

# **HIGHWAYS ADVISORY COMMITTEE**

**5 September 2017**

**Subject Heading:**

**Proposed road closures in Sunnings Lane, Upminster – Outcome of the public consultation.**

**SLT Lead:**

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**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 £0.02m for the improvements would be met from a separate bid which will be made for Corporate Capital funds.**

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

Communities making Havering  
Places making Havering  
Opportunities making Havering  
Connections making Havering

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## SUMMARY

This report sets out the responses to a statutory consultation for the closure of a section of Sunnings Lane, Upminster between its junction with Dennises Lane and Sullens Farm. This section of the road is becoming a potential fly tipping corridor. It further seeks a recommendation that the proposals be implemented.

The scheme is within **Upminster** ward.

## RECOMMENDATIONS

That the Committee having considered the report and the representations made recommends to the Cabinet Member for Regulatory Services and Community Safety that the following measures are implemented:

1. Closure of Sunnings Lane, junction with Dennises Lane to vehicular traffic with the exception of access to cyclists, pedestrians and horse riders as shown on drawing No. QQ033-OF-103.
2. Closure of Sunnings Lane by Sullens Farm entrance at either locations as listed below:
  - i. At a point 25 metres (approximately) south of the entrance of Sullens Farm as shown on drawing No. QQ033-OF-104, or
  - ii. At a point 30 metres (approximately) south of entrance of Sullens Farm as shown on drawing No. QQ033-OF-104 A.

Note: The details of the alternative location are included in item 2.2 of this report.

3. Members note that the estimated cost for implementation of the road closures is £0.02m. The funding for carrying out the works is not yet available but is subject to a separate bid which will be made for corporate capital funds. Stakeholders were made aware throughout consultation that the works would only be carried out if capital funding becomes available but by going through the consultation process in advance, the scheme is ready to be installed as soon as funding is agreed.

## REPORT DETAIL

### 1.0 **Background**

- 1.1 Sunnings Lane connects with Ockendon Road in the north and Dennises Lane in the south. The road provides a vital transport access to the residential properties, local farms and permits two ways through traffic between Ockendon Road and Dennises Lane.
- 1.2 On the east side of Sunnings Lane is the Stubbers Adventure Centre which has variety of activities such as water and land based activities, motor sports and other activities for children of various age groups.
- 1.3 The section of Sunnings Lane between Sullens Farm and Dennises Lane has become susceptible to instances of anti-social behaviour including fly tipping. This matter is of great concern to the Council on the following grounds:
- It is costing considerable amount of unjustified expenditure to clear the dumped rubbish. Sometimes specialist contractors have to be engaged to clear contaminated items, dangerous substances etc,
  - The rubbish being dumped is detrimental and can have catastrophic impact on the environment if left over for extended period of time,
  - Fly-tipping blocks the road creating a blockage in the local highway network with the result that local occupiers have to detour to reach their destinations.
- 1.4 To deal with the problem, the Council had carried out a joint enforcement operation in conjunction with the Police and the Council's Enforcement officers in Little Gerpins Lane, Rainham. There were some positive results achieved during this operation resulting in four successful prosecutions convicted successfully.
- 1.5 To deal with these problems, officers propose to permanently close Sunnings Lane between Sullens Farm and Dennises Lane. The first closure would be located at the junction with Dennises Lane. The closure will only permit access for cyclists, pedestrians and horse riders. The proposals are shown on drawing No. QQ033-OF-103.

In terms of Road Safety, the reason the southern end of Sunnings Lane is proposed to be closed to vehicular traffic is to avoid delivery vehicles, construction or agricultural machinery from stopping in Dennises Lane where there is fast flowing traffic. Drivers will have to stop in Dennises Lane to lock or unlock the gates. This will create traffic holdups or even lead to potential accidents. In addition, relocating this closure a few metres into Sunnings Lane would provide potential space for fly-tippers.

