	-	-	
<b>Total</b>	335	327	27	689	51%	49%	-	662



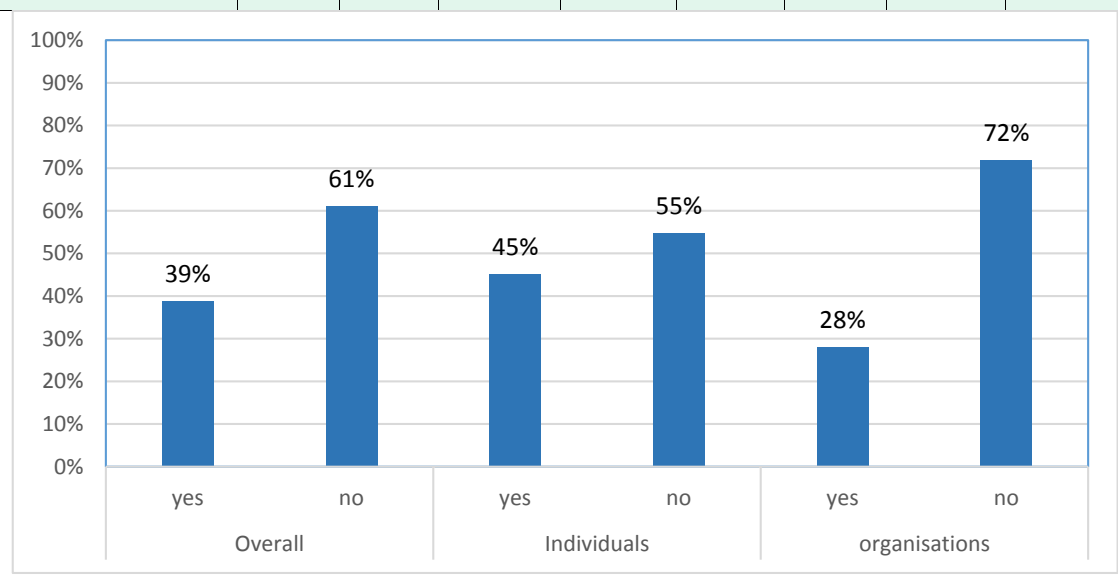
- Responses on grace periods for paid for parking were evenly split, between both organisations and individuals. Of those who supported this proposal a period of 5-10 minutes was considered to be an appropriate mandatory “free” period to be added at the end of on-street paid for parking.
- A number of authorities pointed out that they already operate, as a matter of good practice that Civil Enforcement Operators exercise an “observation period” of about 5 minutes after paid for time has expired.
- Some authorities argued that they should retain the flexibility to set different observation or grace periods appropriate to the circumstances rather than be placed under a mandatory requirement.

### Government Position

The Government intends to introduce a mandatory 10 minute free period at the end of paid-for on-street parking either through amendments to statutory guidance or regulations.

**Question 8: Do you think that a grace period should be offered more widely for example a grace period for overstaying in free parking bays, at the start of pay and display parking and paid for parking bays, and in areas where there are parking restrictions (such as loading restrictions, or single yellow lines)?**

	Yes	No	Other	Total	Yes	No	Other	Total y/n
<b>Individual</b>	171	207	21	399	45%	55%	-	378
<b>Organisation</b>	68	174	5	247	28%	72%	-	242
<b>Did not say</b>	4	0	1	5	-	-	-	
<b>Total</b>	243	381	27	651	39%	61%	-	624



- This question was about extending grace periods to other areas such as yellow lines and loading bays.
- The majority of individuals (55%) and organisations (73%) disagreed with this proposal.
- There were concerns that allowing free periods in places where parking is not permitted (such as on double-yellow lines), could lead to confusion and encourage more anti-social and potentially dangerous parking, and also lead to sequential parking in some popular areas where kerb-space might be continually occupied despite there being a restriction in place.

### **Government Position**

To ensure a consistent approach for motorists the Government intends to introduce a 10 minute mandatory grace period at the end of free on-street parking. This will mean that whether motorists pay for their parking, or it is available free for a time, they can have confidence that they will not be penalised for returning a few minutes late. DCLG will also lead on work to extend the same grace period to local authority off-street parking.

**Question 9: If allowed, how long do you think the grace period should be?**

A wide range of views were offered varying between 0-30 minutes.

**Government Position**

The Government recognises that many local authorities already operate a 5 minute observation period. The Government considers that 10 minutes would be an appropriate period of grace.

**Question 10. Do you think the Government should be considering any further measures to tackle genuinely anti social parking or driving? If so, what?**

An extremely wide range of ideas were offered. Some common themes included tougher enforcement against offenders, a uniform approach to pavement parking and tackling problems of unregistered vehicles.

**Government Position**

The Government is not proposing any further measures at this stage but may reconsider the responses to this question when the measures set out above have been implemented.

Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	NO - Part I
<b>Title</b>	<b>Chobham Road, Sunningdale - Petition to Reduce Weight Limit from 18T to 7.5T (Consultation Results)</b>
<b>Responsible Officer(s)</b>	Simon Fletcher, Strategic Director of Operations and Customer Services
<b>Contact officer, job title and phone number</b>	Ben Smith - Head of Highways & Transport, 01628 796147
<b>Member reporting</b>	Cllr C Rayner, Lead Member for Highways & Transport
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	25 February 2016
<b>Implementation Date if Not Called In</b>	4 April 2016
<b>Affected Wards</b>	All
<b>Keywords/Index</b>	Chobham, Road, Sunningdale, Weight limit, lorries, traffic regulation order

## Report Summary

1. A petition, with signatories in excess of 1000, was submitted to Council on 22 September 2015 by Councillor Mrs Bateson seeking to reduce the current weight limit on Chobham Road railway bridge, Sunningdale from 18 tonnes to 7.5 tonnes.
2. The Mayor agreed that this petition should be submitted to Cabinet for consideration. Cabinet considered the petition on 26 November 2015 and resolved that:  
  
 “Consultation be undertaken (including residents in the Royal Borough and Surrey; Parish Councils; Surrey County Council; Thames Valley and Surrey Police) in response to the request to reduce the weight limit of Chobham Road railway bridge, Sunningdale.” and “The results of the consultation be reported to Cabinet for further consideration in February 2016”.
3. The purpose of this report is to therefore consider the responses to the consultation and to consider whether to make the proposed order. It recommends that:

## CABINET BRIEFING

- The Weight Limit on Chobham Road be reduced from 18T to 7.5T.
  - Those people who formally objected to the proposed Traffic Regulation Order be notified of the decision in accordance with Regulations.
4. This recommendation is being made on the basis that it is considered to be the most appropriate way of resolving the issues arising from the use of Chobham Road by heavy lorries. The issues are set out in more detail below. The financial implications of implementation of the scheme will be contained within existing approved budgets.
5. Additional points to note are that objections were received from a total of 46 respondents. Those objecting include Surrey County Council, Surrey Heath Borough Council, Surrey Police, Windlesham Parish Council and Chobham Parish Council.

### **If recommendations are adopted, how will residents benefit?**

Benefits to residents and reasons why they will benefit	Dates by which they can expect to notice a difference
Reducing the weight limit will address the concerns raised by residents living in the Chobham Road area; reducing road safety risks and providing environmental benefits to the residents of Chobham Road and those living in the vicinity	4 April 2016

## **1. DETAILS OF RECOMMENDATIONS**

### **RECOMMENDED: That:**

- (i) **The Weight Limit on Chobham Road be reduced from 18T to 7.5T with effect from 4 April 2016**
- (ii) **Those who formally objected to the proposed Traffic Regulation Order be notified of the decision in accordance with Regulations**

## **2. REASON FOR DECISION AND OPTIONS CONSIDERED**

- 2.1 A petition, with signatories in excess of 1000, was submitted to Council on 22 September 2015 by Councillor Mrs Bateson seeking to reduce the current weight limit on Chobham Road railway bridge, Sunningdale from 18T to 7.5T. The petition reads: *'...We, the undersigned, wish the RBWM to consider reducing the recently implemented 18 tonne weight limit on the Chobham Road railway bridge to a maximum of 7.5 tonnes. We are concerned that the large lorries pose a safety risk due to the narrow road over the bridge. Large vehicles are forced to cross the central double-white line on a bend where visibility is limited and oncoming traffic may not see them in time...'*
- 2.2 The Mayor agreed that this petition should be submitted to Cabinet for consideration. At Cabinet on 26 November 2015 it was resolved that consultation be undertaken on reducing the weight limit to 7.5T and that the results be reported to this Cabinet meeting for consideration.



2.3 Chobham Road is a busy road carrying both local and through traffic, in the region of 10,000 vehicles a day and is currently used by heavy lorries weighing up to 18T. It is a residential road with a mixture of houses, the majority having off street parking but a number requiring to park on street. At the northern end is the village centre with shops on either side of the road. This shopping area is busy 7 days a week, with many elderly residents and mothers with young children regularly crossing the road, generally at the dropped crossing point between parked cars, although crossing movements are not limited to this location. Limited waiting on-street parking is available and in great demand, leading to vehicles circling the area for spaces and then exiting spaces at busy periods, further adding to traffic congestion in the village. It is therefore considered that the order should be made on the grounds that it is necessary for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising and on the grounds that it is necessary in order to facilitate the passage on the road of pedestrian traffic and other traffic.

2.4 The visibility issues and safety concerns on the bridge as referenced in the petition are illustrated in a series of photographs in Appendix E, whilst Appendix G shows the tracked path of a rigid heavy goods vehicle crossing Chobham Road railway bridge. A vehicle of the dimensions shown in Appendix G can currently legally enter the 18T weight limit, although it can be seen that this vehicle would leave a maximum of 2.7 metres of available space in the other lane, even if driven tight to the nearside wall. The proposed Order would make it illegal for vehicles of this size to cross the bridge on Chobham Road aiming to mitigate the current safety risk.

This risk this poses is compounded by the fact that the road is fronted by walls to each side, which leads to drivers positioning themselves more towards the centre of the road than would be the case where there are no vertical constraints at the road edge. Furthermore, the forward visibility on the bridge is highly constrained, due to the road alignment, with a double bend restricting the visibility to create a dangerous situation and a set of constraints that do not exist on other possible alternative routes. The proposed Order would make it illegal for vehicles of this the size shown in the swept path analysis of Appendix G, to cross the bridge on Chobham Road, which it is considered would help aiming to mitigate the current safety risk.

2.5 The request to reduce the weight limit was generated by complaints of increases in lorry movements in Chobham Road and in addition to concerns raised by residents that there has been no improvement to public safety as a consequence of the imposition of the 18T weight limit, which came into force in June 2015. Residents have complained that 18T lorries are continuing to be unable to cross the bridge without travelling across the centre white line and into the path of oncoming vehicles, continuing damage only collisions between lorries and cars and continuing congestion in Chobham Road in the vicinity of the shops. It is also likely that a reduction in the current 18T weight limit would improve the quality of life for residents in the immediate vicinity of the bridge due to the inevitable reduction in the number of lorries, which will in turn reduce noise and vibration in the vicinity of their properties. It is therefore

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considered that the proposed restriction is necessary for the purposes of preventing the use of the road by unsuitable vehicular traffic having regard to the existing character of the road or adjoining property.

- 2.6 The consultation on the 7.5T weight limit has been carried out in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and included consulting with additional parties specified by Cabinet as well as the required additional statutory consultees. The formal consultation period ran from 16 December 2015 until 14 January 2016; A total of 30 days. This exceeds the statutory minimum period of 21 days to allow objections to the proposed Order. It was subsequently agreed that responses would be permitted up to and including 22 January 2016. This was in response to a request from Surrey County Council to allow extra time due to the Christmas period.
- 2.7 A total of 174 responses to the consultation were received, of which 73.6% (128) support the implementation of the 7.5T weight limit. The comments are reproduced in tabular form within Appendix C.
- 2.8 Objections were received from 46 respondents, which included Surrey County Council, Surrey Police, Surrey Heath Borough Council, Chobham Parish Council, Windlesham Parish Council and Neville Surtees Ltd. The comments are summarised in tabular form in Appendix D
- 2.9 Surrey Heath Borough Council has objected to the proposed order on the basis that the proposal will generate additional lorry movements through Windlesham village. It is acknowledged that without other measures being considered by Surrey County Council, this may happen. However, it is considered that the proposal is justified on the basis that making of the order is expedient in order to best address the dangers identified in the vicinity of the Chobham Road bridge. It should be noted that Surrey County Council is the relevant Highway Authority for Windlesham village and could consider the introduction of a weight limit in the village or positively sign a preferred lorry route in order to address concerns from some respondents, including Surrey Heath Borough to the possible increase in lorry movements in Windlesham.
- 2.10 The objections of Surrey County Council are along the same lines as detailed in its previous objection to the 18T restriction and their opinions, which are shared by Surrey Police, are included in Appendix D and are also summarised as follows:
- Some of the local roads are less suitable for carrying heavy goods vehicles
  - The B386 through Windlesham village would be used by drivers and this route is less suitable due to poor alignment, a raised table, a number of pinch points and a school
  - Recent safety record in Windlesham is worse than the B383 Chobham Road
  - Not satisfied with the consultation and notification process followed in proposing the Order.
- 2.11 Surrey County Council has also suggested that the proposed alternative route should have been specified as part of the formal consultation documentation. It should be noted that the various alternative routes available to 18T lorries

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are all within the jurisdiction of Surrey County Council. However, the Royal Borough's has considered, in so far as it is able to do so, the suitability of any alternative routes for lorries over 7.5 tonnes and considers that a suitable alternative route which does not present the same safety issues encountered on Chobham Road at the railway bridge and alongside the parade of shops exists. That route would follow the B383 Windsor Road southwards through the village of Burrowhill to the outskirts of Chobham, turn right at the mini-roundabout onto the A319 and then the A322 dual carriageway to junction 3 of the M3. This route has no narrow bridges and spot checks on the B383 road width were 6.7 metres and there exist no areas where forward visibility is as constrained as at Chobham Road. Appendix B offers a plan of the broader area for information and indicates this possible alternative route.

- 2.12 Royal Borough officers, Cllr Rayner and Cllr Mrs Bateson met with Surrey County Council on 1<sup>st</sup> February 2016 to discuss the proposed reduced weight limit. Surrey County Council's Cabinet Member for Highways, Transport and Flooding outlined his Authority's concerns with the implications of the weight limit on Surrey's roads. There exists a difference of opinion between Surrey County Council and the Royal Borough as to whether Chobham Road is suitable for use by HGVs and whether the possible alternative route shown in Appendix B is better suited to carrying HGV traffic and whether increases in lorry movements on that route and other routes would result in safety problems. Surrey County Council also made it clear that they are primarily concerned that the Royal Borough follows the correct and legal process in making its decision on whether to introduce the 7.5T weight limit and reasonable consideration be given to all objections and concerns raised.
- 2.13 Thames Valley Police commented on the proposed restriction, outlining concerns about the practicality of enforcement. They have commented that, the lack of visibility of the full length of the restriction from a stationary position will require significant police resources to enforce. Thames Valley Police suggest that in order to achieve greater enforcement levels, the Royal Borough consider a lorry watch scheme should the scheme go ahead. Lorry Watch is a scheme operated using local observers, often coordinated through Parish Councils, working alongside Council Trading Standards teams, to detect the misuse of weight restricted routes by heavy goods vehicles.
- 2.14 Surrey County Council and Surrey Police also raised concerns about the length of the alternative route and the provision of turning points if drivers should miss the advance signage. In order to provide advance warning of both the existing 18T restriction and the proposed 7.5T should it proceed, signage would be recommended for installation at the Surrey end of Chobham Road, which would give drivers advance warning, but currently this has been refused by Surrey County Council. Surrey Police also feel that "it would be very difficult to secure a conviction when presented with the facts that there is no advanced warning of the restriction and never has been due to a dispute from the neighbouring Highway Authority and that the driver thought that it was unsafe to carry out a 'u' turn and a safer option was to proceed over the bridge". In this regard, Surrey County Council have, by virtue of not providing permission for advance signage on their roads, prevented the existing legal 18T weight limit from being signed effectively; thereby preventing a reasonable response

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to the concerns expressed by Surrey Police both in regards to the existing weight limit and the 7.5T limit, if progressed.

- 2.15 Notwithstanding the objections to the making of the proposed order, there is clear strong local support for introducing the 7.5T weight limit, which is evidenced in the petition and in the consultation responses. There are many reported incidents of near misses and complaints regarding lorries on the wrong side of the road on the bridge, contained within the responses. The reasons for making the Order are the same as those reasons for making the original 18T weight limit Order in 2015. This proposed reduced weight limit is intended to help meet the objectives originally envisaged when the 18T weight limit was introduced and in doing so to address the safety and other concerns highlighted following receipt of the petition.

Option	Comments
Introduce alternative measures to mitigate the safety risk.	Alternative measures including the introduction of traffic signals and single-way working over the bridge or removing on-street parking may mitigate road safety risks. However, the overall impact on all road users is considered disproportionate because of delays and congestion that would result from a priority system and the negative impacts on the local economy and amenities from removal of on-street parking spaces
<b>Implement the 7.5T weight limit as soon as is practical and in accordance with the required legal process.</b>	<b>This is the recommended option to address the ongoing safety and other concerns.</b>
Consider the results of the consultation and the feedback from stakeholders opposed to the current weight limit and resolve to revoke the existing 18T weight limit	This option is not recommended as it will not address the issues identified by the petition and the subsequent letters responding to the consultation. This option would lead to increased lorry movements in Chobham Road, heightening the risk of accidents and environmental concerns.
Consider the results of the consultation and resolve not to reduce the weight limit to 17T.	This option is not recommended as it will not address the issues identified by the petition and the subsequent letters responding to the consultation. Larger 18T vehicles, potentially increasing in volume, presents an increased road safety risk and greater environmental concern than a 7.5T weight restriction

### 3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Environmental benefits through	Lorry numbers increase	0-70%	71-85%	Above 85%	04 July 2016

## CABINET BRIEFING

reduced number of lorries using Chobham Road*					
Reduction in accidents and near misses linked to lorry movements in Chobham Rd (6 months post implementation)	Increase in recorded injury accidents involving lorries	No recorded injury accidents linked to lorries	No accidents or reported near misses linked to lorries	No reports of any lorries breaching the weight limit	4 October 2016

Note: \*a baseline position has been established by a traffic survey undertaken in September 2015

## 4. FINANCIAL DETAILS

### 4.1 Revenue Funding

There are no revenue financial implications arising from the recommendations of this report.

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

### 4.2 Capital Funding

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

The estimated cost of implementing the weight limit would be £3,000. This would be funded from the approved capital budget 'Traffic Management' (CD10) - £150k'.

This approved overall programme budget includes an allocation for responding to petitions.

<i>Description</i>	<i>Ref.</i>	<i>Budget</i>	<i>Estimated Costs</i>
Traffic Management	CD10	£150,000	£3,000

## 5. LEGAL IMPLICATIONS

5.1 A Traffic Regulation Order (TRO) may be made where it appears to a traffic authority that it is expedient to do so. "Expedient" means advantageous, advisable on practical grounds, suitable or appropriate. The purposes for which a

## CABINET BRIEFING

traffic regulation order (TRO) may be made are set out in the Road Traffic Regulation Act 1984 (RTRA 1984). Section 1 of the Act allows TRO's to be made for reasons such as (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; (c) for facilitating the passage on the road or on any other road of any class of traffic (including pedestrians); (d) for preventing the use of the road by vehicular traffic of a kind which is unsuitable having regard to the existing character of the road or adjoining property; and (f) for preserving or improving the amenities of the area through which the road runs. The process for consulting on a traffic regulation order reducing the weight limit to 7.5T has been undertaken in accordance with the Road Traffic Regulation Act 1984 and after having regard to the network management duty imposed on the authority by section 16 of the Traffic Management Act 2004 (TMA 2004).

5.2 Section 16 of TMA 2004 confers a duty on the authority to manage its road network with a view to achieving, in so far as may be practicable having regard to their other obligations, policies and objectives, the objective of securing the expeditious movement of traffic on the authority's roads network and facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

5.4 When exercising functions under the 1984 Act the authority is required, insofar as it is practicable to do so having regard to the matters specified in section 122(2) to have regard to the duty conferred upon it under section 122 which requires it to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians. The matters listed in sub-section (2) of section 122 are as follows:

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
- (c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
- (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- (e) any other matters appearing to the local authority to be relevant.

A failure to have regard to the matters set out in section 122(2) may lead to the TRO being successfully challenged. However, it is clear that whilst the Council must exercise its functions under section 1 of the RTRA 1984 so as to secure the objectives set out in section 122(2) and to have regard to the network management duty conferred by section 16 of the TMA 2004 these this requirement cannot be intended to prevent statutory powers from being used for the purposes set out in section 1. A balance has to be achieved both between the achievement of the objectives set out in section 1 such as the avoidance of danger to traffic etc. and those matters set out in section 122(2) which include any other matter which the local authority considers to be relevant. It has been decided that following the decision in the case of St. Helens MBC --v- West Lancashire DC (1997) 95 LGR 484 that no one factor necessarily has primacy over another. The weight to be given to each factor is a matter for the authority.

