

**Forward Plan reference number:** FP/415/05/22

<b>Report title:</b> Active Travel Fund 2 – Nevendon Road, Wickford	
<b>Report to:</b> Councillor Lee Scott – Cabinet Member for Highways Maintenance and Sustainable Transport	
<b>Report author:</b> Paul Crick – Director, Highways and Transportation	
<b>Date:</b> 28 September 2022	<b>For:</b> Decision
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<b>County Divisions affected:</b> Basildon	

## 1. Everyone's Essex

- 1.1 Essex County Council (ECC) has set out four strategic aims and 20 commitments for ECC to deliver over the next four years. The measures will also deliver against Everyone's Essex priorities supporting the environment by providing safe public realm for children and adults, to walk and cycle – delivering on our net zero aspirations, whilst also reducing traffic and improving air quality.
- 1.2 Active Travel also promotes health and wellbeing by getting people active. The proposals support the provision of good places for children and families to live and grow by improving connectivity and providing low-cost, accessible alternatives to the car. By providing and maintaining safe, sustainable transport infrastructure, we are making the streets around Nevendon Road, Safer, Greener and Healthier

## 2 Recommendations

- 2.1 Agree to make the traffic regulation orders as set out in Appendix E and as advertised

## 2. Background and Proposal

- 3.1 On the network, data from ECC traffic counters confirm that traffic has returned to pre-pandemic flows, including car journeys to and from school.
- 3.2 For the past 30 years, National Travel Survey data has shown that children have progressively given up walking and cycling to school and, instead, complete their journeys in motor vehicles. This creates a vicious circle where traffic makes the roads unsafe, so parents drive their children everywhere. In particular, the area outside school gates is the busiest and most unsafe as traffic congregates in confined spaces and poor sight lines.
- 3.3 There is a surge of traffic on roads around schools over a 50-minute period at school drop-off and collection times. School related traffic accounts for over a quarter of cars on the road. This results in an increased risk of collisions, unlawful parking, traffic jams and road rage.

- 3.4 Statistics from the Department of Transport reveal that 14% of children killed on Great Britain's roads in 2018 were between the morning school run (7-9am) and 23% after school between 3-5pm. It is interesting to note that a report from the insurance company Admiral shows a 43% fall of road collisions during the holidays at school run time.
- 3.5 A concept of School Streets started in the UK in 2015 and have been steadily growing in numbers, although, not so far in Essex. A 'School Street' is a road outside a school with a restriction on motorised traffic at school drop-off and collection times. The restriction applies to school traffic and through traffic. Where School Streets have been introduced elsewhere in the country, there has been a notable increase in children walking and cycling to school. Evaluation reports from earlier schemes, have shown that motorised traffic not only decreases on the school street where the scheme has been implemented, but also on surrounding streets. This suggests that a change in behaviour is encouraged with people swapping their normal mode of transport to active travel.
- 3.6 School Street schemes offer a pro-active solution for school communities to tackle air pollution, poor health and to reduce road danger. School Streets help encourage a healthier lifestyle and the adoption of active travel to and from school for parents and students, which ultimately leads to a better environment for everyone
- 3.7 Through a series of different consultations in Essex undertaken over the last few years, consistently the responses have been positive about introducing measures that create a safer, more comfortable environment in which people can live, work, socialise and travel. Measures to be delivered under the Active Travel funding reflect the latest series of measures to support sustainable travel, and, in particular, walking and cycling.
- 3.8 In July 2020, the Government announced the second tranche of the Active Travel Fund (ATF2). It invited highways authorities to make bids for funding. The objectives of the ATF2 were to help local authorities implement measures to create an environment that is safer for both walking and cycling. Tranche one focussed on replacing journeys made by public transport and supporting measures to avoid overcrowding on the public transport network and help maintain social distancing during COVID.
- 3.9 The tranche two aims were to make the temporary infrastructure permanent and develop it further by reallocating road space to improve walking and cycling. In addition, it was also expected that such interventions would deliver significant health, environmental and congestion benefits by providing better infrastructure to create streets which can accommodate increased levels of cycling and walking, thereby providing low carbon transport solutions.
- 3.10 ECC submitted a bid in August 2020 and was subsequently awarded £7,358,700 (£5,886,960 capital and £1,471,740 revenue) in November 2020. This money was for ECC to deliver sustainable transport schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford, and Colchester.

- 3.11 In November 2020, ECC established steering groups in each of the scheme locations. These groups were made of local stakeholders including representatives from the local authorities, community groups, businesses, access and active travel groups, and these helped shape the proposed schemes for public consultation.
- 3.12 In May 2021, ECC launched a countywide consultation on ECC's five active travel schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford and Colchester. ECC received 2,482 responses demonstrating strong support for the proposals. In addition to the public consultation, ECC also undertook online and in-person roadshow events to allow people to view the plans and ask questions.
- 3.13 Since November 2020 and taking into account the feedback from the public consultations, ECC has been progressing final designs for the Proposal. All ATF2 schemes have been developed in line with the most recent Department for Transport (DfT) guidance.
- 3.14 ECC has conducted a statutory consultation in respect of the proposals set out in Appendix E of this report.

