

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	<b>Minster Way - Experimental Traffic Scheme Update Report</b>
<b>Cabinet Member:</b>	Cllr Osman Dervish
<b>SLT Lead:</b>	Barry Francis Director of Neighbourhoods
<b>Report Author and contact details:</b>	Diane Bourne Interim Schemes Manager <a href="mailto:diane.bourne@havering.gov.uk">diane.bourne@havering.gov.uk</a>
<b>Policy context:</b>	Local Implementation Plan
<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	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

### Part A – Report seeking decision

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

Following an executive decision dated 30 December 2020 authorising the initiation of an experimental traffic scheme under section 9 of the Road Traffic Regulation Act 1984 to:

- 1) Introduce a banned left turn:
  - (a) In to Minster Way for vehicles travelling south on Wingletye Lane.
- 2) Introduce a mandatory left turn:
  - (a) Out of Minster Way at the junction with Wingletye Lane

This executive decision authorises the discontinuance of the experimental traffic measures in Minster Way and Wingletye Lane with immediate effect. This decision follows consideration of the effectiveness of the experimental scheme and representations received during the course of the statutory objection period.

Authority is given for the commencement of further consultation on alternative measures to deal with traffic safety concerns in the area Minster Way and Wingletye Lane.

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

Council's Constitution:

Part 3, Section 2.5, para (q) To agree minor matters and urgent or routine policy matters

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**

Following concerns raised by residents of Minster Way in relation to both traffic speeds and safety at the junction of Minster Way and Wingletye Lane approval was given to implement banned turns in both Minster Way and Wingletye Lane under the experimental traffic order process in June 2021. This would allow the Council time to monitor the scheme to ascertain if it is successful or not and amend or if necessary, remove during the first six months of implementation.

#### **1 Background**

- 1.1 Following concerns raised by residents of Minster Way in relation to both traffic speeds and safety at the junction of Minster Way and Wingletye Lane it was agreed to introduce an experimental traffic order under S9 of the RTRA1984 to:
  - a) introduce a banned left turn into Minster Way for vehicles travelling south on Wingletye Lane which is being enforced by CCTV static camera; and
  - b) introduce a mandatory left turn for all vehicles proceeding out of Minster Way at the junction with Wingletye Lane which is being enforced by CCTV static camera.
- 1.2 The purpose of experimental traffic orders is to implement an attempted improvement and assess the impact before deciding whether to confirm the arrangement, amend it or revert to the existing arrangement.
- 1.3 Officers undertook feasibility works and gathered relevant accident and traffic flow data which is detailed in Appendices A and B appended to this report. Whilst it's accepted accidents were low and speeds not significantly high it was agreed the

geometry of the road and current traffic movements provided justification to implement the scheme on an experimental basis.

- 1.4 As part of the experimental traffic scheme process reviews are undertaken to monitor the impact of schemes which has now been prepared in this report, to allow for consideration of the impact of the scheme both at its location and the wider area.
- 1.5 This report also details relevant information for consideration to be given to make possible amendments to mitigate the concerns raised by residents and neighbouring Councillors on the early impact of the scheme.
- 1.6 As part of the feasibility works accident statistics were sourced from Transport for London (TfL) and details of these can be seen in Appendix A. The data confirms that since 2016 there were seven recorded personal injury accidents in total (six slight and one serious). These resulted in 12 persons being injured.
- 1.7 Two of these accidents were at or about the Minster Way junction with Wingletye Lane (resulting in four persons being injured)
- 1.8 Five of these accidents were at or about the Minster Way junction with Upminster Road (resulting in eight persons being injured, one seriously)
- 1.9 Whilst the accidents in Minster Way at its junction with Wingletye Lane were reported as slight, measures are not implemented based on accident statistics alone. The accidents coupled with the geometry of the road were considered alongside possible interventions to mitigate against traffic displacement from the main route onto local streets and it was agreed the implementation of the banned right turn movements could support the Vision Zero objective, that no one should be killed or seriously injured through a road collision. On this basis the scheme was implemented on a trial basis. It should also be noted that both roads have the same classification and neither is a main road, form part of the Borough Principal Road Network (BPRN) or the strategic Road Network (SRN).

