



AGENDA ITEM: 8

SUMMARY

Report for:	Cabinet
Date of meeting:	11th February 2014
PART:	1
If Part II, reason:	

Title of report:	Hemel Evolution: Marlowes Shopping Zone Pedestrian Area Designs, Bus Interchange Designs and PPO/TRO proposals
Contact:	<p>Cllr Andrew Williams, Leader of the Council and Portfolio Holder for Planning and Regeneration</p> <p>Author/Responsible Officers: James Doe, Assistant Director, Planning, Development and Regeneration</p> <p>Nathalie Bateman, Strategic Planning and Regeneration Team Leader for Hemel Evolution</p> <p>Shalini Jayasinghe, Strategic Planning and Regeneration Officer</p> <p>Alan Story, Strategic Planning and Regeneration Officer</p>
Purpose of report:	<p>To outline and seek approval for the designs for the Marlowes Shopping Zone improvements, and for the proposed Hemel Hempstead Town Centre Bus Interchange; and to seek approval for progressing the necessary regulatory approvals for traffic management arising from these projects. Specifically:</p> <p>Marlowes Shopping Zone</p> <ol style="list-style-type: none"> 1. To approve the designs for the regeneration of the Marlowes Shopping Zone. <p>Bus Interchange</p> <ol style="list-style-type: none"> 2. To approve the designs for the new Bus Interchange to support the regeneration of Market Square 3. To approve the relocation of taxi rank to Waterhouse Street and associated parking arrangements within Waterhouse Street

	<p>Traffic Regulations</p> <p>4 To approve the necessary Traffic Regulation Orders associated with the Bus Interchange / Marlowes Shopping Zone designs</p> <p>5 To approve a submission to the Secretary of State for Transport in respect of the revocation of the current Pedestrian Planning Order (1993). Both the Marlowes Shopping Zone and Bus Interchange are key projects in the Council's Hemel Evolution programme for the regeneration and development of Hemel Hempstead town centre.</p>
Recommendations	<p>Marlowes Shopping Zone</p> <p>1. That the proposed designs for Marlowes Shopping Zone improvements as presented in Appendix 1 are approved. These are the same designs that were presented at the Members' briefing on 27 November 2013.</p> <p>Bus Interchange</p> <p>2 That the proposed designs for the Bus Interchange as presented in Appendix 2 are noted. There are the same designs that were presented at Members' briefing on 10th December 2013.</p> <p>3 That the proposed arrangements for the relocation of the Marlowes Taxi Rank to Waterhouse Street, and reallocation of road space are noted.</p> <p>4 That Cabinet approves the designs for the Bus Interchange, and associated Waterhouse Street arrangements.</p> <p>Traffic Regulation Orders</p> <p>5 That Cabinet approves the submission to Hertfordshire County Council for the necessary Traffic Regulation Orders necessitated by the above schemes and to the Secretary of State for Transport for the revocation of the existing Pedestrianised Planning Order (1993) which will be replaced by the new TROs, see Appendix 3 MSZ, Appendix 4 – Bus Interchange & Appendix 5 – Waterhouse Street.</p> <p>6 That Members note the matters for resolution in respect of the application to Hertfordshire County Council referred to in paragraphs 44 to 47 of the report, and delegate responsibility to the Assistant Director - Planning, Development and Regeneration in respect of these matters.</p>

