

Decision Maker:	Acting Director for Economy & Place
Decision Date:	Wednesday 3 October 2018
Title of Report:	City Link Road, Widemarsh Street, Station Approach, Hopton Road and Barrs Court Road Hereford – Various Order(s) objections report
Report by:	Head of infrastructure delivery

Classification

Open

Key Decision

This is not a key decision

Wards Affected

Widemarsh, Central and College

Purpose and Summary

The purpose of the report is to decide upon objections to, and to authorise implementation of the following orders, as decided upon.

- a) **City Link Road Hereford** - prohibition of right hand turn Order 2017
- b) **Hopton Road Hereford** - one way Order 2017
- c) **Barrs Court Road Hereford** - prohibition of right hand turn Order 2017

- d) **City Link Road Hereford** - prohibition of waiting Order 2017
- e) **Widemarsh Street Hereford** - prohibition of right hand turn Order 2017
- f) **Widemarsh Street Hereford** - prohibition of waiting Order 2017
- g) **Station Approach Hereford** - prohibition of waiting Order 2017

The project developed from the design of the City Link Road, in which the need to implement movement and parking restrictions was identified to facilitate efficient operation of the new highway.

The proposals were subject to informal consultations as part of the development of the City Link Road scheme, and specific informal consultations relating to the proposals in the vicinity of Barrs Court Road in late 2016 and early 2017. A formal statutory consultation was undertaken in November 2017. The recommendations are shown below for the respective proposals.

Recommendations

That:-

- (a) The objections that have been made to the City Link Road Hereford – prohibition of right hand turn Order 2017, Widemarsh Street Hereford – Prohibition of Right Turn Order 2017, Barrs Court Road Hereford – prohibition of right turn order 2017 and Hopton Road Hereford – One Way Order 2017 are not upheld and the Traffic Regulation Orders are introduced as advertised
- (b) The City Link Road Hereford – prohibition of waiting Order 2017, Widemarsh Street Hereford – prohibition of waiting Order 2017, Widemarsh Street Hereford – prohibition of right turn Order 2017 and Station Approach Hereford – prohibition of waiting Order 2017 to which no objections have been received are introduced as advertised
- (c) To authorise the making and implementation of the Traffic Regulation Orders; and
- (d) To implement further engineering measures to deter traffic contravening the proposed one-way on Hopton Road. These will comprise; construction of a kerbed carriageway narrowing at the junction of Hopton Road and Barrs Court Road with associated signage and road markings, and additional road marking and signage at the junction of Hopton Road and Penn Grove Road to narrow the exit from Hopton Road at this point.
- (e) The recommendations be implemented within the budget set out in the financial implications section of this report.

Alternative Options

1. To withdraw the proposals to restrict right hand turns on the City Link Road (CLR). This is not recommended on the basis that design principles and objectives of the CLR would not be fulfilled.
2. To withdraw the proposals for prohibition of waiting on the CLR. This is not recommended on the basis that it could adversely affect traffic flows and the objectives of the CLR would not be fulfilled.
3. To withdraw the proposals for a one way restriction on Hopton Road. This is not recommended as it would enable traffic to bypass the right turn restriction at the end of Barrs Court Road and the objectives of that restriction would not be achieved.
4. To introduce weight restrictions in Hopton Road as an alternative to the engineering measures. This is not recommended as any prospective level of enforcement is unlikely to be an effective deterrent to contravening traffic.

Key Considerations

5. On 14 March 2013 Cabinet approved the making and implementation of the statutory orders for the CLR. It also authorised the then Director for Places and Communities to procure and let the construction contract for the CLR and to take all necessary steps to proceed with the scheme implementation. The CLR opened on 11 December 2017.

