

Report title: Proposed One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall	
Report to: Councillor Eddie Johnson, Cabinet Member for Highways and Transport	
Report author: Mike Thompson – Contract Director, Essex Highways	
Date: 22 November 2016	For: Decision
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County Divisions affected: Witham Northern	

1. Purpose of Report

- 1.1 The Council has formally consulted on the introduction of a One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall. We received an objection to this proposal and as a result the Cabinet Member is now asked to decide whether or not the scheme should be implemented.

2. Recommendations

- 2.1 It is recommended that the Cabinet Member agrees to implement Option B as set out in paragraph 4.2 below, to abandon the proposal, but agree that the proposal can be resurrected if necessary if improvements have been made by Highways England to the A12 in the vicinity of the Rivenhall junction.

3. Summary of issue

- 3.1 Between 17 December 2015 and 14 January 2016, the Council formally consulted on the introduction of a One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall, following a request from the Braintree Local Highways Panel.
- 3.2 The limit was requested in order to prevent heavy goods vehicles from passing each other on Oak Road. Due to its narrowness it is not possible for such vehicles to pass each other without mounting the footway. This is considered to be a risk for pedestrians and to private property at this location where dwellings are situated directly at the back of the footway. It is also likely to cause damage to the footways and street furniture.
- 3.3 More than eight years ago a weight limit in both directions on Oak Road was consulted upon; however objections were received from Kelvedon Parish Council and Feering Parish Council on the grounds that there would be a possibility of an increase in heavy goods vehicles passing through their parishes.

- 3.4 Both Feering and Kelvedon have a large number of heavy goods vehicles passing through their villages already, due to the increase in traffic to and from Tiptree. It was felt that traffic diverted via A12 J23 (Kelvedon South), would continue to follow the signed route through Kelvedon and Feering, rather than returning to Rivenhall End via the A12 to use Braxted Road as a filter route. There was concern that the increase in number of heavy goods vehicles traveling through Kelvedon and Feering would have an impact on the residents' quality of life.
- 3.5 Although the signed route for all traffic from the A12 to Tiptree is the 'B' road network passing through Kelvedon and Feering, there is often congestion at peak times which would likely be exacerbated by an increase in heavy goods vehicles, and therefore the previous proposal was abandoned.
- 3.6 Subsequently the compromise of a one-way weight limit has been proposed to prevent heavy goods vehicles from passing each other, and therefore having to drive on the footways. This would mean that heavy goods vehicles would continue to be able to travel north on Oak Road and would not be displaced to a different route which may include Kelvedon and Feering.
- 3.7 Councillor Abbott and Essex Police are both in support of the current proposals. However, one objection was received to our consultation from a local farmer. The objection was on the grounds that there is a field which is only accessible from this stretch of road, and the farmer considers that agricultural vehicles would need to access this road from both directions. He also expressed concerns over the need for access to another property located on Braxted Road, since HGVs would need to transport goods between the two locations. The farmer felt that even if we offered an alternative proposal to allow access to the field, the additional time lost for HGVs having to detour to the A12 Witham junction before being able to turn around to head northbound on the A12, a route which would include a signalised junction and increased traffic volumes, would be enough reason to maintain his objection.
- 3.8 If the direction of the proposed one way order were to be reversed, the objection would be withdrawn. However, this would subsequently result in objections from Feering and Kelvedon Parish Councils on the grounds that this would likely lead to an increase in HGV traffic through those villages. This would be a new proposal and would require advertising.
- 3.9 Highways England currently have proposals to increase capacity on the A12 in both directions between junction 19 (north of Chelmsford) and junction 25 (A120 interchange). The requirement for our proposals is likely to be impacted by Highways England's scheme which is being designed at present and is scheduled for implementation in 2020.

4. Options

4.1 Option A: Implement the scheme as advertised

This would achieve the highway benefits as described above, however would not satisfy the objector and would potentially put this long-standing agricultural company out of business.

4.2 Option B: Abandon the scheme

This would satisfy the objector, however this would not achieve any additional highway benefits. It would, however, mean that this scheme is not implemented ahead of the proposed A12 improvements, which will allow opportunity for the scheme to be reassessed once we know what impact the Highways England scheme will have.

4.3 Option C: Implement the proposal with a reduced length (from a point south of the field access to its junction with the A12)

This would achieve the desired highway benefits, and would also partially alleviate the objection by continuing to allow the agricultural vehicles access to the field from both directions. As this is a lesser restriction, it would not need to be re-advertised. This will very largely achieve the highways benefits intended for the scheme.

4.4 Option D: advertise an alternative proposal with the reversal of the direction of the one way order

This would satisfy the objector and achieve the desired highway benefits. However, this would result in objections from Kelvedon and Feering Parish Councils on the grounds that this would likely lead to an increase in HGV traffic through those villages.

5. Issues for consideration

5.1 Financial implications:

- 5.1.1 The level 1 estimate cost for this scheme will be £35,000, which includes staff time, civil engineering works, traffic management and fee to be paid to Highways England in order to arrange an agreement for Essex County Council to carry out works on the A12. However, the scheme will need to go through target costing within the Commercial Team and additionally have a Road Safety Audit Stage 2 & 3. This scheme will be fully funded from the Braintree Local Highways Panel 2016/17 budget, of which is currently £407,789.

5.2 Legal implications:

5.2.1 The Road Traffic Regulation Act 1984 gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient and safe movement of traffic of all kinds, including pedestrians and to provide suitable and adequate parking facilities. So far as practical the council is also required to have regard to

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected so as to preserve or improve the amenities of the areas through which the roads run;
- (c) the importance of facilitating the passage of buses and their passengers.

5.2.2 Justifiable speed limits assist with the expeditious, convenient and safe movement of traffic and pedestrians.

5.2.3 In order to give advance it will be also be necessary to enter into a legal agreement with an external highway authority (Highways England) in order to implement signing works on the A12, and for the maintenance period of 12 months following the completion of the works.

6. Equality and Diversity implications

6.1 The Public Sector Equality Duty applies to the Council when it makes decisions The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Equality Impact Assessment can be found in Appendix C.

7. List of appendices

Appendix A – Objection Report
Appendix B – Scheme Drawing No.
Appendix C – Equality Impact Assessment

8. List of Background papers

Consultation responses

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Eddie Johnson, Cabinet Member for Highways and Transport	6 December 2016

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Margaret Lee	Consent not needed
Monitoring Officer Paul Turner	28 November 2016
Essex Highways Vicky Presland on behalf of Mike Thompson	22 November 2016