

Notice of Non-Key Executive Decision

Subject Heading:	Paine's Brook Way Widening of existing shared footpath
Decision Maker:	Imran Kazalbash Director of Environment
Cabinet Member:	Councillor Barry Mugglestone
SLT Lead:	Imran Kazalbash, Director, Environment
Report Author and contact details:	Parwaze Kohistany, Schemes Engineer Parwaze.kohistany@havering.gov.uk
Policy context:	Havering Local Development Framework (2008) and Local Plan - Policy 23 Transport Connections
Financial summary:	The estimated cost of £0.100m will be met by S106 funds
Relevant OSC:	Places
Is this decision exempt from being called-in?	Yes-Non Key

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
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This Executive Decision approves the upgrading of a shared footpath in Paine's Brook Way, Harold Hill as shown on the attached Drawing, CD_C42670_PBW. It is noted that the estimated cost of £0.100m for implementation will be met by S106 funds.

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3

3.8.3. Director of Environment Delegated Powers

(j) Other than in respect of those matters delegated to a Highways Advisory Committee to exercise all powers related to the creation and dedication of public highways and adoption of highways as maintainable at public expense.

(s) To authorise minor alterations to traffic management orders to enable implementation of approved proposals or continuation of traffic management schemes.

(v) To exercise all powers and duties under the Highways Act 1980 that are not delegated to the Leader or Cabinet Member.

STATEMENT OF THE REASONS FOR THE DECISION

1. Background

- a. As a result of a new development in Havering, the Council has received a contribution from the developers allocated for highway network improvements. These funds will be dedicated to enhancing the highway network and installing new pedestrian facilities in the Heaton and Gooshays Wards. This presents a valuable opportunity to significantly upgrade the Council's infrastructure, improving safety and accessibility for the community. Additionally, these enhancements will foster a more connected and pedestrian-friendly environment, benefiting residents and visitors alike.
- b. After careful consideration of best practice guidance, site features and consultation with local residents, it is proposed to implement widening of the existing shared footpath on Paine's Brook Way. This decision was driven by the need to ensure safe passage for pedestrians and cyclists, particularly in areas with high foot and cycle traffic. Widening the shared footpath offers several benefits, such as enhancing pedestrian comfort, safety, and promoting active transportation. A wider footpath allows for easier movement and reduces potential conflicts between pedestrians, cyclists, and other users. It also provides greater accessibility for people with disabilities and those using mobility aids.
- c. The proposed widening of the shared footpath to the latest guidance / standards enhances the movement and reduces potential conflicts between pedestrians,

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cyclists, vulnerable road users, disabled pedestrians, visually impaired, as well as other pedestrians.

- d. An informal public consultation was carried out in March 2025 and this report details the findings of this consultation as summarised at Appendix 1. This report seeks to approve the implementation of widening of the existing shared footpath in Paine's Brook Way as shown on the attached drawing CD_C42670_PBW in Appendix 2.

2. Proposals

The following plans are proposed to improve pedestrian facilities:

Paine's Brook Way

The proposal includes widening of the existing shared footpath on Paine's Brook Way as shown on the attached plan CD_C42670_PBW.

Widening of the existing shared footpath will enhance pedestrian and cycle accessibility.

3. Outcome of informal public consultation

A resident consultation exercise was held in March 2025.

Letters, describing the proposals were delivered to local residents, businesses and occupiers. Approximately, 137 letters were delivered via post to areas affected by the proposals.

The consultation letters were sent out to local residents, businesses and occupiers in Paine's Brook Way.

The consultation questionnaire included the following questions:

1. Are you supportive of the overall proposal?
2. Are you in favour of the proposed footpath widening on Paine's Brook Park?
3. Please provide any other comments you have in relation to the proposal set out in this letter

Six written responses were received from the local residents. The comments are summarised in the Appendix 1.

Analysis of consultation for each measure indicated that:

- 1) Are you supportive of the overall proposal?
3 (50%) supported the proposal, 2 (33%) opposed the proposal and 1(17%) was not sure.
- 2) Are you in favour of the proposed footpath widening on Paine's Brook Way?
4 (67%) supported the proposal, and 2 (33%) opposed the proposal.