## CABINET BRIEFING

5.5 In relation to section 122 (2)(d), the inclusion of the Chobham Road route in the Construction and Environmental Management Plan (CEMP) for the redevelopment of the DERA site at Longcross is considered to be relevant since the proposed order will require construction lorries exceeding 7.5T to use the alternative route specified by Surrey County Council in the CEMP, which leads east from the DERA site towards the M25 (see Appendix F).

5.6 Whilst it is recognised that the proposed TRO would generate increased HGV traffic on the other 'preferred route' shown on Appendix F, if no other changes to the construction traffic routes were made within Surrey, it is considered that the road safety risks caused by the current use of the Chobham Road bridge outweighs the inconvenience caused to the affected construction and other HGV traffic and thus that the proposed 7.5 T weight restriction is justified. The current dangers include the risk of collisions between lorries and cars travelling over the bridge, increasing the risk of injury to pedestrian traffic, damage to vehicles, or collision with the bridge itself. Furthermore, there exists a possible alternative HGV route within Surrey as detailed in paragraph 2.10, which Surrey County Council may wish to consider designating and signing as an alternative lorry route, to alleviate concerns about any possible increases in HGV movements on the alternative route identified in the CEMP or through Windlesham, should they consider those routes to be wholly unsuitable for any increased traffic volumes.

5.7 It should be noted that if Members resolve to make the proposed order, it will be necessary to erect prescribed traffic signs indicating the new weight restriction and advance warning signs to HGV traffic approaching Chobham Road which will include HGV traffic travelling from the Surrey direction. Section 65 of the RTRA 1984 provides for the erection of prescribed traffic signs and section 68(2) of the Act empowers a traffic authority to place traffic signs on the roads of another traffic authority provided that it has consulted with the other authority before doing so. It may therefore be reasonably concluded that if the relevant traffic order is lawfully made, a decision taken by a neighbouring traffic authority refusing to allow requisite signage to be erected on its roads so as to allow for the enforcement a traffic order made by another authority would be unreasonable in the Wednesbury sense and susceptible to challenge.

## 6. VALUE FOR MONEY

6.1 The works to implement the 7.5T weight limit would be undertaken by term maintenance contractors whose rates have been competitively attained and bench-marked to ensure value for money.

6.2 The recommendations of this report offer a robust, transparent and positive approach which minimise the risk of legal challenge offering value for money.

## 7. SUSTAINABILITY IMPACT APPRAISAL

7.1 A reduction in large vehicles in Chobham Road, Sunningdale may have positive sustainable and environmental benefits in the local area.

## 8. RISK MANAGEMENT

## CABINET BRIEFING

- 8.1 The recommendations of this report offer a robust, transparent and positive response to the petition and the results of the consultation, offering a balanced approach to risk.

## 9. LINKS TO STRATEGIC OBJECTIVES

**Relevant Strategic Objectives are:**

### **Residents First**

- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

### **Delivering Together**

- Strengthen Partnerships

**10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION - None**

**11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS - None**

## 12. PROPERTY AND ASSETS

- 12.1 Introduction of a reduced weight limit may offer additional protection to highway assets by reducing the risk of damage to the bridge, barriers and footway by large vehicles.

**13. ANY OTHER IMPLICATIONS - None.**

## 14. CONSULTATION

- 14.1 This report will be considered by members of the Highways, Transport and Environment Overview and Scrutiny Panel on 24 February 2016 with the panel's comments reported to Cabinet for consideration.

- 14.2 This report recommends implementation of the proposed reduced 7.5T weight limit in response to the clear majority preference for this course of action evident in the consultation responses. This action would provide a safer environment by avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising, preventing damage to the road or any building on or near to the road, preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character or the road or adjoining property and for preserving or improving the amenities of the area through which the road runs.

- 14.3 The consultation complied with the requirements set out in the relevant Regulations. The Royal Borough allowed for an extended period for objections beyond the statutory minimum of 21 days, in the interests of ensuring that adequate time was given for all parties to respond. In addition to consulting with potentially affected neighbouring authorities, Royal Borough Councillors and Sunningdale Parish Council, as well as all the required statutory consultees, signs were positioned on site to advise of the consultation and an online consultation was set up. Letters were circulated to residents in the Sunningdale area as requested by Ward Councillors.

## 15. Timetable for Implementation



## CABINET BRIEFING

Stages	Timescale
Statutory process to make the Traffic Regulation Order (Subject to Cabinet decision)	28 March 2016
Scheme Implementation (subject to Cabinet decision)	4 April 2016

### 16. APPENDICES

- 16.1 Appendix A – Location plan of proposed 7.5T weight limit
- 16.2 Appendix B – Location plan of the broader area for information
- 16.3 Appendix C – Consultation Results
- 16.4 Appendix D – Summary of Objections from Councils, police and developers
- 16.5 Appendix E – Photos of Chobham Road
- 16.5 Appendix F – Longcross North Construction HGV Traffic Routing drawing
- 16.6 Appendix G – Swept path analysis for 2 axle rigid HGV
- 16.7 Appendix H – Full objections from Surrey County Council, Windlesham Parish Council, Chobham Parish Council, Surrey Heath Borough Council, Surrey Police, Crest Nicholson.

### 17. BACKGROUND INFORMATION

- 17.1 An 18T weight limit was introduced on the railway bridge in Chobham Road, Sunningdale with effect from 1 June 2015.
- 17.2 The 18T weight limit scheme was implemented as a result of requests from residents and Parish Council to Ward Members to reduce the size and weight of lorries crossing the railway bridge and entering Sunningdale The 18T weight limit was introduced for the reasons set out below.
  - The safety of vehicles on the railway bridge as it is considered to be too narrow for large vehicles. This was confirmed by residents in the consultation feedback with evidence of cars having to reverse to allow large lorries to pass causing a risk of collision.
  - The local access road and premises close to the bridge have limited visibility for pedestrian and motorised traffic. Residents complained that they have difficulty emerging from local roads
  - The additional road traffic pollution caused by heavy lorries travelling through the area affecting residents living either side of the bridge. Residents have reported noise and dust pollution from lorries crossing the bridge
  - Congestion on Chobham Road due to limited visibility and road width when large vehicles are approaching the bridge. Residents have reported having to slow down suddenly and at times reverse to allow lorries across the bridge.
  - Danger to pedestrians shopping at local shops in the central part of the village due to larger lorries taking up more road space in a congested and busy shopping area. Vulnerable pedestrians usually require more time to cross the road and wheelchair and pushchair users require more space to cross.
- 17.4 The request to reduce the weight limit has been generated by continued use of Chobham Road by HGVs since implementation of the 7.5T weight limit. A vehicle survey between 22 and 24 September 2015 showed that between 6am and 7pm, an average of 103 vehicles travelling over the Chobham Road bridge exceed a maximum gross weight of 7.5T and 51 of those vehicles also exceed

## CABINET BRIEFING

18T. Many vehicles exceeding 7.5T but not breaching the exiting 18T limit can be of similar dimensions to lorries in excess of 18T, and the proposed Order therefore seeks to address continuing issues; with lorries being unable to cross the bridge without travelling across the centre white line into the path of oncoming vehicles, damage only collisions between lorries and cars and congestion in Chobham Road in the vicinity of the shops. The restriction would be intended to achieve a reduction in numbers of larger lorries in a congested area thereby leading to a safer environment. Photographs of Chobham Road at the railway bridge and alongside the shops are included in Appendix E to illustrate width and visibility constraints.

- 17.5 Surrey County Council and Surrey Police objected to the current 18T traffic regulation order as they considered the restriction to be unnecessary and that it would create negative benefits on communities in Surrey. It is accepted that if the current proposal is approved and a weight limit of 7.5T implemented that the affected traffic will be forced to use the second route identified in the CEMP implemented as part of the planning permission relating to the DERA site. However, it should be noted that the Royal Borough formally objected to the inclusion of the Chobham Road Route in the CEMP plan at that time and maintain this position having regard to the concerns about the Chobham Road bridge outlined in this report. The reasons given in the objection to the CEMP plan related to concerns about safety and impacts on traffic flow arising from increased use of Chobham Road by construction traffic. The Royal Borough made it clear in its response that it was considered that more suitable alternative routes exist for construction traffic.
- 17.6 Notwithstanding the objections of the Surrey County Council and the Surrey Police, the Royal Borough was of the view that in the vicinity of the Chobham Road bridge, the safety of pedestrians and the safe movement of vehicular traffic outweighed any inconvenience caused to the traffic affected by the proposed restriction and resolved to introduce the current weight limit.
- 17.7 The Lead Member for Highways & Transport met with the Executive Member for Highways at Surrey County Council to understand Surrey County Council's concerns in respect of the current 18T restriction and to investigate the possibility of securing a mutually acceptable solution. This was not achieved as Surrey County Council is of the opinion that Chobham Road is a suitable route for large vehicles and does not warrant restrictions. This is not a position shared by the Royal Borough having regard to the views of its local residents who use the road most frequently.
- 17.8 A location plan highlighting the proposed 7.5T weight limit is attached as Appendix A.
- 17.9 The proposed reduction in the current 18T weight limit to a 7.5T weight limit is considered necessary to reduce the road safety risk created by large vehicles using Chobham Road, Sunningdale. It appears from local feedback that the volume of large vehicles has increased recently as has the incidence of damage only accidents or near-misses. This is evidenced in the feedback comments for this consultation.
- 17.10 Alternative measures to a reduction in the weight restriction from 18T to 7.5T to mitigate road safety risks could include:

## CABINET BRIEFING

- Introduction of traffic signals and single-way working over the bridge
- Removal of on-street parking in Chobham Road between the bridge and the A30 (London Road)

These alternative measures are considered inappropriate as they:

- Create an unnecessary negative impact on all road users by increasing the speed of traffic in the approach to the shops due to the lack of on street parking
- Increase congestion and delays by traffic waiting for the traffic lights to change and then being released in a block
- Negatively impact on local shops and trade undermining the vibrancy of this area which is a popular and well used shopping area
- Increase vehicle speeds and numbers, increasing road safety risks in the shopping area with numbers of both old and young pedestrians crossing the road to access the shops on either side

### 18. Consultation (Mandatory)

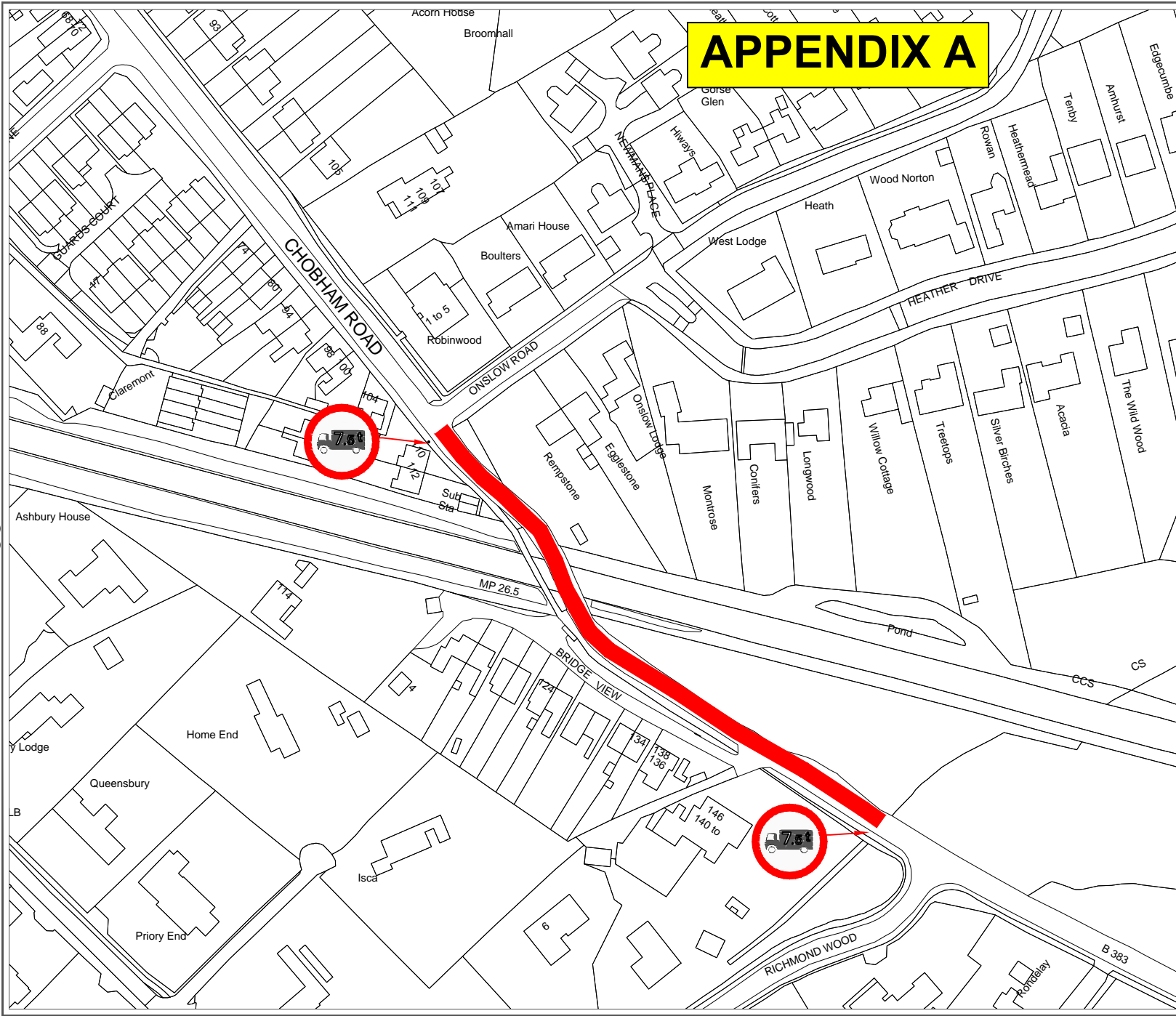
Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Burbage	Leader of the Council	28/01/16	29/1/16	
Cllr Rayner	Lead Member for Highways & Transport	22/01/16	27-01-16 01-02-16	Minor edits. Additional option & appendices
Simon Fletcher	Strategic Director of Operations	22/01/16		
Michael Llewelyn	Cabinet Policy Office	22/01/16	25-01-16	Revised deliverables & other minor changes
Catherine Woodward	Shared Legal Solutions /	22/01/16	25-01-16 & 27-01-16	Additional information / alterations throughout
Mark Lampard	Finance Partner	22/01/16	27-01-16	None
Huw Jones	Traffic Engineer	22/01/16	26-01-16	Technical information.

### Report History

<b>Decision type:</b>	<b>Urgency item?</b>
	No

Full name of report author	Job title	Full contact no:
Ben Smith	Head of Highways & Transport	01628 796147

# APPENDIX A

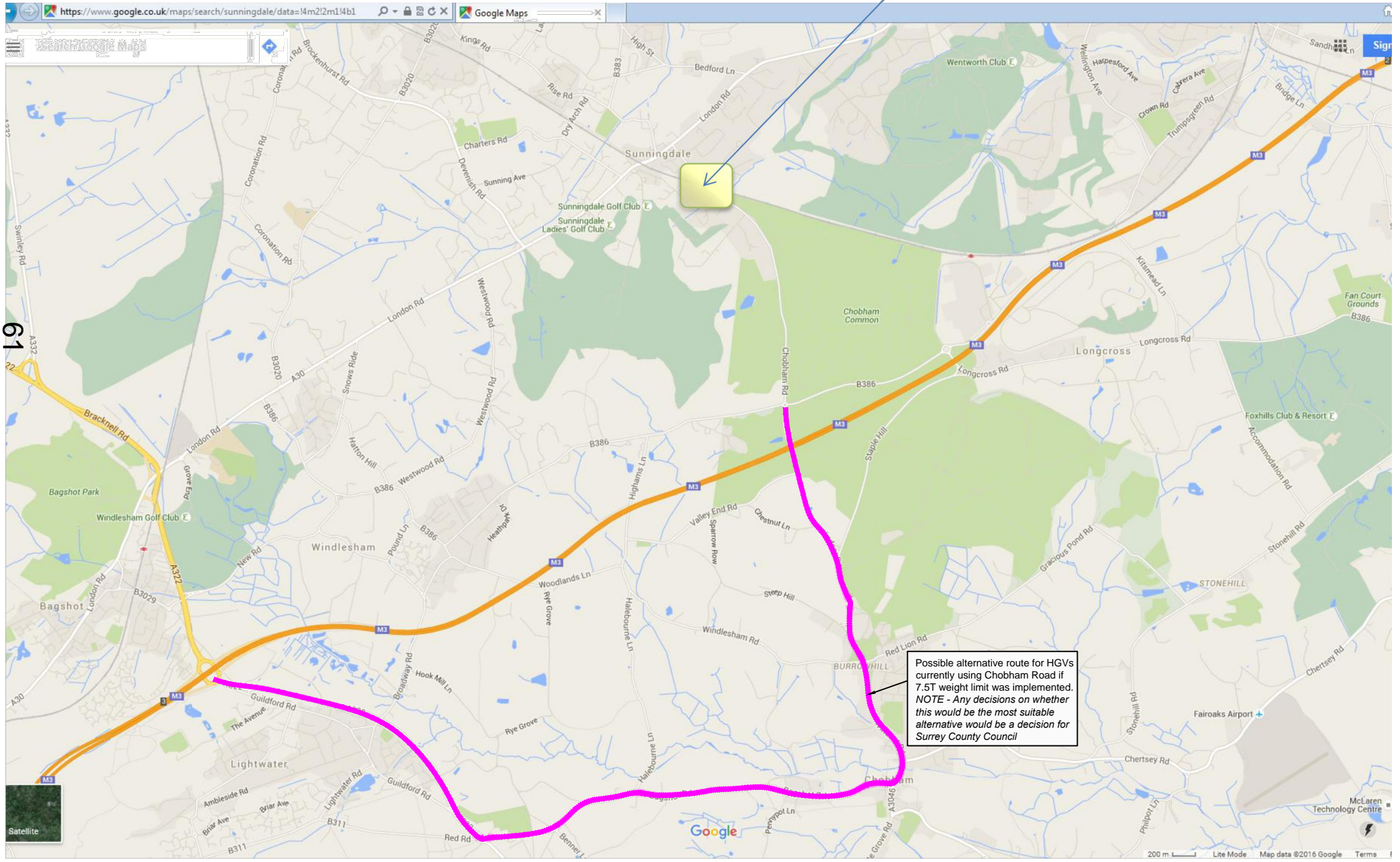


Drg No.		Rev.	
<b>PN 2113</b>			
Extents of 7.5 tonne weight restriction shown in red.			
Rev	Date	Amendments	By
<b>Directorate of Operations</b>			
Town Hall, St. Ives Road, Maidenhead, Berks, SL6 1RF.			
Tel: 01628 683800 Fax: 01628 796774 <a href="http://www.rbwm.gov.uk">http://www.rbwm.gov.uk</a>			
Project:			
<b>Local Safety Schemes</b>			
<b>7.5 Tonne</b>			
<b>Weight Restriction</b>			
Title:			
<b>Chobham Road</b>			
<b>Sunningdale</b>			
Drg No.		Rev	
<b>PN 2113</b>		-	
Date	Scale	Size	
<b>08.12.15</b>	<b>NTS</b>	<b>A3</b>	
Drawn By	CAD By	Checked By	Signed Off By
HJ	HJ	-	
Drawing Path.			
Y:/Drawings/PN 2113			
<small>Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings, Royal Borough of Windsor and Maidenhead - Licence Number 100018817</small>			

