

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	<b>Lawns Way and Faircross Avenue Width Restrictions.</b>
<b>Decision Maker</b>	Tony Galloway – Assistant Director, Environment
<b>Cabinet Member:</b>	Cllr Barry Mugglestone
<b>SLT Lead:</b>	Imran Kazalbash Director - Environment
<b>Report Author and contact details:</b>	James O'Regan Highways and Traffic Manager <a href="mailto:james.oregan@havering.gov.uk">james.oregan@havering.gov.uk</a>
<b>Policy context:</b>	Havering Local Development Framework (2008) Havering Local Implementation Plan (Transport)
<b>Financial summary:</b>	Estimated cost of £0.003m to be funded from Traffic CCTV Cameras capital project (C38000)
<b>Relevant OSC:</b>	Places
<b>Is this decision exempt from being called-in?</b>	Yes – Non-Key

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

People - Things that matter for residents [X]

Place - A great place to live, work and enjoy [X]

Resources - A well run Council that delivers for People and Place. [X]

## **Non-key Executive Decision**

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

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

Following from residents' complaints, Officers launched a statutory consultation to remove temporary width restrictions along Lawns Way and Faircross Avenue at the junctions with The Drive. After reviewing and considering residents and members' comments, this Executive Decision seeks approval to remove the width restriction concrete blocks in Lawns Way and Faircross Avenue junctions with The Drive following residents and Members consultation.

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

Council's Constitution

Part 3, Section 3.8.3, paragraph (b) other than in those matters delegated to the Lead Member to exercise all powers and duties in respect of maintaining and improving highways, providing facilities, and interference with highways arising under Parts IV, V, VII, IX and XIV of the Highways Act 1980.

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

##### **Background**

Temporary width restriction features were introduced in Lawns Way and Faircross Avenue in 2016 following residents' complaints and campaigns to avoid cut through traffic of Heavy Good Vehicles (HGVs) to and from Chase Cross Road and Havering Road and also in response to complaints of vehicle speeding from local residents. A 7.5 tonne weight restriction except for access has been in place along Lawns Way and Faircross Avenue since 2016.

An experimental traffic order was introduced to implement the width restriction facilities with the use of two concrete blocks located on each side of the carriageway in both Lawns Way and Faircross Avenue near to the junctions with The Drive. This narrowed the usable carriageway width to deter HGVs from driving through and reduce speeding of all vehicles. These were installed as a temporary measure in order to test its efficacy and monitor the effect on traffic.

Together with these physical measures, advance warning signs were installed before each junction from both Havering Road and Chase Cross Road.

Despite the advance warning signs and the restrictions, there have been reports of HGVs ignoring the signs and trying to drive through Lawns Way and Faircross Avenue. These vehicles then reach the width restrictions and not being able to drive through, undertake three-point turns, driving over footpaths and in some cases damage residents' properties. Footage has been shared from residents evidencing these manoeuvres in front of their properties and driveways.

In order to increase the enforcement and vigilance of this situation, a number of enforcement cameras have been installed at the Lawns Avenue and Faircross Way junctions with Havering

## Non-key Executive Decision

Road and Chase Cross Road. The Executive Decision to grant permission to install the cameras was by way of a Cabinet Decision dated 15 June 2015.

Six months after the installation of the cameras, the number of Penalty Charge Notices (PCNs) in Lawns Way averages four per week and in Faircross Avenue five PCNs per week. These figures are at the low end of the average of PCNs issued for other contraventions of a similar nature across the Borough, indicating a relatively good level of compliance of the contravention.

In order to remove the blocks, the Traffic Order for the Width Restriction has to be withdrawn and a statutory consultation was launched on 31 June until 21 July 2023 with paper notices posted on the sign posts of the width restrictions in both Lawns Way and Fair Cross Avenue. A number of objections were received in relation to this formal consultation.