### **Proposals**

- 3.15 It is proposed to introduce a number of traffic regulation orders to implement School Streets on Bromfords Drive, Hyde Way, Grange Ave, Oakhurst Drive and Elder Ave. The proposals in this scheme are to implement the adoption of 20 MPH speed limits on a number of roads in an area bordered to the north by the A129 (London Road) and to the east by the A132 (Golden Jubilee Way and Nevendon Road).
- 3.16 Additionally, it is proposed that there will be a prohibition of Waiting, Loading and Stopping and On-Street Parking Places Civil Enforcement Area (Amendment No.26) on selected roads in this area with a view to making these streets safer for parents and students attending the various schools in this area. This proposal also includes the proposed construction of Raised Tables to help control the traffic and the introduction of no parking bus cages at the bus stops on Nevendon Road as detailed in Appendix B of this report. The proposal has undergone formal consultation to the general public, particularly for local residents within the vicinity of the proposed changes. For the exact list of streets affected, please see Appendix C.
- 3.17 This measure is expected to deliver a wide range of benefits, which will encourage parents and students to walk and cycle more, in turn delivering improvements to health and wellbeing.

### **Consultation**

- 3.18 From the 2<sup>nd</sup> to the 17<sup>th</sup> December 2021, Essex Highways formally advertised the proposal. This was advertised in the Basildon Echo and was made available on the Essex Highways website. At this time, a consultation letter was also sent to all affected properties where residents were invited to comment on the Proposal.

Also, public notices were placed on the street to help raise the awareness of the consultation in the wider community.

- 3.19 ECC undertook specific consultation of the Proposal. The results of this consultation were as follows:
- Essex Police support the proposal
  - Councillors Malcolm Buckley and George Jeffery support the proposal.
- 3.20 ECC has received 33 objections, concerns and observations during the consultation. A summary of the comments from the objectors can be found in Appendix D, along with ECC's response. The objectors' concerns were focused on a number of issues that many shared.
- 3.21 Two objectors were both concerned that the proposed restrictions would lead to the loss of some parking. Whilst some parking will be removed, the proposed additional double yellow lines are only being proposed at a few junctions. However, very little parking is being taken away and general safety will be improved to the benefit of all road users.
- 3.22 Six other respondents regard parked vehicles as the problem, creating bottlenecks and endangering safety at junctions, such as Bromfords Drive. One objector complained that the new scheme does not alleviate the problem of cars parking on pavements and restricting access. Another objector does not believe that the proposed scheme will solve bad parking and proposes that new Waiting Restrictions should be introduced. Parking obstructions such as pavement parking are a matter for the police, but it is expected that by making walking and cycling safer, fewer vehicles will drive in the first place. We will also work with the local parking partnership to increase their presence.
- 3.23 Seven comments and objections were over displacement and potential increased levels of congestion. ECC believes that the measures should reduce the general level of traffic and therefore lead to a general reduction of congestion, better air quality (raised by four respondents) and more reliable journey times, as well as making the roads safer for all users.
- 3.24 Twelve respondents believe that, without enforcement, the implemented 20MPHs would be ignored. It is true that the proposals have a degree of self-enforcement designed in, however, the new speed limits will be monitored and, where an issue arises, ECC can request that the police do enforce the new limits.
- 3.25 Three respondents, whilst welcoming the proposed new 20MPH limits, suggested that more traffic management measures are needed to make the limits effective. A further respondent also objected to the fact that Laburnum Avenue wasn't being traffic calmed, although it is used as a cut-through to London Road. They felt that traffic levels would increase as a consequence and suggested that there should be enforcement by the police. Finally, one respondent felt that, in quieter times, the likelihood of accidents occurring would increase. In response the requests for

additional measures, unfortunately, these exceed the budget for this project and funding would have to be sought elsewhere. We will advise the police of the request for enforcement. Regarding the safety concern raised, all our schemes are thoroughly Road Safety Audited for all users and we are confident that our proposals pose no additional risk.