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# APPENDIX B - LOCATION PLAN OF THE BROADER AREA

Location of weight limit



## Chobham Road 7.5 Tonne Weight Restriction - Consultation Summary

### Appendix C Consultation results

1	Reference	Agree with proposal?	Comments
2	CRWT124124	No	No further comments.
3	CRWT124775	No	Traffic will be diverted elsewhere (Windlesham). Danger to children. Find alternative route.
4	CRWT124835	No	In Windlesham heavy vehicles already straddle both lanes. New housing will increase problems further.
5	CRWT124989	No	Traffic will be diverted elsewhere (Windlesham). Large vehicles already mount the kerb in order to pass.
6	CRWT125196	No	Traffic will be diverted elsewhere (Windlesham). Implement same weight restriction here.
7	CRWT125210	No	Traffic will be diverted elsewhere (Windlesham), which is already unsuitable for HGVs.
8	CRWT125202	No	It would be better to replace or widen the bridge to allow vehicles to pass.
9	CRWT125303	No	Traffic in Windlesham already suffers. With planned M3 works situation will become unacceptable.
10	CRWT125316	No	Ban all HGVS in Sunningdale and Windlesham.
11	CRWT124793	No	Windlesham already has increased traffic due to width restrictions on bridge over the M3, the repairs to which will force even more traffic through the village.
12	CRWT123596	No	Better as it is now.
13	CRWT124832	No	Traffic will be diverted through Windlesham, which is already congested.
14	CRWT125311	No	Traffic will be diverted through Windlesham village centre, which is already expected to be inundated with extra traffic due to the closure of the bridge over the M3.
15	CRWT125330	No	Traffic will be diverted elsewhere, on to less suitable roads.
16	CRWT127322	No	Traffic will be diverted through Windlesham, a more residential area. Greater danger to school children. Bridge should be upgraded & redesigned, incorporating the existing pedestrian bridge.
17	CRWT126483	No	Windlesham is at total breaking point with traffic in the area.
18	CRWT128339	No	Current weight limit is contributing to severe traffic congestion and queues on the Chertsey Road.
19	CRWT126579	No	Restricting the weight limit on this bridge has already diverted a lot of inappropriate heavy goods traffic through Windlesham. Further restrictions would make the situation worse.
20	CRWT125535	No	Concerns traffic will be diverted through Windlesham.
21	CRWT127430	No	Other villages will suffer as a result.
22	CRWT125341	No	Vehicles are already mounting the pavement along Chertsey Road in order to pass. Danger to pedestrians.
23	CRWT125342	No	Traffic will be diverted elsewhere (Windlesham). The roads here are already over used by ratrunning commuters, and are not suitable for HGVs.
24	CRWT125356	No	The scheme is unnecessary and displaces traffic to adjacent parishes that already suffer from too much heavy goods traffic.
25	CRWT125357	No	Steer lorries towards the A322 via the Chobham Road, not through Windlesham. Better still, repair the bridge quickly so that it can accept the 18 tonne lorries.
26	CRWT126010	No	Lorry traffic in Windlesham makes it difficult for residents - additional traffic would make it impassable.
27	CRWT127734	No	Restriction will just transfer HGV traffic to equally narrow roads through Windlesham Village.
28	CRWT125675	No	Limit to be applied will have a further major negative impact on Windlesham. A more permanent repair or replacement for the rail bridge should be determined. Other schemes in the area will cause additional traffic.
29	CRWT125362	No	Proposal would substantially increase the amount of heavy goods traffic through Windlesham.
30	CRWT125375	No	Weight restriction combined with other works will cause more traffic to travel via Windlesham.
31	CRWT125387	No	Level of heavy traffic through the centre of Windlesham village will undoubtedly increase.
32	CRWT125388	No	Increase of HGV traffic through Windlesham. Spend money improving the bridge.
33	CRWT125600	No	Weight restriction combined with other works will cause more traffic to travel via Windlesham.
34	CRWT125727	No	Weight restriction combined with other works will cause more traffic to travel via Windlesham.
35	CRWT125796	No	This has already increased heavy goods lorries traveling through Windlesham. Roads cannot cope.
36	CRWT126345	No	Concerns over rise in traffic in Windlesham.
37	CRWT126445	No	Would support the weight restriction on the bridge if heavy lorries could also be prevented from travelling through Windlesham village.
38	CRWT127509	No	The volume of traffic going through Windlesham, particularly HGVs, is unacceptably high. Please do not implement any measures which will increase it.
39	CRWT129489	No	Traffic will be diverted through Windlesham, which already congested as a result of earlier changes and will be unable to cope.
40	CRWT133034	No	Concerns over lack of reasonable alternative route.
42	CRWT125005	Yes	Plan makes sense.
43	CRWT125158	Yes	No further comments.
44	CRWT125256	Yes	Look at alternative routes for HGVs that can not use the bridge and indicate whether they are practical. Other villages may be inundated with the influx of heavy trucks. This will cause damage to the already over stretched roads repair budgets.
45	CRWT124565	Yes	In addition to road safety, concerns that if two 18t lorries collide they could damage the bridge structure.
46	CRWT124568	Yes	The situation will get worse once they start building houses at Longcross.
47	CRWT124045	Yes	Please do it soon!!
48	CRWT124050	Yes	Entirely in support of the scheme.
49	CRWT125012	Yes	Constant passing of heavy traffic is weakening the structural integrity of the bridge.
50	CRWT124217	Yes	Large vehicles significantly reduce visibility for other road users.
51	CRWT124326	Yes	No further comments.
52	CRWT124529	Yes	No further comments.
53	CRWT124530	Yes	Bridge seems too narrow and quite dangerous.
54	CRWT124916	Yes	Near misses involving large vehicles occur on a daily basis.
55	CRWT124926	Yes	Traffic lights or a mini roundabout needed at junction between A30 and Chobham Road due to increasing traffic turning right from Chobham Road.

## Chobham Road 7.5 Tonne Weight Restriction - Consultation Summary

1	Reference	Agree with proposal?	Comments
56	CRWT124979	Yes	Necessity for sufficient signage and exceptions (Refuse Vehicles).
57	CRWT125183	Yes	Live in Windlesham so prefer no HGVs coming through unless delivering to a Windlesham shop or pub.
58	CRWT124464	Yes	It is difficult emerging from Heather Drive on to Chobham Road. This will improve matters enormously.
59	CRWT124477	Yes	Lorries often drive at excessive and unsafe speeds when approaching and crossing the bridge.
60	CRWT124480	Yes	Numerous near misses when passing other vehicles on the bridge.
61	CRWT124541	Yes	No further comments.
62	CRWT124040	Yes	Please implement ASAP.
63	CRWT124038	Yes	No further comments.
64	CRWT124061	Yes	Fully support and would like the restriction to go ahead.
65	CRWT124057	Yes	No further comments.
66	CRWT124059	Yes	Reduce speed limit to 20mph. Vehicles are crossing the bridge at speeds greater than 30mph.
67	CRWT124062	Yes	Strongly support.
68	CRWT125041	Yes	Would like to be contacted regarding graffiti issue on and under bridge.
69	CRWT125043	Yes	A very good plan. Also a need to stop parking one side of the shops as it's difficult to cross the road.
70	CRWT125046	Yes	ASAP please, size of vehicles using the bridge regularly is scary!!
71	CRWT125048	Yes	Chobham Road becomes congested and dangerous as a result of car parking on the left hand side. Recommendation is to remove the right to park on this section of this narrow road.
72	CRWT125050	Yes	No further comments.
73	CRWT125052	Yes	No further comments.
74	CRWT124283	Yes	I fully endorse the weight limit being applied. Lorries and other high vehicles blind drivers with their lights when coming over the bridge.
75	CRWT124284	Yes	No further comments.
76	CRWT124499	Yes	Is there a risk that 7.5+ tonne vehicles when "lost" will turn around in Onslow Road or Richmond Wood?
77	CRWT124550	Yes	Good idea. Large lorries are a hazard to all oncoming traffic. Clear signage needed at both entrances to Chobham Road to prevent heavy lorries having to turn round in Richmond Wood or Onslow Road.
78	CRWT126217	Yes	Speed bumps on Chobham Road would also be a good idea for safety.
79	CRWT125605	Yes	Weight limit needs to apply from junction of Chobham Road with the A30. Recently there was a serious accident. Clear signage needed.
80	CRWT128168	Yes	Additional signage needed to enforce weight limit.
81	CRWT126491	Yes	No further comments.
82	CRWT125764	Yes	Lorries drift on to opposite side of the road on an almost daily basis.
83	CRWT125781	Yes	Enforcement - plans to have police cameras in the area? Would these also serve as speed cameras?
84	CRWT126254	Yes	No further comments.
85	CRWT127720	Yes	Concerns over policing and placement of warning signs.
86	CRWT125344	Yes	No further comments.
87	CRWT125367	Yes	No further comments.
88	CRWT126260	Yes	There should be a length restriction as well, as long vehicles also cause problems, especially with a trailer.
89	CRWT126307	Yes	No further comments.
90	CRWT126313	Yes	To protect the High Street should the ban start at the London Road - Chobham Road junction?
91	CRWT126311	Yes	The sooner the better. Only be a matter of time before something serious happens.
92	CRWT126319	Yes	Support fully, long overdue! It will improve the daily standard of living in this area 100%. Would also like a traffic calming measure along Chobham Road, possibly speed humps.
93	CRWT126327	Yes	Very much agree with the proposal - this is a narrow bridge and large lorries are creating safety issues.
94	CRWT126321	Yes	No further comments.
95	CRWT127242	Yes	Strongly support with proposal. However would have appreciated an ability to respond on paper.
96	CRWT125640	Yes	No further comments.
97	CRWT125364	Yes	No further comments.
98	CRWT125436	Yes	Fine as long as there are sufficient warning signs.
99	CRWT125656	Yes	Absolutely agree. Would prefer it to be even lower. Concerns over enforcement.
100	CRWT125597	Yes	Have had to reverse off bridge on several occasions to allow lorries room. Lower limit is much needed.
101	CRWT126030	Yes	No further comments.
102	CRWT126433	Yes	In addition to weight limit a speed limit of 20 mph is needed. Cars frequently cross the middle of the bend due to too fast an approach.
103	CRWT127107	Yes	Excellent idea - should be implemented asap.
104	CRWT127245	Yes	This scheme has been long awaited - approach from both sides of the bridge is blind.
105	CRWT133955	Yes	No further comments.
106	CRWT131876	Yes	Bridge is totally unsuitable for heavy vehicles - 7.5 tonne limit should be implemented without delay.
107	CRWT131889	Yes	Two vehicles have difficulty passing each other safely. Cars are squeezed in to the wall by large vehicles.
108	CRWT133550	Yes	Would greatly ease access on to Chobham Road and reduce noise and dust levels.
109	CRWT133548	Yes	Lot of near misses due to speed & size of lorries. Weight limit would help to ensure the longevity of the physical structure of the bridge.
110	CRWT133871	Yes	Have had a near miss with a lorry crossing too quickly and on the wrong side of the road.
111	CRWT130234	Yes	Cars have to reverse off bridge to allow on-coming lorries to proceed.
112	CRWT131326	Yes	Damage to car suffered after meeting a large vehicle. Two vehicles unable to pass each other safely.
113	CRWT131344	Yes	Please implement ASAP it will make Chobham Road much safer.
114	CRWT131941	Yes	Limit should be from the 'Christmas Tree' Roundabout to the bottom of Chobham Road (A30) as large lorries are NOT going to be able to turn round at Richmond Wood or Onslow Road.
115	CRWT133901	Yes	No further comments.
116	CRWT133896	Yes	For safety reasons this is the only viable option. The limit of 7.5 tonnes is sufficient.
117	CRWT133897	Yes	The road is very narrow. Concern from all residents in Heather Drive and surrounding areas about the increased traffic using this bridge.
118	CRWT128454	Yes	No further comments.

## Chobham Road 7.5 Tonne Weight Restriction - Consultation Summary

1	Reference	Agree with proposal?	Comments
119	CRWT128962	Yes	Two vehicles have difficulty passing each other safely.
120	CRWT130338	Yes	See supporting letter.
121	CRWT130340	Yes	See supporting letter.
122	CRWT131211	Yes	The bridge is much too narrow for existing traffic let alone any growth.
123	CRWT131812	Yes	Bridge is becoming increasingly busy with traffic travelling through Sunningdale. Vehicles over 7.5 tonnes represent an unnecessary danger to other road users across this narrow bridge.
124	CRWT132256	Yes	Implement as soon as possible. Lorries over 7.5 tonnes have to cross the centre line to go over the bridge.
125	CRWT133335	Yes	No further comments.
126	CRWT133724	Yes	Heavy vehicles drift on to opposite side of the road. Risk of serious collision.
127	CRWT133732	Yes	No further comments.
128	CRWT133902	Yes	Strongly encourage the council to accept the 7.5 tonnes weight limit as shown on the plan.
129	CRWT133962	Yes	No further comments.
130	CRWT134221	Yes	No further comments.
131	CRWT134245	Yes	No further comments.
132	CRWT134250	Yes	No further comments.
133	CRWT134256	Yes	Great benefit from a weight reduction as it would reduce traffic and pollution levels.
134	CRWT131854	Yes	Proposal will be beneficial to traffic congestion.
135	CRWT128856	Yes	Signage indicating new weight limit needs to be clear to avoid dangerous U-turns by larger vehicles.
136	CRWT130532	Yes	I think this is a good idea, these huge lorries are a constant problem.
137	CRWT128847	Yes	HGVs cut across the lane narrowing the other carriageway, slowing progress of all road users.
138	CRWT130235	Yes	No further comments.
139	CRWT130227	Yes	Lorries drift on to opposite side of the road.
140	CRWT130907	Yes	Difficult to access consultation page.
141	CRWT130922	Yes	This is priority for Sunningdale which is plagued by heavy goods vehicles.
142	CRWT131515	Yes	No further comments.
143	CRWT131527	Yes	Numerous near misses. Lorries drive in the middle of the road as they cannot stay in their own lane. Need to hug the side of the road to avoid an accident.
144	CRWT131629	Yes	No further comments.
145	CRWT132563	Yes	Fully in favour. Large vehicles often hit the bridge causing damage.
146	CRWT133043	Yes	Lorries are too wide to stay in their half of the bridge.
147	CRWT132957	Yes	Very important to Chobham Road residents.
148	CRWT133218	Yes	Reduction in weight would bring a massive change in noise pollution as well as an increase in safety. Bridge is often damaged. Tippers in particular ignore speed limits and litter the road with debris. Can't come too soon.
149	CRWT133736	Yes	A reduction in the weight limit will mean making Chobham Road and Sunningdale safer.
150	CRWT133748	Yes	No further comments.
151	CRWT133759	Yes	Bridge too narrow to accommodate such large vehicles. If no weight limit is imposed then sooner or later there will be a fatal accident.
152	CRWT133763	Yes	Weight limit will be a great contribution to the traffic problem in Chobham Road.
153	CRWT134257	Yes	No further comments.
154	CRWT134266	Yes	Fully agree with this scheme. It should be introduced without delay.
155	CRWT134273	Yes	There is a blind bend on the bridge and large trucks take over both sides of the road.
156	CRWT134462	Yes	Residents of Bridge View (Chobham Road) wholeheartedly support the weight reduction. Heavy good vehicles cause accidents and damage to bridge when trying to cross.
157	CRWT122505	Yes	About time too!!
158	CRWT123242	Yes	Very dangerous when large lorries attempt to cross. Limit is very important for safety of other road users.
159	CRWT122864	Yes	Would also propose an extension of the limit to the junction of Chobham Road with the A30 London Road.
160	CRWT123002	Yes	No further comments.
161	CRWT123020	Yes	Idea of creating some safer means of managing pedestrian crossing of Chobham Road would not go amiss.
162	CRWT123133	Yes	Important that as many people as possible approve this proposal. Larger vehicles are noisier, more pollutant and a major hazard for traffic.
163	CRWT122985	Yes	It would be beneficial to have a weight, width and speed restriction on Chobham Road.
164	CRWT123015	Yes	No doubt that a restriction is needed urgently.
165	CRWT123026	Yes	Impossible for lorries over 7.5 T to pass over the bridge without crossing double white lines. Have had a number of near misses.
166	CRWT123067	Yes	Many near misses. Lorries cross double white lines. Vehicles often required to reverse.
167	CRWT123280	Yes	No further comments.
168	CRWT122901	Yes	Also look at kerbside parking on Chobham Road from the bridge to the A30 to improve traffic flow.
169	CRWT122969	Yes	Lorries cannot pass each other safely.

<b>Total No = 39</b>	+ additional 7 objections from other bodies (see Appendix D)
<b>Total Yes = 128</b>	



## Chobham Road 7.5 Tonne Weight Restriction - Consultation Summary

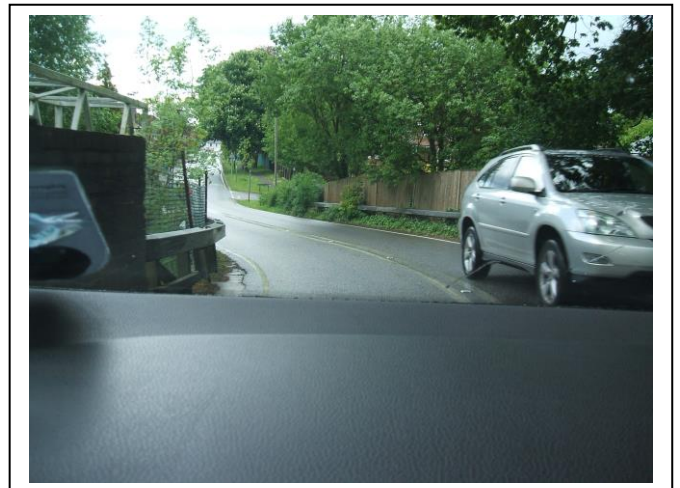
### Appendix D

Objections from Councils, police & developers (summarised)

