

<b>Decision Maker:</b>	<b>Assistant director environment and place</b>
<b>Decision Date:</b>	<b>22 March 2018</b>
<b>Title of Report:</b>	<b>Hereford City Centre (St Peter's Square U80010) Order Amendment 1 2018</b>
<b>Report by:</b>	<b>Head of infrastructure delivery</b>

## **Classification**

Open

## **Decision Type**

This is not a key decision

## **Wards Affected**

Central

## **Purpose and Summary**

To consider proposing a Traffic Order to remove the goods vehicle stipulation which applies to the loading bay on the north-west side of St Peter's Square near its junction with Offa's Street, and to extend the taxi rank and loading bay facilities outside St Peter's Church.

75% of respondents to the High Town consultation in 2015/16 highlighted a preference to remove Goods Vehicle (GV) only stipulations from loading bays in the city centre to allow wider and increased utilisation of these bays. There has also been a business request to specifically remove the GV stipulation specifically from the loading bay on the north-west side of St Peter's Square to assist customers loading and unloading heavier goods.

As part of the On-Street Parking consultation St Peter's Church highlighted issues with the existing loading bay on the north side of St Peter's Square only operating Monday to Saturday, when there was also high demand for this facility on a Sunday.

These requests can be facilitated by extending the taxi rank and loading bay on the north side of St Peter's Square, together with extending the loading bay restriction outside St Peter's Church to include Sundays.

## **Recommendations**

### **That:-**

- (a) To approve the proposing of a Traffic Order to remove the goods vehicle stipulation from the loading bay on the north-west side of St Peter's Square near the junction with Offa's Street and to extend the taxi rank and loading bay outside

St Peter's Church (with an extended restriction period for the loading bay to include Sundays). (see map at Appendix 2) and

- (b) That, subject to consideration of any unresolved objections by the Assistant Director, to approve the making of the Traffic Order and to install or amend the traffic signs (including road markings) as required.

## Alternative Options

- 1 The council may decide not to proceed with this proposal, but this would not address concerns raised over the shortage of loading facilities and would not optimise the use of the available kerb side outside St Peter's Church.

## Key Considerations

- 2 GV loading bays are generally considered appropriate where there is an absence of off-road servicing areas and a high demand for loading that would otherwise restrict access to goods vehicles (leading to double parking or circulating traffic). Whilst there is rear access to some of the business frontage holders in the locality of the current goods vehicle loading bay this is primarily used for parking and would not be suitable for HGV access. A business view is that the current demand for goods vehicle loading could however still be accommodated within a general use loading bay.
- 3 St Peter's Church has highlighted that the current Monday to Saturday restriction period loading bay on the north side of St Peter's Square does not address the high demand for loading on Sunday, particularly from their parishioners, as well as other visitors to the locality.
- 4 There is evident excess demand from taxis to use the short length rank (two vehicles) outside St Peter's Church and this can lead to vehicles overflowing into the loading bay.
- 5 These requests can be facilitated by proposing to (see TRO plan at Appendix 2):
- Remove the GV stipulation from the loading bay on the north-west side of St Peter's Square.
  - Extending the taxi rank on the north side of St Peter's Square to 22m to accommodate up to 4 vehicles
  - Shifting / extending the loading bay to 11m, outside St Peter's Church toward Union Street, together with extending its restriction period to include Sundays. The bay would however retain its operation as an extension of the taxi rank from 6pm to 8am.
- 6 Whilst the planter on the north side footway provides limited horizontal clearance, this can be mitigated by a 3m wide loading bay allowing extended access for smaller vehicles. HGV's with higher driving cabs should otherwise have vertical clearance.

## Community Impact

- 7 The scheme would assist the business and wider community, by providing extended loading facilities, which would be available for all users, as well as providing some

additional taxi ranking capacity to promote safe and sustainable travel.

## Equality duty

- 11 Under Section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to -
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12 The impact of these proposals is considered to be of low impact as stated in the Equality Impacts and Needs Assessment at Appendix 1 of this report.

## Resource Implications

- 13 The costs of the design and implementation of the amended order is £14,000. This comprises design/legal costs of £12,000 and construction associated costs of £2,000. These costs will be funded from the project budget within the annual public realm programmes.

## Legal Implications

- 14 The proposed Traffic Order will be in the form of an 'amendment order'. The amendment order will revoke and replace elements of the 'principal order' (The County of Herefordshire District Council (Hereford City Centre) Order 2017) in order to achieve the desired changes.
- 15 The Council as the local highway authority has the powers to make Traffic Regulation Orders under the Road Traffic Regulation Act 1984 and to regulate taxi ranks under the Sections 63 and 64 of the Local Government (Miscellaneous Provisions) Act 1976, where appropriate.
- 16 The procedure for making such orders is set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, as amended, ("The Regulations"). This includes the requirements for consultation and the publication of a notice in a local newspaper. Anyone may object in writing to an order by the date specified on the notice.
- 17 Following the consultation period the authority must consider all objections made and not withdrawn. The decision is then taken to make the Order as originally advertised, modify the proposed Order provided it that the modification is not a substantial change or to abandon the proposals.
- 18 Where a modification to the proposed Order is considered a substantial change, then steps must be taken for those affected by the proposed modifications to be further consulted and any responses must be considered (Regulation 14 of The Regulations).

- 19 If objections are made and not withdrawn then a further report will be produced to assist the decision maker in considering and deciding how to proceed

## **Risk Management**

- 20 The risk of vehicle doors impacting on the brick planter has been considered. A 3m width bay will allow wider horizontal clearance for smaller vehicles and HGV's should have vertical clearance. The extended bay is also designed to assist rear loading/unloading which can be accessed from a dropped kerb at the end of the bay. If there are any issues, an area of hatching could also be applied to the kerbside. Otherwise most urban environments include features that may limit motor vehicle door opening.
- 21 In order to assess any potential conflict with southbound traffic movements from Union Street, swept path analysis was undertaken to confirm adequate horizontal clearance. Otherwise hatching has been included within the design to help guide vehicles. The length is considered appropriate for a one-way street, where vehicles will tend to a follow a more near side or central path.

## **Consultees**

- 22 Within the Hereford City Centre Order 2016 the council advertised proposals to remove the Goods Vehicle stipulation, where it applied, to all loading bays in the city centre. This had been supported by around 75% of respondents to the High Town consultation in 2015/16. HBID highlighted concerns that users may misinterpret the conditions of use and risk contravening the restrictions. After due consideration the council proposals were then withdrawn from the order. With the OSP now becoming established, this is less likely to be an issue and there has been a business request to open the loading bay on the north-west of St Peter's Square to all users. As part of the OSP consultation St Peter's Church also requested access to a 7 day loading facility to assist people loading and unloading on Sundays.
- 23 The proposals were sent to the Ward Councillor in March 2018 for comment, who responded in support
- 24 As part of the regulation process a formal public consultation will be carried out. As above, local stakeholders will be informed of the formal proposed design. In addition to this Local Members, The Chief Constable of West Mercia Police, Hereford City Council, Freight Transport Association, Road Haulage Association, Hereford & Worcester Ambulance Service, Hereford & Worcester Combined Fire Authority, and The Royal National College for the Blind will be asked to provide their views. A Notice of Proposal will be published in the local press and on the council's website, giving 28 days for comments and objections to be made. The proposals will also be displayed on site notices in the affected streets and deposited in the council offices at Plough Lane.

## **Appendices**

Appendix 1 – Equality Impacts and Needs Assessment

Appendix 2 – TRO Plan

## **Background Papers**

None