

HIGHWAYS ADVISORY COMMITTEE

5 September 2017

Subject Heading:

**Proposals to close Little Gerpins Lane,
Rainham – 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 £0.06m 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

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| Havering will be clean and its environment will be cared for | [x] |
| People will be safe, in their homes and in the community | [x] |
| Residents will be proud to live in Havering | [x] |

SUMMARY

This report sets out the responses to a statutory consultation for the closure of Little Gerpins Lane, Rainham between its junction with Berwick Pond Road in the west and Gerpins Lane in the east.

This section of the road is becoming increasingly susceptible to fly tipping, both at household and industrial scales. This matter is of great concern to the Council as it is leading to high level costs to remove the dumped waste and opening up the road for traffic use. It further seeks a recommendation that the proposals set out below are implemented.

The scheme is within **Rainham and Wennington** wards.

RECOMMENDATIONS

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

1. **Closure of north-western side of Little Gerpins Lane, Rainham** (through construction of traffic island) – at its junction with Berwick Pond Road to restrict vehicular traffic with the exception of cyclists, pedestrians and horse riders would be retained. The proposals are shown on drawing No. QQ033-OF-101.
2. **Closure of south-eastern side of Little Gerpins Lane, Rainham** (through removable bollard) – the proposed road closure would be situated approx. 58 metres from the north-western kerb line of Gerpins Lane at its junction with Little Gerpins Lane. This closure would permit access to general traffic, mainly the local occupiers. The proposals are shown on drawing No. QQ033-OF-102.

3. **Little Gerpins Lane – proposed two way traffic flow**

That Traffic Management Orders are amended as necessary to give effect to recommendations (1) and (2) by permitting two-way traffic flow in Little Gerpins Lane, between the proposed closure points as shown on drawing Nos. QQ033-OF-101 and QQ033-OF-102.

4. That the estimated cost for implementation is £0.06m. 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 Little Gerpins Lane is located within the community forest which lies between Upminster in the north and Rainham in the south. It connects with the junction of Berwick Pond Road in the west and Gerpins Lane in the east. To the north side of the road is Bonnets Wood, an area owned by The Forestry Commission. On the south side of Little Gerpins Lane is Gerpins Farm Airfield for light aircrafts.
- 1.2 The Forestry Commission is a government department responsible for protecting and expanding England's forests and woodlands. The Forestry Commission owns a significant amount of land in the local area, with over 300 hectares of green space being managed in the borough for the benefits of the environment and local communities.
- 1.3 At present, Little Gerpins Lane permits one way traffic flow ie traffic travelling in south easterly direction. The traffic flows are relatively low and it provides access to the Bonnetts Wood and the airfield.
- 1.4 Little Gerpins Lane is sometimes closed to traffic due to fly-tipping which is taking place with increasing regularity at both house hold and commercial levels. 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 specialists contractors have to be engaged to clear contaminated items,
 - 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 and visitors to the woodlands have to detour.
- 1.5 To deal with the problem, the Council had carried out a joint operation in conjunction with the Police and the Council's Enforcement officers in carrying out the enforcement. There were some positive results achieved during this operation resulting in four successful prosecutions.
- 1.6 To deal with these problems, officers propose to permanently close Little Gerpins Lane at its junction with Berwick Pond Road on the west side. The closed section of the road will only be accessible by local occupiers, cyclists, pedestrians and horse riders. The proposals are shown on drawing No. QQ033-OF-101.

- 1.7 The second closure would be on the east side of Little Gerpins Lane. The proposals are shown on drawing No. QQ033-OF-102 attached. When designing the closures, consideration was given in maintaining safe access and meeting the requirements of the local occupiers, for example, minimum widths required to permit their machinery.
- 1.8 In terms of Road Safety, the reason the north-western end of Little Gerpins Lane (reference to drawing No. QQ033-Of-101) is proposed to be closed to vehicular traffic is to avoid delivery vehicles, construction or agricultural machinery from stopping in Berwick Pond Road where there is fast flowing traffic. Drivers will have to stop in Berwick Pond Road 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 Little Gerpins Lane would provide potential space for the fly-tippers. Likewise, the closure at the south eastern end is located inside Little Gerpins Lane which can safely accommodate the local traffic from Gerpins Lane which has fast moving traffic.
- 1.9 Standard keys will be provided to the local occupiers for them to lock or unlock the removable bollards. Consideration will also be given to the future provision of coded locks, to limit the number of keys in circulation.

2. Outcome of Public Consultation

Consultation letters were sent to emergency services and other stakeholders in to area on 14th July 2017. The closing date for receiving representations was 4th August 2017. By the close of consultation, 9 responses were received. The responses were analysed carefully and these are included in Appendix 2 of this report.

3. Summary of responses received

From the summary table it can be seen that most respondents agree with the problems associated with fly tipping is unacceptable in Little Gerpins Lane but have objected to the proposals with the exception of the Metropolitan Police. It is anticipated that once the measures are implemented these will help to overcome the problem of fly tipping, especially in an area which has a popular site of a woodlands.

4. 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 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 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 £0.06m. 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, 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.

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| BACKGROUND PAPERS |
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Copy of Notice of Non–Key Executive Decision of 30th May 2017- Approval in principle for public consultation of local highway schemes.

Appendix 1

Plans showing details
of the road closures

Appendix 2

Results of the Consultation