- 3.26 One respondent supported the proposals but wanted to see speed tables to be introduced throughout the area. Conversely, another respondent supported the introduction of 20MPH speed limits, but is against the use of road humps to control speeds. Our proposals have been designed holistically to achieve safer, greener and healthier streets across the area. Additional raised tables could force traffic to stop rather than slow and not outcomes we seek. The specific speed hump objected to is considered the best solution for that location, when taking the new speed limits into account.
- 3.27 The final group of nine respondents objected to or are concerned with ECC's proposal to spend money on these schemes rather than filling potholes and maintaining existing roads and footways. One respondent blamed poor maintenance on network speeds being lower than they should be with a consequent increase in air pollution. Even if ECC wanted to divert the funding to maintenance, the rules around the funding grant disallows this and so any alternative schemes would have to be funded out of other ECC funding, such as the LHPs.
- 3.28 Some concerns raised through the consultation have been accepted and acted upon, such as a change of design, or where issues were addressed from alternative funding. One respondent does not regard the roads in question as being unsafe and regards the schemes as unnecessary and having an adverse effect on air quality. Their view is that the funding would be better spent filling potholes, work that ATF2 funding cannot be used for. Related to this was the view that funding should be used to reduce accidents and generally improve road safety. Whilst extra funding is always welcomed in this area of work, ECC have dedicated funding to deal with accident sites and, every year, has a programme of road safety schemes that it implements.
- 3.29 These concerns have been relayed to the scheme designers and a number of changes have been made and other changes have been added to the ECC 22/23 Local Highways Programme. However, as there are no alternative solutions to the proposal, no major changes have been made and the scheme remains as published in the consultation.
- 3.30 ECC regard the health benefits of the scheme from incremental walking and cycling far outweigh the concerns about travel times resulting from a reduction in the speed limit to 20 MPH. Based on similar objections to other previous Active Travel schemes over a number of years, it is judged that the safety benefits far outweigh any potential delays to journeys.

- 3.31 To deliver meaningful change and create safer, greener environments, the opportunity to reduce traffic speeds in locations where ECC need to promote walking and cycling, is part of the aim to create healthier environments for all people.

### 3. Links to ECC's Strategic Ambitions

- 4.1 This report links to the following aims in the Essex Vision

- Enjoy life into old age
- Strengthen communities through participation
- Develop ECC County sustainably

- 4.2 Approving the recommendations in this report will have a positive impact on the Council's ambition to be net carbon neutral by 2030.

- 4.3 By approving this recommendation, the proposed scheme links to the following strategic priorities in the emerging ECC Organisational Strategy 'Everyone's Essex':

4.3.1 Strong, inclusive sustainable economy,

4.3.2 High quality Environment,

4.3.3 Health, wellbeing, and independence for all ages, and

4.3.4 A good place for children and families to grow.

### 4. Options

- 5.1 **Option A)** Implement the introduction of 20 MPH speed limits in in an area bordered to the north by the A129 (London Road) and to the east by the A132 (Golden Jubilee Way and Nevendon Road). Additionally, there will be a prohibition of Waiting, Loading and Stopping and On-Street Parking Places Civil Enforcement Area (Amendment No.26) on selected roads in this area (**Recommended**).

- 5.1.1 The area will be designated as 'School Streets' to help emphasize and encourage walking and cycling in the areas surrounding the four schools.

- 5.2 **Option B)** Do not implement the 20 MPH speed limits, or the no waiting restrictions (**Not Recommended**).

- 5.2.1 Introducing 20 MPH speed limits in this area will have very little effect on journey times, accepting the 'do not implement' action would not provide any improvements to sustainable travel and would not deliver any road safety and health benefits for pedestrians, cyclists, parents and students.

- 5.2.2 The cost implications of not progressing would be that of wasted expenditure on designing the scheme and taking it through public consultation.



## **5. Issues for Considerations**

### **6.1 Financial Implications**

6.1.1 The costs associated with implementing the speed limit changes are funded within existing 2022/23 budgets which is funded out of the £7m ATF2 grant which ECC was awarded by DfT in 2021. Therefore, 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 Speed Limit Restrictions. 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 reductions in parking versus the safe movement of traffic and pedestrians is an acceptable balance.

6.2.3 Whilst there appears to be no real legislative requirement to hold a public enquiry, in view of the objections 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 Essex County Council as to why it is still going to make the Order. These clear and reasoned considerations should alleviate objector concerns.

## **6. Equality and Diversity Considerations**

7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires ECC 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.
- 7.4 Making transport vehicles and infrastructure more accessible to everyone continues to be an important objective and a major challenge for Transport Authorities, operators, and service providers. Accessibility has long been considered as a transport concern only for individuals with mobility difficulties. However, it is now recognized that accessibility is an integral part of high quality, sustainable transport systems, with benefits accruing to all users.

## **7. List of Appendices**

Appendix A – Equalities Comprehensive Impact Assessment

Appendix B – Plan of proposed introduction of 20 MPH area with specific No Waiting restrictions and proposed locations of ‘Satellite Islands’ and Raised Tables

Appendix C – List of affected streets

Appendix D – Consultation Report

Appendix E - Wickford Nevendon Rd intention notice

## **8. List of Background papers**

- Forward Plan reference number: FP/142/08/21 - Report Title: Active Travel Fund 2 Schemes, 14 October 2021
- Full Consultation Responses
- Department for Transport Guidance – Gear Change – A bold vision for walking and cycling – DfT 2020 and Local Traffic Note 1/20 Cycle infrastructure design.



<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport</b>	28.09.2022

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Executive Director, Corporate Services (S151 Officer)</b>	n/a
<b>Stephanie Mitchener on behalf of Nicole Wood</b>	
<b>Director, Legal and Assurance (Monitoring Officer)</b>	27.09.2022
<b>Laura Edwards on behalf of Paul Turner</b>	