

Decision maker:	Acting Assistant Director Highways & Transport
Decision date:	1 March 2019
Title of report:	Hereford City Centre Improvements - St Owen Street
Report by:	Head of Infrastructure Delivery

Classification

Open

Decision type

Non-key

Wards affected

Central

Purpose and summary

Following extended informal consultation with residents, businesses and other stakeholders, this report seeks authorisation to propose Traffic Regulation Orders (TRO's) and other measures subject to formal consultation/notification, for a scheme to improve cycle access to Hereford city centre from the east via St Owen Street. The following regulations and measures are proposed:

- To introduce a *One way street except cycles* south-eastbound on St Peter's Square (west arm) and St Owen Street from Union Street to Bath Street.
- To introduce a *One way street except cycles* on Mill Street southbound from its junction with St Owen Street to its junction with Cantilupe Street
- To introduce an updated *Bus only* restriction on the eastern arm of St Peter's Square from its junction with Union Street to its junction with St Owen Street
- A rearrangement of the waiting, parking and loading restrictions on the north-west section of St Owen Street and around its junction with Cantilupe Street and Mill Street.
- To install vertical traffic calming in the form of two flat top tables as informal crossings on St Owen Street and a raised table at the junction of St Owen Street with Cantilupe Street/St Ethelbert Street.
- To designate a section of footway as shared use on the north-western side of the junction of St Owen Street and Mill Street. Also as part of the extended footway design, to redesign the traffic signal controlled crossing approaching the junction with Bath Street south-eastwards from St Owen Street, to include a pedestrian call and display.

Recommendation(s)

That:

- (a) the advertising of a Traffic Regulation Order (TRO) proposing movement restriction changes in St Owen Street, St Peter's Square, Mill Street and Green Street (as shown on the TRO Plan at Appendix 2) be approved;
- (b) the proposing of a TRO to advertise new arrangements of waiting, loading and parking restrictions in Cantilupe Street, St Owen Street, St Peter's Square and Mill Street (as shown on the TRO Plan at Appendix 3) be approved;
- (c) notification and consultation over the provision of vertical traffic calming measures, in St Owen Street and at its junction with Cantilupe Street / Ethelbert Street (as shown on the Traffic Calming Plan at Appendix 4) be approved;
- (d) notification and consultation over the shared footway designation with a proposed change to the pedestrian crossing facility at the junction of Bath Street, Mill Street and St Owen Street (see Appendix 2) be approved; and
- (e) in the absence of any unresolved objections, the making of the Traffic Orders be approved; and
- (f) subject to recommendation e above being implemented installation and/or amendment of traffic signs (including road markings) and associated engineering measures up to a value of £235,000 be approved.

Alternative options

1. Whilst the council as the highway authority may decide to implement, defer or withdraw any proposals, these measures are part of an integrated scheme design that would not be effective, if introduced in part, thus:
 - Cycles may only access St Owen Street, from the east, with the proposed movement restriction changes.
 - Safer cycle and pedestrian movements also require traffic calming measures to help reduce vehicle speeds compliant with a 20mph speed limit.
 - The revised road alignment to accommodate cycles and remove echelon parking requires a rearrangement and retention of waiting, loading and parking restrictions on St Owen Street and around its accesses from Mill Street and Cantilupe Street / St Ethelbert Street. Access to the relocated bus parking bay, also requires the prohibition of driving order for the eastern arm of St Peter's Square to be updated to allow access to all buses.
2. Otherwise, any other substantive changes to the proposals would require an alternative scheme design or for the scheme to be withdrawn.

Key considerations

3. The urban area of Hereford carries 30-40,000 vehicle trips each morning and afternoon; 50% of which are entirely within a 10 minute cycling distance. The Herefordshire Council Local Transport Plan 2016 – 2031 Strategy is to increase cycling (from 2010 levels) by 100% by 2021, by improving cycling access into the city. This aligns with the government Cycling and Walking Investment Strategy 2017 to make cycling and walking the norm for short journeys to promote healthier active travel, clean air and reduced congestion.
4. The A438 and B4224 form the main route for people travelling into the city centre from the east of the city. For westbound cyclists approaching the Bath Street junction, there is no direct route into the city centre, as St Owen Street is a one-way street south-eastbound. The only alternatives are the highly trafficked ring road or an extended route via Mill Street with restricted accessibility to the south of the city. Similarly access from the south-east (St James and Bartonsham) is restricted by the no-entry to Mill Street from Green Street. The existing traffic data identifies there is already a considerable number of cycles contravening the one way order and contraflow cycling along St Owen Street.
5. Although the city centre 20mph zone extends along St Owen Street to its junction with Bath Street, traffic speed data indicates that 85th percentile speeds are 25.7mph. The St Owen Street Cycle Contraflow, Non-Motorised User Context Report also highlighted 8 injury accidents since 2011, all of which involved motor vehicles coming into conflict with cyclists and pedestrians, but all cycles were proceeding in accordance with the current one way restriction. Two of these accidents involved vehicles accessing or exiting echelon parking bays.
6. The scheme design therefore includes vertical traffic calming measures to help reduce traffic speeds and to provide two at-level informal crossings for pedestrians. The loading and parking places have also been redesigned to be parallel to kerb, to minimise the need for reversing movements.
7. As part of the informal consultation over a prospective cycle scheme, the project team held an open day and conducted a survey of businesses and residents on three design options to improve cycle accessibility from the east:
 - Option A - contraflow cycle lane for the entire length of St Owen Street
 - Option B - signed quiet route for cyclists along Mill Street / Cantilupe Street
 - Option C - shared use cycle / footway for St Owen Street between Bath Street and Cantilupe Street
8. From the survey, 64% of respondents favoured Option A, 21% Option B and 15% C. Community responses also highlighted the importance of retaining the current parking capacity in St Owen Street, which was incorporated into the scheme design by relocating bus parking into St Peter's Square and optimising the allocation of the remaining kerbside.
9. The Assistant Director is asked to authorise the formal advertising of these proposed regulations and measures. In the absence of any unresolved objections, authorisation is also sought to enable the implementation of these changes in the 2019/2020 financial year through the Balfour Beatty Living Places 2019/2020 Annual Plan. Otherwise a separate report to be prepared for the Cabinet member transport and regulatory services to consider any remaining objections.