The objection responses were:

- As a resident of lawns way, I am opposed to removing the width restrictions, cars fly down this road already soo fast, its soo noisy down this road especially at night, being in a bungalow it's hard enough getting used to the road noise and how cars and vans and bikes fly over the speed bumps, removing these will cause more noise, more speeding and damage to the roads.*
- I have an objection to the removal of the width restrictions. They have reduced the amount of lorries going down Lawns Way so why would you want to change this? Apart from to catch them on CCTV and fine them...*
- I am a resident of Lawns Way.  
6 years ago a width restriction was installed in Lawns Way. This was the result of a campaign to stop the high volume of traffic which was travelling down our road. Not only did we have large lorries, also witnessed were petrol tankers, low loaders and other large vehicles.*

*The second part of our campaign was to try to slow cars that were speeding down the road, the speed tables were ineffective and this was real concern especially at the junction of Lawns Way and The Drive as this where Lawns park gates are. We had witnessed numerous near misses with teenagers speeding out of the park on bikes, straight across the junction without slowing down or checking it was safe to cross, also parents with children trying to cross etc.*

*This part of the road has a bend so it can be difficult to see speeding cars etc.  
As part of our campaign to try to improve the situation I submitted a petition to the Council of nearly 100 signatures of Lawns Way residents who were fed up. All this would have been documented as we attended several Council Committees meetings along with out local Councillors Jason Frost and Dillip Patel.*

*It is now come as a bit of a shock to see a laminated piece of A4 paper stuck on a pole next to the width restriction stating that the restriction was being taken out without any consultation with the people who will be most affected by this decision. How can this be an open and transparent move when hardly anyone is aware it's happening. Unless you walk pass the restriction you will be totally unaware of what is happening. Bearing in mind there are over 100 dewellings in Lawns Way, and the notice is about half way along the road, people at either end are totally unaware.*

*I understand the intention is to try to control the traffic with the use of a camera, which I might add has already been installed, so obviously the final decision has already been made and your*

## Non-key Executive Decision

*notice is just 'going through the motions'. The camera will do nothing to control the speed of cars and vans and I assume will only catch large vehicles.*

*I am therefore officially objecting to this decision.*

*I would like to be informed about the background to this decision without any contact with residents. Why have you suddenly decided to take out Lawns Way and Faircross width restriction when only recently, following a campaign, you installed one in Percy Road. Also there are numerous other restriction in the Borough, one springs to mind is the one in Hillfoot Road. Will you be taking these out as well?*

*In view of the fact that we campaigned for such a long time for the Lawns Way restriction to be installed and the fact it has transformed our quality of life, I would like to hear further from you about why this is happening, and I believe you should be writing to all the residents about this move before any further action takes place. It all seems to be happening in a very underhanded way which is really not acceptable.*

- I am writing this email about your supposed idea to take out the width restrictions out of faircross Avenue and replace them with cameras, the width restrictions have done an amazing job of keeping the big lorries, coaches and idiots who used this road as a race track out of this road but now you have come across this idea to take them out and replace them with AMPR cameras, well camera as there is only one at the top of faircross Avenue, I really don't see what you are going to achieve.*

*If you don't live down this road you will know its been heaven not having your house shake, as I have a speed hump right outside my house, so any lorries or coaches that went over, at speed, would make my house (i live at XX faircross Avenue) shake so much so I had cracks appearing on my hall way and up the wall to the stairs but since the width restrictions went it that had stopped and had been great no more cracks no more house shaking and now you want to take them out, I take it you don't live down this road to see the impact the width restrictions have made to many of our houses then you won't understand what it means for us to keep them in place.*

*Taking them out just so you issue tickets to them to make more money out of them who come through here will not stop them and it will also not stop the idiot drivers flying through here just like they did the minute the restrictions was taken out so they could resurface the road we had them flying through here like absolute maniacs. I have children and for me I would be scared for them walking home from school with these idiot drivers about down this road if you decide to take them out all so you can make some more money.*

*Please re think this awful idea to take them out as it will not be good for the residents of this road.*