6. The CLR provides an east to west route and a direct walking and cycling link from the Great Western Way to the hospital, railway station and colleges, together with enabling improvements to be made to the Barrs Court Junction.
7. To optimise traffic flow and improve road safety right turn prohibitions were proposed off the CLR onto Edgar Street, Widemarsh Street and entering/exiting Morrissions, and off Widemarsh Street southbound onto the CLR. These right turn prohibitions are detailed in the following orders; City Link Road Hereford Prohibition of Right Hand Turn Order 2017, Widemarsh Street Hereford Prohibition of Right Hand Turn Order 2017.
8. Waiting restrictions were also proposed on the CLR, Station Approach and Widemarsh Street to prevent any obstructions or any hindrance of access caused by parked vehicles particularly at close proximities to junction. These waiting restrictions are detailed in the following orders; City Link Road Hereford Prohibition of Waiting Order 2017, Widemarsh Street Hereford Prohibition of Waiting Order 2017, Station Approach Hereford Prohibition of Waiting Order 2017.
9. The City Link Road scheme includes improvements to the junction of Barrs Court Road with Aylestone Hill. This includes the prohibition of a right turn from Barrs Court Road on to Aylestone Hill to improve road safety and the local amenity, this is supplemented by making Hopton Road one way from Penn Grove Road to Barrs Court Road in order to prevent this being a means to circumvent the right turn prohibition from Barrs Court Road. These restrictions are detailed in the following orders; Barrs Court Road Hereford Prohibition of Right Hand Turn Order 2017, Hopton Road Hereford One Way Order 2017.

Representations

10. In total nine responses were received to the consultation. From these responses there were two objections, twelve representations and three other points raised. Full copies of the responses are provided in Appendix A.

City Link Road Hereford - prohibition of right hand turn Order 2017

11. There were two objections to this order from individuals, one representation from West Mercia Police and three representations from Hereford Baptist Church.
12. The main points highlighted by the respondents were; the restrictions could divert more traffic towards the city centre, the restrictions could deter people from using the road, the restriction will increase the volume of traffic using Newtown Road which is deemed unsuitable for this traffic, that the restrictions do not in all cases have physical features to make them self-enforcing, that the restrictions will force traffic to make contrived movements including u-turns.

Review of these Objections & Representations

13. In response to the objection due to increased traffic being directed to the city centre or being discouraged from using the new road, the traffic flows in the City were assessed in peak hours and proved to be acceptable as part of the CLR planning permission. This included the impact of all future known developments as well as predicted traffic growth and included the arrangement for the right turn bans. Future improvements to Commercial Street, Newmarket Street and Blueschool Street will further improve traffic flows and promote the use of the CLR.
14. Traffic wishing to proceed northbound on the A49 is directed at the junction with Widemarsh Street to join the A49 at Newtown Road. The right turn ban at Edgar Street will therefore not result in northbound traffic proceeding to the city centre.

15. In response to the objection due to increased traffic being directed onto Newtown Road the transport assessment does identify increased volumes of traffic on this road. However it was considered that the increases were acceptable in relation to the impact on Newtown Road and the alternative impact of permitting a right turn at Edgar Street. The design of the existing carriageway was assessed and found to be of adequate standard for the proposed volume and type of traffic.
16. In response to the representation from West Mercia Police regarding engineering features to deter right turn manoeuvres, the point relates to the right turn from the CLR into Widemarsh Street and the right turn from the CLR into Edgar street.
17. The geometry of the junction at Widemarsh Street does not allow kerb arrangements to deter the restricted movements. The restrictions are identified through signage on traffic signals and markings on the carriageway. It is considered that these features will make the restriction self-enforcing as far is possible.
18. At the Edgar Street junction there is a combination of a kerb island to direct traffic in a southbound direction, lining and signage on the traffic signals. Whilst the kerb arrangement does not prevent a right turn, it is considered that these features make the restriction self-enforcing as far is possible.
19. In response to the representation from Hereford Baptist Church regarding traffic routing as a result of the right turn bans, the respondent has misinterpreted the restrictions. Traffic proceeding westward from the railway station will be permitted to turn north and south at Widemarsh Street. Traffic wishing to go north on the A49 will be directed to turn right at Widemarsh Street and join the A49 at Newtown Road. The concern regarding excessive re-routing is therefore not applicable.