Corporate objectives:	The Hemel Hempstead Masterplan supports the Council's vision and in particular the corporate objective of Regeneration.																																												
Value For Money Implications'	<p><u>Financial</u></p> <p>Marlowes Shopping Zone</p> <p>This project has an approved budget of 2.91million.</p> <p>As advised by our Consultants through an indicative Cost Plan prepared by their Quantity Surveyors, the designs outlined fit within this approved budget.</p> <p>Current headline budget breakdown is:</p> <table border="1" data-bbox="539 663 1366 1563"> <thead> <tr> <th></th> <th>Budget (£)</th> </tr> </thead> <tbody> <tr> <td colspan="2">Fees</td> </tr> <tr> <td>Design consultant</td> <td>84,500</td> </tr> <tr> <td>Employer's agent</td> <td>23,600</td> </tr> <tr> <td>Cost Manager</td> <td>51,300</td> </tr> <tr> <td>Design Monitor</td> <td>tbc but <10K</td> </tr> <tr> <td>CDM Coordinator</td> <td>tbc but approx. 2,000</td> </tr> <tr> <td>Total fees</td> <td>169600(estimate)</td> </tr> <tr> <td colspan="2">Construction (current estimates to be value engineered)</td> </tr> <tr> <td>Demolition and Removals</td> <td>255,300</td> </tr> <tr> <td>Pavement areas</td> <td>344,500</td> </tr> <tr> <td>Pavement structures</td> <td>576,500</td> </tr> <tr> <td>Decoration/cleaning</td> <td>218,100</td> </tr> <tr> <td>Pavement accessories</td> <td>528,500</td> </tr> <tr> <td>Mechanical and Electrical</td> <td>190,300</td> </tr> <tr> <td>Launch events and market events</td> <td>43,000</td> </tr> <tr> <td>Subtotal</td> <td>2,156,200 (estimate)</td> </tr> <tr> <td>Allowance for Preliminaries @ 10%</td> <td>216,000</td> </tr> <tr> <td>Overheads and Profit @ 5%</td> <td>119,000</td> </tr> <tr> <td>Contingency @ 8%</td> <td>199,000</td> </tr> <tr> <td>Total construction costs</td> <td>2,690,200 (estimate)</td> </tr> <tr> <td>Total costs</td> <td>2,859,800 (estimate)</td> </tr> </tbody> </table> <p>All figures rounded to nearest £100</p> <p>However the actual final costs would depend on the quotes provided by the Main Contractor in response to the Invitation to Tender which will be going out in February/March. This will be value engineered where necessary to fit within the existing budget.</p> <p><u>Financial</u></p> <p>Bus Interchange</p> <p>This project has an approved budget of £2.16 million.</p> <p>As advised by our Consultants through an indicative Cost Plan</p>		Budget (£)	Fees		Design consultant	84,500	Employer's agent	23,600	Cost Manager	51,300	Design Monitor	tbc but <10K	CDM Coordinator	tbc but approx. 2,000	Total fees	169600(estimate)	Construction (current estimates to be value engineered)		Demolition and Removals	255,300	Pavement areas	344,500	Pavement structures	576,500	Decoration/cleaning	218,100	Pavement accessories	528,500	Mechanical and Electrical	190,300	Launch events and market events	43,000	Subtotal	2,156,200 (estimate)	Allowance for Preliminaries @ 10%	216,000	Overheads and Profit @ 5%	119,000	Contingency @ 8%	199,000	Total construction costs	2,690,200 (estimate)	Total costs	2,859,800 (estimate)
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prepared by their Quantity Surveyors, the designs outlined fit within this approved budget.

Current headline budget breakdown is:

	Budget (£)
Fees	
Design consultant	£35,500
Employer's agent	£12,700(Option1) £18,300(Option2) £23,500(Option2)
Cost Manager	£39,600(Option1) £45,900(Option2) £56,000(Option3)
Design Monitor	tbc but <10K
CDM Coordinator	tbc but approx. 2,000
Total fees	£87,800 (Option1) £99,700 (Option2) £115,000(Option3) (estimates)

All figures rounded to nearest £100

Fee costs are determinant on the timescale for delivery, in turn dependent on the application for Traffic Regulation Orders to cover the Bus Interchange. As discussed elsewhere in this report, the Traffic Regulation Orders are subject to public consultation. Dependent on the nature of objections to the Traffic Regulation Order these may result in a public enquiry. The following delivery options, based upon the TRO process presented are;

TRO Submission to HCC in February relating to the Bus Interchange

- Option 1 – No objections to TRO – Sealed June 2014, Construction completes January 2015
- Option 2 – Locally resolved objections to TRO – Sealed March 2015, Construction completes December 2015
- Option 3 – Non-resolvable objections, Public Inquiry Sealed (subject to Public Inquiry resolve) March 2016, Construction completes December 2016

Construction (current estimates to be value engineered)	
Public Realm Removals	£155,400
Marlowes Road Works	£483,400
Marlowes Pavement Areas	£708,100
Waterhouse Street Parking	£22,900
Roundhouse Refurbishment	£129,600
Subtotal	£1,499,400(estimate)
Allowance for Preliminaries @ 15%	£224,900
Overheads and Profit @ 5%	£86,200
Contingency @ 8%	£144,800
Total Construction	£1,955,300

