

Notice of Non-key Executive Decision

Subject Heading:	NORTH STREET, FARINGDON AVENUE, SUTTONS LANE / SWANBOURNE DRIVE JUNCTION AND UPMINSTER ROAD SOUTH CASUALTY REDUCTION PROGRAMME – PROPOSED SAFETY IMPROVEMENTS (The outcome of public consultation)
Cabinet Member:	Cllr Osman Dervish Environment
SLT Lead:	Dipti Patel Assistant Director of Environment
Report Author and contact details:	Velup Siva Senior Engineer Street Management velup.siva@havering.gov.uk
Policy context:	Havering Local Development Framework (2008) Havering Local Implementation Plan 2019/20 Delivery Plan
Financial summary:	The estimated cost of £0.060m for implementation will be met by Transport for London through the 2019/20 Local Implementation Plan allocation for Casualty Reduction Programme – Borough wide KSIs (A2908-£0.040m) and Upminster Road South (A2911-£0.020m)
Relevant OSC:	Environment
Is this decision exempt from being called-in?	No

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

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input checked="" type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This Executive Decision approves the implementation of pedestrian refuge along North Street by The Avenue; Pedestrian refuge with double yellow line extension along Faringdon Avenue by Tonbridge Road; pedestrian refuge and speed cushions at the Sutton Lane/Swanbourne Drive junction and humped zebra crossing along Upminster Road South outside Rainham Primary School and at the recommendation of the Highways Advisory Committee as set out on drawing Nos. QR002/3, QR002/5, QR002/6 and QR002/1.

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 15th January 2019, the Highways Advisory Committee ("HAC") considered a report on the proposals (copy attached) and the following recommendations:

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) North Street by The Avenue (Plan No:QR002/3)
 - Pedestrian refuge as shown
 - (b) Faringdon Avenue by Tonbridge Road (Plan No.QR002/5)
 - Pedestrian refuge with double yellow line extension as shown
 - (c) Suttons Lane / Swanbourne Drive Junction (Plan No:QR002-6)
 - Pedestrian refuge with kerb build-out and speed cushions as shown
 - (d) Upminster Road South outside Rainham Primary School (Plan No:QR002/1)
 - Humped pelican crossing as shown

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2. That, it be noted that the estimated costs of £0.060m, will be met from the Transport for London's (TfL) 2019/20 Local Implementation Plan allocations for borough wide KSIs (A2908 - £0.040m) and Upminster Road South (A2911 - £0.020m) Casualty Reduction Programme. The funding will need to be spent by 31st March 2019, to ensure full access to the grant.

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

That recommendations 1(a), 1(b), 1(c) and 1(d) are implemented as proposed.

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.

PRE-DECISION CONSULTATION

None.

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

Name: Velup Siva

Designation: Senior Engineer

Signature: *Siva*

Date: 22/05/2019

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

The estimated cost of £0.060m for feasibility, consultation and implementation will be met by Transport for London through the 2019/20 Local Implementation Plan allocations for borough wide KSIs (A2908-£0.040m) and Upminster Road South (A2911-£0.020m) Casualty Reduction Programme. The funding will need to be spent by 31st March 2020, to ensure full access to the grant.

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 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 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.

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

That the following proposals are agreed for implementation after considering the recommendations of Highways Advisory Committee;

1(a) North Street by The Avenue (Plan No:QR002/3)

- Pedestrian refuge as shown

1(b) Faringdon Avenue by Tonbridge Road (Plan No.QR002/5)

- Pedestrian refuge with double yellow line extension as shown

1(c) Suttons Lane / Swanbourne Drive Junction (Plan No:QR002-6)

- Pedestrian refuge with kerb build-out, **excluding** the proposed speed cushions

1(d) Upminster Road South outside Rainham Primary School
(Plan No:QR002/1)

- Humped pelican crossing as shown

The proposed speed cushions on Suttons Lane near Swanbourne Drive are rejected pending a further period of monitoring with the potential taking forward a second phase of the scheme.

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: 25/07/2019

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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 25/7/2019

Signed 