- I am concerned regarding the width restrictions in lawns way, as it says on the notice, that these are being taken away. The reason these were installed in the first place was just not speed of vehicles, but the massive lorries that cut through, if these are taken away, we will be back to having heavy lorries again. And the shaking of our houses when they go past. We know with the width restrictions, it has made such a difference with the road. It is much quieter. I hope you will reconsider this.*

## **Non-key Executive Decision**

- *I am writing to ask why is the width restriction being removed from Faircross Ave, Chase Cross? I am a resident of Faircross Ave and myself and other residence have not been informed as to why the width restriction is being removed and what will be put in as a traffic calming measure to stop the amount of cars and lorries coming down this residential street. Please can you replay ASAP with the reason of why this is happening. I would also like to know who to contact and how, either a phone number or email so I may talk to them about this.*

Further to this formal consultation Officers have liaised with the Lead Member for Environment and ward members from both the Mawneys ward and the Havering-Atte-Bower ward.

Two Councillors are in favour of removing the width restrictions. Councillor Ray Best and Councillor John Crowder from the Havering-Atte-Bower ward are in favour of removing the width restriction features. Councillor Jason Frost from the Mawneys ward is in favour of retaining the width restriction features.

### **Officers' recommendations**

Officers have reviewed and considered the objections above. Officers would propose that the concrete blocks in both Faircross Avenue and Lawns Way should be removed, together with its associated signage as well as resurfacing the section of carriageway where the blocks currently sit. This would be for the following reasons:

- The facilities were intended to be temporary.
- The low number of contraventions identified through PCNs indicates that compliance with the weight limit is already good.
- The associated problems of HGV turning movements for residents where the existing facilities are located resulting in damage to resident property.
- There are speed control devices in the form of speed humps already implemented along both roads which would act as a suitable means of speed control.

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

1. Move the width restrictions to the junctions of Lawns Way and Faircross Avenue with Chase Cross Road or Havering Road / Mashiters Hill to avoid HGVs navigating through these streets and having to manoeuvre back. This could however induce a road safety risk by vehicles attempting to go through the restrictions and being obliged to manoeuvre and reverse back into main roads. Retaining the blocks in their current position also allows emergency vehicles to safely navigate the restriction when turning into the road
2. Retain the width restrictions. This would not solve the problems of damage to resident property as indicated above. It is considered that cameras and speed humps would mitigate any adverse effects of speeding and the weight limit contravention.

**Non-key Executive Decision**

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

Name: James O'Regan

Designation: Highways and Traffic Manager

Signature: [James O'Regan](#) [06/10/2023](#)

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

### **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 1 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. The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings.

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 officer's recommendation. The Council must be satisfied that any objections to the proposals were taken into account.

The Council must balance the concerns of any objectors with the statutory duty under section 122 RTRA 1984.

### **FINANCIAL IMPLICATIONS AND RISKS**

The cost of removing the blocks, its associated signage, resurfacing the section of the carriageway and installing new 7.5t Weight Limit Restrictions sign, including contingency, is £0.003m and will be met through the CIL allocation 'Traffic CCTV Cameras' (C38000).

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

The proposal can be delivered within the standard resourcing within Highways, Traffic and Parking and has no specific impact on staffing/HR issues.

### **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:

### **Non-key Executive Decision**

- (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.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

Removing the width restrictions will avoid HGVs and other wide vehicles

### **BACKGROUND PAPERS**

*Moving Traffic Contraventions Operations Cabinet 17 June 2015*  
*Highways Advisory Committee October 2016 Experimental Width Restriction Faircross Avenue*  
*Outcome of public consultation*



## **Non-key Executive Decision**

### **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

#### **Details of decision maker**

Signed

A handwritten signature in black ink, appearing to read 'Tony Galloway', is centered on a light blue rectangular background.

**Name:** Tony Galloway Assistant Director of Environment

Cabinet Portfolio held: Cabinet Member for Environment

CMT Member title: Imran Kazalbash – Director of Environment

Head of Service title Mark Hodgson – Head of Highways, Traffic and Parking

Date: 16<sup>th</sup> November 2023

#### **Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

#### **For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_