	<p>Total Costs</p>	<p>£2,043,100(Option1) £2,055,000(Option2) £2,070,300(Option3)</p>	
<p>All figures rounded to nearest £100</p>			
<p><u>Value for Money</u></p>			
<p>The proposed designs for both the Marlowes Shopping Zone Pedestrian Area (MSZPA) and the Bus Interchange reflects significant value for money by delivering improvements to the Marlowes that will make a distinctive, creative, visual and practical improvement to the Marlowes Shopping Zone within the available budget.</p>			
<p>The MSZPA has been designed to make maximum visual impact within the budget allocated and to enhance the natural attributes of the 1960's design. The Bus Interchange has been designed to maximise the regeneration potential of the town centre and use existing highway space. It has also been designed to accommodate future predicted growth in public transport services.</p>			
<p>The schemes are being delivered in conjunction with wider regeneration in the town centre to maximise the scope for economic growth and increased footfall.</p>			
<p>The schemes will be value engineered prior to construction and throughout the construction period to ensure the delivery of value for money.</p>			
<p>Value for money will also be achieved through the procurement process for the Main Contractor.</p>			
<p>Risk Implications</p>	<p>Risk Assessment included as part of the PID for Marlowes Shopping Zone and Market Square and Bus Station Regeneration Project</p>		
<p>Equalities Implications</p>	<p>Equality Impact Assessment carried out as part of each design processes.</p>		
<p>Health And Safety Implications</p>	<p>A CDM Coordinator will be appointed to undertake statutory Health and Safety assessments.</p>		
<p>Monitoring Officer/S.151 Officer Comments</p>	<p>Monitoring Officer:</p> <p>No further comments to add to the report.</p> <p>Deputy S.151 Officer</p> <p>The recommendations within this report do not give rise to any further budgetary implications for the Council.</p>		
<p>Consultees:</p>	<p>James Stammers, Transformation Programme Manager for DBC, and Consultant at V4 Services</p>		

	<p>Terry Curtis, Principal TRO Officer / Head of Profession, Traffic Order Services, Hertfordshire County Council</p> <p>Martin Hone, Corporate Director, Finance and Governance, DBC</p>
Background papers:	<p>Marlowes Shopping Zone, Stage E Detailed Design – Presentation to Members</p> <p>Bus Interchange, Detailed Design – Presentation to Members</p> <p>Extinguishment of Vehicular Rights (County of Hertfordshire) (No.1) Order 1993</p> <p>Dacorum Borough Council (Hemel Hempstead Town Centre) (Traffic Regulation) Order 1992</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>TRO Traffic Regulation Order</p> <p>PPO Pedestrianised Planning Order</p> <p>PSV – Public Service Vehicle</p> <p>TSRGD Traffic Signs Regulations and General Directions</p>

BACKGROUND

General

1. In January 2013 Dacorum Borough Council adopted the Hemel Hempstead. Town Centre Masterplan, setting out its long-term vision and regeneration plan. The vision states that “by 2021 Hemel Hempstead Town Centre will be an appealing, attractive and sustainable destination with a thriving economic centre and a high quality environment. The regeneration and evolution of the town centre will emphasise the natural and cultural assets of the town and celebrate its New Town history and rich heritage”. The Masterplan forms a framework for the future development of Hemel Hempstead town centre. <http://www.dacorum.gov.uk/home/regeneration>
2. Other work is underway by the Council to engage a development partner to bring forward a major leisure scheme on Market Square and a new Public Service Quarter together with additional housing and complementary development. Separately and in addition, a new Morrisons’ supermarket and a new college are also expected to the north of the Gade Zone.
3. The two projects detailed in this report are beginning to near the implementation phase – particularly on the Marlowes Shopping Zone improvements, which is scheduled to commence in Spring 2014. To ensure that project management arrangements are as robust as possible, it will be necessary for the Council to appoint a team of consultants to carry out very specific roles to help delivery of the projects in terms of cost, timing and quality.
4. The roles to support Officers managing the projects were the subject of a report presented to Cabinet 17 December 2013 – Major Projects –

Procurement and funding. Consultants Tropus and Spicer were appointed in January 2014 to act as Employer's Agent and Cost Manager for the Marlowes Shopping Zone, Bank Court and Bus Interchange projects. We are currently in the process of appointing a CDM Coordinator and Design Monitor shortly.

