



HIGHWAYS ADVISORY COMMITTEE

6 March 2018

Subject Heading:

PROPOSED WIDTH RESTRICTION
FINUCANE GARDENS
Outcome of public consultation

SLT Lead:

Dipti Patel

Report Author and contact details:

Mark Philpotts
Principal Engineer
01708 433751

Policy context:

mark.philpotts@havering.gov.uk
Havering Local Development Framework
(2008)
Havering Local Implementation Plan
2017/18 Delivery Plan

Financial summary:

The estimated cost of £0.018m for
implementation will be met by Transport
for London through the 2017/18 Local
Implementation Plan allocation for
Finucane Gardens Width Restriction,
(A2638).

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]
[]
[X]

SUMMARY

This report sets out the responses to a consultation for the provision of a 2 metre width restriction in Finucane Gardens, with associated parking management changes. The report seeks a recommendation that the proposal is either implemented or rejected.

The scheme is within **Elm Park** ward.

RECOMMENDATIONS

1. That the Committee having considered the report and the representations made recommends the Cabinet Member for Environment and Community Safety that either;
 - (a) the width restriction proposed in Finucane Gardens shown on Drawing QQ028/FG/FS/GA/100 Rev 0 be implemented; or
 - (b) the scheme is rejected.
2. That it be noted that £0.018m for implementation (if agreed) will be met by Transport for London through the 2017/18 Local Implementation Plan allocation for Finucane Gardens Width Restriction, (A2638). The funding will need to be spent by 31st March 2018, to ensure full access to the grant.

REPORT DETAIL

1.0 Background

- 1.1 A request was made to the Highways Advisory Committee by a ward councillor on behalf of residents asking that the Council prevents larger vehicles accessing Finucane Gardens and cutting through the local estate rather than using Wood Land and Mungo Park Road. The Committee had sympathy with the request and it was held on the “highway schemes on hold schedule”.
- 1.2 The request was included in the Council’s 2017/18 Transport for London Local Implementation Plan allocation which has enabled Staff to proceed with the design and consultation of proposals.

- 1.3 Finucane Gardens is a residential street within a wider estate which is bounded by Wood Lane to the north and Mungo Park Road to the west and south.
- 1.4 Wood Lane and Mungo Park Road are also residential in nature, but they have wider carriageways than the estate streets and they are more suitable for conveying through traffic. Wood Lane connects South End Road to the A125 Rainham Road. Mungo Park Road connects Wood Lane to South End Road and is also a bus route.
- 1.5 Residents at the north end of Finucane Gardens (where it meets Penrith Crescent) had raised concerns with ward councillors about speeding drivers and especially the drivers of large vehicles cutting through the street.
- 1.6 Once funding had been confirmed, Staff undertook a feasibility study into how a width restriction could be achieved in Finucane Gardens. Staff met with ward councillors to review the outcome of the feasibility and a final set of proposals were developed. Ward councillors undertook some of their own research with residents and confirmed that Staff proposals were acceptable to proceed to public consultation.
- 1.7 Drawing QQ028/FG/FS/GA/100 Rev 0 sets out the proposals agreed for public consultation which includes the following;
- 2.0m (6'6") width restriction between 7 & 9 Finucane Gardens. Because of the carriageway width, the restriction would operate with priority given to southbound traffic (leaving Penrith Crescent),
 - "At any time" waiting restrictions (double yellow lines) from and including the junction of Finucane Gardens and Penrith Crescent to and just beyond the proposed width restriction to ensure vehicles can pass each other,
 - Removal of footway parking outside 7, 9 and 11 Finucane Gardens to facilitate the at any time waiting restrictions,
 - "At any time" waiting restrictions at the junction of Finucane Gardens and Bader Way to ensure access for service vehicles diverted by the width restriction,
 - Additional footway parking between 11 Finucane Gardens and the junction with Bader Way.
- 1.8 430 letters were sent to residents within the area around the proposed width restriction and the other measures on 5th January 2018, with a closing date for comments of 26th January 2018. Draft traffic orders were also advertised

and consultation information provided for ward councillors and standard consultees

2.0 Outcome Of Public Consultation

2.1 By the close of consultation, 6 responses were received as set out in the Appendix to this report.

2.2 1 resident indicated support for the proposals.

2.3 5 residents objected to the proposals, citing the following issues;

- There is no issue with large vehicles using the street,
- There is no issue with the street being used as a cut-through more generally,
- Concerns with the loss of footway parking,
- Concerns about emergency access,
- Funding should be used for other purposes,
- Perhaps no entry from Penrith Crescent might be better,
- Perhaps speed bumps might be better,
- Would disadvantage access for family's transport assistance provider.

