

PUBLIC QUESTIONS TO CABINET – 29 October 2020**Question 1****Mr P McKay, Leominster****To: cabinet member, infrastructure and transport**

A number of streets on the Local Street Gazetteer have a Highway Dedication code of 12, Neither 2, 4, 6, 8, 9, 10 nor 11, presumably due to being streets with a Highway Dedication type that is currently unknown and is still under investigation, reference s.9.4.4.4 of DEC-Streets version 4.1 guidance.

May I ask how this investigation is progressing, and if consideration could be given to prioritising those that lead to public places, provide useful links in the recreational network and/or connect with public paths resolving Definitive Map anomalies, to meet the CROW Act 2000 cut-off date of 2026 after which unrecorded public rights may be extinguished?

Response

As set out in the question, the Highway Dedication Code 12 is used for Elementary Street Unit (ESU) which have no known public rights of access, which can be for streets that have either a Highway Dedication type that is currently unknown and is still under investigation or been proven to have no known public rights of access. The resource allocated to investigating is being prioritised to applications submitted to the council not in reviewing all Code 12 links. The prioritisation is set out in the councils Rights of Way Improvement Plan, one of the main criteria is whether the link 'creates a useful route' whereby an application will be considered a higher priority if it proves a useful addition to the rights of way network. Typical useful routes will be historically or scenically interesting, add missing links, will have been identified on the Rights of Way Improvement Plan, accessible to a wide section of the public or provide a safe alternative to a road.

Supplementary Question

Whilst it may not be intended to investigate all code 12 streets may it be assumed that when the Local Street Gazetteer is viewable in its different formats, Cabinet meeting of 24 September, and the Blue Anomaly Triangles/Report reinstated, Council meeting of 9 October, enabling those code 12 streets that satisfy the key aims of the Rights of way improvement plan (draft) by filling obvious gaps, etc., to be identified, would be investigated, whether or not subject of a formal application?

Response

As this is a technical question I will ask for officers to provide a written response.

Question 2**Mr A Hunt, Bromyard****To: cabinet member, infrastructure and transport**

Would the zebra crossing on B4203, in Bromyard, stand scrutiny in a court of law, regarding it's safety and positioning?

Response

This zebra crossing was designed and installed around 1999/2000 and will have required departures from design standards guidance to enable its installation along what is a desire line for pedestrians from the Market Square to the Post Office. The consideration of such departures is a legitimate part of the design process, particularly for highway schemes introduced within the confines of an existing historical road layout. Clearly, it would be for the Court to determine the relevance of: the positioning of the crossing; its design; and/or record of incidents and the various factors that contributed to any injury or damage that resulted. Such would be considered in the context of the particular case before the Court.

I have requested that we review the crossing and explore what adjustments could be made to the design based on recommendations.

Supplementary question

Now that Herefordshire Council have decided to review the Zebra Crossing on the B4203, in Bromyard, can the crossing continue to be used in its current state?

Response

The cabinet member noted that there had been issues with accidents at the crossing and that the ward councillor had also raised the matter with him. The crossing would be reviewed quickly but he did not feel that it should not be used as it would be impossible to stop people crossing the road at that point. The cabinet member would ask that officers provide a further written response.