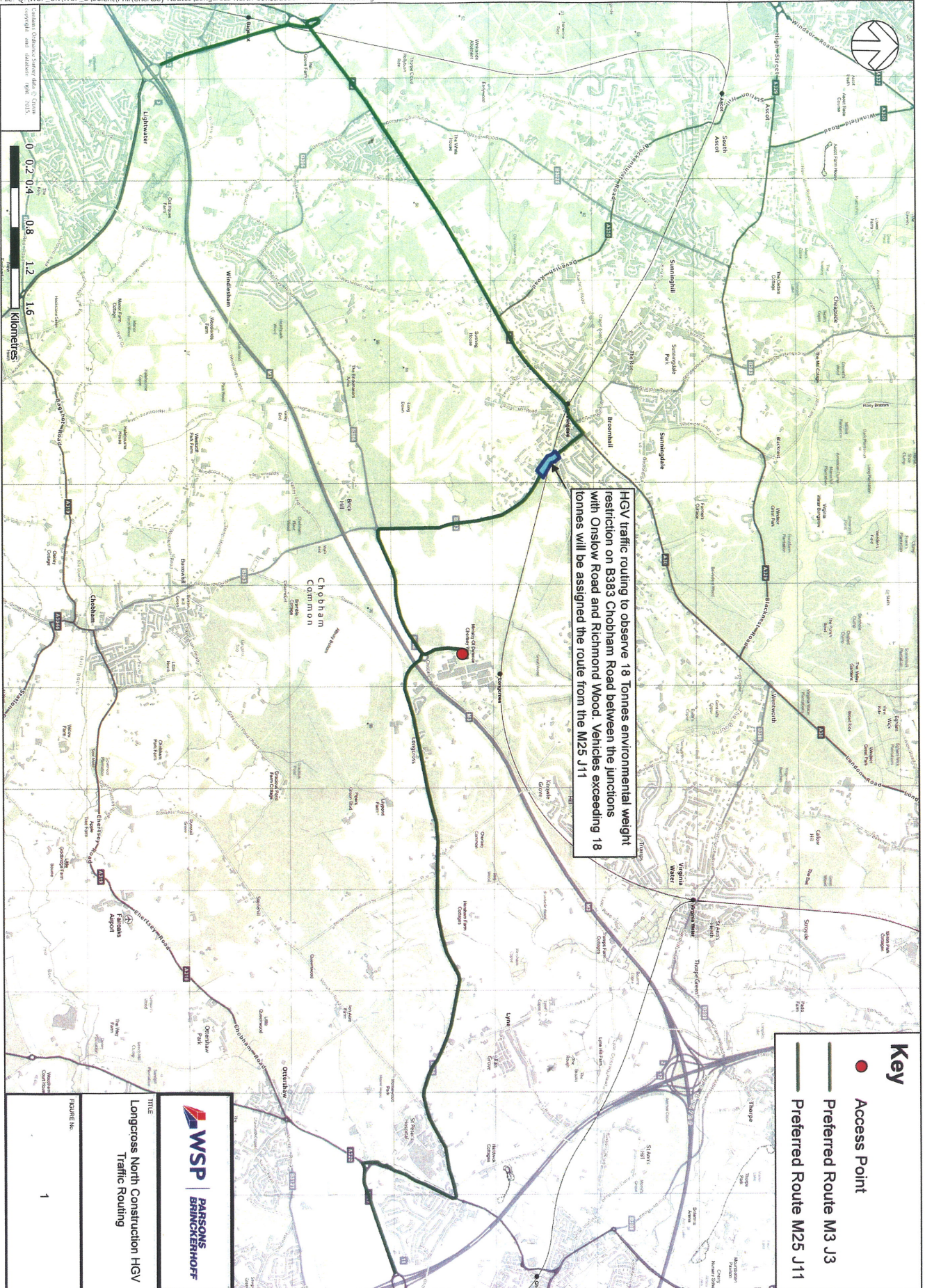
Organisation	Reasons for Objection
<b>Chobham Parish Council</b>	<p>Parish council was not informed.</p> <p>More heavy vehicles would travel through Chobham, endangering residents.</p> <p>Lack of evidence supporting feedback relating to severity of increases in traffic volume and minor incidents.</p> <p>Unable to understand the need for further reduction when a reduction was also implemented last year.</p> <p>Contradictory reasoning for weight limit reduction and a lack of supporting data.</p> <p>Failure to see a problem with the inability for two large vehicles to pass each other.</p> <p>Traffic will be diverted on to other, more dangerous routes.</p>
<b>Surrey Police</b>	<p>Displacement of HGV traffic on to arguably even more unsuitable roads.</p> <p>No mention is made of any particular injury collision problem.</p> <p>Lack of quantifiable data on HGV counts.</p> <p>New weight limit introduction coming very soon after previous one.</p> <p>No permission from Surrey County Council for erection of signage.</p> <p>Lack of advanced warning signage for HGV drivers.</p>
<b>Barton Willmore and Parsons Brinckerhoff on behalf of Crest Nicholson</b>	<p>Lack of evidence relating to potential accident risk reduction, and nothing referring specifically to HGVs.</p> <p>Road width appears sufficient for two lorries to pass side by side.</p> <p>No evidence that the restriction would prevent damage to the road, and no evidence that vehicles over 7.5 tonnes have been the cause of any damage thus far.</p> <p>No evidence has been provided supporting claims relating to the speed of vehicles, including HGVs.</p> <p>HGVs account for minimal percentage of overall road users (5.6% on weekdays, less at weekends), and therefore do not trigger any environmental implications which may give cause to protect amenities in the area.</p> <p>No indication that RBWM's maintenance liability in respect of repairs or maintenance of the route would be increased should the existing restriction be maintained.</p> <p>As Chobham Road is classified as a B road, its use by HGVs cannot be considered unsuitable.</p> <p>No assessment on the suitability/availability of and impact on alternative routes.</p> <p>The wider displacement of HGV movements would not be in keeping with the RBWM objective to reduce emissions.</p> <p>Restriction would create unnecessary traffic movements and would contradict RBWM's efficient management of the road network.</p> <p>Sufficient signage needed, including in locations which fall outside the jurisdiction of RBWM and which are opposed to the scheme. Signing detailing an alternative route has not been considered.</p> <p>Chobham Road is the most suitable route for construction vehicles for the site at Longcross.</p> <p>HGVs may need to use roads through Windlesham Village, which is deemed less suitable than Chobham Road.</p> <p>Increased cost of and disruption to development of Longcross site.</p> <p>Impact on local businesses not taken into account.</p> <p>The plan accompanying the order does not cover the full extent of the works required.</p>
<b>Surrey Heath Borough Council</b>	<p>Traffic likely to be diverted on to the B386 through Windlesham, a road which is less suitable than Chobham Road and has a poorer safety record.</p> <p>Construction traffic will have to find an alternative route which may impact villages in Surrey Heath.</p>
<b>Surrey County Council</b>	<p>No data presented to support claims that the volume of HGV traffic has recently increased.</p> <p>18 Tonne limit was only recently implemented and considered suitable. No evidence to support a change in existing conditions to warrant further reduction.</p> <p>Restriction is likely to displace HGV traffic on to routes in Surrey that are considered less suited to carrying this type of traffic.</p> <p>Greater environmental impact.</p> <p>Traffic likely to be diverted on to the B386 through Windlesham, a road which is less suitable than Chobham Road and has a poorer safety record.</p> <p>No suitable alternative route identified. Impact on alternative routes has not been assessed.</p> <p>No evidence to support claim that two HGV cannot pass each other on the bridge without the risk of colliding. Width of vehicles is not always proportional to their weight. Nothing to prevent wide vehicles from still using the bridge.</p> <p>Construction traffic for the Longcross site will be forced to use only one route, which has a poorer safety record than Chobham Road. This would also have a detrimental environmental impact.</p>
<b>Cllr John Furey Cabinet Member Highways and Transport Surrey County Council</b>	<p>Preliminary consultation with Surrey County Council was not carried out.</p> <p>Statement of reasons does not properly justify the order on environmental grounds.</p> <p>No consideration given to new routes to be used by HGVs, which in all likelihood will be Surrey roads, or considered the amenity of localities affected in Surrey.</p> <p>Carriageway width of the bridge is not considered to pose any difficulties to the two-way movement of vehicles.</p> <p>No accidents in the last 5 years so no evidence that restriction will reduce risk.</p> <p>No indication of where and how appropriate suitable alternative routes would be. The "most obvious alternative is through Windlesham Village which already had a speeding/injury collision problem".</p> <p>No evidence to support justification on environmental grounds.</p>
<b>Windlesham Parish Council</b>	<p>Parish council was not informed.</p> <p>More heavy vehicles would travel through Chobham, endangering residents.</p> <p>Lack of evidence supporting feedback relating to severity of increases in traffic volume and minor incidents.</p> <p>Unable to understand the need for further reduction when a reduction was also implemented last year.</p> <p>Contradictory reasoning for weight limit reduction and a lack of supporting data.</p> <p>Failure to see a problem with the inability for two large vehicles to pass each other.</p> <p>Traffic will be diverted on to other, more dangerous routes through Windlesham.</p>

# Appendix E

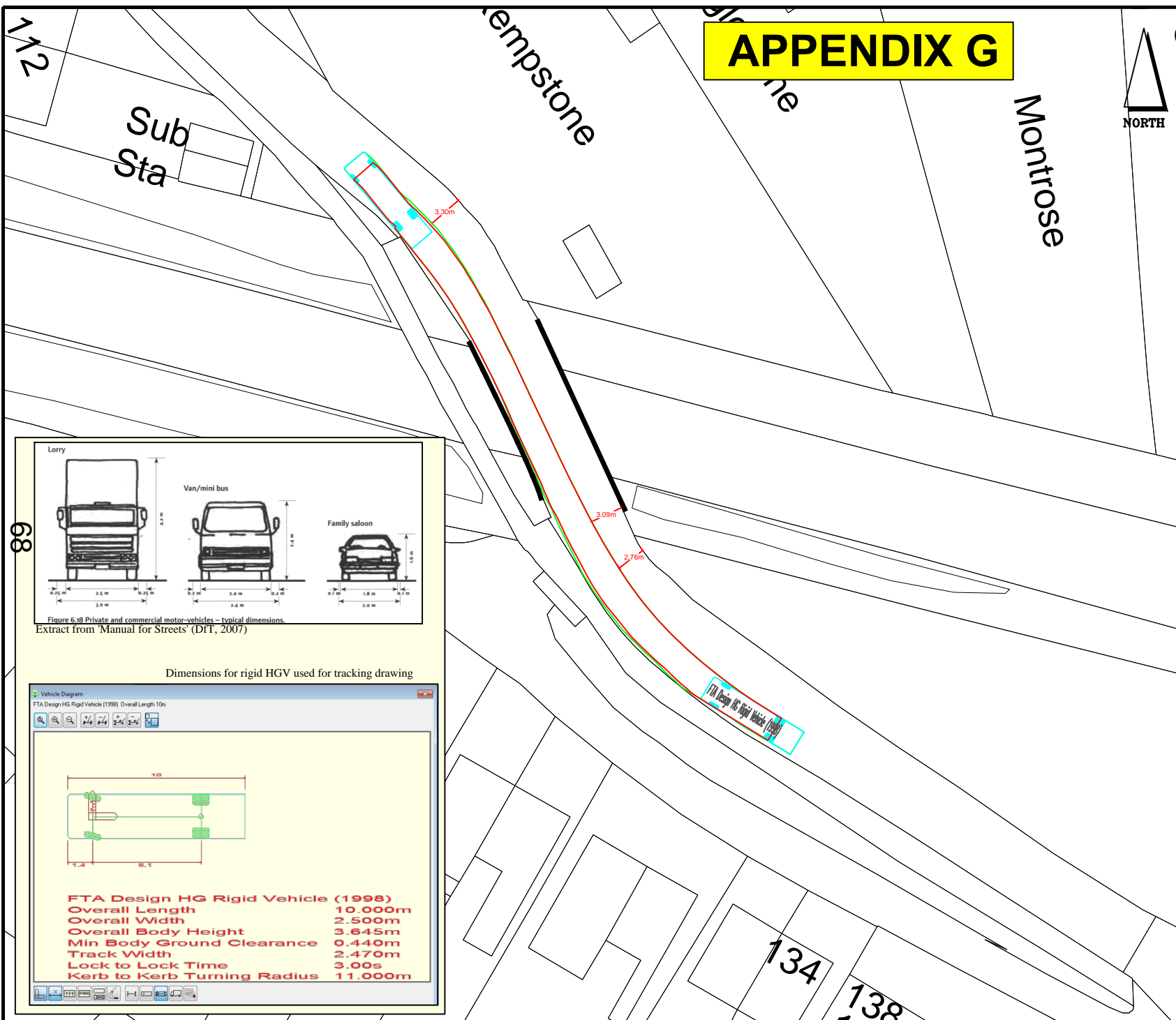
## Photos of Chobham Road



APPENDIX F



# APPENDIX G



68

Lorry

Van/mini bus

Family saloon

Figure 6.18 Private and commercial motor-vehicles – typical dimensions  
Extract from 'Manual for Streets' (DfT, 2007)

Dimensions for rigid HGV used for tracking drawing

Vehicle Diagram

FTA Design HG Rigid Vehicle (1998) Overall Length 10m

**FTA Design HG Rigid Vehicle (1998)**

Overall Length	10.000m
Overall Width	2.500m
Overall Body Height	3.645m
Min Body Ground Clearance	0.440m
Track Width	2.470m
Lock to Lock Time	3.00s
Kerb to Kerb Turning Radius	11.000m

Drg No. <b>PN-2113-04</b>		Rev. -
Rev	Date	Amendments
By		
<b>Operations Directorate</b>		
Highways, Engineering & Transport Town Hall, St. Ives Road, Maidenhead, Berks, SL6 1RF.		
Tel: 01628 683800 Fax: 01628 796774 <a href="http://www.rbwm.gov.uk">http://www.rbwm.gov.uk</a>		
Project: <b>B383 Chobham Road, Railway bridge</b>		
Title: <b>Swept path analysis for two axle rigid HGV</b>		
Drg No. <b>PN-2113-04</b>		Rev -
Date <b>26-01-16</b>	Scale <b>1:500 @ A4</b>	Size <b>A4</b>
Drawn By rmb	CAD By rmb	Checked By -
Signed Off By		
Drawing Path. Y:\CO1\CAD\Projects-PN\PN-2100-2199\PN-2113...		
<small>Reproduced from the Ordnance Survey Mapping with the permission of the Controller of her Majesty's Stationary Office Crown Copyright © Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Royal Borough of Windsor and Maidenhead - Licence Number 100018817</small>		



## CABINET MEMBER

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Cabinet Member for Highways and Transport  
Royal Borough of Windsor and Maidenhead  
By email: cllr.c.rayner@rbwm.gov.uk

Your ref:                      Our ref: CGL/NS/60246

21 December 2015

*For information*

The Royal Borough of Windsor and Maidenhead (Chobham Road, Sunningdale) (Weight Restriction) Order 2016 ("the Order")

I am writing to you having been informed by our Senior Highways engineer that the County has now been consulted about the proposed introduction of a 7.5 Tonne weight limit on Chobham Road. This follows your Council's making of an order on 26 May to restrict HGV traffic on that route to 18 Tonnes. That order was made despite serious and comprehensive formal objections by the County Council, Surrey Police, Crest Nicholson Runnymede Borough Council, and 13 objections from residents of Windlesham, backed up by residents and parish councils. It was made in the total absence of any technical reasoning. It therefore is extremely disappointing to see that your council now proposes an even more draconian restriction which is again totally unjustified in our view. In its new Statement of Reasons no effort is made to provide any evidence for the changes or any information that would address the previous objections. This letter is not the County's formal response to your consultation or a letter before claim but is intended to explain our concerns and to indicate to you the deficiencies of the proposed Order. It is necessarily repetitive as it covers the same areas of concern highlighted in our previous letter before claim which did not proceed

In relation to the current consultation our view is that the Royal Borough have failed to

1. carry out a preliminary consultation of the County Council as required by Regulation 6 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which provides that the order making authority shall, before making an order consult the other authority where an order relates to, or appears to the order making authority likely to affect traffic on, a road for which another authority is the highway authority
2. Ensure a fair formal consultation given the Christmas period. Its one week extension to the County has not been advertised so that other parties are aware.
3. provide an adequate Statement of Reasons to properly justify the making of the Order on environmental grounds and provide sufficient technical justification with proper assessment of the impacts for the making of the Order.

4. give any consideration to the routes in Surrey which would in all likelihood be taken by HGVs prohibited from crossing the Chertsey Road bridge and the impact of such additional HGV use on sensitive locations, particularly Windlesham which has HGV accident history and where a school will be affected

As background to this issue, Runneymede Brough Council as local planning authority granted planning permission on 12 August 2014 for a large development (100,00 sq m office space and 120 residential units) at the DERA site on Chobham Road, ( Longcross) Surrey, near the County boundary between Surrey and Berkshire. RBWM did not object to that application subject to consideration of timing of off site highway works, timing of agreed Longcross Station improvements, and the securing of a construction management plan. They subsequently were consulted on the Construction and Environmental Management Plan (CEMP) for the development, which anticipated construction traffic travelling between the site and the motorway network over 2 different routes to reduce the impact on local roads. One of these routes between the development site and the M3 via the A30) includes the section of Chobham Road over the railway bridge. The Royal Borough took two months to respond to that consultation to the effect that they strongly objected to the use of the Chobham Road bridge and during that time the Royal Borough made and confirmed the Order described below.

The Royal Borough of Windsor and Maidenhead (Chobham Road, Sunningdale) (Weight Restriction) Order 2015 ("the Order") was made on 26 May 2015, and came into operation on 1 June 2015. The Order was made under section 1 of the Road Traffic Regulation Act 1984 ("the Act") and its effect is to prevent any vehicle, the maximum laden or unladen weight of which exceeds 18 Tonnes, to proceed in any direction along the length of Chobham Road Sunningdale described in the schedule to the Order as being from the junction with Onslow Road, South East to a point 17m North West of its junction with Richmond Wood. This is a distance of approximately 200 metres and effectively restricts the use by HGVs of the bridge carrying Chobham Road over a railway.

No preliminary consultation pursuant to Regulation 6 of the 1996 Regulations has taken place. While it is clear that no assessment has been carried out by your Council of the effect of the proposed Order on other routes, your Council is of course on notice following objections to the 2015 Order that traffic on Surrey roads is likely to be affected.

Moreover, formal consultation has taken place over the Christmas period and while a week's extension to the minimum period has been agreed at our officers' request this has not been advertised and no other public notification by your Authority has taken place.

As you know when making a permanent Traffic Regulation Order local authorities are obliged to have regard to the duty in section 122 of the Road Traffic Regulation Act 1984, and we would emphasise s2 (b) as set out below. Your Authority failed to demonstrate that it had had regard to that statutory duty and considered the amenity of localities affected in Surrey and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to improve the amenities of the area through which the roads run, in coming to the decision to make the Order.

"

(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to 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.

(2) The matters referred to in subsection (1) above as being specified in this subsection are—  
(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

Prior to the making of an order under section 1 of the Act the promoting authority is required to seek internal approval for such order in accordance with its constitutional arrangements and apply

the advertising and consultation provisions of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI 1996/2489) ("the Regulations").

Section 1 of the Act provides a series of possible grounds for making an order when it is expedient to do so. These can include the prevention of the use of the road by vehicular traffic of a kind which is unsuitable having regard to the existing character of the road and for preserving the amenities of the area through which the road runs. Grounds for making the 2016 Order are set out in a Statement of Reasons. As with the previous Statement supporting the 2015 Order, this statement is short and does not provide any information/evidence to justify the proposal. Again the Statement says that a 'number' of HGVs have had difficulty in passing each other over the bridge but no precise details are given of the nature of the problem, numbers of HGVs affected, history of complaints, impact, collision problems or personal injury history and any steps taken by your Authority to address this i.e. to remove/reduce on-street parking that is acknowledged causes congestion to the north of the bridge on Chobham Road. Crest Nicholson's objection to the 2015 Order looked at this in depth and found that the carriageway width of the bridge on Chobham Road was not considered to pose any particular difficulties to two-way movement of vehicles across the bridge ( p2 of WSP/Parsons Brinckerhoff technical note)

It further stated that the level of HGVs ( over 18T) reported by an automatic traffic count over the course of a weekday was low and that "The occurrence of two opposing HGVs passing each other over the bridge, at any one time will be so low as to make it a rare event". It added that there were no reported accidents in the last five years along the section of Chobham Road subject to the proposed weight restriction. (page 4 of Technical Note). The County's professional officers have no reason to doubt that evidence, backed up by police data based on the database of personal injury accidents derived from Police reports. This indicates no personal accident recorded on the bridge or in the immediate vicinity of it.

The 2016 Statement of Reasons repeats that the purpose of the proposal is to reduce the amount of heavy goods vehicles ( HGVs) using the streets in the local area as a through route and to manage HGVs use of the local network by keeping them on more appropriate roads wherever possible. No details are given of what, or where, those 'appropriate roads' are or how they were deemed to be more appropriate for HGV use , how HGVs were to be persuaded or obliged to use them, or indeed why the Chobham Road bridge was deemed unsuitable. There are other routes in the vicinity, but there is no evidence to show that these routes were analysed for their suitability as alternatives. Again Crest Nicholson previously addressed these issues. Again the overall reason for making the new Order appears to be environmental (in the absence of any reference to any structural deficiency in the bridge or indeed any evidence of the same), but the Statement does not provide sufficient information to justify the proposals and the subsequent making of the Order on environmental grounds.

The unsuitability of other routes in the vicinity was one of the main objections by the County in its objection letter of 14 May to the 2015 Order, where it sought to set out its concerns that HGVs would now potentially divert onto local roads in Surrey and that some of these roads were less suited to carrying HGV traffic than Chobham Road and that a greater environmental impact would consequently result. Graham Cannon, Surrey Police Road Safety and Traffic Management Officer, while acknowledging that Surrey Police as neighbouring police authority was not a statutory consultee, wrote on 14 May to the Royal Borough's Senior Highways and Parking engineer with a formal objection to the proposed weight restriction because of the impact it would have on Surrey roads. He explained that "the most obvious alternative route is through Windlesham Village which already had a speeding/injury collision problem. ( one involving an HGV). It has a school along the route as well as traffic calming and priority give ways. To increase HGV traffic through this area would be totally unacceptable to Surrey Police". Crest Nicholson, the developer of the Longcross site, also made a strong objection.

The email trail supplied to the County (19 and 20 May 2015) sets out the matters considered by the Lead Member in deciding to make the 2015 Order, but there was no reference to the impact that the restriction would have on other routes in the vicinity,

The Senior Engineer outlined his alternative route to the Cabinet Member

I have looked at the question of an alternative route: The vehicles travel along the B386 from the site. At the junction with the B383 Chobham Road (roundabout) they would turn left towards Chobham. This road is a standard two lane road with a national speed limit, later reducing approaching Chobham. On the outskirts of Chobham the route turns right, at a mini-roundabout, onto the A319 Vicarage Road. Continuing along the A319 for approximately 3.7 kilometres before turning right, at a roundabout, onto the A322 (dual carriageway) up to the M3. There are few shops, all with off road parking, and no designated on street parking spaces on this route. There is one raised crossing on this route (B383), shortly after a mini-roundabout which will ensure speeds are low for all vehicles. Spot measurements of the B383 indicated an average width of approximately 6.5 metres.

It would appear to be more suitable for heavy vehicles than Sunningdale village and the railway bridge.

The alternative route suggested is in fact marginally narrower than the bridge and does not avoid the alleged concern regarding the dangers posed by passing HGVs. In addition there is of course no guarantee at all that HGVs or any other wide/heavy vehicles will use this alternative route when passage across the bridge is restricted. The decision was based on a flawed assumption that there is an issue with HGVs passing one another on the bridge when no evidence is produced for that.

The matter was referred to the Cabinet Member on 19 May 2015 at 14.54 hours, who with no reference to officers but only to the Councillor proposing the Order, had made his decision by 20.00 hours that evening relying on discussions with local member Cllr Christine Bateson "who has raised the following concerns on behalf of local residents in Sunningdale:-

- The safety of vehicles on the railway bridge as it is too narrow for large vehicles
- The local access road and premises close to the bridge with limited visibility
- The additional road traffic pollution in local area affecting residents either side of the bridge
- Reduced traffic flow due to limited visibility and road width when large vehicles are opposing
- Danger to pedestrians shopping at local shops in the central part of the village, either side of Chobham Road involving crossing movements
- Danger of increased congestion at the junction of the A30 London Road / B383 Chobham Road close to the London Road pedestrian crossing "

No technical evidence was provided or referred to to support these concerns being grounds for the draconian action of a weight limit on a long standing structure and it was clear that the Cabinet Member acted on assertions by the Local Member, the very same councillor who had proposed the scheme, when he should have been asking for advice from his professional officers as to the justification for making an Order on those grounds. The Cabinet Member did not address in the email confirming his decision the serious objections made by the County Council, Borough Council, Surrey Police, or Crest Nicholson by way of their consultants WSP.