## **2 Implementation**

- 2.1 There are two contraventions at this junction, which are:
  - a) Code 32T - Failing to drive in the direction shown by the left turn only arrow on a blue sign from Minster Way into Wingletye Lane; and
  - b) Code 50L - Performing a prohibited left turn from Wingletye Lane into Minster Way.
- 2.2 The experimental traffic measures became operational in June 2021 and the below design shows the location of the recently introduced measures.



### 3. Scheme Update

- 3.1 Several concerns were raised prior to and after the implementation of the scheme in June 2021 and it was agreed that officers would provide an update to members at Themed Board on 23 August 2021.
- 3.2 The Council has received 89 comments/objections to the scheme of which, 22 have been received since the start of the September school term. Due to the fact the scheme is experimental and is still being monitored and, officers issued an approved standard response as detailed in the report presented at Themed Board in September 2021.
- 3.3 In addition to the direct responses received an online petition with over 1200 signatures has also been received raising concerns on the effectiveness of the scheme and congestion issues at the traffic signals in Wingletye Lane at it junction with Upminster Road.
- 3.4 In line with the experimental process officers have issued an approved response confirming a full response would be provided when consideration had been given to the future of the scheme.
- 3.5 Warning notices were issued for two weeks to allow drivers to change their behaviour. Thereafter live Penalty Charge Notices (PCNs) were issued and the results of this are detailed below.

Location	Code	Warning Notices issued from 31 July until 13 August 2021	Live PCN's issued from 14 August to date
Minster Way	32T	309	1195
Wingletye Lane	50L	84	361

- 3.6 PCN data and visual observations were discussed at Theme Board on 23 August 2021 and members agreed further monitoring of the scheme was still required and this would be reported back to them in Septembers Themed Board.

- 3.7 Officers undertook further observations / driver surveys on 14 September 2021 to determine the journey times in Wingletye Lane between Herbert Road and Upminster Road and these are detailed in the table below.

Start time	End time	Duration in minutes
08.00	08.23	23
09.00	09.16	16
09.30	09.44	15
10.00	10.05	5
12.00	12.05	5
13.00	13.06	5
14.00	14.07	7
15.00	15.05	5
15.20	15.29	9
15.35	15.50	15
16.00	16.19	19
16.45	17.05	20
17.10	17.31	21
17.35	17.56	21

Table showing journey times from Herbert Road to Upminster Road on 14 September 2021

- 3.8 At Themed Board on 29 September 2021 a full scheme update was provided but due to the fact the surveys were undertaken during the school holidays, it was agreed the results may not be a true reflection of the traffic on this road during term time and members have requested further surveys be undertaken for review in October 2021.
- 3.9 Following on from the recommendations made at Themed Board on 29 September 2021, officers undertook additional observation / driver surveys on 5 October 2021 to determine the journey times in Wingletye Lane between Herbert Road and Upminster Road and these are detailed in the table below.

Start time	End time	Duration in minutes
08.05	08.11	6
08.22	08.36	14
09.11	09.15	15
10.00	10.03	3
12.00	12.04	4
13.00	13.04	3
14.00	14.07	7
15.00	15.05	5
15.20	15.27	7
15.35	15.44	9
16.00	16.15	15
16.45	17.02	17
17.12	17.30	18
17.40	17.55	15

Table showing journey times from Herbert Road to Upminster Road on 5 October 2021

- 3.10 It was also observed by officers that vehicles are taking a right into Maywin Drive from Wingletye Lane and making a U turn to be able to access Minster Way and circumvent the junction of Wingletye Lane and Upminster Road. Undertaking this manoeuvre has raised safety concerns which may require additional measures to prevent this from happening if the scheme were to remain in place.

- 3.11 The journey timetables detailed at 3.2 and 3.5 above confirm that whilst journey times are still not ideal there has been a marked drop in waiting times during the peak time travel during school pick up and drop off times.
- 3.12 Observations undertaken on 14 September 2021 showed traffic queuing in Wingletye Lane between Herbert Road and Upminster Road, but further observations undertaken on 5 October 2021 revealed this had reduced and traffic was now queuing in Wingletye Lane between Poole Road and Upminster Road.

