

## **Record of Decisions**

### **Future High Streets - Torbay Road and Notice of Motion to Re-open Torbay Road and Restore Hyde Road to Two Lane Traffic**

#### **Decision Taker**

Cabinet on 10 January 2023.

#### **Decision**

That the Divisional Director Economy, Environment and Infrastructure be instructed to revise the trial of the Torbay Road Future High Street Fund project to allow for a partial pedestrianisation of Torbay Road between Queens Road and Station Square, Paignton.

#### **Reason for the Decision**

To allow for a trial of limited pedestrianisation of Torbay Road which supported the views expressed in the spring 2022 consultation and continued to be provided through the Your Say feedback. The revised trial also respects the feedback received from traders and limits any further redesign and delay to the implementation of the Station Square public realm improvements. To also respond to the submitted Notice of Motion which was rejected by the Cabinet as the consultation responses were mixed and it was considered a trial of a partial pedestrianisation was an appropriate and balanced response to mixed views of the whole community.

#### **Implementation**

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The Council was successfully awarded a grant under the Future High Street Fund (FHSF) programme, which is intended to bring about infrastructure improvements, increase town centre living and an enhanced cultural offer in Paignton. To implement the grant the Council has taken forward the development of projects and, working with partners at Paignton Picture House Trust, commenced delivery the first Future High Street Fund project for Torbay Road, Paignton.

The FHSF bid identified improvements to the street scene on Torbay Road which were expected to include signage, lighting, seating and other more general improvements. Feedback from community representatives was that Torbay Road should be pedestrianised. In spring 2022 two consultations were led jointly by the Paignton and Preston Community Partnership and the Council, which indicated that there was broad support for pedestrianisation.

Following the consultation, the project team revised the plans which were being developed to incorporate pedestrianisation. It was intended to deliver a trial of the pedestrianisation in the summer 2022, however a variety of challenges prevented this from taking place. The trial could not easily have been delayed until the summer 2023 without a potentially significant impact to the overall FHSF programme. This is because the FHSF grant is expected to be spent by the summer of 2024 and delaying the trial till 2023 with the consequential impacts on design and

procurement for the Torbay Road project and the linked Station Square project meant that the decision was made to trial pedestrianisation from October 2022.

The Council committed to continually reviewing the feedback on the trial, intended to run until the end of March 2023, to allow for the impact of the pedestrianisation to be considered. The comments to date show a mixed view with some commenting very clearly that the trial was working and encouraging its continuance. Others were vehemently against the trial and believed that it will result in the street failing.

The pedestrianisation trial has required an experimental traffic order. There is a legal/statutory requirement of a 6-month consultation period where, as the concept of an experimental order was that the outcome was unknown, the scheme must be in place for a minimum six-month period to allow members of the public to submit comments, suggestions, or objections in relation to it.

There are conditions which allow for an order to be modified under Section 10(2) of the "Road Traffic Regulation Act 1984" which confirms that experimental orders may be modified, only after consulting with the police, to preserve or improve the amenities of the area through which any road affected by the order runs.

A Notice of Motion was also submitted by Councillors David Thomas and Chris Lewis which sought to revert all pedestrianisation and re-open Torbay Road and was presented at the Cabinet meeting on 10 January 2023. The Cabinet rejected the motion for the reasons set out above.

At the meeting Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

### **Alternative Options considered and rejected at the time of the decision**

There were four options set out in the submitted report:

#### **1) Revert to the original (open Torbay Road):**

This option was that requested by the Notice of Motion, whilst the Council could revert the entire scheme back to its original state with no regulatory requirements needed. This would require placing an advert to revoke the order. There would also be abortive costs and disruption of putting the scheme back to its original form and removing the street furniture etc. There would also be a requirement to revise the Station Square public realm scheme which would increase costs and delay that work starting.

This option was likely to be favoured by some traders but community representatives and some respondents to the survey make clear that this would be seen as the wrong move.

#### **2) Partial Pedestrianisation (Queens Road to Level Crossing):**

This was the preferred option. Partial pedestrianisation would allow traffic onto Torbay Road from the Esplanade and provide options to turn at the Queens Road/Garfield Road junction. The option appears to have support from more traders and some community representatives. If the Council wanted to amend parts of the scheme, then this would constitute a modification to the experimental traffic order and may restart the clock on the minimum period of six months consultation.

3) One-way traffic west bound:

This would allow one way traffic onto Torbay Road from the Esplanade along the full length of Torbay Road. It would require a redesign of the Station Square scheme which was predicated on some form of pedestrianisation in that space. Similar comments to the option 2 would apply in respect on the traffic order.

4) Maintenance of the trial until March 2023;

Maintenance of the trial 'as is' would allow for the experimental traffic order six month period originally envisaged to conclude and for fuller information to be collected but was more likely to prolong and intensify the public debate on this issue.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None.

**Published**

January 2023

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet