

19/06 +  
appendices  
1, 2 & 3



## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	MAIN ROAD CASUALTY REDUCTION PROGRAMME – PROPOSED SAFETY IMPROVEMENTS (The outcome of public consultation)
<b>Cabinet Member:</b>	Cllr Osman Dervish Environment
<b>SLT Lead:</b>	Dipti Patel Assistant Director of Environment
<b>Report Author and contact details:</b>	Velup Siva Senior Engineer Street Management velup.siva@havering.gov.uk
<b>Policy context:</b>	Havering Local Development Framework (2008) Havering Local Implementation Plan 2018/19 Delivery Plan
<b>Financial summary:</b>	The total estimated cost of £0.035m for the works will be met by Transport for London through the 2018/19 Local Implementation Plan allocation for Casualty Reduction Programme.
<b>Relevant OSC:</b>	Environment
<b>Is this decision exempt from being called-in?</b>	No

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

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

[ ]  
[X]  
[ ]  
[X]

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

This Executive Decision approves the implementation of pedestrian refuge along Main Road between Links Avenue and Castellan Avenue and at the recommendation of the Highways Advisory Committee as set out on drawing No. QR003-4.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Council's Constitution

Part 3, Section 2.5, paragraph (s) To consider recommendations of the Highways Advisory Committee relating to highways and traffic schemes and to make decisions relating to them.

Part 3, Section 2.6, paragraph (y) Portfolios to be assigned to individual Cabinet Members - Highways & Traffic Schemes

### **STATEMENT OF THE REASONS FOR THE DECISION**

At its meeting of 23<sup>rd</sup> October 2018, the Highways Advisory Committee (HAC) considered a report on the proposals (copy attached) and the recommendations are as follows:

1. That the Committee having considered the representations and information set out in this report recommends to the Cabinet Member for Environment in consultation with the Leader of the Council that the safety improvements as detailed below and shown on the relevant drawings be implemented as follows:

(a) Main Road between St Edwards Way and Kingston Road

(Plan No:QR004/1)

- Hump within existing zebra crossing outside property No. 29 and Hill Court west of Pettits Lane

(b) Main Road between Repton Avenue and Crossways

(Plan No:QR004/3)

- Hump within existing zebra crossing outside property Nos.109 to 113/234/236/238 Main Road

(c) Main Road between Links Avenue and Castellan Avenue

(Plan No:QR004/4)

- New pedestrian refuge outside property Nos. 260a-c/260 Main Road

2. That the Committee having considered the representations and information set out in this report recommends to the Cabinet Member for Environment following

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consultation with the Leader of the Council that the safety improvements as detailed below and shown on the relevant drawings be rejected because of the level of objections:

(a) Main Road between St Edwards Way and Kingston Road

(Plan No:QR004/1)

- Speed cushions outside Magistrates Court west of Junction Road
- Speed cushions outside Texco Express and Petrol Station east of Junction Road
- Speed cushions west of Kingston Road

(b) Main Road between Lodge Avenue and Repton Avenue

(Plan No:QR004/2)

- Speed cushions outside Gidea Park Primary School and outside property No. 43 Main Road
- Speed cushions outside Gidea Park Primary School and outside Royal Jubilee Court.

(c) Main Road between Repton Avenue and Crossways

(Plan No:QR004/3)

- Speed cushions outside property Nos. 69/156 Main Road
- Speed cushions outside property Nos.206/208 and Gidea Park Hotel

(d) Main Road between Links Avenue and Castellan Avenue

(Plan No:QR004/4)

- Speed cushions outside property Nos. 260a-c/260 Main Road
- Speed cushions outside property Nos. 129/260a/260 Main Road
- Speed cushions outside property Nos. 157/161/163/280 Main Road

3. That, it be noted that the estimated costs of £0.090m, can be met from the Transport for London's (TfL) 2018/19 Local Implementation Plan allocation for Accident Reduction Programme.

The HAC, having considered the report, made the following Recommendations;

That only 1(c) is implemented as recommended in the report and reject the remaining proposals including 1(a) and 1(b)

This decision reflects the recommendations of the HAC and adopts the justification for the decision set out in the report to the HAC.

#### **OTHER OPTIONS CONSIDERED AND REJECTED**

The alternative options given in the Committee report were considered. None were considered appropriate in the circumstances.

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**PRE-DECISION CONSULTATION**

None.

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

Name: Velup Siva

Designation: Senior Engineer

Signature: V. Siva

Date: 23/11/18

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council's power to construct and maintain places of refuges for the protection of pedestrians in the maintained highway is set out in Part V of the Highways Act 1980 ('HA1980')

The Council's power to construct road humps in highway maintainable at public expense is set out in Part V of the HA 1980. Before making an order under this provision the Council should ensure that the statutory procedures set out in section 90C, Part V of the HA 1980 and the Highways (Road Humps) Regulations 1999 are complied with. The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings.

The Council's power to create a pedestrian crossing on roads is set out in Part III of the Road Traffic Regulation Act 1984 ("RTRA 1984"). Before making an order under this provision the Council should ensure that the statutory procedures set out in Part III of the RTRA 1984 and the Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Directions 1997 are complied with. 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.

### **FINANCIAL IMPLICATIONS AND RISKS**

This report is asking HAC to recommend to the Cabinet Member the implementation of the above scheme.

The original Transport for London allocation was £0.090m initial feasibility and consultation costs of £0.015m have reduced the available funding to c£0.075m.

The estimated cost of 0.020m for implementation will be met by Transport for London through the 2018/19 Local Implementation Plan allocation for Main Road Accident Reduction Programme (A2910). The funding will need to be spent by 31st March 2019, to ensure full access to the grant.

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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 actual implementation and scheme detail. Therefore, final costs are subject to change.

This is a standard project for Environment 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 overspend, the balance would need to be contained within the overall Environment Capital budget.

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

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

#### **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.

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and

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employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

There would be some visual impact from the proposals; however these proposals would generally improve safety for both pedestrians and vehicles.

**BACKGROUND PAPERS**

None.

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**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**


Proposal agreed *10 only*

**Delete as applicable**

Proposal NOT agreed because

**Details of decision maker**

Signed



Name: Councillor Osman Dervish

Cabinet Portfolio held: Environment

In consultation with the Leader of the Council, Councillor Damian White

Date: *14/1/19.*

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on

*16/1/19*

Signed

*A-H. cum*