#### **4 Officer Comments**

- 4.1 As with all roads around school's borough wide, there are significantly higher traffic volumes during school term time and Wingletye Lane is no different. However, the results of the surveys undertaken in September and October 2021 have confirmed that driver behaviour is changing, and the journey times have decreased within the last month since the school term began.
- 4.2 The reduction in traffic on Minster Way could mean there has been improvements to the environment on this road in relation to pollution levels from the reduction in the numbers of vehicles using Minster Way. However, there is no data at this point to support this at this stage. If agreed monitoring can be conducted in the future, to determine exact pollution levels but unfortunately there is no previous data to compare this to.
- 4.3 Officers are working with TfL to see if the re-phasing of the traffic lights at the junction of Wingletye Lane and Upminster Road can be re-phased to help alleviate the build-up of traffic at busy times in Wingletye Lane.
- 4.4 TfL need to consider all traffic flows including bus timings and other traffic flow that may be affected on their network. Representatives from TfL have confirmed they will need to undertake several surveys spanning a few weeks to enable them to re-phase the signals to meet all driver needs in this location. TfL have also indicated on site surveys will be undertaken over the period of a few weeks before the final re-phasing is in place.
- 4.5 TfL has also advised there has been issue in the last few months with these signals with the British Telecommunication (BT) system which meant Wingletye only had a short green time. The BT line fault has been reported and is repaired.
- 4.6 Following on from concerns raised by residents and neighbouring Councillors to remove the banned left turn from Wingletye Lane into Minster Way, and the removal of the of the compulsory left turn out of Minster Way into Wingletye Lane; discussions were held at Themed Board on 29 August 2021.
- 4.7 It was agreed that officers should undertake further evidential surveys in both Minster Way and Wingletye Lane, to provide members with relevant information for consideration on the early impact of the scheme.

#### **5 Recommendations**

- 5.1 A decision was made to implement Experimental Traffic Orders (ETOs) under S9 of the RTRA1984 to:
- a) introduce a banned left turn into Minster Way for vehicles travelling south on Wingletye Lane which is being enforced by CCTV static camera; and

- b) introduce a mandatory left turn for all vehicles proceeding out of Minster Way at the junction with Wingletye Lane which is being enforced by CCTV static camera.

- 5.2 This element of the decision-making process allows us to trial things in a "live" situation which forms a key part of the consultation process. In short, rather than the consult then decide approach of the permanent process, the experimental process is the implement and see what people think and gather data approach.
- 5.3 Once an ETO has come into force, there is a statutory 6-month period within which anyone may object. During this time officers can monitor the scheme and make any amendments if required.
- 5.4 A significant number of objections have been raised in relation to the proposed measures which have been introduced in both Minster Way and Wingletye Lane and these have now been considered by officers.
- 5.5 The concerns raised mirror the results of the studies undertaken during the time the scheme has been in place which confirm a significant increase in congestion in Wingletye Lane which is likely to have caused an increase in the pollution levels in this location.
- 5.6 In addition, traffic speeds have increased in Minster Way which in itself has caused additional concerns to be raised.
- 5.7 In line with the above environmental concerns, that on investigation there have not been accidents at this location for the last 2 years, which may have been due to the traffic reductions during Covid-19 and the additional congestion created which is not in line with our duties under the Traffic Management Act (TMA), it is recommended the banned turns currently implemented experimentally in Minster Way and Wingletye Lane are removed with immediate effect and further consultation be undertaken with all affected members / residents to implement a more suitably effective solution to the traffic safety concerns initially raised.
- 5.8 The contraventions committed by drivers, and PCNs issued, would remain valid as an illegal traffic movement had been undertaken.
- 5.9 Consultation for an alternative scheme will be carried out next financial year, pending funding from TfL.
- 5.10 Whilst the objective of introducing enforcement of restrictions is to reduce the number of infringements, a by-product of Penalty Charge Notices (PCN) issuance is income to the authority. Income expected to be generated by this scheme form part of the MTFS for 21/22.