There is no evidence that the Royal Borough has considered any alternative routes for vehicles in excess of 7.5 tonnes that would be affected by the proposed Order. The provision of an alternative route is an option by virtue of regulation 7; schedule 2(c) of the Regulations. This provides for a map to be made available for inspection, such map to clearly show the location and effect of the Order as proposed to be made or as made and, where appropriate, alternative routes for diverted traffic. A map has been provided for the consultation exercise, showing the bridge and its immediate vicinity, but does not describe any alternative routes. As part of the Royal Borough's internal process for seeking approval to make the 2015 order referred to above (after receiving objections) the officer dealing with the matter found it necessary to describe an alternative route to the member who gave approval. As it was felt necessary to provide this information for the purpose of the approval process, it follows that this information should have been available as part of the advertising of the Order. This should have been picked up in the consultation for the proposed 2016 Order. Again, this shows a fundamental lack of understanding and consideration of the wider effects of the proposed Order.



Again, the grounds for making the 2016 Order, in the absence of any corroborating evidence, have not been made out. The County's Officers are preparing their response to the consultation exercise. It is anticipated that their strong objections will remain. In the event that the 2016 order as advertised is confirmed the County will consider their options.

Yours sincerely



John Furey  
Cabinet Member for Highways, Transport & Flooding

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11 January 2016

Our Ref: ME-98964  
Your Ref: PN-2113

Dear Mr Jones,

**Re: THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD (CHOBHAM ROAD, SUNNINGDALE) (WEIGHT RESTRICTION) ORDER 2016**

Thank you for your email of 16 December 2015 attaching a notice, plan and statement of reasons, sent by way of a formal consultation relating to the above Traffic Regulation Order. You have stated that although the legal notice requires representations to be made by 14 January 2016 you would accept comments or objections in writing until 5 pm on 22 January 2016, presumably in view of the Christmas period. It is not clear whether this extension of time has been made public.

I am writing to advise you that Surrey County Council (SCC) formally objects, in the strongest terms, to the Royal Borough of Windsor and Maidenhead's (RBWM) proposal to introduce a 7.5 Tonne weight limit in Chobham Road, Sunningdale. The grounds for objection are detailed below and are unsurprisingly similar to those cited when the County Council objected only last year to the proposed introduction of the existing 18 Tonne weight limit at the same location.

I must also state that SCC finds it extremely disappointing that RBWM has commenced a statutory consultation without undertaking any prior consultation with SCC especially given the objection and serious concerns raised when the existing 18 Tonne weight limit was proposed.

Grounds for objection:

- The Statement of Reasons justifies the proposed Order to reduce the weight limit to 7.5 tonnes on the following grounds:
  - 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.
  - For preventing damage to the road or to any building on or near the road
  - For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
  - For preserving or improving the amenities of the area through which the road runs

It concludes that Chobham Road narrows over the railway bridge to such an extent as to "prevent two HGVs from passing in opposing directions without the risk of colliding with roadside

obstacles or oncoming vehicles". The report presented to RBWM's Cabinet on 26 November 2015 states "it appears from local feedback that the volume of large vehicles has increased recently as has the incidence of damage only accidents and near misses". However, there is no technical evidence presented (such as HGV counts, personal injury collision data etc) to verify the extent of the claimed problems and justify the need for introducing the proposed reduction in weight limit. It is not acceptable to rely on local feedback when RBWM must know that proposals of this kind have to be based on professional assessments of the issues.

- Despite the objections it received to the 2015 Order, RBWM introduced the existing 18 Tonne weight limit at the location with effect from 1 June 2015. Having assessed the situation it must therefore have considered this to have been an appropriate measure to address the concerns raised by residents. To justify the need to reduce the weight limit after such a short time a significant change in the existing conditions would have been expected to have occurred. However, no evidence is presented of such a change.
- In its objection to the existing 18 Tonne weight limit, SCC stressed that the restriction was likely to displace HGV traffic onto routes in Surrey that are considered less suited to carrying this type of traffic than Chobham Road. As a result, the environmental impact caused by the traffic would be greater. This impact will only be increased further if the weight limit is reduced to 7.5 Tonnes. The route most likely to be used as an alternative by HGVs is the B386 through Windlesham village. This road has a poor alignment with a number of bends and high levels of on-street parking in the centre of the village (which effectively restricts the carriageway to a single lane width over significant lengths). In addition, there is a raised table and a number of pinch points along the route as well as a school. Personal injury accident data also indicates that this route has a significantly poorer safety record (including an HGV accident history) than the B383 Chobham Road. The other obvious alternative routes also have a significantly poorer safety record than Chobham Road and are not considered more suitable for large vehicles to use.
- Despite the concerns raised previously and further to the above point, the consultation documents for the latest proposal to reduce the weight limit to 7.5 Tonnes (and the report presented to RBWM's Cabinet) do not identify a suitable alternative route for vehicles affected by the restriction. Furthermore, it appears that the potential impacts of the proposal on other routes have not been assessed. However, as highlighted in the Officer report presented to RBWM's Cabinet, section 122 (2)(b) of the Road Traffic Regulation Act 1984 makes it the duty of an authority exercising functions under this Act to, insofar as is practicable, have regard to the *effect on the amenities of **any** locality affected and ... the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the **roads** run.* SCC asserts that this duty has not been complied with and that the amenities of the obvious alternative routes will be severely affected if this Order were to come into effect.
- The Statement of Reasons states that where Chobham Road crosses the railway line the width of the road prevents two HGVs from passing in opposite directions without the risk of colliding with roadside obstacles or oncoming vehicles (although no evidence is presented in support of this). However, the width of vehicles is not always directly proportional to their weight. As such, imposing a weight limit will not necessarily prevent wider vehicles from travelling across the bridge.
- The Construction and Environmental Management Plan (CEMP) for the proposed mixed-use development on the former DERA Longcross site initially proposed two alternative routes for construction traffic travelling to and from the site. These routes were identified following an assessment of alternative options and the origin of the construction traffic. Chobham Road forms part of the one of these routes. The introduction of the existing 18 Tonne in Chobham Road therefore meant that all vehicles over 18 Tonnes would have to use the other route. Further reducing the weight limit to 7.5 Tonne would then require all vehicles over this weight to use this one route due to the lack of suitable alternatives other than Chobham Road. As a result it would have a disproportional environmental impact along this route which has a significantly poorer safety record than Chobham Road.

In conclusion, SCC does not consider that RBWM has demonstrated that there are any technical grounds to justify the making of the proposed 2016 Order to introduce a 7.5 Tonne weight limit overriding the already questionable grounds for the 2015 Order. Its duty to have regard to the amenities of localities affected by the Order has not been complied with and the impacts of the restriction on the other routes HGVs are likely to use have not been properly assessed and considered. On this basis, SCC objects to the proposed Order. Surrey Police shares the views of SCC.

Further to the above objection, County Council Officers would be happy to meet RBWM Officers and Members to discuss the County Council's concerns in more detail prior to the responses to the consultation being considered by RBWM's Cabinet.

Yours sincerely

pp *J. M. Godden*

Andrew Milne  
Area Highways Manager (NW)  
Surrey Highways  
Surrey County Council



# Windlesham Parish Council

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Huw Jones  
Senior Engineer  
The Royal Borough of Windsor and Maidenhead  
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Berks SL6 1RF

Your reference PN-2113

20<sup>th</sup> January 2016

Dear Mr Jones

**Re: The Royal Borough of Windsor and Maidenhead (Chobham Road Sunningdale) (weight restriction) order 2016.**

We have been informed by our County Councillor that you are considering reducing the weight limit on the Chobham Railway Bridge to 7.5 tonne. Furthermore, after reading the cabinet minutes on this proposal it states that Parish Councils would be contacted, however, I am not aware this has happened. It is therefore disappointing and clearly contravenes the duty to cooperate. We are also concerned that you have conducted this consultation over the Christmas period when Parish Full Councils do not meet. We understand that you have agreed to extend the consultation till the 22<sup>nd</sup> of January but have failed to confirm this on your web site.

I can confirm that Windlesham Parish Council formally objects, in the strongest terms to the Royal Borough of Windsor and Maidenhead's proposal to make the Chobham Road Sunningdale restricted to vehicles above 7.5 tonne. We also objected to RBWM reducing this to 18 tonne last year at the same location. RBWM failed to consider Windlesham residents objection and took no notice of their concerns.

Reasons for objection.

1. You have failed to consult Parishes and kept them informed of your proposal.
2. Your decision to impose a weight limit last year to 18 tonne has increased the number of heavy vehicles going through Windlesham, causing danger to residents and children, particularly along School road where there is an infant school.
3. We can see no technical evidence that supports the cabinet paper on the 26<sup>th</sup> November where it states "it appears from local feedback that the volume of vehicles has increased recently as has the incidence of damage only accidents and near misses". RBWM surely are aware that introducing measures must be based on facts not opinions.
4. On June the first RBWM introduced the 18 tonne limit how can the situation be different less than five months later.

5. In the original decision the reason given was to reduce traffic going through Sunningdale, now a number of different reasons are being given with no official data to back this up.
6. You state that one of the reasons given was that - where Chobham Road crosses the railway line the width of the road prevents two HGV's from passing in opposite directions without the risk of colliding with roadside obstacles or oncoming vehicles. I can see no evidence that any collisions have occurred so why do you now believe after a number of years this is a problem?

Windlesham Parish Council do not believe RBWM have in any way demonstrated that there are any technical grounds to warrant the proposed 2016 order to introduce a 7.5 tonne weight limit. The affect of this order will mean traffic will use more dangerous routes through the parish of Windlesham. We also understand that Surrey police object to this order.

Yours sincerely,



Sarah Walker  
Assistant Clerk  
On behalf of Windlesham Parish Council



# CHOBHAM PARISH COUNCIL

The Clerk, Chobham Parish Pavilion, Recreation Ground, Station Road  
Chobham, Woking, Surrey GU24 8AJ

Tel: 01276 856633

Email: [clerk@chobhamparishcouncil.org](mailto:clerk@chobhamparishcouncil.org) Website: [www.chobhamparishcouncil.org](http://www.chobhamparishcouncil.org)



Huw Jones  
Senior Engineer  
The Royal Borough of Windsor and Maidenhead  
Town Hall  
Maidenhead  
Berks SL6 1RF  
Your reference PN-2113  
19<sup>th</sup> January 2016

Dear Mr Jones

Re: The Royal Borough of Windsor and Maidenhead (Chobham Road Sunningdale) (weight restriction) order 2016.

We have been informed by our County Councillor that you are considering reducing the weight limit on the Chobham Railway Bridge to 7.5 tonne. Furthermore, after reading the Cabinet minutes on this proposal it states that Parish Councils would be contacted; we are not aware this has happened. It is therefore disappointing and contravenes the duty to cooperate. We are also concerned that you have conducted this consultation over the Christmas period when Parish full Councils do not meet. We understand that you have agreed to extend the consultation till the 22<sup>nd</sup> of January but have failed to confirm this on your web site.

I can confirm that Chobham Parish Council formally objects, in the strongest terms to the Royal Borough of Windsor and Maidenhead's proposal to make the Chobham Road Sunningdale restricted to vehicles above 7.5 tonne. We also object to RBWM reducing this to 18 tonne last year at the same location.

Reasons for objection.

1. You have failed to consult Parishes and kept them informed of your proposal
2. Your decision to impose a weight limit last year to 18 tonne has increased the number of heavy vehicles going through Chobham, causing potential danger to residents and children.
3. We have searched but can see no technical evidence that supports the Cabinet paper on the 26<sup>th</sup> November where it states "it appears from local feedback that the volume of vehicles have increased recently as has the incidence of damage only accidents and near misses". RBWM surely are aware that introducing measures must be based on facts not opinions.
4. On June the first RBWM introduced the 18 tonne limit how can six months later the situation be so different as to warrant a further change.
5. In the original decision the reason given was to reduce traffic going through Sunningdale, now a number of different reasons are being given with no official data to back this up.
6. You state that one of the reasons given was where Chobham Road crosses the railway line the width of the road prevents two HGV's from passing in opposite directions without the risk of colliding with roadside obstacles or oncoming vehicles. I can see no evidence that any



collisions have occurred so why do you now believe after a number of years this is a problem?

Chobham Parish Council do not believe RBWM have demonstrated that there are any technical grounds to warrant the proposed 2016 order to introduce a 7.5 tonne weight limit. The affect of this order will mean traffic will use other routes that are more dangerous. We also understand that Surrey police object to this order.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annette Barber', with a long horizontal line extending to the right from the end of the signature.

Annette Barber  
Parish Administrator



**Surrey Heath Borough Council**  
Surrey Heath House  
Knoll Road  
Camberley  
Surrey GU15 3HD  
Switchboard: (01276) 707100  
DX: 32722 Camberley  
www.surreyheath.gov.uk

**Service Regulatory**

**Our Ref:**

**Your Ref: PN 2113**

**Direct Tel: 01276 707100**

**Email: Jane.ireland@surreyheath.gov.uk**



Huw Jones  
Senior Engineer  
RBWM  
Town Hall  
St Ives Road  
Maidenhead SL6 1 RF

January 4<sup>th</sup> 2016

Dear Mr Jones

**The Royal Borough of Windsor and Maidenhead (Chobham Road, Sunningdale) (Weight Restriction) Order 2015**

Thank you for your consultation in respect of introducing a 7.5 Tonne weight restriction on the B383 Chobham Road, Sunningdale.

I am writing to advise you that Surrey Heath Borough Council **objects** to the proposal for the following reasons:

The statement of reasons sets out that the purpose of the proposal is to avoid danger to persons or other traffic using the road, to prevent damage to the road to prevent unsuitable traffic impacting on the character of the road and to preserve or improve the amenities of the area through which the road runs.

The introduction of a 7.5 tonne limit would mean that areas within Windlesham Parish would be adversely impacted by traffic diverting onto roads through these areas. The impact on these areas would reflect those which the proposed weight restriction order is seeking to address.

Vehicles avoiding the weight limit would divert onto local roads which are less suited to carrying this type of traffic than the Chobham Road in Sunningdale. Traffic is likely to divert onto the B386 through Windlesham village. Surrey County Council has identified that this road has a poor alignment with a number of bends and high levels of on-street parking in the centre of the village. In addition there is a raised table and a number of pinch points along the route as well as a school. Surrey County Council personal injury data indicates that the route through Windlesham has a significantly poorer safety record than the B383 Chobham Road.

In addition as part of the Construction and Environmental Management plan for the large scale development at DERA ( Longcross) construction traffic will travel to the site by two routes, one of these routes includes the section of the Chobham Road where the weight restriction is proposed. If this route is no longer available construction traffic will need to find other routes to the site. These routes could impact on villages in Surrey Heath.

Yours sincerely



Jane Ireland  
Planning Policy Manager

Huw,

I have been informed by Jason Gosden at SCC that RBWM are considering reducing the weight limit on Chobham Road, by the rail bridge from 18t to 7.5t.

I wish to register a formal objection to this proposal on behalf of Surrey Police.

The reasons for this are in many ways the same as when you only recently introduced the 18t weight limit-;

- Displacement of HGV traffic on arguably even more unsuitable roads than the B383 Chobham Road. The most obvious alternative route is the B386 through Windlesham Village, which already has a speeding/ injury collision problem (one involving a HGV) that we are trying to address. It has a school along the route as well as traffic calming and priority 'give ways' within the main part of the village. To increase HGV traffic through this area would be totally unacceptable to Surrey Police.
- In your statement of reason, no mention is made of any particular injury collision problem on the rail bridge in question, or if any HGV counts have taken place that would help to quantify the problem and the reason for the proposal.

As indicated above, despite formal objections from Surrey CC and Police you introduced a 18t weight restriction in the summer. At that time you must have considered a 18t weight restriction suitable and that it achieved the aims of the borough and satisfied the residents. I now wonder why you feel it necessary to introduce an even lower limit of 7.5t's, only a few months on. This is only going to increase the problems and potential road safety dangers highlighted above on the B386 through Windlesham Village, which is the obvious alternative route.

In addition to the above I would like to point out an issue with the advanced signing that I do not feel that you or Thames Valley Police have taken into consideration. You have introduced the current 18t weight restriction, which as your design drawing (PN-1702-31) indicated, should have advanced warning of the restriction on both approaches. This is so that HGV drivers have ample time to understand where the restriction is and can alter their route accordingly. In the design drawing there is provision of a warning sign to be situated at the Chertsey / Chobham Road roundabout in the Surrey CC area, that would indicate to HGV drivers approaching from the southeast that there was a weight restriction 1 mile ahead. It is my understanding that SCC have never given you permission to erect the sign at this location.

Yesterday I checked the advanced signing of the current weight restriction and can confirm that there is no advanced signing at the Chertsey/ Chobham Road roundabout, or at any other suitable place that would allow a driver of an HGV to take an alternative route. On this approach the first indication a HGV driver would have that there is a weight restriction on the rail bridge would be when faced with the actual weight restriction sign just beyond the junction with Richmond Wood. What is the HGV driver supposed to do then? As far as I can see he would be faced with two options- 1) either attempt to carry out a very difficult reversing manoeuvre so that he could go back the way he came, or 2) continue on and contravene the weight restriction. I would suggest that to carry out a 'u' turn manoeuvre would be very dangerous for any following traffic or pedestrians that were in the area at the time and also a distinct possibility that property could be damaged in the process. Also, from a prosecution point of view, I think that it would be very difficult to secure a conviction when presented with the facts that there is no advanced warning of the restriction and never has been due to a dispute from the neighbouring Highway Authority and that the driver thought that it was unsafe to carry out a 'u' turn and a safer option was to proceed over the bridge. Perhaps you can ask Thames Valley Police what their thoughts are on such a scenario.

As indicated before, I appreciate that Surrey Police is not a formal consultee on this matter, as the restriction falls outside our policing area, however I feel that I must make comment on this proposal as it will undoubtedly have a detrimental effect of road safety on Surrey's roads. It is for these reasons that I formally object to the introduction of a 7.5t weight restriction.

Regards,

Graham Cannon

Road Safety & Traffic Management  
PO Box 101,  
Guildford,  
Surrey,  
GU1 9PE

Highway Projects Team,  
Royal Borough of Windsor and Maidenhead,  
Town Hall,  
St. Ives Road,  
Maidenhead,  
BERKSHIRE. SL6 1RF

16460/A3/NS/dw

**BY EMAIL & POST: projects@rbwm.gov.uk**

11<sup>th</sup> January, 2016

Dear Sir/Madam,

**THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD (CHOBHAM ROAD, SUNNINGDALE)  
(WEIGHT RESTRICTION) ORDER 2016 RESPONSE REFERENCE PN2113: OBJECTION ON  
BEHALF OF CGNU AND CREST NICHOLSON**

On behalf of CGNU and Crest Nicholson, the promoters of the consented redevelopment of the former DERA site at Longcross North (in Runnymede Borough) we hereby submit an objection to the Weight Restriction Order proposed by RBWM. This weight restriction relates to the road bridge on Chobham Road, Sunningdale.

To explain this objection a Technical Note has been prepared by CGNU and Crest Nicholson's transport advisor WSP Parsons Brinckerhoff (see attached). The conclusions reached in the Technical Note are as follows:

- The reasons given for the weight restriction are not justified, against the status of Chobham Road as B-road which confers it a particular status and is of local importance for North-South movements.
- The volume of HGVs, and traffic in general, on Chobham Lane does not trigger any environmental implications which could give rise to a requirement protect amenity.
- There have been no accident records involving HGVs in the last 5 years on this section of Chobham Road. The reason given that, with the restrictions, accident risk would be avoided is therefore unfounded.
- Restricting the use of Chobham Road by HGVs over 7.5T would increase the reliance placed on other less suitable routes.
- No assessment of the significance of HGV movements or consequent diversions has been considered. The effect of the proposed 2016 Order is not compliant with RBWM transport policy which requires 'effective' management of the highway network and a reduction in unnecessary journeys.

- There is no indication that RBWM's maintenance liability in respect of repairs or maintenance of the route would increase as a result of maintaining the current access regime. If less maintenance is expected, then this should be evidenced and should be information that the public should be consulted upon.
- The implications on local businesses have not been taken into account, nor has there been any indication that consultation has taken place with the users that would be affected by the proposed 2016 Order.
- The plan accompanying the order does not cover the full extent of the works required to implement the order, including signage, affecting the scope of the material available for consultation.

Taking all of the above into account, there does not seem to be any robust physical or environmental reasons which would justify the placing of a further environmental weight restriction on Chobham Road.

It is also the case that no information has been presented relating to the speed of vehicles along Chobham Road, including that of HGVs, and whether alternative means of managing this through alternative restrictions (e.g. speed limits) would yield more appropriate outcomes against the amenity objectives being sought by RBWM.