- 5 To support the delivery of projects under the Hemel Evolution programme, a Project Board has been set up that meets regularly. Overseen by the Portfolio Holder for Planning and Regeneration, this brings together all appropriate Stakeholders in each of the priority areas including Hertfordshire County Council, Taxi driver associations, Police, Arriva, Local Members and representatives from within the Council. Meetings are held monthly and recorded.
- 6 A Steering Group reports into the Project Board, involving Officers from across the Council (Town Centre Management, Clean Safe and Green, Hemel Evolution etc as well as key stakeholder representation, particularly Hertfordshire County Council).

Marlowes Shopping Zone

- 7 As part of the implementation of the Masterplan, the design proposals aim to deliver a programme of public realm improvements to transform the Marlowes pedestrianised shopping area into a unique place that offers something for everyone and is vibrant during the day, evening and night attracting more visitors, business and investment and making it a place that people will want to visit over and over again to shop, work, live and enjoy.
- 8 There is an approved budget of approximately £2.91 million in the Capital Programme for improvements to the Marlowes Pedestrianised Area.
- 9 The project was initially reported to Cabinet at its meeting on 23 October 2012. Authority to proceed was given as follows
 - (a) "That delegated authority is given to the Assistant Director for Planning, Development and Regeneration to arrange a consultancy, project management and delivery solution for the remaining phases of Improvement works in Hemel Hempstead Town Centre, in liaison with the Portfolio Holder for Planning and Regeneration" and
 - (b) "That delegated authority is given to the Assistant Director for Planning, Development and Regeneration to award a construction contract in accordance with the Council's procurement governance arrangements."

Officers have made the necessary arrangements for the consultancy, project management and delivery solution.

- 10 Design Consultants, Broadway Malyan have worked over the last 9 months and produced a design for the Pedestrianised Area in the Marlowes Shopping Zone. These designs were presented at Members' briefing on 27 November 2013 and were well received. Details of the designs are attached in Appendix 1, Marlowes Shopping Zone, Stage E Detailed Design – Presentation to Members.
- 11 Whereas the final arrangements for the construction contract was delegated to the Assistant Director – Planning, Development and Regeneration at the

October 2012 Cabinet meeting, Cabinet is now invited to finally endorse the design as set out at Appendix 1, following the Member Seminar in November. This will be the scheme the selected contractor will work with and develop in further detail through the development process.

Bus Interchange

- 12 The Bus Interchange is a key proposal in the adopted Hemel Hempstead Town Centre Masterplan (see para. 1 above).
- 13 The Masterplan identifies that towards the south of the Gade Zone there is a substantial opportunity to regenerate the underused Market Square site with a number of potential uses. Improving the leisure and business offer in this area will increase linked trips to the surrounding zones and specifically links with the proposals for Waterhouse Street being dealt with under the Jellicoe Water Gardens Zone). The Market Square is identified as a site of crucial strategic importance as it sits between the northern and southern sections of the town centre, linking the two ends of the town, as well as having a strong relationship with the Water Gardens. The Masterplan sets a priority to redevelop this site to improve the leisure, retail and business offer in the Market Square to attract more visitors to the area, and is vital to sustaining the regeneration initiatives throughout the rest of the town centre and promoting activity and interest in the Water Gardens.
- 14 The Market Square is flanked by the existing bus station. This is of poor quality and offers only limited passenger facilities. Whilst the site is owned by the Council, it is leased to Arriva until 2017.
- 15 Crucial to the successful redevelopment of Market Square is the replacement of the bus station with a new bus interchange on Marlowes and Bridge Street. Authority to proceed with this project was granted by Cabinet at its meeting on 30 April 2013.
- 16 To facilitate the operation of the bus interchange in order to afford the greatest level of future capacity for bus services serving the local area, and beyond, and noting the limited length of highway, it is necessary to relocate the existing taxi rank presently located on the western (northbound) side of Marlowes. The existing rank provides capacity for 21 taxis but commonly experiences taxis ranking up in parallel, creating obstruction to the passage of buses through the existing highway arrangement. However, as taxis represent an important transport option to visitors and users of the Town Centre, and the relocation of the Taxi Rank should not prejudice the effectiveness of this alternative to the private car.
- 17 A 24 hour taxi rank is therefore proposed within Waterhouse Street sufficient in capacity to provide capacity for 37 taxis (an increase of 76%) over the Marlowes arrangement. Reallocation of road space within Waterhouse Street removes the limited (5 off) taxi bays already in existence, with the scheme representing an overall increase of 42% (11 spaces). The proposed arrangement provides a single rank (split by the existing pedestrian crossing to Bank Court) with its head located at the northern end of Waterhouse Street. In operational terms this ensures the rank head is located in the most appropriate and prominent location to service demand, and removes operational difficulties arising through having two separate rank heads.