Widemarsh Street Hereford – Prohibition of Right Hand Turn Order 2017

20. There was one representation from West Mercia Police as per the order above raising a concern that the lack of physical features would not make the restriction self-enforcing.

Review of this Representation

21. The geometry of the junction at Widemarsh Street does not allow kerb arrangements to deter the restricted movements. The restrictions are identified through signage on traffic signals and markings on the carriageway. It is considered that these features make the restriction self-enforcing as far is possible. This will be monitored further to ensure compliance.

Barrs Court Road Hereford - prohibition of right hand turn Order 2017

22. There was one representation from the Ward Councillor for College Ward in relation to this order. The representation queried features shown on the consultation plan which appeared to show a feature within the carriageway on Aylestone Hill which was not part of the proposals.

Review of this Representation

23. The final layout of the Barrs Court / Aylestone Hill junction permits the right turn into Barrs Court Road. The feature on the plan included with the consultation is not an element of the final scheme. Therefore this representation has been addressed.

Hopton Road Hereford - One way Order 2017

24. There were six representations on this order, one from West Mercia Police, one from the Ward Councillor for College Ward, and four from an individual. Full copies of the responses are provided in Appendix A.
25. The main points highlighted by the respondents were as follows;
26. That engineering measures should be provided to deter drivers from contravening the one way.
27. The concern raised by West Mercia Police and the ward councillor regarding contravention of the one way order, relates to the need for engineering measures to deter drivers from entering Hopton Road from Barrs Court Road. A scheme of engineering measures comprising kerbing to reduce the width of the road at the Barrs Court Junction and lining changes at the Penn Grove Road junction has been developed to address this concern. These proposals have been presented to West Mercia Police who have accepted that they address their concern in a further e-mail on the 6 March 2018. The proposed engineering measures for Hopton Road have been presented to the ward councillor, who has confirmed the proposals are acceptable and address his concerns.
28. That a weight restriction should be provided in addition to the one way to prevent use by larger vehicles.
29. The request for a weight limit on Hopton Road was to prevent larger vehicles from using Hopton Road as a rat run. The existing arrangement of parking reduces the available carriageway thus making it less desirable for use by larger vehicles. It is not considered that the introduction of the one way restriction will make this route significantly more attractive for larger vehicles, and is therefore not necessary for the effective operation of one way order.
30. That the proposals for the one way and the Barrs Court right turn ban should be introduced simultaneously,
31. The importance of introducing the one way restriction on Hopton Road at the same time as the introduction of the right turn ban on Barrs Court Road was noted. It is intended that these two orders will be introduced at the same time and therefore this point has been addressed.
32. That on street parking on Hopton Road should not be reduced as a result of the proposals.
33. The proposed engineering measures to support the one way order do not reduce the current parking, and therefore this point has been addressed.

City Link Road Hereford - prohibition of waiting Order 2017

34. There were no objections or representations in relation to this order.

Widemarsh Street Hereford – prohibition of waiting Order 2017

35. There were no objections or representations in relation to this order.

Widemarsh Street Hereford – prohibition of right hand turn Order 2017

36. There were no objections or representations in relation to this order.

Station Approach Hereford – prohibition of waiting Order 2017

37. There were no objections or representations in relation to this order.
38. On the basis of the responses to the representations to the Traffic Regulation Orders provided above it is proposed that the objections are not upheld and the orders are introduced as advertised for the reasons set out above.
39. Where no representation was received, it is proposed to introduce the orders as advertised.
40. Subject to the outcome of this decision the orders will be made.

Community Impact

41. The City link road will enable regeneration of the city centre area which will have social, environmental and economic benefits. This will support achievement of the council's corporate plan priority to support the growth of our economy by reducing vehicular movement in and around the City Link Road area to help improve safety and help ease congestion in the city centre. The proposed restrictions will ensure safe movement of traffic along the link road and safe operation of junctions. Further measures are proposed on Commercial Road, Blueschool & Newmarket Street on completion of the City Link Road which will provide enhanced safe public realm for cycling and walking.

Equality duty

42. 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.
43. The impact of these proposals is considered to be of low impact as stated in the Equality Impacts and Needs Assessment at Appendix C of this report.