The proposed Order is therefore unjustified and places a disproportionate constraints on users, the wider economy and risk increasing journey frequency and length, against local policy.

Please can you confirm that this objection has been received with the set consultation period and that it will be the subject of full and proper consideration by RBWM. Following your review of this objection we would be pleased to discuss this with you in the hope that no further weight restrictions will be placed on the Chobham Road bridge at Sunningdale. Should you have any questions or require any additional information then please do not hesitate to contact the writer.

Yours faithfully,



**NEVILLE SURTEES**  
Associate

Encs.

- cc. B. Smith (RBWM Head of Highways and Transport) - w/encs.  
T. Jones (Crest Nicholson) - w/encs.  
I. Maguire (Runnymede Borough Council) - w/encs.  
K. James (Surrey County Council) - w/encs.

# TECHNICAL NOTE

**TO:** Royal Borough of Windsor and Maidenhead  
**FROM:** WSP | Parsons Brinckerhoff on behalf of Crest Nicholson  
**SUBJECT:**

**The Royal Borough of Windsor and Maidenhead (Chobham Road, Sunningdale) (Weight Restriction) Order 2016**

**Response Reference PN2113**

**DATE:** 07 January 2016

---

## **OBJECTION TO THE 7.5 T WEIGHT RESTRICTION ORDER (2016)**

### **Background**

WSP | Parsons Brinckerhoff has been asked by CGNU & Crest Nicholson to consider the Weight Restriction Order 2016 by Royal Borough of Windsor and Maidenhead (RBWM), which has been lodged for consultation under reference PN2113.

In line with the details of the 2016 Order, this review has considered the following:

- Publication of the Order for consultation, dated 16 December 2015
- Statement of Reasons, undated
- RBWM Drawing PN-2113, dated 8 December 2015

### **Context**

Two broad types of weight restrictions can be applied by a highway authority:

- Environmental weight restrictions; and,
- Weak bridge/road weight restrictions.

Such Orders can be made by a highway authority under exercise of powers under the Road Traffic Regulation Act 1984, with subsequent enforcement by The Police and, if required, Trading Standards.

The main difference between the two types relate to the reasons for the restrictions, and the additional 'exemptions' that can be applied, in the case of environmental restrictions, in allowing access to collect or deliver goods or carry out maintenance. There is generally no such exemption in respect of protecting a weakened structure, although this does not apply in this instance.

Permanent Orders can be made in the interest of, *inter alia*:

(d) preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,

or

(f) for preserving or improving the amenities of the area through which the road runs

Based on the above, the restrictions subject to the RBWM 2016 Order would be classified as an environmental weight restrictions order. In such cases, councils should seek to demonstrate that there are reasonable grounds to seek a change in conditions affecting the Highway as they relate to the specific circumstances and outcomes of the Order.

The objection lodged by CGNU & Crest Nicholson is on the basis that such grounds cannot be substantiated by RBWM in this case.

The Parliamentary Standards Note (SN6013, 17 November 2014) also makes it clear such TROs should be considered where the road has a significant problem and the order garners substantial local support. To date, no information has been provided to demonstrate if both of these criteria are met in this instance.

### **Reasons for Objection**

In its *Statement of Reasons*, RBWM cites the reasons for seeking the 2016 Order as being:

- **Reason 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.
- **Reason B:** For preventing damage to the road or to any building on or near the road.
- **Reason C:** For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.
- **Reason D:** For preserving or improving the amenities of the area through which the roads runs.

The reasons given above are different to those outlined by RBWM in support of a 2015 Order covering the same section of road, which sought to impose 18T weight restriction. Those reasons were:

- Reason (1): The difficulty experienced by two-way movement of vehicles across the bridge; and,
- Reason (2): The need to reduce the volume of HGVs on the route

Different reasons are being given to support a further restriction to 7.5T under the 2016 Order consultation, when the primary underlying objective of RBWM would seem to simply be limiting HGV movements on the route, whether the Order is actually justified or not.

No information has been provided by the RBWM to quantify the current level of HGV traffic and the reduction that it would be seeking to achieve. The 2015 Order was considered by CGNU & Crest Nicholson to be largely ineffective against the stated objectives, given that only *circa* 10% of all existing HGV traffic would be affected.



Limited consideration has been paid to the effects of the restriction on the affected users, including the practicality and economic case of any consequent HGV diversions. Consequently, the effects of the restrictions on the local road network has not been taken account of in the highway authority's overall management of the highway network and dis-benefit arising from longer journeys on that network, including increased mileage and CO2 emissions and loss of productivity.

In the same way as new infrastructure schemes are required to consider the weight given to the benefits and dis-benefits to all users, no such assessment has been carried out in respect of the effective 'closure' of infrastructure on (the same) groups of users. This case is not a simple restriction placed on an otherwise undesirable route for traffic, but a B-road of importance for the local economy.

Finally, the plan accompanying the order does not cover the full extent of the works required to implement the order, including signage, affecting the scope of the material available for consultation. The signage shown on plan PN2113 is not sufficient to deliver the objective of the 2016 Order.

Notwithstanding the general points made above, further commentary on the individual reasons is provided below:

### **Reason A**

The rationale for Reason A, which suggests that allowing HGVs continued use of the route would create danger, is not borne out of the existing road safety statistics, which also has not reported either, any significant level of general accidents and none related specifically to HGVs. WSP's appraisal of the statistics has concluded that there have been no reported accidents in the last five years along the section of Chobham Road subject to the proposed weight restriction

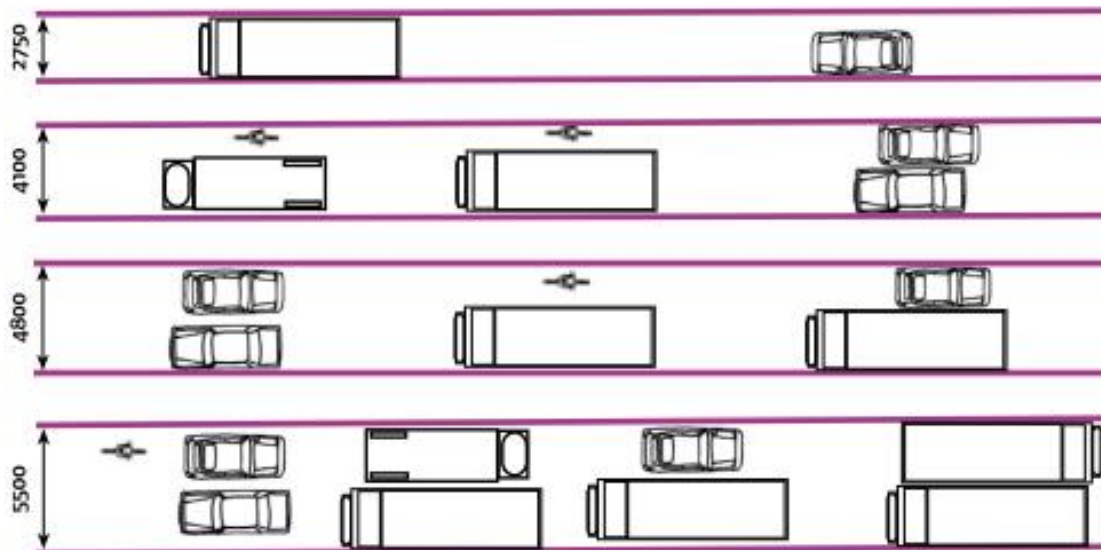
The papers submitted to the Committee make reference to "*damage only collisions between lorries and cars and congestion in Chobham Road in the vicinity of the shops*". However, it should be noted that the Statement of Reasons does not refer to this issue, and in any event, a weight restriction on the bridge would not necessarily address this issue, if indeed it is borne out of a comprehensive analysis. Consequently, it should be disregarded as any part of the decision making process.

It is also the case that frequency of movements, by all users, is not generally reflective of increased or decreased road safety risk, which is what Reason A seems to be suggesting.

The Statement of Reasons state that HGVs "*have been having difficulty passing each other*", but offer no data or other proof that this is actually the case.

Measurements taken by WSP of the bridge on Chobham Road suggest that its carriageway width is 6.64m. According to Figure 7.1 of the Manual for Streets, the minimum width of carriageway required for two lorries to pass each other would be 5.5m (but at very low speeds), although 6m is typically required to allow unimpeded opposing movements of buses and HGVs.

Figure 1. Accommodation of Various Carriageway Widths in mm (replicated from Table 7.1. of MfS)



Based on the above, the carriageway width of the bridge on Chobham Road is not considered to pose any particular difficulties to two-way movement of vehicles across the bridge.

The geometry of the bridge is such that HGVs should be able to safely pass each other, and the lack of accidents involving HGVs would strongly suggest that this is indeed the case. Consequently, there is no justification for Reason A.

**Reason B**

Roads generally have to be maintained in accordance with their status against the prevailing local highway hierarchy. In the present situation, Chobham Road is a B-road and, therefore, the maintenance of the route will be to a standard commensurate with this status.

There is no evidence that the restriction under the 2016 Order would necessarily ‘prevent’ damage to the road, as per the reason given. There is no indication that the maintenance liabilities in respect of maintaining the standard of the B-road would necessarily reduce.

Conversely, if the local highway authority is suggesting that a reduced level of maintenance would ensue, it is not clear whether local residents would have been appropriately informed of this consequence.

No suggestion has been made that vehicles over 7.5 T have been causing excessive, or specific damage to Chobham Road or any buildings, and there is therefore no justification for Reason B.

### Reason C

The character of the road befits its designation as a B-road and its historical use as an important local thoroughfare by all traffic for many years. This level of use would not come as a surprise to any existing residents along the route, who would have had full knowledge of this status.

The movement of HGVs along Chobham Lane is appropriate for its status and geometry so that their use of the road could not be considered 'unsuitable', as is suggested by RBWM for Reason C.

The Statement of Reasons refer to keeping HGVs on "*more appropriate roads wherever possible*", but fails to say which roads are more appropriate given the status of Chobham Road as classified B-road, or how HGVs would be encouraged to use them. There is no assessment of the impacts of the increased use of these roads (should they exist) to ascertain their relative appropriateness to requiring a specific restriction being imposed on Chobham Road.

Reason C, therefore, cannot justify the imposition of the proposed restriction.

### Reason D

Preserving or improving the amenities of the area implies that the level of amenity which is currently enjoyed by residents is 'deficient' to the point that there is no alternative but for this type of intervention by the local highway authority.

*Table 1. Automatic Traffic Count (ATC) Summary for Chobham Lane (24 hours)*

Day (June)	Total	Total LGV/HGV (under 18T)
<b>Weekday average</b>	<b>7746</b>	<b>435</b>
<b>Weekend average</b>	<b>4742</b>	<b>171</b>

The traffic data relating to Chobham Road, summarised above, demonstrates that:

- The volume of HGV traffic is low comparatively to overall vehicle movements, at 5.6% of all weekday movements.
- The level of HGV movements at weekends is further reduced, when the majority of residents are more likely to be at home.
- The capacity of Chobham Lane is within its design capacity (estimated to be 12,600 vehicles per day), and therefore not approaching any threshold of significance.

The level of traffic on Chobham Lane generally does not trigger any environmental effects in line with EIMA's *Guidelines for the Environmental Assessment of Road Traffic* (1993) that would otherwise suggest that conditions had been reached which could affect amenity.

Neither does the accident data suggest there is an amenity issue that needs addressing. On this basis, Reason D is not a justifiable reason for the Order.

## **Implications of the 2016 Order**

### **Existing RBWM Policy**

The wider displacement of HGV movements would not be in keeping with the objective of reducing emissions, set out in RBWM *Local Transport Plan (LTP) 2011-2026* as it relates to “*the efficiency of operation of the local road network will be improved in order to minimise unnecessary congestion and delay and associated carbon emissions ...*” (Policy SEG6: Network Management)

As part of its network management function, RBWM recognises in the LTP that it “*is about increasing the efficiency of the road network by enabling smoother traffic flow and by ensuring that there are no unnecessary traffic movements or obstructions within the network*” (Para 6.6.12). It is CGNU & Crest Nicholson’s view that the 2016 Order would create unnecessary traffic movements and would contradict RBWM’s efficient management of the road network.

The implementation of the weight restrictions would also need to be supported by necessary signage, some of which will need to be located at the Chobham Lane / Chobham Road roundabout which fall outside RBWM’s jurisdiction. We understand that SCC do not support the proposed weight restriction. No information has been presented relating to the speed of vehicles along Chobham Road, including that of HGVs, and whether alternative means of managing this through alternative restrictions (e.g. speed limits) would yield more appropriate outcomes against the amenity objectives being sought by RBWM.

### **Consented DERA Longcross Site**

The proposal for mixed-use development on the former DERA Longcross site is the subject of a planning consent issued by Runnymede Borough Council (RBC) under Planning Reference RU.13/0856. The application was subject to consultation with neighbouring authorities, including RBWM.

In the process of consultation over this application, feeding into the discharge of conditions relating to the Construction Environmental Management Plan (CEMP), an HGV construction vehicle routing plan was produced. This is attached in Appendix A.

As a result of an assessment of a range of roads leading from the proposed development, the routing plan places emphasis on two routes. These have emerged from the assessment as being of a ‘higher order’ in respect of the local highway network and the likely origin of HGVs associated with construction activities.

The choice of Chobham Road as one of these two routes for construction HGVs raises some significant issues in respect of the proposed environmental weight restriction being considered by RBWM:

- The CEMP identified the two routes as being the most environmentally suitable for the routing of HGVs during construction;
- Generally, an environmental restriction should not be used if there is no suitable alternative route for the displaced traffic;
- Where a TRO restricts the use of a road, route or area to certain vehicles, the signing of a recommended alternative route would be required. This has not been considered by RBWM;
- The alternative routing strategy would increase the length of construction HGV trips on the road network, with consequential impact on routes and associated communities; For example, HGVs may need to use roads through Windlesham Village, which is deemed less suitable than Chobham Road
- The disruption from further restrictions on movements will affect the local economy, including increasing the relative cost of developing the Longcross site, placing a constraints which will have implications on the phasing of the development and thus impact on its contribution to the wider economy.

## **Conclusions**

This objection on behalf of CGNU & Crest Nicholson is summarised as follows:

- The reasons given for the weight restriction are not justified, against the status of Chobham Road as B-road which confers it a particular status and is of local importance for North-South movements.
- The volume of HGVs, and traffic in general, on Chobham Lane does not trigger any environmental implications which could give rise to a requirement protect amenity.
- There have been no accident records involving HGVs in the last 5 years on this section of Chobham Road. The reason given that, with the restrictions, accident risk would be avoided is therefore unfounded.
- Restricting the use of Chobham Road by HGVs over 7.5T would increase the reliance placed on other less suitable routes.
- No assessment of the significance of HGV movements or consequent diversions has been considered. The effect of the proposed 2016 Order is not compliant with RBWM transport policy which requires 'effective' management of the highway network and a reduction in unnecessary journeys.
- There is no indication that RBWM's maintenance liability in respect of repairs or maintenance of the route would increase as a result of maintaining the current access regime. If less maintenance is expected, then this should be evidenced and should be information that the public should be consulted upon.
- The implications on local businesses have not been taken into account, nor has there been any indication that consultation has taken place with the users that would be affected by the proposed 2016 Order.
- The plan accompanying the order does not cover the full extent of the works required to implement the order, including signage, affecting the scope of the material available for consultation.

Taking all of the above into account, there does not seem to be any robust physical or environmental reasons which would justify the placing of a further environmental weight restriction on Chobham Road.

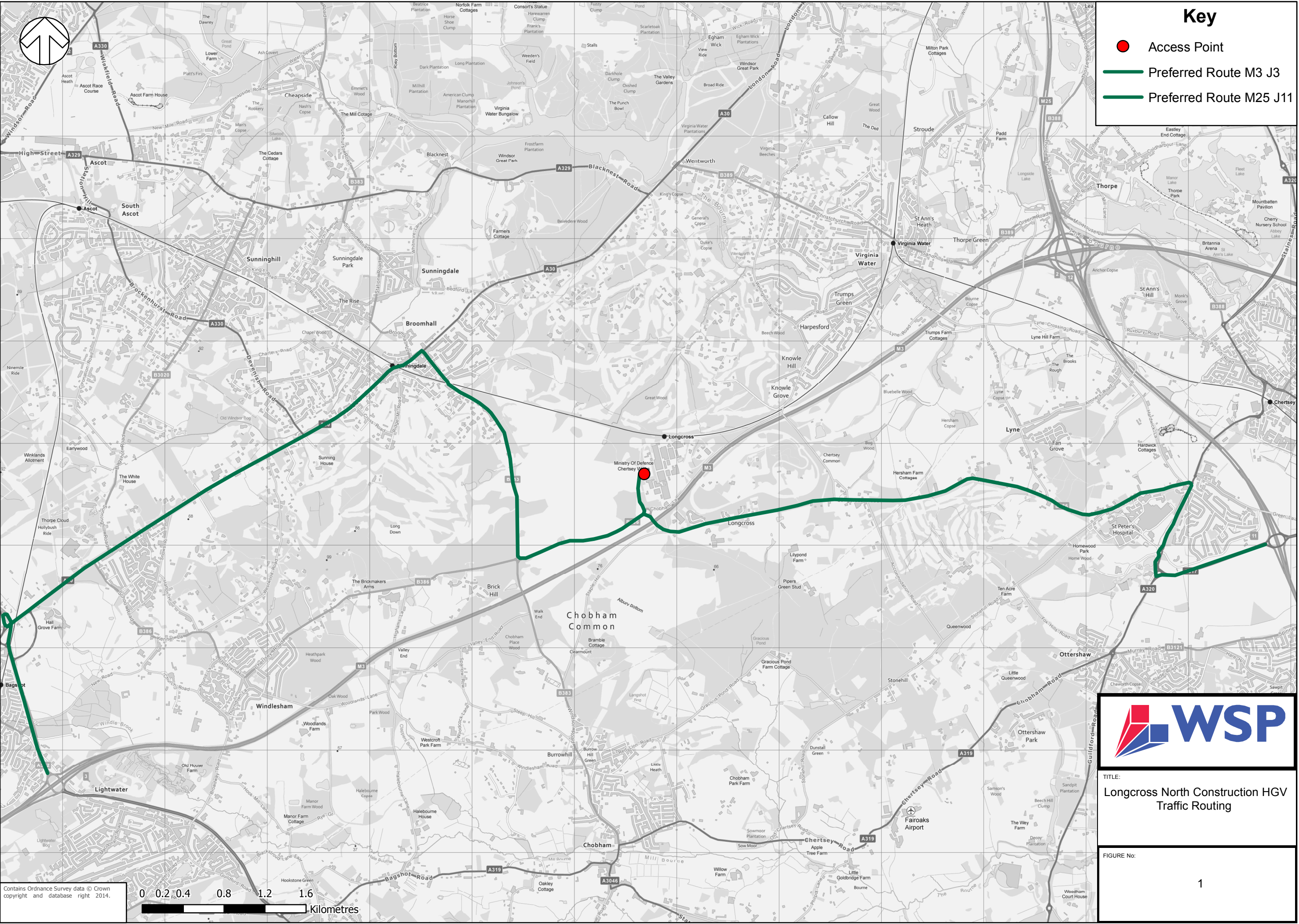
It is also the case that no information has been presented relating to the speed of vehicles along Chobham Road, including that of HGVs, and whether alternative means of managing this through alternative restrictions (e.g. speed limits) would yield more appropriate outcomes against the amenity objectives being sought by RBWM.

The proposed Order is therefore unjustified and places a disproportionate constraints on users, the wider economy and risk increasing journey frequency and length, against local policy.



**Kevin Kay**  
**Technical Director**  
07 January 2016

# Appendix A



### Key

- Access Point
- Preferred Route M3 J3
- Preferred Route M25 J11



TITLE:  
**Longcross North Construction HGV  
 Traffic Routing**

FIGURE No:  
 1

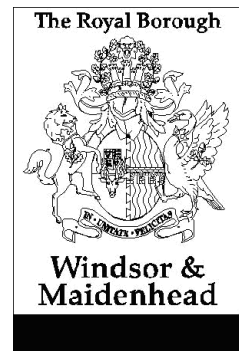
Contains Ordnance Survey data © Crown copyright and database right 2014.



