

20/17  
+ appendix



## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Proposed traffic calming measures in Dury Falls Estate – Holme Road, Garden Avenue, Benets Road, Tiptree Close, Somerset Garden, Hedingham Road, Dury Falls Close, Berkeléy Drive, Dunster Crescent, Lee Garden Avenue, Frimley Avenue, Berkeley Drive & Clos, Dunster Crescent, Falkirk Close, Caernarvon Close, Carisbroke Close - Outcome of Public Consultation.
<b>Cabinet Member:</b>	Cllr Osman Dervish Environment
<b>SLT Lead:</b>	Dipti Patel Assistant Director for Environment
<b>Report Author and contact details:</b>	Eugene Ochi Senior Engineer Street Management 01708 434671 highways@haverling.gov.uk
<b>Policy context:</b>	Havering Local Development Framework (2008) Havering Local Implementation Plan 2018/19 Delivery Plan
<b>Financial summary:</b>	The estimated cost of £0.025m for implementation will be met by Transport for London through the Local Implementation Plan bid allocated to the borough for traffic Calming Measures in Dury Falls Estate Area for 2019/20(A3068).

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<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	<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 traffic calming measures in the Dury Falls Estate as set out on drawing attached in appendix 1 of this report following a recommendation of the Highways Advisory committee.

A Public Notice under the Highways Act 1980 and in accordance with the provisions of the Highways (Traffic Calming) Regulations 1999 will be advertised in the local press for the implementation of 20mph roundels in the proposed area

**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 17<sup>th</sup> December 2019, the Highways Advisory Committee ("HAC") considered a report on proposals for the implementation of safety improvements in the

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Dury Falls estate (copy attached) with the following recommendation:

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 safety improvements as detailed below and shown on the relevant drawing be implemented as follows:
  - a. A maximum 20mph zone in all seventeen estate roads within the Dury Falls Estate – Holme Road, Garden Avenue, Benets Road, Tiptree Close, Somerset Gardens, Hedingham Road, Dury Falls Close, Berkeley Drive, Berkeley Close, Dunster Crescent, Falkirk Close, Caermavon Close, Carisbroke Close (associated roundels) as shown on drawing in Appendix 1
  - b. 20mph signage and markings to be laid with the zone.

The HAC, having considered the report, recommended implementation of the proposals.

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

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

Consideration was given to implement a number of speed humps and tables but the measures were rejected on the grounds that the number of accident and speed statistics or finance involved for such scheme could not be justified.

### **PRE-DECISION CONSULTATION**

#### 2 Outcome of the public consultation

- 2.1 647 letters were delivered by post to the residents of the Roads considered would be affected by the proposals. In addition, the proposals were publicly advertised in the local press and emergency services were also consulted.
- 2.2 Members of Upminster Ward were pre-consulted on the proposals.
- 2.3 Some of the respondents have stated that parking restriction should be provided at the entrance to the estate to discourage indiscriminate parking and improve sightlines. Further, that existing two wheel on pavement parking should be extended to other areas in the estate to improve sightlines. Two respondents suggested installing speed cameras instead of traffic calming measures will have greater effect on speed reduction.
- 2.4 At close of consultation, 20 responses out of 647 letters distributed to the

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residents were received which represents a 3% of response rate. 16 respondents (including the Metropolitan Police and London Fire Bridge) were in favour of the proposed measures in the area, 4 respondents objected to the proposals on the grounds that the measures would be ineffectual.

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

Name: Eugene Ochi

Designation :Senior Engineer

Signature:



Date: 28<sup>th</sup> October 2019

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

**LEGAL IMPLICATIONS AND RISKS**

The Council's power to make an Order altering speed limits in highway maintainable at public expense is set out in Part VI of the HA 1980. Before an order is made, the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedures) (England & Wales) Regulations 1996 (SI1996/2489) (as amended) are complied with.

The Council's power to make an Order regulating or controlling vehicular traffic on roads is set out in section 6 of Part 1 of the Road Traffic Regulations 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 rules as precedence to be observed as between vehicles proceeding in the same direction, in opposite directions or when crossing.'

The implementation of pinch points with priority given to vehicular traffic proceeding in opposite direction is compliant with the Council's powers under the RTRA.

Before an Order is made the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996(SI1996/2489) are complied with. The Traffic Signs Regulations & General Directions 2016) govern the traffic signs and road markings.

Section 122 RTRA 1984 proposes 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.

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In considering any responses 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 are taken into account.

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

#### **FINANCIAL IMPLICATIONS AND RISKS**

This report is asking the Assistant Director for Environment to implement proposed traffic calming measures in Dury Falls Estate Area.

The estimated cost for implementation of the width restriction and Traffic Calming measures is £0.025m. The funding for carrying out the works will be met from the Local Implementation Plan bid allocated to the borough for Traffic Calming Measures in Dury Falls Estate Area for 2019/20(A3068).

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 overspend, the balance would need to be contained within the overall Environmental budget.

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

There are no HR implications that impact directly on the Councils 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. 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.

Decisions need to be made which are in accordance with equalities considerations, the details of which will be reported in detail to the Committee so that a recommendation may be made to the Cabinet Member for Environment, Regulatory Services and Community Safety.

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**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**

Proposals agreed as below:

- i) Implementation of traffic Calming Measures 20mph Roundels in Dury Falls Estate Area.
- ii) Implementation of 20mph speed Roundels and signage.

**Details of decision maker**

Signed x



Name: Councillor Osman Dervish

Cabinet Portfolio holder: Environment

Date: x 06/2/2020

**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

21/2/20

Signed

A.H. M