

## Decision Record – Objections to Proposed Traffic Signals with Toucan Crossing Facilities at A425 Banbury Road, Warwick – Update Report

<b>Cabinet Portfolio Holder taking the decision</b>	Councillor Jeff Clarke Transport & Planning
<b>Date of Decision</b> (not before 21 June 2019)	<b>21/06/2019</b>

### Decision Taken

That the Portfolio Holder for Transport and Planning approves the advertisement of an updated proposal which includes staggered controlled crossing facilities on A425 Banbury Road, Warwick, as part of the traffic signal controlled junction.

### Reasons for Decisions

Where objections to a road traffic order have been made the approval of the Portfolio Holder is required.

### Background Information

A planning application (W/16/2172) was submitted to Warwick District Council for the relocation of the King's High School to co-exist alongside Warwick School and Warwick Preparatory School. Planning permission was granted on 27 April 2017. The permitted scheme requires the Developer, Warwick Independent Schools Foundation, to install a traffic signal junction at a new access on Banbury Road and to close the existing access.

Public notice was given of the intention to install a traffic signal controlled junction with Toucan crossing facilities and objections were received to the proposals for the junction. These were considered by the Portfolio Holder at a meeting on 17 April 2019 which was attended by Cllr Parminder Singh Birdi (Warwick South), officers of the Council, members of the public and a representative of the Developer.

Having considered the contents of the report and the representations which had been made, it was resolved:

- 1) That the Portfolio Holder for Transport and Planning agrees to the deferral of any decision on the installation of Toucan crossings as part of a traffic signal controlled junction at A425 Banbury Road, Warwick, pending a review of the scheme to assess the feasibility of the installation of a staggered (controlled) crossing of the A425 Banbury Road, Warwick.
- 2) That the review of the scheme including the traffic modelling be completed as soon as is possible and at the latest by 29 May 2019.

### Outcome of Feasibility Assessment and Modelling

The design of the traffic signal controlled junction was updated to include a staggered controlled crossing of the A425 Banbury Road.

It was confirmed by the Council's Manager for Traffic Control and Information Systems that the inclusion of the staggered controlled crossing as designed will have minimal impact on the northbound traffic movement. This is because the facility will operate independently of the main junction and will only be activated if and when demanded by a pedestrian by pressing the push button unit.

This updated design was subjected to a combined Stage 1 and Stage 2 Road Safety Audit. No departures from standard have been identified.

The Portfolio Holder for Transport and Planning approves the advertisement of the updated proposal which includes the staggered controlled crossing facilities. This is because this layout represents a different proposal to that previously advertised under Road Traffic Regulation Act 1984, Section 23. This section of the 1984 Act requires that before establishing, altering or removing a pedestrian crossing facility, the authority shall consult with the Chief Officer of Police and give public notice of the proposal.

If any representations are received to the new proposal, then these will need to be considered by the Portfolio Holder for Transport and Planning at a subsequent meeting.

Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach. There is a procedure for seeking to vary a planning condition so as to remove or amend requirements and this requires a further application by the Developer and approval from Warwick District Council (which would be guided but not bound by the advice of the highway / traffic authority).

The inclusion of the staggered controlled crossing on Banbury Road represents a different approach to that approved by Warwick District Council and the Developer has applied for a variation to their planning condition (10) in respect of the access arrangements.

The installation of the traffic signal junction is a pre-occupation condition for the relocation of King's High School in September 2019. In view of the urgency with which the junction improvement needs to be progressed, the Council is proceeding with the procurement of a construction contract for the highway improvement scheme and the detail of the crossing facility on Banbury Road will be finalised once the outcome of the advertisement and of the application for the discharge of condition are known.

### Financial Implications

The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the costs will be fully funded by the Developer. Approval to add this scheme to the capital programme and to procure the construction contract was given by the Deputy Leader (Finance and Property) at his decision making meeting on 15 March 2019. However, this was a decision concerning financial and operational management and does not affect the responsibility of the Portfolio Holder for Transport and Planning to consider the merits of the updated scheme.

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<b>Strategic Director</b>	Mark Ryder
<b>Portfolio Holder</b>	Councillor Jeff Clarke

## Checklist

<b>Urgent matter?</b>	N
<b>Confidential or Exempt?</b> (State the category of exempt information)	N
<b>Is the decision contrary to the budget and policy framework?</b>	N

**List of Reports considered**

Link to published proposed decision report:

<https://democratic.warwickshire.gov.uk/cm5/Calendarofmeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4681/Committee/593/Default.aspx>

**List of Background Papers**

None

**Members and officers consulted or informed**

Portfolio Holder – Councillor Jeff Clarke

Legal – Ian Marriott

Finance – Virginia Rennie

Equality – Keira Rounsley

Democratic Services – Paul Williams

Councillors Parminder Singh Birdi and Councillor Jeff Clarke