- 18 Hertfordshire Police has expressed reservations over the loss of taxi ranks in the Marlowes, pertaining to a perceived loss of ability to disperse users of late night drinking establishments within the area. Discussions with the local Police Inspector have confirmed that the Council will seek to provide additional night time taxi ranking in the local area, including in the short term use of the Bus Station land, and considerations through the Market Square development process to inform the design and supporting highway layout. Such assurances have removed the Police's objections but they retain these basic reservations.
- 19 Disabled parking within Waterhouse Street South is also currently formalised through the provision of 12 blue badge spaces. Under a separate project (approved by Cabinet on 17 December 2013) the parking spaces will be removed from Bank Court, which is to be regenerated to provide a high quality public space and improve connectivity between the Marlowes pedestrian area and the Water Gardens, extending across Waterhouse Street. Addressing improvements to Bank Court would greatly benefit the planned works to the Marlowes Shopping area and the Water Gardens, would revitalise the area and improve visitors experience to the town centre. The Bank Court project shall be implemented as an extension to the Marlowes Shopping Area improvements.
- 20 Bank Court presently provides 12 spaces for use by persons with a blue badge. These would be lost through the proposals for the regeneration of the area. The new design for use of highway space on Waterhouse Street provides a direct replacement for these spaces. This is shown on page 26 of Appendix 2 to the report. Waterhouse Street presently experiences informal blue badge parking, permitted under the Blue Badge scheme, which occurs on double yellow (waiting restrictions) and can encroach on junctions, service yard accesses. The parking arrangements for Waterhouse Street do not result in the loss of formal blue badge parking, and seeks to formalise this parking.
- 21 Formal blue badge parking within the Water Gardens, Moor End Road and Marlowes car parks remain unaffected. A full Equality Impact Assessment has been undertaken as part of the project proposals.
- 22 The scheme respects the continued need to facilitate access (for market traders and other approved vehicles) to access the Marlowes Shopping Area, and retains cycle access through the Bus Interchange. Access to the Bus Interchange shall however be restricted to these users, local buses and national bus services only, through the implementation of revised TROs.
- 23 Provision within the scheme is made for the relocation of public bus information and ticketing. Feasibility studies have been undertaken on options for this provision, which remain subject to ongoing discussion and resolution. The final scheme shall provide for, and financially address, the provision of a facility in an easily accessible location in close proximity to the interchange to an appropriate scale.
- 24 There is an approved budget of approximately £2.16 million in the Capital Programme to provide the new Bus Interchange, including the relocation of taxis and the provision of ancillary services.

- 25 Design Consultants, Broadway Malyan have worked over the last 9 months and produced a design for the Bus Interchange within Marlowes (from junction with Hillfield Road) and Bridge Street (to junction with Waterhouse Street). Development of the design has involved significant consultation with Hertfordshire County Council, with regard to the design specifications as defined within their technical guidance – Roads in Hertfordshire 3rd Edition, vehicle swept path analysis and full safety audit.
- 26 These designs were presented at Members' briefing on 10 December 2013 and were well received. Details of the designs are attached in Appendix 2, Bus Interchange, detailed design – Presentation to Members.
- 27 Public consultation of the designs, and informal consultation of the effect of the TROs, has been conducted with comments addressed.