3.0 Staff Comments

3.1 The provision of a 2 metre width restriction would deal with the original complaint about Finucane Gardens being used as a cut-through, however, only one resident wrote in support of the proposals, despite the large public consultation area.

3.2 The 5 residents objecting provide a range of concerns which the Committee will need to consider against the scheme objectives and the low level of support apparently shown during the formal consultation stage.

3.5 Staff have no firm views on the appropriate way forward and therefore are only able to suggest that members of the Committee may wish to give weight to the written responses from residents as opposed to the original request. In other words, if residents had strongly supported the proposals, it would be reasonably expected that more representations to have been made.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

The estimated cost of £0.018m for implementation will be met by Transport for London through the 2017/18 Local Implementation Plan allocation for Finucane Gardens Width Restriction, (A2638). The funding will need to be spent by 31st March 2018, to ensure full access to the grant.

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.

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.'

'Places in streets where vehicles or vehicles of any class, may, or may not, wait, either generally or at particular times.'

The prohibition of vehicles above a certain width and changes to parking arrangements 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 & 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.

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.

The provision of crossing facilities makes it easier for all sectors of the community to cross busy streets or have more confidence in crossing streets. This is especially helpful to disabled people, children (lone and accompanied), young families and older people.

BACKGROUND PAPERS

None.

**APPENDIX
RESPONSES
SCHEME DRAWINGS**



Respondent	Comment
Resident Address not provided	<p>I received a letter from the Council enclosing the proposed width restriction works to Finucane Gardens. I am in favour of this work and I think it would be very helpful to drivers and residents in Finucane Gardens.</p>
Resident Bader Way	<p>Regards the width restriction in Finucane Gardens. You say larger vehicles are using it as a cut-through. I cannot understand where they would cut through to. I spend a lot of time in the kitchen and my kitchen window looks right out at the spot you are talking about.</p> <p>Apart from Council vehicles, dust lorries etc., I rarely see any large vehicles using it. I don't think whoever proposed this width restriction has done their homework properly. I believe if you placed someone there all day, counting large vehicles using it, apart from Council vehicles you would be lucky if you counted one.</p> <p>You also propose to put a give way sign there. If you want to pull out of Bader Way in your car and there is a car coming that way, you have to stop in Bader Way and let them pass or drive into Bader Way because there isn't enough room for two vehicles to pass. So if you put your give way sign in the position you propose, where do you think a driver can pull into to let oncoming vehicles to pass.</p> <p>Also looking at your map the extra 2.0 metres you propose to add on for the footway parking in Bader Way looks like it would come right over my driveway. Since I paid the Council good money to have a dropped kerb there many years ago, I would not be very pleased to have vehicles parked on it.</p> <p>Also I often wonder how an emergency vehicle would cope trying to get to a fire in Finucane Gardens or Bader Way of a night. I think putting a width restriction there would make it even harder and could cost someone there life.</p>

Resident Address not provided	<p>First Email</p> <p>Dear Sir/Madam, With regards to the width restriction in Finucane Gardens I am totally against this idea. My reasons are as follows:</p> <ol style="list-style-type: none"> 1. My family and I have lived in this area for over 60 years ever since these properties where built, we have never ever seen any vehicles let alone larger vehicles using these streets as a cut through. If you look at an Ariel view of Finucane Gardens why would you use it as a cut through, it makes no sense as its quicker to go down Wood Lane then into Mungo Park Road. As for larger vehicles they do not use it as a cut through 100% not, but do come through only to make deliveries as you would expect. 2. I believe this width restriction would cause more problems especially Health & Safety for emergency vehicle like fire brigade, ambulances and of course the local refuge collection vehicles. 3. This Width restriction will only give these larger vehicles two roads to access this area for deliveries, one being the other end of Finucane Gardens which is already very tight to get down due to cars parked on both sides of the road and the other road being Bader Way. 4. I see on your plans outside number 11 Finucane Gardens the footway parking will be removed but extended by 19.0m further alone Finucane towards Bader Way, at present this parking area does not exist. If this goes ahead I believe this will cause the whole of Finucane Gardens to become very tight to drive down by car, thus creating a problem in this part of Finucane Gardens that at present does not exist. 5. One of my questions is why would any vehicle let alone larger vehicles use this area as a cut through, when all they have to do is go past Penrith Crescent from Wood lane and take the next left into Mungo park road this way would be quicker. It makes no sense for larger vehicles to come down Finucane Gardens as this would be the longer way round and they would run the risk of not getting through due to cars parked awkward sometimes, making this harder for larger vehicles to get past. <p>Definition of cut through. : to get quickly and directly through or past (something that blocks one or slows one down)</p>
-------------------------------------	--