- 1.6 The second closure would be located in close proximity to Sullens Farm. The proposals are shown on drawing No.QQ033-OF-104 attached. When designing the closures, consideration was given to maintaining safe access and meeting the requirements of the local occupiers, for example, retention of existing dropped kerbs, minimum entry widths for delivery vehicles, farm and construction machinery.
- 1.7 Standard fire brigade keys will be provided to the local occupiers for them to lock or unlock the removable bollards. Consideration will also be given to provide coded locks to limit the number of keys in circulation.
- 1.8 The estimated cost for implementation of the road closures is £0.02m. The funding for carrying out the works is not yet available but is subject to a separate bid which will be made for corporate capital funds. Stakeholders were made aware throughout consultation that the works would only be carried out if capital funding becomes available but by going through the consultation process in advance, the scheme is ready to be installed as soon as funding is agreed.

## **2. Outcome of Public Consultation**

- 2.1 Consultation letters were sent to emergency services and other statutory consultees on 14<sup>th</sup> July 2017. The closing date for receiving representations was 4<sup>th</sup> August 2017. By the close of consultation, 5 responses were received. The responses were analysed carefully and these are included in Appendix 2 of this report.
- 2.2 During the consultation, the owner of Sullens Farm had brought to the attention of Council's officers that the proposed location of the closure would restrict the entrance leading to his property at Sullens Farm House. The access to this property is at present closed, but the owner explained that he may wish to open the access in the future. Officers had reassured him that consideration would be given to relocate the closure approximately 30 metres south from its proposed location of Sullens Farm entrance and is shown on drawing No. QQ033-OF-104 A.

## **3. Conclusions**

All respondents have welcomed the proposed closure of Sunnings Lane.

Officers confirmed that the gate would have dual locks, one being a standard lock used by emergency services with a standard key. The second lock being a key coded to limit the number of keys in circulation. Issuing and monitoring such a large number of keys to the occupiers would be a problematic.

It is anticipated that once the measures are implemented this will help to overcome the problem of fly tipping, anti-social behaviour and enhance security in the area.

### 3. **Post Implementation monitoring**

Once the closures are implemented, the Council has proposals to install CCTV enforcement cameras in East Hall Lane, Ferry Lane, Pea Lane, Launderers Lane Little Gerpins Lane and Stubbers Lane. The cameras will be powered by solar and wind due to the lack of power supply from the nearest source in the area. In addition, the Council's Environmental team will monitor the sites and reactively respond to any problems on daily basis.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

This report is asking the Council's Highways Advisory Committee to recommend to the Cabinet Member for Environment the implementation of the above scheme.

The estimated cost for implementation of the road closures is £0.02m. The funding for carrying out the works is not yet available but is subject to a separate bid which will be made for corporate capital funds. Stakeholders were made aware throughout consultation that the works would only be carried out if capital funding becomes available but by going through the consultation process in advance, the scheme is ready to be installed as soon as funding is agreed.

The costs shown are an estimate of the full costs of the scheme, should all proposals be implemented. It should be noted that subject to the recommendations of the committee a final decision then would be made by the Lead Member – as regards to actual implementation and scheme detail. Therefore, the final costs are subject to change.

This is a standard project for Street Management and there is no expectation that the works cannot be contained within the cost estimate. There is an element of contingency built into the financial estimate. In the unlikely event of an over spend, the balance could be met from the same budget.

### **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 officer's recommendation. The Council must be satisfied that any objections to the proposals were taken into account.

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

#### **Human Resources implications and risks:**

None.

#### **Equalities 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.

There will be some physical and visual impact from the required traffic signs and road lining works. Where infrastructure is provided or sustainably upgraded, reasonable adjustments should be made to improve access for the disabled, which will assist the Council in meeting its duties under the Equality Act of 2010.

## **BACKGROUND PAPERS**

**Copy of Notice of Non–Key Executive Decision of 30<sup>th</sup> May 2017** - approval of local highway management schemes in principle for public consultation.

## **Appendix 1**

Plans showing details  
of the road closures



## **Appendix 2**

### Results of the Consultation