

Three Rivers District Council

General Public Services & Economic Development Committee -:- Henbury Way TRO Report

19 March 2024

Report Originator	Head of Service sponsor		Date Originated
Chris Glover	Kimberley Rowley/Justin Wingfield		1 March 2024
Lead Member Name:	Area of Responsibility:		
Councillor Paul Rainbow	Member for Public Services		
CMT Date:	N/A		
JLT Date (if applicable):	11 March 2024		
REASON FOR REPORT			
Reason	JLT/CMT Feedback for Officer and further instructions		Recommendation to JLT/CMT:
Consultees consulted	Finance Yes Date: 6 Mar 24	Legal Yes Date: 6 Mar 24	Head of Service/Other Yes Date: 6 Mar 24
Consultees to be consulted following CMT before report publication	Chief Executive 6 Mar 24	Director of Finance 6 Mar 24	
PROPOSED ROUTE FOR FURTHER APPROVAL			
	Date		
General Public Services & Economic Development Committee	19 March 2024		
Council (if required)	N/A		

**GENERAL PUBLIC SERVICES AND ECONOMIC DEVELOPMENT COMMITTEE
19 MARCH 2024**

PART I

AMENDMENT TO TRAFFIC REGULATION ORDER (TRO) FOR HENBURY WAY CAR PARK, SOUTH OXHEY, TO FACILITATE PARKING FOR MARKET TRADERS (DoF)

1 Summary

- 1.1 This report details the proposed amendment to the existing Traffic Regulation Order (TRO) for Henbury Way Car Park, South Oxhey, in order to facilitate market trader parking for the proposed South Oxhey market. The opportunity to host a new market was created following the redevelopment of the South Oxhey Central scheme, with the market being operated by Watford Rural Parish Council (WRPC).
- 1.2 The organisation of a new market is considered a vital project for the Parish Council and it is initially planned to take place once a week. WRPC have begun

to engage with market operators and at the present time, both Sunday and Thursday have been identified as potentially suitable days. Watford Rural Parish Council are responsible for the organisation and management of the market and a decision on the selected market day will be required from WRPC before the TRO amendments are applied for.

- 1.3 WRPC have also indicated that if the market becomes particularly successful, they would like TRDC to consider in future, an additional market day each week. Such a proposal would be subject to demand and a further Committee approval to vary the TRO again.

2 Details

- 2.1 In accordance with discussions regarding market trader parking in South Oxhey at the Joint Leadership Team (JLT), in November 2020, Henbury Way car park was, and still is considered the least intrusive option and most convenient in terms of the provision of parking for market traders on market day. Other options for market trader car parking were subsequently discounted from further review, these being layby and verge-side style parking at Hayling Road and land lying to the rear of Prestwick Road. Given the general pressure on parking in South Oxhey, the Henbury Way car park is considered the least disruptive in overall terms.
- 2.2 A plan of the Henbury Way car park can be found at **Appendix 1**.
- 2.3 The car park currently has c. 60 spaces, all of which are standard sized (222cm width x 444cm length) . This would, therefore, not be sufficient to accommodate a Luton style van, and two spaces would therefore be required for each permit, due to allowing space for loading and unloading, and doors being opened. As such, whilst such a vehicle would technically fit in a regular car parking space, movement would be severely restricted, negatively impacting the traders. Restrictions on vehicle sizes and weights would therefore need to be imposed, as standard Luton style van measurements are 213.9cm (width) x 673.1 (length). Such would not currently be permissible under the terms of the TRO.
- 2.4 The current Traffic Regulation Order, attached as **Appendix 2**, allows parking between 8.30am – 6.30pm, Monday to Saturday. Sunday is not presently subject to any restrictions.
- 2.5 The proposal is to accommodate 20/30 market trader vehicles on one day a week (market day) which would require the car park to be closed to all other vehicles. This would be achieved by amending the TRO to allow the car park to be solely used by market traders on the selected market day. Vehicles would be identified by the issue of market trader business permits. Consideration would also need to be given to the hours of operation as part of any amendment.
- 2.6 The variation of the TRO would require consultation and due statutory process to be followed, the timing of this process could take around 6 months and would involve statutory public consultation and completion of the associated report.
- 2.7 In terms of the issuing and management of parking permits, it is intended to issue business parking permits. Current business parking permits in the District are charged between £240 – £540. It should be noted that there is no precedent for such a permit currently, and costs have therefore been calculated as per below.

- 2.8 Due to current costs of enforcement and utilities, the Council will need to charge £250/per permit in order for the scheme to cover the costs of administration and implementation, and the ongoing enforcement costs associated with the proposal. The costs of implementation have been quoted at £3840, with a further £750 allowed for any required informal consultation. Additional enforcement will be required one day a week (market day).

