

**Forward Plan reference number:** Not applicable

<b>Report title: Proposed Implementation of a Zebra crossing on Little Wheatley Chase, Rayleigh in the District of Rochford</b>	
<b>Report to:</b> Councillor Tom Cunningham Cabinet Member for Highways Maintenance and Sustainable Transport.	
<b>Report author:</b> Paul Crick, Director Highways and Transportation	
<b>Date:</b> 07 November 2023	<b>For:</b> Decision
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<b>County Divisions affected:</b> Rayleigh South	

## **1. Everyone's Essex**

- 1.1 Everyone's Essex sets out four strategic aims and twenty commitments for Essex County Council to deliver over the next four years. As part of the high-quality environment strategic aim and a good place for children and families to grow, a key commitment is to deliver a step change to sustainable travel across the country, by maintaining safe and sustainable transport infrastructure.
- 1.2 Essex County Council has formally advertised the proposed implementation of a Zebra Crossing on Little Wheatley Chase, Rayleigh in the District of Rochford (the "Proposal"), which will help to create a better environment and provide a safe place for pedestrians to cross, improving the walking environment.
- 1.3 The Proposal has undergone formal consultation to the public, particularly for residents within the vicinity of the proposed changes. As an objection has been received the Cabinet Member is asked to decide whether the Proposal should be implemented.

## **2. Recommendations**

- 2.1 To approve the implementation of a Zebra Crossing, on Little Wheatley Chase, Rayleigh in the District of Rochford, as formally advertised and set out in Appendix 1.

## **3. Background**

- 3.1 Little Wheatley Chase is located in Rayleigh and is a Priority 2 Route (PR2) single carriageway route. The road runs directly past Our Lady of Ransom Primary School and is therefore used by a large number of children going to and from school.
- 3.2 The Rochford Local Highways Panel (LHP) has commissioned a zebra crossing to be installed at the site of an existing dropped kerb crossing after a number of

near miss reports involving school children and motorists, who were unaware that children would be crossing at that point.

- 3.3 The request for this new zebra crossing originated from Councillor June Lumley who held meetings with the head teacher, and a number of parents on site, where concerns were raised at the number of 'near misses' that occur when children are trying to cross at this point, as drivers do not realise that it is used as a crossing point. The proposed site is outside of a residential property (front wall) but Councillor Lumley has liaised with the residents, who are in support of a crossing being implemented as they are concerned for the children's safety.
- 3.4 The benefits of this new proposed zebra crossing would be a safer facility for school children and other vulnerable road users to cross the road.

### **Consultation**

- 3.1 On the 25 May 2023, the Council advertised "The Proposal" in the South East Essex Evening Echo newspaper and it was also made available on the Essex Highways website. At this time a consultation letter was also sent to all affected properties where residents and businesses were invited to comment on the Proposal. In addition to this, public notices were placed on the affected lengths of roads.
- 3.2 The Council undertook specific consultation for the Proposal. The results of this consultation were as follows:
- Traffic Management (Essex Police) had no comments.
  - County Councillor June Lumley supported this proposal.
  - South Essex Parking Partnership had no comments.
- 3.3 One objection was received during the consultation undertaken by Essex County Council. A summary of the comments can be found in Appendix 2.

### **Objections and Responses**

- 3.4 The objector stated that installing an illuminated 24/7 Zebra Crossing to maintain safety for two periods of half an hour each day for 5 days each week during each of the school terms appears a poor decision. The installation of a zebra crossing will obviously require the standard flashing beacons to ensure any driver will be aware. Unfortunately, these beacons will supposedly be activated 24/7 for 365 days per year albeit the requirement is only for two half hour periods for 5 days each week and approximately 270 days per year. This adding to the light pollution in Little Wheatley Chase.
- 3.5 The Council responded saying that it should have been pointed out initially that the beacons will be shrouded so will not be visible from the houses, and whilst this does not completely eliminate all of the light hopefully, they could be assured that the Council are considering the residents of Little Wheatley Chase in their processes.