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

Officers considered a number of other options for measures both at the junctions of Minster Way with Wingletye Lane and Upminster Road but these were rejected as detailed below:

- a) Retaining the current arrangements was rejected due to environmental concerns raised surrounding increased congestion on Wingletye Lane.**

In line with the experimental process, it is usual to monitor a scheme for at least six months to enable motorist's time to adjust to the new restrictions. However,

concerns have been raised about the traffic congestion which is occurring since the scheme has been introduced.

Whilst Transport for London (TfL) has confirmed there was a fault with the traffic lights at the junction of Wingletye Lane and Upminster Road which would mean traffic queues would have been higher than normal. This fault has now been repaired and since that time the table in 3.5 confirms there has been a reduction in traffic volumes along this route.

Traffic congestion adversely impacts quality of life. Traffic fumes contain harmful chemicals that pollute the atmosphere and increases fuel consumption. Road traffic emissions also produce greenhouse gases that contribute to global warming.

- b) Proposals to introduce banned right turns into both Minster Way and The Walk from Upminster Road and / or retain the mandatory left turn from Minster Way into Wingletye Lane were rejected because this option is unlikely to mitigate all the concerns originally raised from members and residents.**

The impact of this option could help to reduce conflict in Minster Way but it would mean implementing further controls which are unlikely to resolve all of the concerns raised.

- c) Proposals to install traffic calming in Minster Way was rejected because this would be subject to TfL funding which is currently on hold.**

The cost of introducing traffic calming in Minster Way would be more than £10,000 which, if agreed, would normally form part of the Local Implementation Plan (LIP) bid submitted annually to TfL. However, with TfL funding currently on hold, this option could not be implemented until TfL funding becomes available, this would be the officer recommendation, as using council funding would set a precedent and could cause TfL to provide less funding in the future.

- d) Proposals to undertake junction improvements were rejected because this would be subject to TfL funding which is currently on hold.**

Sight lines for motorist turning left into Minster Way are significantly reduced and due to the geometry of the junction pedestrians crossing Minster Way north to south may not be seen by traffic turning left into Minster Way from Wingletye Lane. In addition, the left turn movement from Wingletye Lane into Minster Way is severely restricted by the protruding kerb-line which means there may be a need for junction improvements in this location. This proposal is subject to feasibility and any works are likely to cost in the region of £0.050m.

## **PRE-DECISION CONSULTATION**

Due to the fact this scheme has been implemented under the experimental traffic order process; consultation is undertaken during the first six months after implementation of the scheme. This enables officers to amend or remove as agreed.

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

Name: Diane Bourne

Designation: Interim Schemes Manager, Highways, Traffic & Parking



Signature:



Date: 17/10/2021

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

### **LEGAL IMPLICATIONS AND RISKS**

Here Officers seek approval for discontinuance of an experimental traffic scheme within the statutory period (18 months) for determining the permanency of such an order that pursuant to the Council's Constitution requires an executive decision by the Lead Member.

The Council has allowed the mandatory 6-months objections period to lapse before taking a decision on whether or not the experimental order is made permanent and this decision is being taken within 18-months of the order coming into force. Section 9 RTRA 1984 (3) provides that an experimental order shall not continue in force for longer than 18 months.

In making the decision to discontinue the experimental scheme the Council has considered the effectiveness of the scheme in a live setting and taken account of all public representations received during the statutory objection period.

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.

### **FINANCIAL IMPLICATIONS AND RISKS**

The estimated costs to implement this scheme was £0.027m which includes advertising costs and amending the traffic orders as described above and was met by the Parking investment capital budget.

Whilst the scheme was implemented solely on safety grounds, the contraventions being committed at this location have exceeded budgeted levels. The introduction of static cameras has generated an income of approximately £0.075m to in the period between the restrictions go live and the drafting of this report. It should be noted some PCN income is yet to be fully recovered as the PCNs continue through the notice processing lifecycle. Any costs associated with the implementation / removal of this scheme will be covered by the income received from enforcement.

Parking and moving traffic contravention income is governed by the Traffic Management Act (2004) and sits in a prescribed ringfenced account. Restrictions cannot be used to raise revenue for the organisation and any surplus income can only be used for purposes set out in the Act.