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Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	<i>NO - Part I</i>
<b>Title</b>	Imperial Road / Clewer Hill Road / Winkfield Road, Windsor – Junction Improvements
<b>Responsible Officer(s)</b>	Simon Fletcher - Strategic Director of Operations
<b>Contact officer, job title and phone number</b>	Ben Smith - Head of Highways & Transport (01628) 796147
<b>Member reporting</b>	Councillor Colin Rayner, Lead Member for Highways & Transport
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	25 February 2016
<b>Implementation Date if Not Called In</b>	April 2016
<b>Affected Wards</b>	Park and Clewer East
<b>Keywords/Index</b>	Imperial, Clewer Hill, Winkfield, junction, traffic, congestion, traffic signals, consultation, Windsor

## REPORT SUMMARY

1. This report deals with the consultation on possible changes at the junctions of Imperial Road / St Leonards Road and Winkfield Road / Clewer Hill Road. The decision to consult on possible changes was made as a response to demands of local residents to ease congestion during peak periods and improve air quality.
2. It recommends that authority be delegated to the Head of Highways & Transport in consultation with Lead Member for Highways & Transport to implement changes to the operation of the traffic signals to enhance efficiency; trial a no right turn restriction from St Leonards Road into Imperial Road during the school summer holidays and trial changes to the position of bus stops by 30 June 2016.

It also recommends that a scheme be developed and modelled to replace the traffic signals at the Imperial Road / St Leonards Road junction with a roundabout, in combination with pedestrian crossings on at least two of the three arms of the junction.

In addition, minor changes to traffic island configuration at Clewer Hill Road and

changes to the bus stop arrangements will also be introduced.

Subject to modelling not demonstrating reduced traffic flow, consultation with Ward Councillors, budget availability and road safety audit the scheme would be delivered between December 2016 and February 2017.

3. These recommendations are considered to provide a positive response to the consultation and seek to improve road conditions by reducing congestion and journey times and enhance air quality and the public realm.
4. If adopted, the key financial implication for the Council is capital expenditure of approximately £150,000 in 2016/17.
5. The recommended actions would support the Department for Transport policy paper 'Signing the Way' by reducing clutter on the highway network and developing solutions based on local knowledge.
6. The recommended actions would support the Council's policy to reduce street clutter and the Manifesto commitment to "reduce and remove unnecessary traffic lights"

**If recommendations are adopted, how will residents benefit?**

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. There will be reduced congestion caused by blocking of traffic between the two junctions	30 June 2017
2. Journey times for motorists will be improved	31 August 2017
3. The environment will be visually improved by reducing the amount of street furniture and signal equipment	28 February 2017

**1. DETAILS OF RECOMMENDATIONS**

**RECOMMENDATION: That:**

- i. **Authority be delegated to the Head of Highways & Transport in consultation with Lead Member for Highways & Transport to implement changes to the operation of the traffic signals at both junctions to enhance efficiency and trial changes to the positions of bus stops by 30 June 2016 and implement a banned right turn into Imperial Road during the school summer holidays of 2016;**
- ii. **Authority be delegated to the Head of Highways & Transport in consultation with the Lead Member for Highways & Transport to develop and model a scheme to replace the traffic signals at the Imperial Road / St Leonards Road junction with a roundabout in combination with pedestrian crossings on at least two of the three arms of the junction. Additionally minor changes to traffic island configuration at Clewer Hill Road and changes to the bus stop arrangements would be introduced.**

**These changes seek to reduce congestion and improve air quality and would be delivered between December 2016 and February 2017.**

## **2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

- 2.1 The recommendations offer a reasoned and positive response to the outcomes of the consultation on possible changes at the junctions of Imperial Road / St Leonards Road and Winkfield Road / Clewer Hill Road.
- 2.2 A consultation on possible changes at the junctions ran from 15 October to 20 December 2015. The consultation invited comments on two outline design options for the removal of traffic lights at both junctions.
- 2.3 Option A included a give way junction at Clewer Hill Road with no right turns from that junction onto Winkfield Road and a roundabout at the Imperial Road junction with St Leonards Road. There was strong opposition to banned turns at the Clewer Hill Road junction in the responses received to the consultation. Concerns were also expressed about the possibility of increased speed through the junctions.
- 2.4 Option B included a mini-roundabout at the Clewer Hill Road / Winkfield Road junction, with the Imperial Road and St Leonards Road junction reconfigured so that traffic on the eastern arm would give way to the other two arms and be banned from turning right. The consultation responses revealed some opposition to the concept of banning the right turn at this junction. There was a high level of concern from regular users of Clewer Hill Road that queuing under the previous mini-roundabout arrangement at this junction was substantial and that removing signals here would disadvantage residents.
- 2.5 Each of the draft options involved a reduction in the number of controlled crossing points for pedestrians. This was raised as an area of concern for many respondents and there was a common perception that the two draft options marginalised pedestrians at the expense of maximising through traffic.
- 2.6 Although the consultation was not run specifically as a voting exercise, some of the feedback was gathered in that format on forms produced by Ward Councillors. Respondents were also invited to comment generally on the junctions and this generated comments specifically on the existing arrangements, the two options and ideas for other alterations.
- 2.7 The consultation included letters circulated to properties within close proximity of the two junctions, whilst Ward Councillors also carried out additional letter drops and publicity of the consultation. Two well attended drop-in sessions were held to enable residents to speak with officers and Councillors, ask questions and put forward their views.
- 2.8 Whilst the feedback from the consultation was not presented in the format of voting for a preferred option, all responses have been reviewed and subjective views taken into account to develop recommended actions for changes at the junctions.

- 2.9 There were responses from 233 different respondents, with some of those respondents sending in multiple emails on the consultation. Opinions were varied, though there were many common themes and issues identified. A summary of the comments received relating to possible changes at the junction is included as Appendix E to this report.
- 2.10 The interpretation of the consultation feedback is focussed on ensuring that those concepts which met with strong opposition are not pursued, whilst aiming to provide recommendations that are considered to take forward those elements from the draft options that were generally well received.
- 2.11 There is a perception amongst many respondents, including from some of those in favour of retaining the signals, that the existing traffic signals are not 'intelligent' and that they do not operate as effectively as they can do. Although not physically linked, the junctions do 'see' the traffic leaving the other junction and operate to manage traffic based on approaching vehicles. Queue detection equipment also exists to pick up on blocking of the critical link between the junctions and each set of signals responds to such queuing to move to the appropriate stage in order to minimise delays. This means that the green times given to individual stages at each junction continually vary in response to traffic conditions.
- 2.12 It is considered that investing resources on optimising the performance of the signals would ensure that the signals operate as effectively as possible during the Spring and Summer of 2016, whilst more significant alterations are developed aimed at responding positively to the consultation responses and in keeping with the Manifesto commitment relating to traffic signals.

In addition it is considered that it would be beneficial to implement a prohibited right turn from St Leonards Road into Imperial Road during the school Summer holidays and moving the westbound bus stop in Winkfield Road away from its current location just west of the Clewer Hill Road junction. These proposals would be aimed at minimising delays on the network during the peak tourist season in 2016, in order to manage the demands on the network as effectively as possible. This is considered to be to the benefit of residents who have made representations about the queuing that occurs during the summer months under the current arrangements. Clearly the banned right turn will be inconvenient to some road users, though on balance it is considered to be a reasonable course of action for the duration of the summer holiday period.

- 2.13 The low level of support for Option B appears to primarily be driven by opposition to the idea of a banned right turn from Clewer Hill Road and due to concerns about speeding, reduced pedestrian provision and marginalising local traffic.
- 2.14 Although there was some opposition to the concept of removing signals at the Imperial Road junction, where such concerns were raised, there remains scope to address those concerns through additional measures even if the signals were removed. The majority of concerns related to reduced pedestrian facilities as shown on the consultation drawings, whilst some concerns were expressed about the Imperial Road traffic dominating if signals are not present, and causing queues on the eastern arm. This can be tested by micro-simulation modelling of alternative arrangements.

- 2.15 At Clewer Hill Road, the more common consensus was that the signals offer a safer and easier way to access St Leonards Road / Winkfield Road than under the previous mini-roundabout arrangements and that the pedestrian facilities in their current locations are very important.
- 2.16 It is considered that developing an alternative option, which would involve retaining signals at Clewer Hill Road and introducing a roundabout at Imperial Road, along with enhanced pedestrian provision from the arrangements shown on the consultation drawings, would offer a balanced response to the consultation feedback. It is recommended that such a scheme be subject to micro-simulation modelling and compared with the existing arrangements prior to committing to delivering changes on the ground.

Option	Comments
1. Do Nothing: retain the current traffic arrangements at both junctions	This option is not recommended as it does not fully respond to the outcome of the consultation
2. Implement Option A from the consultation	This option is not recommended as it would not offer a reasonable response to the outcome of the consultation.
3. Implement Option B from the consultation	This option is not recommended as it would not offer a reasonable response to the outcome of the consultation.
4. <b>Implement short term operational improvements to the existing signals for Summer 2016 and subsequently develop, model and implement a scheme which involves retaining signals at the Clewer Hill Road junction and installing a roundabout at Imperial Road / St Leonards Road in combination with pedestrian facilities to be delivered by February 2017.</b>	<b>This is the recommended option as it responds positively to the responses received, by retaining traffic signals at Clewer Hill Road to address local opinion, whilst the recommended changes at Imperial Road would deliver against the Manifesto commitment to reduce traffic signals and respond to the consultation feedback by ensuring that the junction retained controlled pedestrian facilities. This option would be consistent with ‘Residents First’ and Manifesto delivery</b>
5. To deliver improvements to the existing traffic signals to improve their efficiency, reduce avoidable delays and make physical modifications to reduce street clutter and the number of signal heads at the junctions	This option is not recommended as it does not deliver against the Manifesto and there was no majority support from the consultation responses to justify retaining signals at both junctions.
6. Implement a scheme involving roundabouts at both junctions	This option is not recommended as the recommended option is considered to offer a solution that more directly reflects the consultation responses. There is a high level of concern amongst residents about the implications for safety and journey time for local traffic if the signals were removed at Clewer Hill Road.

### 3. KEY IMPLICATIONS

- 3.1 The defined outcomes will be measured using journey time surveys and speed data derived from traffic counter equipment, against baseline information prior to any alterations.

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Reduction in journey times through the junctions during peak periods (10.30am to 11.30am & 5pm – 8pm in school summer holidays)	<1%	1-3%	4-5%	> 5%	31 August 2017
Improvement in air quality	<1%	1-3%	4-5%	> 5%	31 August 2017

*Note: baseline data to be collected in August 2016*

### 4. FINANCIAL DETAILS

#### Financial impact on the budget

- 4.1 There is no capital funding currently approved to deliver the recommendations of this report. However a capital funding bid has been submitted for 2016/17 to deliver any agreed outcomes from the consultation
- 4.2 The report recommends removing traffic signals at the junction of Imperial Road and St Leonards Road. This action will lead to reduced annual revenue costs associated with maintaining existing equipment as well as maintenance of railing sections, which have been prone to occasional vehicle strikes from HGVs

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	Nil	Nil	Nil
Reduction	£0	1	2

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
Addition	£0	150	£0
Reduction	Nil	Nil	Nil

## 5. LEGAL IMPLICATIONS

- 5.1 The recommended improvements will be delivered in accordance with legislation and guidance issued by the Department for Transport (DfT).
- 5.2 Any physical changes to the road layout would be subject to a road safety audit process.

## 6. VALUE FOR MONEY

- 6.1 If the recommended actions are endorsed this would result in delivering improvements identified in response to the consultation results, thereby offering value for money for residents by allocating funding in response to the main consultation feedback.
- 6.2 Works would be carried out by term contractors appointed under competitive tendering processes, ensuring value for money.
- 6.3 The recommended improvements will deliver revenue savings in future maintenance of highway furniture and equipment, thereby reducing annual expenditure.

## 7. SUSTAINABILITY IMPACT APPRAISAL

Reducing congestion and queuing traffic will reduce pollution and improve air quality in localised areas which is a positive sustainability impact.

## 8. RISK MANAGEMENT

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
Modifications may result in an increase in the speed of traffic through the junctions leading to reduced safety for all road users number and severity of casualties	MEDIUM	Signals include speed discrimination equipment to avoid risks of pedestrian signals turning green at a time when a fast moving vehicle may be approaching close to the end of vehicular green period  Road Safety Audit to be carried out on any physical alterations The police can be	LOW

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
		asked to consider enforcement if speeding is evidenced as a problem	
Adjustment to datasets or timing plans of traffic signals may result in additional congestion or excessive delays on particular roads	MEDIUM	Existing datasets and timing plans can be kept as alternatives and reintroduced if required. Timing plans to ensure that the more local roads are not negatively impacted at the expense of through traffic. The possibility of extending the right turn lane to Clewer Hill Road will also be explored.	LOW
Installation of a roundabout and alterations to pedestrian facilities at Imperial Road will affect where pedestrians cross the roads potentially making walking less attractive	MEDIUM	Any alterations to pedestrian facilities would include reference to term time pedestrian survey data and would also be independently safety audited. Designs to ensure that circuitous walking routes are not created as a side effect of changes and that controlled facilities to promote pedestrian priority are included.	LOW

## 9. LINKS TO STRATEGIC OBJECTIVES

9.1 The recommended option would be in line with all the four of the council's strategic priorities: Residents First; Value for Money; Delivering Together and Equipping Ourselves for the Future.

9.2 The strongest links are:

### **Residents First**

- Improve the Environment, Economy and Transport

### **Value for Money**

- Deliver Economic Services
- Improve the use of technology



## **Delivering Together**

- Deliver Effective Services

### **10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION**

An initial Equality Impact Assessment (EQIA) screening has been completed and there are no impacts requiring a full EQIA.

A copy of the screening assessment is available as Appendix D

### **11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS**

None

### **12. PROPERTY AND ASSETS**

The recommended actions would result in alterations to highway assets with all works contained in the public highway

### **13. ANY OTHER IMPLICATIONS**

None

### **14. CONSULTATION**

14.1 The public consultation on options for changes at the junctions ran from 15 October to 20 December 2015.

14.2 The documents included in the consultation were circulated to all Windsor Councillors for comment prior to the consultation starting. The consultation was also included on the Windsor Town Forum and the Visitor Management Forum as an agenda item in advance of the consultation starting.

14.3 The consultation allowed for respondents to comment by email or by post and background information was provided on the Royal Borough website. The consultation included letters circulated to properties within close proximity of the two junctions, whilst Ward Councillors also carried out additional letter drops and publicity of the consultation. Two well attended drop-in sessions were held to enable residents to speak with officers and Councillors, ask questions and put forward their views.

14.4 Additional publicity of the consultation was provided through press releases as well temporary signs being positioned on all approaches to the junction to make people aware of the consultation. Where requested, consultation information could be emailed or posted to interested parties.

14.5 The documentation provided on the website included background information to the consultation, option drawings, turning count survey data, pedestrian survey information and a list of frequently asked questions and responses

14.6 It had been mentioned at the outset of the consultation that a provisional timescale for implementation of agreed measures would be early 2016. In view of the extensive and varied responses received the decision was made that it would not be in the best interests of residents to make an early decision and that it would be appropriate to refer the matter to Cabinet for a decision.

## 15. TIMETABLE FOR IMPLEMENTATION

Date	Details
30 June 2016	Implement changes to the operation of the existing traffic signals at both junctions to enhance efficiency
28 February 2017	Implement a scheme to replace the traffic signals at the Imperial Road / St Leonards Road junction with a roundabout in combination with pedestrian crossings on at least two of the three arms of the junction

## 16. APPENDICES

16.1 Appendix A - Option A drawing (document from the consultation)

16.2 Appendix B – Option B drawing (document from the consultation)

16.3 Appendix C - Existing layout drawing

16.4 Appendix D- EQIA Screening form

16.5 Appendix E – Summary of consultation feedback

## 17. BACKGROUND INFORMATION

17.1 Changes were made at these junctions in early 2009, which involved replacing the mini-roundabout with traffic lights at the junction of Clewer Hill Road with Winkfield Road. Alterations to the traffic lights were also made at the Imperial Road junction with St Leonards Road to the same timescale.

17.2 Complaints are received about traffic flow at these junctions and such complaints were also received prior to the works in 2009; such concerns about traffic congestion are not unusual at busy urban junctions in the vicinity of town centres and other key trip generating destinations. These closely sited junctions have limited physical capacity to carry very high volumes of traffic with a diverse range of varying peak periods.

17.3 It is a common public perception that the signals at the two junctions do not operate effectively together either due to not being 'linked' or due to the equipment being made by different companies. The fact that the equipment is manufactured by different companies is not a factor directly impacting on how the two junctions work in tandem and this has been verified independently.

17.4 The junctions have been independently reviewed in previous years and the Royal Borough's signal engineers have made modifications over time to endeavour to optimise the performance of the current set up.

## 18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Rayner	Lead Member for Highways & Transport	22/01/16	27/01/16 01-02-16	Recommendations amended following Ward Cllr meetings.
Cllr David Burbage	Leader of the Council	27/01/16	03-02-16	No changes
Simon Fletcher	Strategic Director of Operations	22/01/16		
Michael Llewelyn	Cabinet Policy Office	22/01/16	26/01/16	Suggested changes to recommended action
Catherine Woodward	Shared Legal Solutions / Monitoring Officer	22/01/16	Response awaited	
Mark Lampard	Finance Partner	22/01/16	27/01/16	Minor amendments to (4) Financial Details
<b>External</b>				
None				

## REPORT HISTORY

Decision type:	Urgency item?
Non-key decision (entered onto Forward Plan – Cabinet (January 2016))	No

Full name of report author	Job title	Full contact no:
Ben Smith	Head of Highways & Transport	01628 796147

Imperial Rd / St Leonards Rd  
Winkfield Rd / Clewer Hill Rd,  
Windsor

Drng No. **PN-1910-D-06** Rev **A**  
Date **07-10-15** Scale **nts** Size **A3**  
Drawn By **rmb** CAD By **rmb** Checked By **rmb** Signed Off By **rmb**

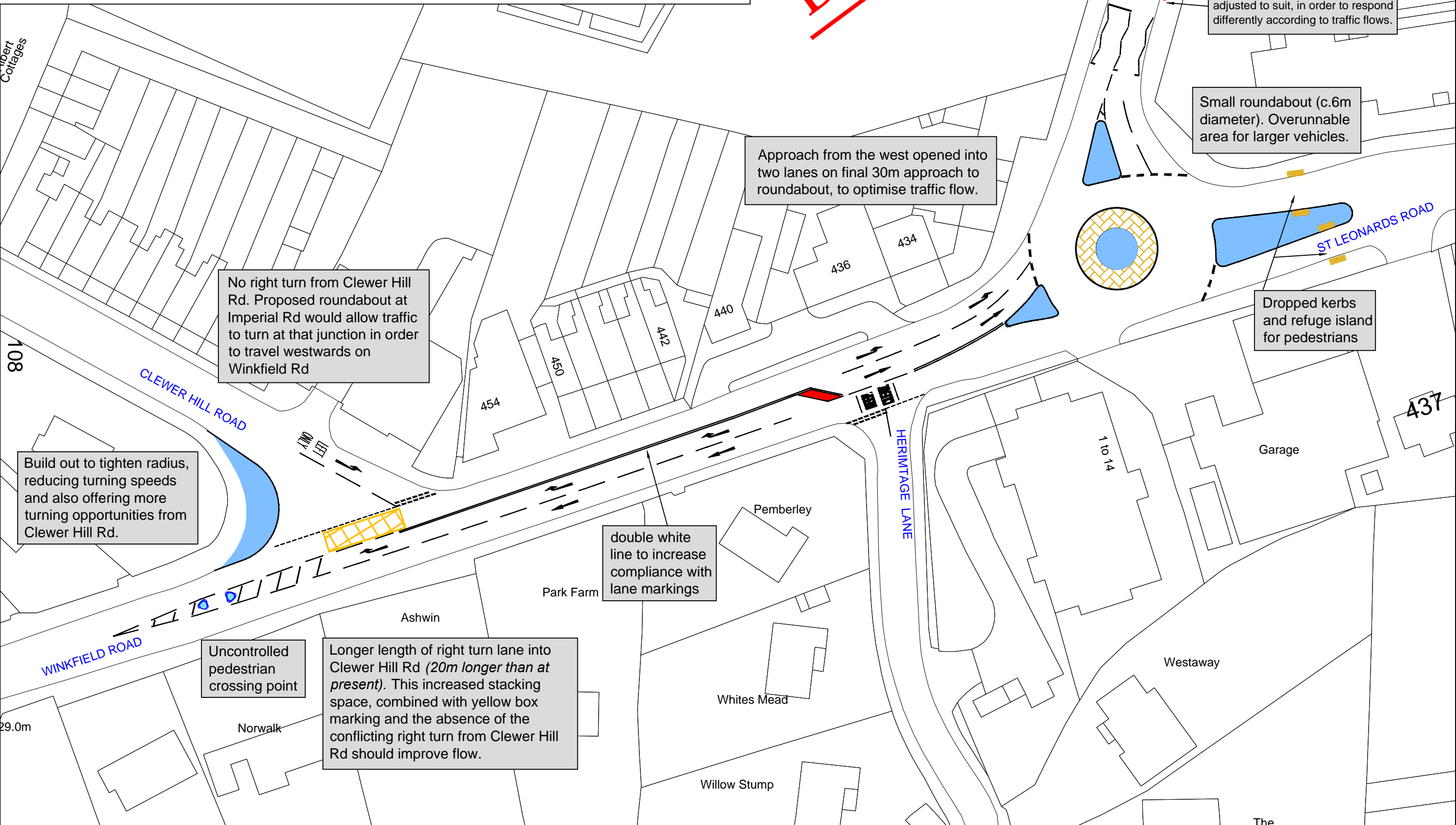
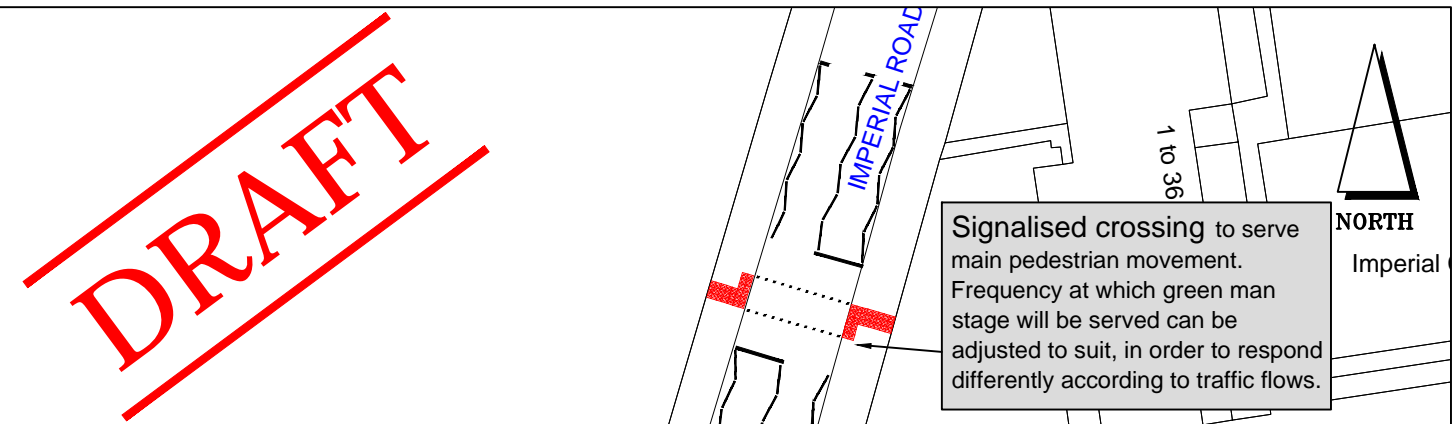
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Highways, Engineering & Transport  
Town Hall, St. Ives Road,  
Maidenhead, Berks,  
SL6 1RF.



