

23/17



Notice of Non-key Executive Decision

Subject Heading:	Ferry Lane, Rainham – Proposed Road Closure.
Cabinet Member:	Cllr. Osman Dervish Environment, Regulatory Services and Community Safety
CMT Lead:	Steve Moore
Report Author and contact details:	Musood Karim Engineer Street Management 01708 432804 masood.karim@havering.gov.uk
Policy context:	Havering Local Development Framework (2008) Havering Local Implementation Plan 2014/15 – 2016/17 Three Year Delivery Plan (2013)
Financial summary:	The estimated cost of £950 for the public advertisement of the road closure will be met by Council's Economic Development Capital Programme.
Relevant OSC:	Environment
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	<input checked="" type="checkbox"/>
People will be safe, in their homes and in the community	<input checked="" type="checkbox"/>
Residents will be proud to live in Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This Executive Decision approves the statutory advertisement and public consultation of a proposal to close a section of Ferry Lane, Rainham between Lamson Road and the High Speed 1 rail line. The proposals include the installation of a traffic feature restricting vehicular use of this section of road and associated Traffic Management Orders. The section of road to be closed and position of proposed traffic feature is shown on drawing No. QP032_001.

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3, Section 3.6.3, paragraph (r)

To approve local highway management schemes in principle for public consultation.

STATEMENT OF THE REASONS FOR THE DECISION

The route of the High Speed 1 rail line runs through Ferry Lane, Rainham with the result that the section of Ferry Lane between Lamson Road and the High Speed 1 rail line shown on drawing No. QP032_001 ("Road") is now a cul-de-sac. The Road has become susceptible to instances of anti-social behaviour including fly tipping and unauthorised parking. The Road has also been used as an unauthorised means of accessing adjacent land forming part of Rainham Marshes Local Nature Reserve ("RMLNR"). RMLNR has been subject to instances of unauthorised traveller encampments.

Reason:

The Road is a cul-de-sac and should be kept clear of vehicular traffic. The Road presents a point for unauthorised vehicular access to RMLNR and is regularly subject to instances of fly tipping. The proposals would alleviate these problems.

Road Closure:

Traffic Management Orders would be required to restrict access to general traffic in the Road with the exception of emergency vehicles and local tenants such as High Speed 1, National Grid, UK Power Networks, National Grid Gas, Environmental Agency and access to the nature reserve.

Non-key Executive Decision

Financial Allocation:

The sum of £950 for the proposals would be met from the allocation provided by the Council's Economic Development Capital Programme. There is no time limit imposed by the grant.

Staff have been in consultation with the local tenants who would be affected by the proposed closure.

The physical works for the Road closure would be positioned between High Speed 1 rail line and Lamson Road shown on drawing No. QP032_001. The Road is and shall remain under the Councils control as highway maintainable at public expense. In order to take this matter forward, the proposals will need to be formally advertised with any objections received referred to the Highways Advisory Committee for consideration and then a recommendation made to the Cabinet Member for Environment, Regulatory Services & Community Safety.

The Traffic Management Orders for the road closure would contain exemptions for emergency services vehicles; refuse collection vehicles; and service vehicles of the local tenants such as High Speed 1, UK Power Networks, National Grid, Barking Power Station and National Grid Gas.

A plan showing the proposed location of the closure is shown on attached drawing No. QP032_001.

OTHER OPTIONS CONSIDERED AND REJECTED

An alternative option to Do Nothing was considered, but is not considered appropriate given the current level of the problems in the road which the Council has to deal with.

PRE-DECISION CONSULTATION

The scheme was commissioned to Street Management by the Council's Regeneration team. The purpose of the commission was for highways engineers to design and consult on a physical closure to help to address the anti-social behaviour and flytipping in the location.

No direct requests regarding this location have been received by officers from Members but (pending the outcome of consultation) local Ward members will be fully briefed and consulted before any decision is taken as to whether the scheme is to be implemented.

Non-key Executive Decision

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Musood Karim

Designation: Engineer

Signature: 

Date: 22nd March 2017

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council's power to make an order regulating or controlling vehicular traffic on roads is set out in section 6 of Part I of the Road Traffic Regulation Act 1984 ("RTRA 1984"). Schedule 1 of the RTRA 1984 lists those matters as to which orders can be made under section 6. These include:

'For prescribing streets which are not to be used for traffic by vehicles, or by vehicles of any specified class or classes, either generally or at specified times (Schedule 1, Section 2, RTRA 1984);

'The erection or placing or the removal of any works or objects likely to hinder the free circulation of traffic in any street or likely to cause danger to passengers or vehicles (Schedule 1, Section 19, RTRA 1984).'

The installation of traffic feature restricting vehicular use of the road is compliant with the Council's powers under the RTRA 1984.

Before an Order is made, the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 (SI 1996/2489) are complied with. The Traffic Signs Regulations and General Directions 2002 as amended by the Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings.

Section 122 RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, 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. This statutory duty must be balanced with any concerns received over the implementation of the proposals.

In considering any responses received during consultation, the Council must ensure that full consideration of all representations is given including those which do not accord with the officers recommendation. The Council must be satisfied that any objections to the proposals were taken into account.

Non-key Executive Decision

In considering any consultation responses, the Council must balance the concerns of any objectors with the statutory duty under section 122 RTRA 1984.

Alex O'Dwyer
Legal Services

FINANCIAL IMPLICATIONS AND RISKS

The estimated cost of £950 for the advertisement of the road closure proposals will be met by the Council's Economic Development Capital Programme.