3 Options and Reasons for Recommendations

- 3.1 Having previously discussed the preferred car parking location for market traders vehicles with JLT, this option is the least disruptive to the residents and other businesses in South Oxhey. However, it is recognised, the use of this car park for market traders is still likely lead to some disruption in the area with other vehicles/visitors on market day having to seek alternative parking in the area.
- 3.2 Although it should be noted, that the existence of a market on any day is likely to increase parking pressures within the area more generally, the proposal seeks to balance the added value provided by the proposed market, with the expectations and needs of local residents and businesses. The TRO consultation will draw out local views on the issue.
- 3.3 Consideration was given to the alternative option of creating a private car park with the use of the barrier, in operation on market day. However, the cost of implementation, maintenance and resource to operate (in addition to identifying a resource to operate the closure) was considered prohibitive and therefore this option was not progressed.
- 3.4 The alternative option is that the Council does not sanction the amendment of the Traffic Regulation Order and the status quo would remain. Given the desire from WRPC to reintroduce a market back in South Oxhey, it would be a disappointing outcome if the TRO variation wasn't endorsed.

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets and once the initial outlay has been recovered, the proposals should be cost neutral.

5 Staffing, Environmental, Community Safety, Public Health, Customer Services Centre

- 5.1 The initial establishment of the physical changes, such as the implementation of the signage, required by the TRO would be implemented between the Property & Transport Teams within existing resources. The introduction of Parking Enforcement at this location and for this specific purpose has been included as an additional annual cost and is funded by the scheme on the basis of the costs of the business parking permits – noting the comments in paragraph 2.10 above.

6 Financial Implications

- 6.1 The cost for implementing the TRO is detailed above. In addition, there will be signage costs. These costs will be covered by existing budgets. The ongoing administration and enforcement costs of the scheme will be covered by the permit income.

7 Legal Implications

- 7.1 Officers have sought specialist advice from external traffic consultants who have confirmed the lawfulness of the proposal subject to the prescribed statutory process being followed. This process could take up to 6 months to complete. However, this process could take longer if it is subject to receipt of objections which may require further variations to, or prevent the introduction of, the TRO.
- 7.2 There are not considered to be any legal risks associated with this proposal provided the statutory process is followed. It is recognised that local residents might challenge the proposal. Site visits undertaken on varying days have never shown a full car park, although it is conceded that Sunday was noticeably busier. Weekdays revealed to be in use with only a handful of cars.

8 Equal Opportunities Implications

Relevance Test

Has a relevance test been completed for Equality Impact?	Yes
Did the relevance test conclude a full impact assessment was required?	No

9 Communications and Website Implications

- 9.1 All proposals will be publicised using the web site and standard communication channels, together with consultation site notices when and where required.

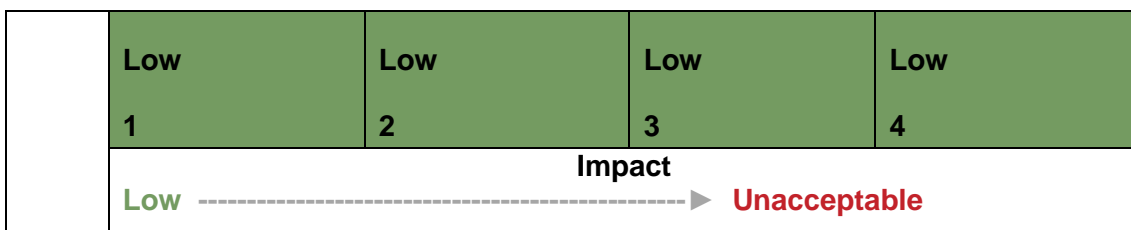
10 Risk and Health & Safety Implications

- 10.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 10.2 The subject of this report is covered by the Regulatory Services Service Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
Challenge from local residents to closure of car park	Proposal might not succeed	TRO public consultation	Terminate	1
The costs of the scheme are not recovered in operation	TRDC would either need to subsidise the costs or increase the parking permit fees	Maintain a watching brief on the usage of the car park and demand for parking permits.	Tolerate	6
		Seek agreement that WRPC underwrite the costs of the proposal	Transfer	1
Increased traffic and parking demand due to displacement and popularity of the market	Increased pressure on limited availability of parking spaces and closure of important and well-located car park	Monitor traffic & parking pressures. There are no tangible options to alleviate pressures.	Terminate	12

10.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely <i>Parade</i> Likelihood	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8



Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- 10.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.
- 10.5 The remainder are therefore operational risks. Progress against the treatment plans for strategic risks is reported to the Policy and Resources Committee quarterly. The effectiveness of all treatment plans are reviewed by the Audit Committee annually.
- 10.6 After Members have made their policy decision, the risks must be entered on to the relevant Risk Register.

11 Recommendation

11.1 It is hereby requested that:

- (i) The Committee approve this recommendation to agree to the variation of the existing Henbury Way car park TRO to allow permit parking for market traders in accordance with this report.

AND

- (ii) Authority is delegated to the Director of Finance, in consultation with the Lead Member of Public Services together with relevant Ward Councillors, to implement the required variation to the Traffic Regulation Order and for Officers to make any necessary amendments or variations to the proposal as may be required, including as a result of responses to any consultation; as well as to address or set aside any formal objections to any Notice of Proposed Traffic Regulation Orders in connection with approval of the final TRO variation scheme.

Report prepared by: Chris Glover, Estate Surveyor, Property Services

Data Quality

Data checked by:

Kimberley Rowley, Head of Regulatory Services

Data rating:

1	Poor	
2	Sufficient	✓
3	High	

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APPENDICES / ATTACHMENTS

Appendix 1 - Location Plan

Appendix 2 – TRO