Resource Implications

44. The estimated cost of the legal process for the Traffic Regulation Orders for the City Link Road is £12.5K. The estimated cost of implementing the engineering measures for Hopton Road is £15k. These costs are funded from within the remaining £8.3m of the £40.7m Hereford City Centre Transport Package capital budget funded from borrowing covered within corporate budgets. Enforcement of the parking restrictions will be undertaken by the Councils parking services team.

Legal Implications

45. The introduction of a TRO under the Road Traffic Regulation Act 1984 will be required. The Council as the local highway authority has the power to make TRO's under the

provisions of the Road Traffic Regulation Act 1984 (“the RTRA”), as amended. The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 provides the regulatory procedure for proposing and introducing TRO’s.

46. The Council has given consideration to its duty under S122 of the Road Traffic Regulation Act 1984 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 (while having regard to the matters specified in s122 subsection (2) of that act)
47. Herefordshire Council reserves the right to produce an amended or further statement, in the context of any public inquiry or judicial proceedings to these proposals.

Risk Management

48. The proposed orders will support improving the overall amenity and public safety on these streets for all users and in particular pedestrian, disabled and visually impaired users.
49. The council will undertake ongoing monitoring of the CLR as part of the programme of Hereford City Centre Transport Package. This will monitor the performance of the CLR and surrounding areas to evaluate the impact of the new road and these orders.

Consultees

50. During the planning stage for the CLR project a number of informal consultations were undertaken. These were well publicised and the attendees were representative of the majority of affected residents. The informal consultation events were published in advance in the Hereford Journal and Hereford Times as well as leaflets distributed to all properties within and adjacent to the ESG area.
51. An additional two consultation events were carried out for Barrs Court Road, Aylestone Hill and Hopton Road in 2017. During these consultations it was recorded (by submitting forms at the events or after the events, via e-mail) that the preferred option by the majority of stakeholders was Option two, which included the prohibition of the right turn out of Barrs Court Road and one-way restriction on Hopton Road.
52. As part of the TRO process a formal public consultation was carried out. The occupiers of properties in the roads affected were consulted. In addition to this, local members, Hereford Business Improvement District, 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 were also asked to provide their views. A notice of Proposal was published in the local press and on the council’s website, giving 21 days for comments and objections to be made. The proposals was displayed on site notices in the affected streets and deposited in the council offices and the Info Centre in Hereford. This consultation was carried out between the 23 of November 2017 and the 14 of December 2017.
53. Following the consultation further meeting was held with West Mercia Police to discuss their representations. A meeting was held with West Mercia Police on Monday 5 February 2018 where the proposed engineering measures for Hopton Road were reviewed. West Mercia Police confirmed acceptance of the proposals and removed their objection in an e-mail on the 6 March 2018.

54. Following the consultation further meetings were held with the Ward Councillors, Cllr Wilcox and Cllr Andrews, to discuss the recommendations. A meeting was held with Cllr Wilcox on the 23 January 2018 where the proposed engineering measures for Hopton Road were presented. The Cllr Wilcox reviewed these proposals and confirmed acceptance on the 4 March 2018. A meeting was held with Cllr Andrews on the 4th September 2018, who confirmed acceptance of the proposals.

Appendices

Appendix A - Full objections to the proposals

Appendix B - Plan of proposals – drawings:

- MJ0002-C-110 - City Link Road, Hereford – Waiting Restrictions
- MJ0002-C-111 - Widemarsh Street, Hereford – Waiting Restrictions
- MJ0002-C-112 - Station Approach, Hereford – Waiting Restrictions
- MJ0002-C-113 - City Link Road, Hereford – Right Turn Restrictions
- MJ0002-C-114 - Widemarsh Street, Hereford – Right Turn Restrictions
- MJ0002-C-115 - Barrs Court Road, Hereford – Right Turn Restrictions
- MJ0002-C-116 - Hopton Road - One - Way Restriction

Appendix C - Equality Impacts and Needs Assessment

Background Papers

None