Comie Campbell
Principal Accountant

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

None arising from this decision.

Geraldine Minchin
Strategic HR Business Partner

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Council has a general duty under the Equality Act 2010 to ensure that its highway network is accessible to all users. Where infrastructure is provided or substantially upgraded, reasonable adjustments should be made to improve access. In considering the impacts and making improvements for people with protected characteristics (mainly, but not limited to disabled people, the young and older people), this will assist the Council in meeting its duty under the Act.

BACKGROUND PAPERS

None.

Non-key Executive Decision

Part C – Record of decision

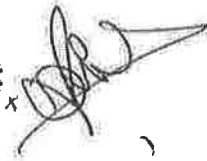
I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposals agreed

Details of decision maker

Signed:



Name:

Dipti Patel

Designation:

Assistant Director for Environment

Date:

x 3/4/17

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration Manager, in the Town Hall.

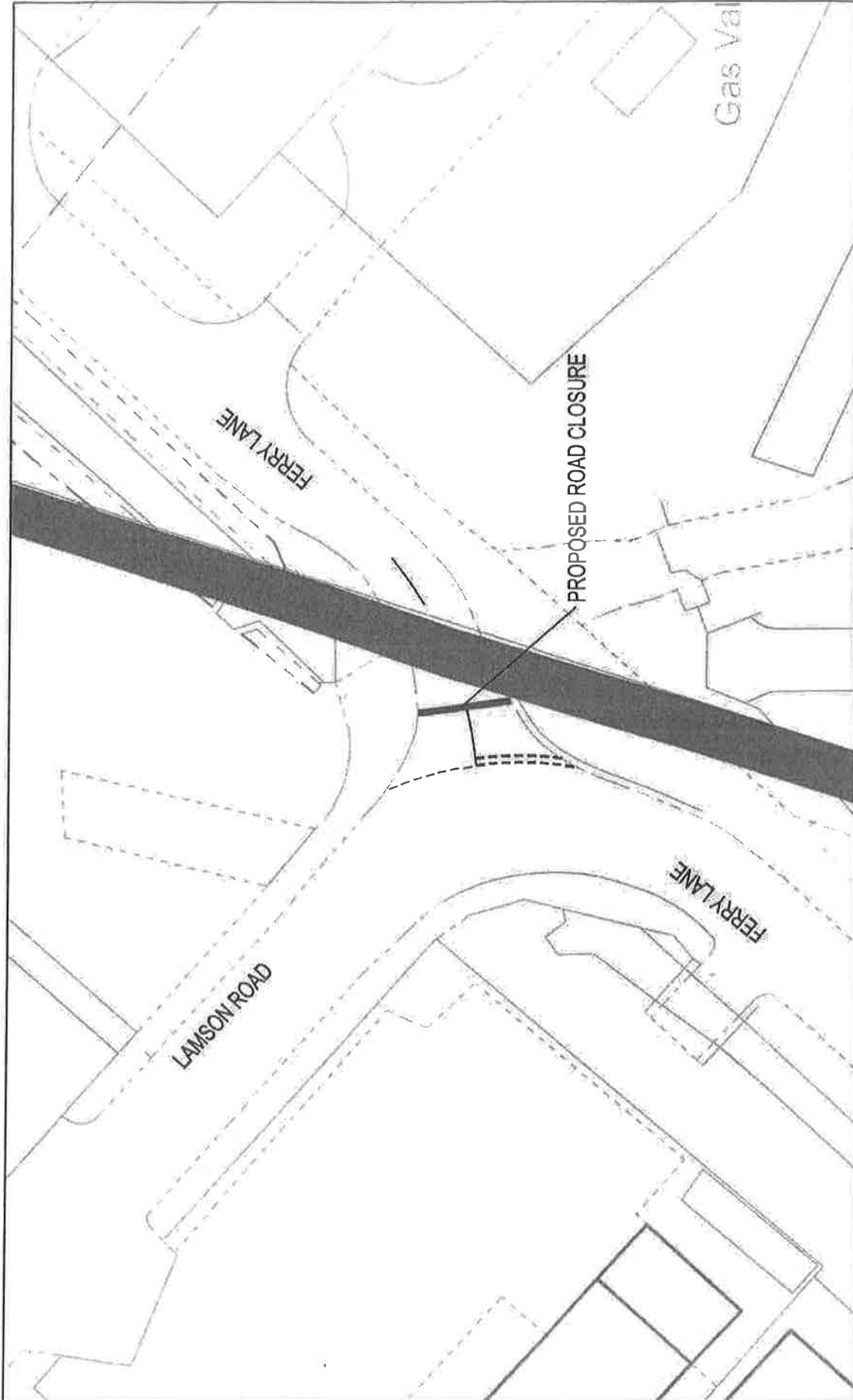
For use by Committee Administration

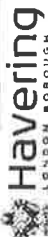
This notice was lodged with me on

5/5/17

Signed





 Havering LONDON BOROUGH		JOB TITLE Ferry Lane - Proposed Road Closure.		DRAWN BY TO		CHECKED BY MK		APPROVED BY MK		PURPOSE COMMENT	
DRAWING TITLE Proposed Location		SCALE (A4 size) NTS		DATE 17/01/17		DRAFT <input type="checkbox"/>		ISSUE <input type="checkbox"/>		REVISION 0	
DRAWING No QP032_001		ACAD REF:		SHEET No. of (20/210)		REVISION AMENDMENT		DATE		DATE	

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