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Fax: 01628 796774  
<http://www.rbwm.gov.uk>

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**DRAFT** layouts for alternative  
junction arrangements  
**OPTION A**



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Imperial Rd / St Leonards Rd  
Winkfield Rd / Clewer Hill Rd,  
Windsor

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DRAFT layouts for alternative  
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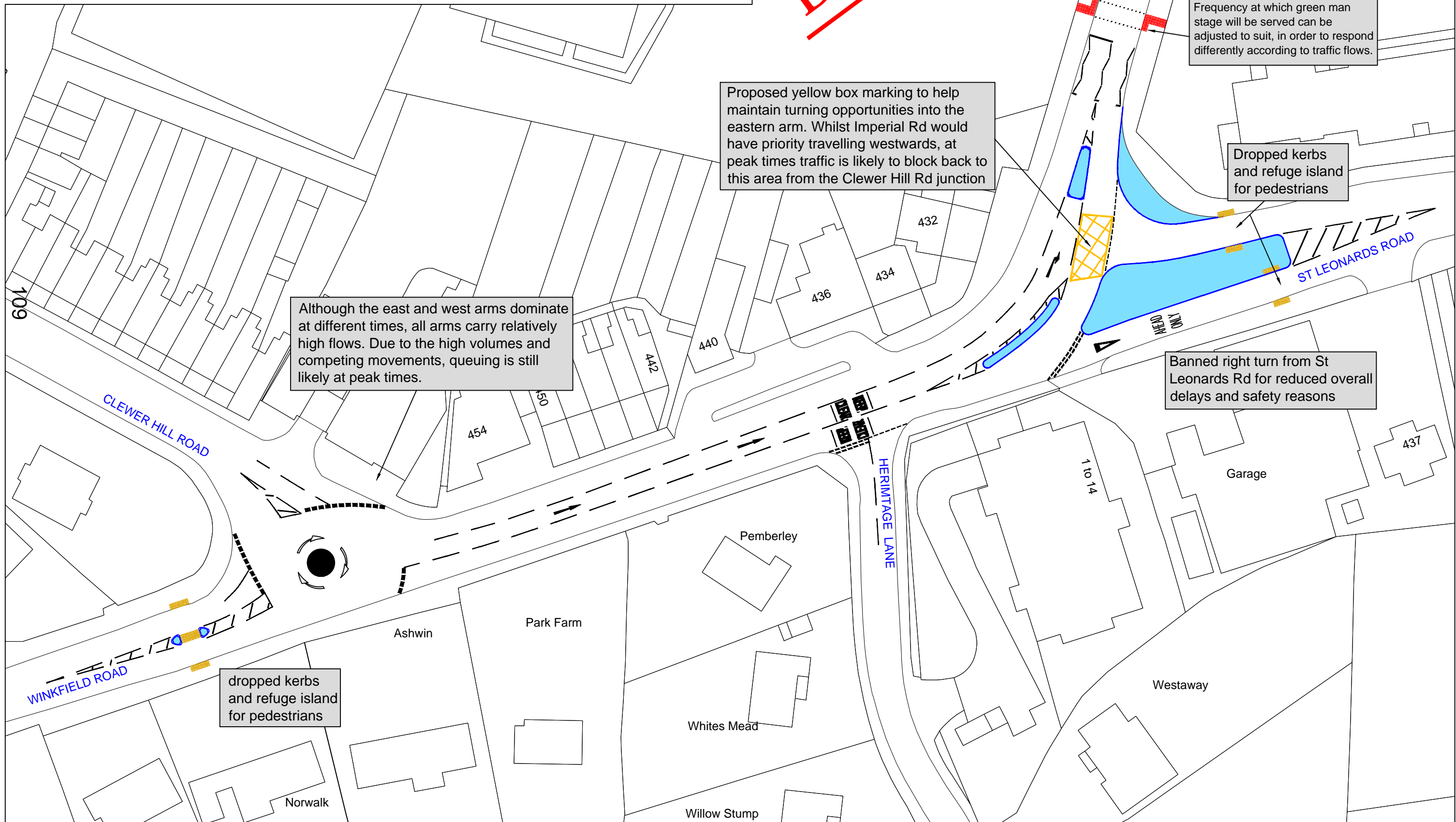
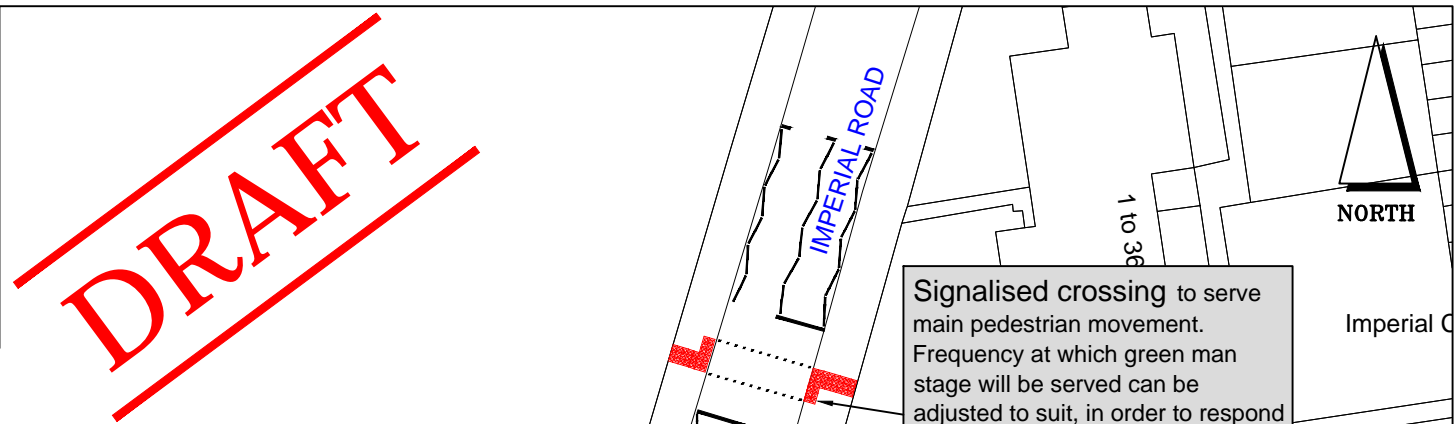
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Rev	Date	Amendments



Although the east and west arms dominate at different times, all arms carry relatively high flows. Due to the high volumes and competing movements, queuing is still likely at peak times.

Proposed yellow box marking to help maintain turning opportunities into the eastern arm. Whilst Imperial Rd would have priority travelling westwards, at peak times traffic is likely to block back to this area from the Clewer Hill Rd junction

Signalised crossing to serve main pedestrian movement. Frequency at which green man stage will be served can be adjusted to suit, in order to respond differently according to traffic flows.

Dropped kerbs and refuge island for pedestrians

Banned right turn from St Leonards Rd for reduced overall delays and safety reasons


dropped kerbs and refuge island for pedestrians

NORTH

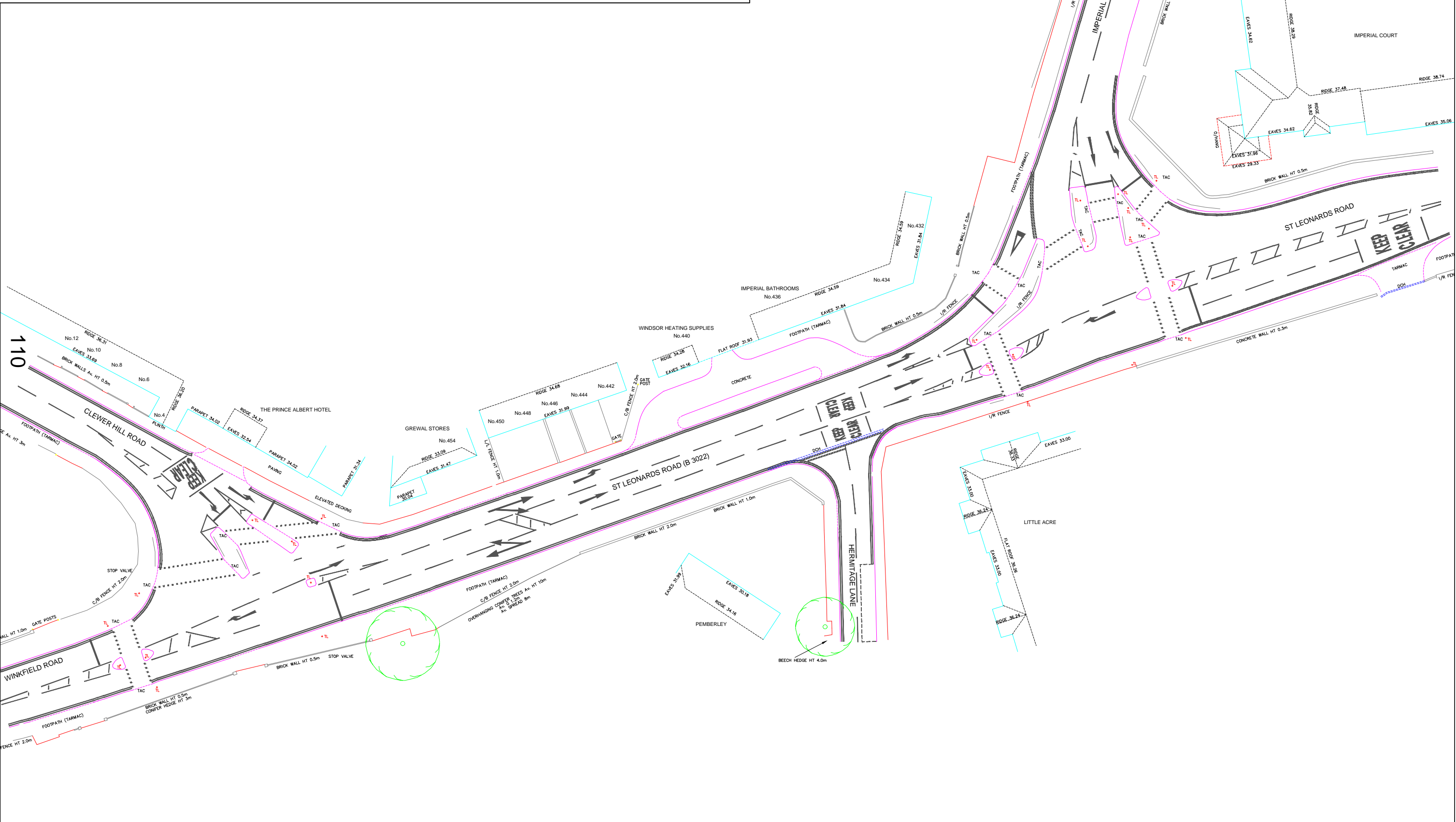
Imperial Rd / St Leonards Rd  
Winkfield Rd / Clewer Hill Rd,  
Windsor

Drg No. <b>PN-1910-D-10</b>		Rev <b>B</b>	
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Rev	Date	Amendments



# Royal Borough of Windsor and Maidenhead Equality Impact Assessment Form

## Section one – Screening

**Name of strategy, policy or project (please write):**

Imperial Road / Clewer Hill Road / Winkfield Road, Windsor – Junction Improvements

**Officer completing assessment (please write):**

Russell Bell

**Telephone (please write):**

01628 796102

**1. What is the main purpose of the strategy / project / policy? (Please write):**

To implement alterations to the operation of the traffic signals at the junction of Imperial Road / St Leonards Road and Winkfield Road / Clewer Hill Road, in order to reduce delays, improve the appearance of the area and contribute towards improved air quality.

**2. List the main activities of the project / policy? (For strategies list the main policy areas) (Please write):**

Alterations to the timing plans, datasets and vehicle detection at the traffic signals

Temporary banned right turn into Imperial Road during school summer holidays of 2016.

Trial the repositioning of the westbound bus stop on Winkfield Road, currently located just west of Clewer Hill Road junction

Remove traffic lights at the Imperial Road / St Leonards Road junction between December 2016 and February 2017 to replace with a roundabout and zebra crossings for pedestrians.

**3. Who will be the main beneficiaries of the strategy / project / policy? (Please write):**

All road users through intended improved traffic flows and reduced delays and an enhanced street scene through reduced street clutter. In particular residents who responded favourably to this action as part of a consultation are considered to benefit most.

**4. Use the table overleaf to tick:**

- a. where you think that the strategy / project / policy could have a negative impact on any of the equality target groups i.e. it could disadvantage them.

- b. where you think that the strategy / project / policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups**

**Please mark the appropriate boxes with an X.**



		Positive impact – it could benefit	Negative impact – it could disadvantage	Nil impact	Reason
gender	Women			X	Gender irrelevant
	Men			X	Gender irrelevant
race	Asian or Asian British people			X	Race Irrelevant
	Black or black British people			X	Race Irrelevant
	Chinese people and other people			X	Race Irrelevant
	People of mixed race			X	Race Irrelevant
	White people (including Irish people)			X	Race Irrelevant
	Disabled people			X	Disability Irrelevant
	Lesbians, gay men and bisexuals			X	Sexual orientation irrelevant
age	Older people (60+)			X	Age irrelevant
	Younger people (17-25) and children			X	Age Irrelevant
	Faith groups			X	Faith Irrelevant
	Equal opportunities and / or improved relations / access			X	Equal Opportunities irrelevant

**Notes:**

Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when considering positive and negative impacts.

The categories used in the Race section are those used in the 2001 census. Consideration should be given to the needs of specific communities within the broad categories such as Bangladeshi people and to the needs of other communities such as Turkish / Turkish Cypriot, Greek / Greek Cypriot, Italian and Polish that do not appear as separate categories in the census.

**5. If you have indicated there is a negative impact on any group, is that impact:**

**a. legal (i.e. it is not discriminatory under anti-discriminatory legislation)? Please write yes or no:**

n/a

**b. intended? Please write yes or no:**

n/a

**c. what is the level of impact? Please write high or low:**

n/a

If the negative impact is possibly discriminatory and not intended and / or of high impact you must complete section two of this form. If not, complete the rest of section one below and consider if completing section two would be helpful in making a thorough assessment.

**6. Could you:**

**a. minimise or remove any negative impact that is of low significance? Please write yes or no and, if yes, write how:**

n/a

**b. improve the strategy, project or policy's positive impact? Please write yes or no and, if yes, write how:**

n/a

(you may wish to use the action plan for this)

**7. If there is no evidence that the strategy, policy or project promotes equality, equal opportunities or improved relations – could it be adapted so that it does? Please write yes or no and, if yes, write how:**

n/a

**Please sign and date this form, keep one copy in the project file and publish within the EQIA folder on hyperwave under your Directorate. If you are using 'work together' you should publish a copy in your 'set up docs' folder.**

**It is good practice to highlight the outcomes of the assessment with management such as DMT or the project board.**

**Signed:**

**Please print name:** Russell Bell

**Date:** 29-01-16

## **Summary of comments received relating to possible changes at the two junctions**

- Any solution that restricts people's access directly to their intended direction of travel will be unpopular
- Removal of lights will cause pedestrians problems crossing the roads.
- For both options there is no way for pedestrians to cross Clewer Hill Road in safety.
- Interests of cyclists, public transport and pedestrians appear to have been disregarded.
- Pedestrian crossing facilities inadequate for the elderly and disabled.
- Neither option is pedestrian-friendly or safe for school children.
- There is no pedestrian provision for those walking to and from the park
- A survey during school term time would be a better indicator of pedestrian use.
- Both options have their merits and both will greatly improve upon the current situation
- The free-flowing junctions and mini-roundabouts would be much more dangerous for cyclists.
- Yellow box markings at junctions would be ignored and do not work
- Make any changes on a temporary basis by trialling roundabouts and covering over the signals
- U-turns on roundabouts will cause accidents.
- The proposed roundabout at the end of Imperial Road will be permanently gridlocked.
- I have long thought a roundabout would improve the flow at Imperial Road
- Whatever scheme is implemented, queues will still occur making the expense hard to justify
- The no right turns will cause additional traffic on the middle section of St Leonards Road
- In Option B the mini-roundabout will involve a tight turning circle and could cause accidents and delays
- Motorists are less likely to chance a red light than their perception of right of way on a roundabout
- Previous roundabout at the Clewer Hill Road junction was the cause of numerous collisions
- The previous change away from a mini roundabout to traffic lights was an improvement
- Is it worth making the green times longer and retaining the existing traffic lights? This would mean less time is lost in the amber and red phases of the lights.
- Everything works well, don't change it.
- Without traffic lights to regulate, we foresee queues building up on St Leonards Road east.

- If there are no traffic lights, drivers will speed even more than at present.
- Morning queues to exit Clewer Hill Road before the lights were installed were dreadful.
- Winkfield Road will become a non-stop flow of traffic with even less opportunity for residents to feed in. At least with the existing traffic lights there are short lulls in the flow.
- Traffic lights at Clewer Hill Road have been a great success.
- Removing lights will reduce the degree of priority given to local residents to enter their town
- Easier to join main road with traffic lights than with roundabout which existed previously at Clewer Hill Road
- How can we comment without specifics about queues that would occur under the different options?
- A roundabout at Imperial Road should work well to control the flow of traffic at that junction
- Priority is being given to visitors over local residents.
- The proposals benefit external commuters but will result in even more inconvenience for local residents
- All in all the changes are to benefit through traffic and not the local residents.
- Locals should not be inconvenienced just to increase the traffic flow for Legoland visitors
- Make sure lights are intelligent and link properly to avoid delays
- Hold traffic back from the junctions with additional signals to control traffic arrivals and keep junctions clear
- Banned right turn from Clewer Hill Road does not make any sense
- Banned right turns will lead to extra traffic through residential areas
- Being unable to turn right out of Clewer Hill Road back onto Winkfield Road would add to the amount of traffic in the congested section between the two junctions
- Banned right turn into Imperial Road is an excellent idea and few vehicles make this movement
- Using alternative routes will add extra danger to pedestrians and additional congestion on residential roads.
- The bus stop on Winkfield Road must be moved
- Can the option of two roundabouts be considered?
- Maintain the existing signals at Clewer Hill Road and replace the Imperial Road junction with a roundabout
- Would prefer to see a roundabout at Clewer Hill Rd and keep the traffic lights at Imperial Road

*Additional comments were also received on a range of other issues. This included comments on traffic conditions more generally in Windsor, planning matters, park and ride provision, signed routes to Legoland, suggestions of new roads and suggestions of installing signals in other nearby locations.*