- 3.6 The Objector stated over the years as far as they were aware no child has been injured by any local traffic, however it is obvious that during the morning arrival times the standard of driving, parking etc is sometimes poor and even to the extent that hideous extremely large vinyl banners have to be draped on the road side railings by the school to advise parents not to park on the zig zags and immediately by the children's entrance
- 3.7 The Council responded that this statement was correct, there have been no recorded cases of children being injured by local traffic, many residents and visitors to the area have spoken of 'near misses' and whether these have occurred due to irresponsible crossing behaviour or through 'bad' driving a formal crossing would seem to be an obvious solution to a seemingly inevitable outcome if the situation is left unchecked.

#### **4. Links to our Strategic Ambitions**

- 4.1 This report links to the following aims in the Essex Vision:
- Strengthen communities through participation.
  - Develop our County sustainably.
  - Connect us to each other and the world.
- 4.3 This report links to the following strategic priorities in the Organisational Strategy - 'Everyone's Essex':
- A high-quality environment
  - Health wellbeing and independence for all ages
  - A good place for children and families to grow.

### **5 Options**

#### **Option A – Continue with the Proposal as advertised.**

- 5.1 This option would be of benefit to residents of and near Little Wheatley Chase, Rayleigh in the District of Rochford as the implementation of this new proposed zebra crossing could potentially create a safer facility for school children and other vulnerable road users when crossing the road.

#### **Option B – Abandon the Proposal**

- 5.2 This option could potentially satisfy the objector as they feel that the proposed measures such as the zebra beacons will have an adverse effect on the residents.

### **6 Issues for consideration**

#### **6.1 Financial implications**

The Proposal will be funded through the Local Highway Panel (LHP) budget previously allocated within Essex Highways. There are no additional financial implications as a result of this Proposal.

## **6.2 Legal implications**

- 6.2.1 The Road Traffic Regulation Act 1984 (as amended) 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 Pedestrian Crossings'. 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.
- 6.2.2 Justifiable 'Pedestrian Crossings' assist with the expeditious, convenient, and safe movement of traffic and pedestrians.
- 6.2.3 Whilst there appears to be no real legislative requirement to hold a public Inquiry in view of the objection received, the decision to make the Order may be subject to judicial review. Whilst judicial review is a risk, there have been clear and reasoned considerations put forward by the Council as to why it is still going to make the Order. These clear and reasoned considerations ought to have alleviated objector concerns.
- 6.2.4 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the 'Regulations') provides that, before making an Order, the Council is required to publish a notice of the Proposal. Any person or Authority required to be consulted by the Council may object to the making of an Order by the date specified in the notice, or, if later, the end of the period of 21 days beginning with the date on which the Council has complied with all the requirements of the Regulations. Any objections must be made in writing, state the grounds on which it is made and be sent to the address specified in the notice of proposals.

## **7 Equality and Diversity Considerations**

- 7.1 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.

7.2 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).

7.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **8 List of Appendices**

Appendix 1 – Proposed Scheme Drawing

Appendix 2 – Objection Report

Appendix 3 – Equalities Comprehensive Impact Assessment

## **9 List of Background Papers**

None

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date 24.11.2023</b>
<b>Councillor Tom Cunningham, Cabinet Member for Highways Maintenance and Sustainable Transport</b>	

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Director Highways and Transportation</b>	<b>08/09/2023</b>
<b>Paul Crick</b>	
<b>Nicole Wood – Executive Director for Finance and Technology</b>	<b>NOT REQUIRED</b>
<b>Director, Legal and Assurance (Monitoring Officer)</b>	<b>16/10/23</b>
<b>Susan Moussa on behalf of Paul Turner</b>	
<b>Head of Network and Safety</b>	<b>07/09/2023</b>
<b>Jo Heynes</b>	
<b>Head of Design</b>	<b>05/09/2023</b>
<b>Julia Johnson</b>	