	<p>6. I would like to know how the council have come to this decision, have they monitored this area as no one in the area to my knowledge has ever been asked if larger vehicles use this area as a cut through.</p> <p>7. Havering council should be sending people in the area a letter asking them to vote to see if the area is being used as a cut through.</p> <p>8. I believe with companies and all of us making cut backs the amount this will cost is a complete waste of tax payer money and would be better spent on potholes or taking back the pathway in Wood Lane for parking as turning right from Penrith Crescent into Wood Lane is very dangerous.</p> <p>9. There was a letter sometime ago from the council saying the road might be closed off, now a width restriction, this is a complete waste of time and money as there is NO problem here and never has been, but at the other end of Finucane Gardens it can be tight to get through due to cars parking awkwardly on both side of the road, if this goes ahead it will create the same problem there too and totally spoil the coming and going for everyone that lives on this estate.</p> <p>I believe the complaints are from people who want this road closed for personal reasons and are using the larger lorries as an excuse. This is not and never has been a cut through road 100%.</p>
	<p>Second email</p> <p>Further to my recent email saying I'm totally against this width restriction due to the fact I've lived here all my life and that I do not believe any lorries use this area as a cut through. I would like to add if you do believe larger lorries use this area as a cut through then you could consider a NO ENTRY SIGN into Finucane Gardens from Penrith Crescent and make this small part of Finucane Gardens to Bader Way a one way road, this would stop any vehicles coming from that way but not affect Emergency Vehicle coming in, thus not creating any other problems this width restriction will cause.</p> <p>I would like to stress as I've lived here all my life and that NO VEHICLES use this as a cut through that it</p>

	<p>should be left as it is, also if no [redacted] Finucane Gardens was one that complainants there house is up For Sale. thanks.</p>
Resident Address not provided	<p>I appose the installation of a width restriction as I don't feel that there is an issues in the area with large vehicles . I have seen vehicles double parked and larger cars and bigger vehicles struggle to get through the gap at the proposed location. People want to park out side their own house and don't think about the effect on others so removing some of the bays will only make matters worse. At a time when the councils are having to make many cuts to services I fell the money could be better spent.</p>
Resident Finucane Gardens	<p>I refer to your letter dated 5th January regarding proposal for width restriction in Finucane Gardens. I have lived in Finucane Gardens since 1983 and the only large vehicles that come down the Road are either delivery vehicles going to surrounding roads, Dustman and on some occasions the Fire Brigade. The delivery vehicles that do come down our road to access Bader for instance, may be prohibited in using that end of the road but will then be using alternative route, the other end of Finucane and then you will have the same scenario. The width of the road is smaller than average and I have never seen it being used as a cut through for large vehicles. I have however, seen the speed that some cars travel at and think that speed bumps would be more appropriate. Can I ask if a survey has been done to back-up these claims or if evidence has been produced to justify this action ?</p> <p>Parking is a problem in Finucane as I mentioned earlier, as the road is quite narrow and penalty notices' are often being issued where wheels are going over the parking lines. Car owners do this to stop damage to their vehicles i.e. smashed wing mirrors. I do not believe this road is being used by large vehicles for a cut through as to manoeuvre down Tempest and down Finucane is a mission in itself.</p>
Resident Address not provided	<p>I would like to register my objection on the basis that my family members would be at a great disadvantage as this would impede ours and havoring transport bus access to finucane gardens.</p> <p>My three teenage children are on the severe end of the spectrum, one also has epilepsy and is a wheelchair</p>

	<p>user, so rely 2:1 support outside of the home and transport support. The width restriction will put us, their hovering transport bus and ambulances at a grave disadvantage as we will be unable to negotiate the restriction.</p> <p>This will force us to take the more complex route with delays, particularly dustbin collectors that block the street or view to the main road when parked on the pavement/junction of the main road, causing unnecessary anxiety on route and potentially delaying the arrival of the emergency responders for my child's epileptic seizures.</p> <p>As a resident who resonates the communities concerns for speeding vehicles would it not be more appropriate to consider speed humps as a more effective option as the width restriction would not prevent the mopeds and determined vehicles that speed through here?</p>
--	---