Traffic Regulation Orders

Background

- 28 The Marlowes Shopping Zone and area considered for the Bus Interchange are covered by a Pedestrianised Planning Order (PPO) issued by the Secretary of State for Transport in 1993. A Traffic Regulation Order (TRO) was implemented to back the PPO up in enforcement terms at that time, this being the approach agreed with Hertfordshire County Council then. Copies of the Traffic Regulation Order and Pedestrianised Planning Order are appended to this report at Appendix 3.. The making of the Pedestrianised Planning Order was subject to Public Inquiry (1991) and made on the recommendation of the Inspector appointed by the Secretary of State for Transport to undertake this Inquiry.
- 29 Traffic is restricted to enter the full area. Regulated traffic includes market and other approved vehicles to enter the Marlowes Shopping Zone at restricted times with approval from Town Centre Management, buses along Bridge Street / Marlowes and a taxi rank on the western side of the Marlowes. Emergency / maintenance vehicles have unrestricted access. Cyclists are permitted to enter the Marlowes up until the Marlowes Shopping Zone, whereupon cycling is prohibited.
- 30 There exist issues with the enforcement of the current PPO which can only be enforced by the Police. Issues with conflict between the PPO and TRO, and limited resources by the Police, have led to limited enforcement of the restrictions.
- 31 Two new Traffic Regulation Orders are now proposed, to make effective provision for the management of traffic in the central part of the town centre that arise from both the Marlowes Shopping Zone and Bus Interchange projects. These comprise a Pedestrian Zone Order on southern Marlowes (Marlowes Shopping Zone) with provision for a one way system to enable approved vehicles (market traders etc,) to enter at prescribed times; and an appropriate order on Bridge Street / Marlowes (from Waterhouse Street to Hillfield Road) to restrict access to the area to local buses, permit holders and other users (See paragraph 40 below).
- 32 A Traffic Regulation Order to cover the new taxi rank, disabled parking and short term parking spaces within Waterhouse Street shall also be required.

- 33 All Traffic Regulation Orders are subject to formal, public consultation, a process that takes a minimum of 19 weeks. Objections to the various Traffic Regulations, dependent on their nature, may be resolved locally. As the Order covering the Bus Interchange reflects a prohibition on loading / unloading activities within the area (as existing) objections received on these grounds, or any objection received from local bus operators, qualify for an automatic public enquiry, outside of the ability for the Council to address until the Inquiry is scheduled.
- 34 Timescales for delivery of the Bus Interchange works have been developed with regard to the formal TRO process, giving rise to three options for delivery dependent on the duration taken to resolve any objections received.

The following delivery options, based upon the TRO process presented are;

TRO Submission to HCC in February

- Option 1 – No objections to TRO – Sealed June 2014, Construction completes January 2015
 - Option 2 – Locally resolved objections to TRO – Sealed March 2015, Construction completes December 2015
 - Option 3 – Non-resolvable objections, Public Enquiry Sealed (subject to Public Enquiry resolve) March 2016, Construction completes December 2016
- 35 Appropriate informal consultation on the proposals for the Traffic Regulation Orders has been undertaken, to minimise the risk of such objections. This informal consultation process identified no significant objections to the proposed TROs, however this does not guarantee that objections will not be received.
- 36 Consultation has involved appropriate stakeholders, both through the ongoing Project Board / Member presentations, but also involving businesses, residents, taxi associations, cycle interest groups, emergency services, internal officers, bus operators and Hertfordshire County Council.
- 37 The specific effects of each TRO follows, along with a summary of the changes represented by each Traffic Regulation Order.

Waterhouse Street – Traffic Regulation

- 38 Traffic Regulations shall be sought with the effect of;
- Providing 12 blue badge parking spaces (3 hours, no return within 1 hour) (Refer para. 6, 'background')
 - Providing a Taxi Rank (37 vehicle capacity) (refer para. 7, 'background')
 - Providing 2 Pick up / drop off bays (10 minutes, no return within 1 hour)

The above Traffic Regulation provisions represent a reallocation of road space only, with no specific implications to enforcement or the consultation process.

Marlowes Shopping Zone – Traffic Regulation

39 Traffic Regulations shall be sought with the effect of;

- Restricting access to pedestrians and permit holders (under DBC permit scheme)
- Implementing a One way system (entry from Bridge Street, exit to Moor End Road)

The Marlowes Shopping Zone is already subject to the Pedestrianised Planning Order, restricting access to the area for pedestrians / permit holders. Access to the area is controlled by way of a rising bollard, which is retained.