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4.0 Officers' comments and conclusions

- 4.1 Of the Six written responses, the majority of residents have expressed their support for the proposed widening of the existing shared path on Paine's Brook Way. This initiative is expected to bring benefits to local residents by enhancing pedestrian safety, cyclist safety and promoting a more active lifestyle. Widening of the existing shared path encourages residents to walk and cycle more, contributing to a healthier community overall. Considering the future needs for enhanced pedestrian safety in the area and the opportunity to utilise the s106 funding, this report recommends proceeding with the widening of existing shared footpath.

OTHER OPTIONS CONSIDERED AND REJECTED

The option to do nothing was considered and rejected due to the support for the scheme and associated road user benefits that the scheme would bring.

PRE-DECISION CONSULTATION

An informal consultation has been carried out in March 2025.

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

Name: Parwaze Kohistany

Designation: Scheme Engineer

Signature: *Parwaze*

Date: 28/04/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Here officers seek approval for a scheme to construct existing footpath with associated works following public consultation.

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 Council's power to implement traffic calming measures in highway maintainable at public expense is set out in Part V of the Highways Act 1980 ("HA 1980"). Before making an order under this provision the Council should ensure that any relevant statutory procedures set out in section 90C, Part V of the HA 1980 and the Highways (Road Humps) Regulations 1999 ("Regulations") 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 £0.100m for feasibility, consultation, detailed design and implementation will be met by S106 funding, which at the time of this report has sufficient available budget.

This is a standard project for Schemes Team 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.

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The breakdown of costs and funding follows:
into the financial estimate.

Item/description	Total £m
Expenditure	
Road marking	0.015
Footway and carriageway Surfacing works	0.075
Consultation, reports, and advertising	0.010
Total Expenditure	0.100
Income	
S106	-0.100
Total Income	-0.100
Anticipated over /(under) spend	0.000

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.

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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.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The provision of the zebra crossing may change the drivers driving pattern and promote more sustainable travel and therefore this may change emissions in line with the Climate Change Action Plan 2021.

BACKGROUND PAPERS

None.

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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

Signed: 

Name: **Imran Kazalbash**

Designation: Director for Environment

Date: 13/11/2025

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 _____

APPENDIX 1 SUMMARY OF CONSULTATION RESPONSE

RESPONSE REF:	COMMENTS	COUNCIL COMMENTS
C42670/01	I think that there are other projects more urgent than this. The small footbridge linking	The funds were made available for specific

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	<p>Amersham Road and Painesbrook Way is extremely uneven and would benefit from lighting or an evening to make the area safer. Also there are a lot of uneven pavements around the area which would benefit from levelling out to make safer. I often walk the Painesbrook Park footpath and have never had an issue with it being too narrow, even when meeting people coming the opposite direction.</p>	<p>locations; therefore, it cannot be used for to improve infrastructure in other areas.</p>
C42670/02	<p>Good idea. I support it.</p>	<p>No comments</p>
C42670/03	<p>*Please* make sure that the surface is machine-laid like the section from the A12 otherwise it will be uncomfortable to use.</p>	<p>Noted/ no comments</p>
C42670/04	<p>I live opposite and this does not need widening. This will further impact wildlife including deer, foxes and natural habitat.</p> <p>The cycle part is rarely used and this is unnecessary</p>	<p>The widening will not inversely impact the wildlife.</p>
C42670/05	<p>I live in Paines Brook Way in a top floor flat with view of the footpath. I think it is a waste of money to replace the footpath. Never have I ever seen or experienced any congestion on the said footpath.</p> <p>I am not in support of the proposal. The footpath is sound and strong and should be left alone. Footpaths and roads are damaged all over the borough.</p> <p>I have fallen down holes several times and have been hurt. More should be done to prevent accidents happening on unsafe pavements.</p> <p>Paines Park footpath is safe and strong and should not be tampered with or replaced or widened. I have never seen a traffic jam of bicycles or dogs or deer! It would be nonsense to carry out this proposal.</p> <p>What would be helpful would be lighting on the bridge opposite our care complex</p>	<p>The funds were made available for specific locations; therefore, it cannot be used for to improve infrastructure in other areas.</p>

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C42670/06	<p>I am totally supportive of the overall proposal and in favour of the proposed footpath widening on Paine's Brook Path.</p> <p>This would be extremely beneficial creating more space for pedestrians and cyclists and for parents with prams making it a safer environment for others utilising the footpath.</p>	No comments
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APPENDIX 2

Drawing: CD_C42670_PBW