### **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

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 will be some physical and visual impact resulting from the implementation of necessary signing and lining works.

## BACKGROUND PAPERS

None

## APPENDICES

### Appendix A.

#### Accident data and sources.

- I. The table below details accident data on/around junction of Minster Way and Wingletye Lane from Jan 2016 to date.

Date	Location	Severity	No. of Casualties	Source
Jan-16	on/around junction of Minster Way and Wingletye Lane	Slight	1	Crashmap
Oct-18	on/around junction of Minster Way and Wingletye Lane	Slight	3	Crashmap
		Total	4	

- II. The table below details accident data on/around junction of Minster Way and Upminster Road from Jan 2016 to date.

Aug-16	on/around junction of Minster Way and Upminster Road	Slight	2	Crashmap
May-17	on/around junction of Minster Way and Upminster Road	Serious	1	Crashmap
Oct-17	on/around junction of Minster Way and Upminster Road	Slight	1	Crashmap
Oct-18	on/around junction of Minster Way and Upminster Road	Slight	3	Collstats
Oct-19	on/around junction of Minster Way and Upminster Road	Slight	1	Collstats
		Total	8	

## Appendix B.

### Before and after implementation traffic flow data

- i. The table below provides details of the speed and volume data that were collected in May 2021 before the scheme was implemented and in July 2021 after the scheme was implemented. It has been noted that the second observation took place during the school holidays, therefore, this is may not be true reflection of the situation during term time. However, officers are gathering further data to understand traffic flows now that the school term has begun.

#### Minster Way – Traffic flow data

Total number of Vehicles	14 to 20 May 2021	23 to 29 July 2021	No. of Vehicles
Eastbound	12031	2263	-9768
Westbound	7554	2231	-5323

85 <sup>th</sup> Percentile speeds	14 to 20 May 2021	23 to 29 July 2021	85 <sup>th</sup> %ile Speed Difference mph
Eastbound	29.5	31.2	+1.7
Westbound	28.2	28.6	+0.4

#### Upminster Road – Traffic flow data

Total Vehicles	14 to 20 May 2021	23 to 29 July 2021	No. of Vehicles
Eastbound	51793	57047	+5254
Westbound	51248	51834	+586

85 <sup>th</sup> Percentile speeds	14 to 20 May 2021	23 to 29 July 2021	85 <sup>th</sup> %ile Speed Difference mph
Eastbound	30.5	29.4	-1.1
Westbound	27.7	27.1	-0.6

#### Wingletye Lane – Traffic flow data

Total Vehicles	14 to 20 May 2021	23 to 29 July 2021	No. of Vehicles
Northbound	32592	32461	-131
Southbound	39100	42145	+3045

85 <sup>th</sup> Percentile speeds	14 to 20 May 2021	23 to 29 July 2021	85 <sup>th</sup> %ile Speed Difference mph
Northbound	30.1	30	-0.1
Southbound	29.7	28.7	-1.0

## **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.

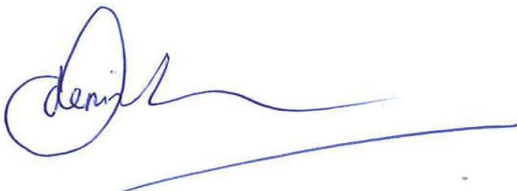
### **Decision**

Proposal agreed that:

in line with the above environmental concerns, that on investigation there have not been accidents at this location for the last 2 years, which may have been due to the traffic reductions during Covid-19 and the additional congestion created which is not in line with our duties under the Traffic Management Act (TMA), it is recommended the banned turns currently implemented experimentally in Minster Way and Wingletye Lane are removed with immediate effect and further consultation be undertaken with all affected members / residents to implement a more suitably effective solution to the traffic safety concerns initially raised.

### **Details of decision maker**

Signed

A handwritten signature in blue ink, appearing to read 'Osman Dervish', followed by a long horizontal line.

Name: Councillor Osman Dervish

Officer:

Date: 16<sup>th</sup> November 2021

**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 \_\_\_\_\_

Signed \_\_\_\_\_