Presently vehicles enter the area from Bridge Street, and are required to leave from the same point, necessitating vehicles manoeuvres within the pedestrianized area to turn around. The revised arrangement, by way of de-cluttering of street furniture shall enable vehicles to depart by way of a vehicular route adjacent to Primark, to the junction of Waterhouse Street with Moor End Road. Appropriate physical measures shall be implemented to ensure that access is prevented, and only egress is permitted at this point.

Marlowes / Bridge Street

40 Traffic Regulations shall be sought with the effect of;

Restricting access to Marlowes (from Bridge Street to Hillfield Road Junction) to the following users;

- Local Buses
- Mounted cycles
- Emergency vehicles
- Highway Maintenance Vehicles
- Utility Companies
- Pedestrians

Restricting access to Bridge Street (between junction with Waterhouse Street and Marlowes) to the following users;

- Local Buses
- Mounted cycles
- Emergency vehicles
- Highway Maintenance Vehicles
- Utility Companies
- Permit Holders (DBC authorisation)
- Market Traders (time limited, under DBC Permit scheme)
- Pedestrians

The provisions of the existing Traffic Regulation Order, Dacorum Borough Council (Hemel Hempstead Town Centre) (Traffic Regulation) Order 1992, are repeated under the new Order, with the sole difference of now prohibiting taxis from entering the Bus Interchange.

41 Provision, through the Dacorum Borough Council permit scheme, will be made to enable National / Regional Services to access the Bus Interchange.

It has been necessary to define the restrictions to specific users within the Traffic Regulation Order. 'Bus' in isolation is not defined within the appropriate regulations. Exemptions are required to apply to 'Local Bus' as

defined in TSRGD 2002 or 'Public Service Vehicle' as defined under the Public Passenger Vehicles Act.

- 42 The definition 'Local Bus' limits the exemption to a PSV providing a local service not being an excursion or tour. In this regard local service is defined in section 2 of the Transport Act 1985. Issues here may be presented by some operators not falling within the definition with National Express Coaches (and the like) not falling within this definition. It is determined that an exemption for 'any PSV' would allow any vehicle constructed or adapted to carry more than 8 passengers for hire or reward or any vehicle carrying passengers at separate fares. In certain circumstances a taxi can be a PSV and so too are minibuses being run as taxis etc. or indeed a minibus where the passengers have paid for the hire of the vehicle, with such uses to undermine the effectiveness of providing a dedicated Bus Interchange. National Express / Greenline services shall therefore be provided for through the Permit scheme.

Pedestrianised Planning Order

- 43 Concurrent with the consultative process in respect of the revised Traffic Regulation Orders, the Council shall apply to the Secretary of State for Transport to revoke the existing Pedestrianised Planning Order, returning vehicular rights to the affected area and enabling the new Traffic Regulation Orders to become enforceable.

Matters for Resolution

- 44 Members are requested to note the following matters for final resolution by Hertfordshire County Council in respect of the preparation of the appropriate Traffic Orders
- 45 Bus Lane Contravention Regulations – The nature of any Order that has the effect of restricting access to buses (or buses and other vehicles) means that the enforcement of the restrictions is subject to the Bus Lane Contravention Regulations, in accordance with arrangements made by HCC in 2005, resulting in enforcement by approved device (camera) only. At present within Hertfordshire, nor within the scheme, no method of such enforcement exists. Hertfordshire County Council is seeking to identify a solution to this, but likely shall seek dispensation from the Secretary of State for Transport for the Marlowes to be exempt from such a requirement, placing the enforcement of moving contraventions back with the police to enforce.
- 46 Signage – To ensure enforceability of any order the signage relating to the nature of the order has to accord with the provisions of the Traffic Signs Regulations and General Directions. Limitations on the approved variants for signs has identified a potential need to seek a Pedestrian Zone Order, which enables the restrictions sought under the proposed Traffic Regulation Order. This has no significant implications to the consultation process, but legal advice is awaited on whether a Pedestrian Zone Order still has the effect of requiring enforcement under the Bus Lane Contravention Regulations.
- 47 If no permitted variants are identified that support the Traffic Regulation Orders it shall be necessary to approach the Department for Transport for type approval for a variation, for use in this location.