Community impact

10. The Herefordshire Council Local Transport Plan 2016 – 2031 Policy highlights that as well

as reducing congestion and emissions, switching to walking and cycling will also improve health, fitness and well-being. The scheme is part of wider programme of Hereford City Centre Improvements intended to make the city a more attractive place to visit and to provide a pedestrian and cycle friendly environment. It is intended that there will be a benefit to wide range of people and groups within the business and resident community.

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 budget for developing the design of the current scheme, processing the necessary Traffic Regulation Orders and implementation is outlined in the table below. It is being funded from the local transport plan grant funding capital budgets through the BBLP public realm annual plan. ..

	2017/2018 FY	2018/2019 FY
Design	£44,000	£40,000
Traffic Regulation Orders	-	£21,000
Implementation	-	£235,000

14. The changes to the Traffic Regulation Orders will not significantly adjust the existing layouts and as such will not incur additional enforcement costs.

Legal implications

15. This is an executive function and non-key decision and as such the Acting Assistant Director for Highways and Transport as the decision maker has the authority delegated to him from the Chief Executive (under Part 2 Article 10 in exercise of its functions in the Part 3 Functions Scheme Section 7 officer functions of the Constitution ECC Scheme of delegation to officers part 63) to act on behalf of Herefordshire Council in highways and transportation matters in its statutory role as the traffic authority pursuant to S.121A(3) of the Road Traffic Regulation Act 1984
16. The council as the local highway authority has the powers to make Traffic Regulation Orders under the Road Traffic Regulation Act 1984.

17. 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.
18. 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. In the event of unresolved objections to any proposed new lengths of no loading at any time restrictions, more than 15 metres from a junction, these objections would require a public inquiry, unless the proposals were amended (e.g. for reduced time periods).
19. 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.
20. If objections are made and not withdrawn then a further report will be produced to assist the decision maker in considering the objections and deciding how to proceed.
21. Under Section 3 of The Highways (Road Humps) Regulations 1999, where a highway authority proposes to construct a road hump, they are required to undertake consultation with chief officers of the emergency services and other stakeholders.
22. Department for Transport guidance (LTN 1/12) for designating share use is by “converting all (or part) of a footway to a cycle track is through the Highways Act 1980. The appropriate part of the footway is ‘removed’ under the powers in section 66(4) of the Highways Act 1980, and a cycle track is ‘constructed’ under section 65(1). The process need not necessarily involve physical construction work other than the erection of suitable signs, but there needs to be clear evidence that the local highway authority has exercised its powers. This can be provided by a resolution of the appropriate committee or portfolio holder etc. to ensure that a clear audit trail has been established.”

Risk management

23. The public survey highlighted some concerns regarding the safety of “contraflow” cycling. Whilst these concerns are recognised, it is not considered that they are sufficiently significant for the proposals to be amended from those presented. Contraflow cycling is a permitted arrangement in national highway standards and has been successfully implemented across the UK, including other schemes in Hereford. The final design has been the subject of a Road Safety Audit and Non Motorised User Audit.

Consultees

24. A key stakeholder meeting was undertaken on 14 June 2017, with an independent facilitator, with representatives from: Castle Street & District Residents Association, Clinical Commissioning Group, Herefordshire Council (Cllr Paul Rone Herefordshire Council, Cabinet Member and Cllr Len Tawn Herefordshire Council, Hereford City Council Town Clerk, HBID Director, Hereford Cathedral School, Hereford Civic Society, Hereford Pedicabs, St James & Bartonsham Community Association and Hereford Cathedral. Through this event a number of concerns and alternative options were highlighted and helped to shape design options for the wider consultation.
25. A further informal public consultation was undertaken from 19 July 2017 for 6 weeks. The consultation consisted initially of an event in the Town Hall which took place on Wednesday

19 July 2017. Letters inviting people to attend the event were sent to residential and business properties within St Owen Street and the event was advertised online through Herefordshire Council's website, social media and within the Hereford Times. In response to the three design options presented, 135 completed questionnaires were received. The respondents used the street for walking, cycling and to visit businesses in the street, reflecting a range of interests. The design team developed the favoured option to provide contraflow cycle access on Mill Street and St Owen Street to access the city centre. A peer review of the design was also undertaken by Brian Deegen of Urban Movement.

26. As part of the legal process a formal public consultation will be carried out. Local businesses, resident and stakeholders will be informed of the proposed new movement and static restrictions, shared use designation and traffic calming measures. 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 21 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.
27. The ward Councillor, Cllr Tawn, was consulted on the scheme through the key stakeholder sessions and the public consultation in 2017. In addition he was consulted on the proposals to advertise the traffic regulation orders. He advised he was keen to see the scheme progress following the extensive consultation, but sought assurance that sufficient signage was provided to warn drivers of the contraflow at the Cantilupe Street Junction. This information was provided to him to which he confirmed he was content for the scheme to progress.

Appendices

Appendix 1 – Equality Impacts and Needs Assessment

Appendix 2 – TRO Plan of Proposed Movement Restrictions

Appendix 3 – TRO Plan of Proposed Static (Waiting, Loading and Parking) Restrictions

Appendix 4 – Plan of Proposed vertical traffic calming measures