

Leicester
City Council

WARDS AFFECTED: WESTERN PARK

CABINET

25th September 2006

DULVERTON ROAD

Report of the Corporate Director - Regeneration & Culture

1 Purpose of Report

- 1.1 This report has been prepared to enable Cabinet to make a decision about proposals for Dulverton Road put forward by the Braunstone Park & Rowley Fields and Westcotes & Western Park Area Committee. The decision was deferred at the Cabinet meeting on 24th July 2006.

2 Summary

- 2.1 Residents of Dulverton Road would like a restriction on the road that stops anyone other than residents from entering Dulverton Road from Westcotes Drive. They suggest this is done by the introduction of a no entry sign and a physical "pinch point". Their suggestion is supported by the Braunstone Park & Rowley Fields and Westcotes & Western Park Area Committee, who are prepared to contribute towards the costs of the work.
- 2.2 It is perfectly possible to introduce a point of entry restriction, but there is no legal way of exempting the residents of Dulverton Road from the order.
- 2.3 Making Dulverton Road effectively one-way without traffic calming as the residents request, contravenes the City Council's current practice (see section 2 of the supporting information). The introduction of one-way streets without traffic calming could result in increased danger, as there is no opposing traffic flow, resulting in increased vehicle speeds.
- 2.4 The advice of the Corporate Director Regeneration and Culture, based on the professional advice of staff in the Transport Division, is that traffic would be better slowed in Dulverton Road by introducing both traffic calming and a one way restriction on Dulverton Road at the same time.
- 2.5 Dulverton Road is currently 24th in the department's priority list for the introduction of traffic calming. The Area Committee is prepared to contribute £3,000 towards the costs of the work in Dulverton Road. If Cabinet decide to approve a scheme, whatever scheme they choose will need a further contribution from the Transport Capital Programme (see the financial implications in paragraph 4). This will result in a higher priority scheme being bumped from the priority list agreed by the Corporate Director in liaison with the Cabinet Lead (See section 4 of the supporting information).

3 Recommendations

- 3.1 Cabinet are recommended to:

1. Decide whether or not they wish to introduce a traffic scheme as requested by the Braunstone Park & Rowley Fields and Westcotes & Western Park Area Committee
2. If Cabinet do decide to support the request of the area Committee then they are further asked to decide:
 - a. To introduce a one way scheme without traffic calming in contravention of current Council practice - Option One
 - or
 - b. To introduce a one way and traffic calming scheme in compliance with Council practice - Option Two

4. Financial & Legal Implications

Financial Implications

- 4.1 Officers advised the Area Committee of the significant cost of making the scheme one way in terms of traffic calming, signage and legal procedures but they rejected the estimates. However, these will still have to be taken into account in any decision taken by Cabinet.
- 4.2 If Cabinet agrees option One, the estimated cost of implementation is as shown in Table One below

Table One – Option One

	£
Advertising one way Traffic Regulation Order (TRO) - including Legal Fees	2,000
Signing and lining of restriction	2,500
Introduce TRO, including consultations (30 X £25 Per hour)	750
Constructing pinch point	3,000
Project Fees – (Construction cost x 25%)	750
TOTAL	9,000

- 4.3 As the Area Committee are only suggesting a contribution of £3,000 this leaves a deficit of £6,000 which would need to be met from Transport Development's revenue budget and could mean another scheme with a higher priority would need to be postponed.
- 4.4 The option compliant with the Council's practice (traffic calming and a one way restriction) is more expensive. See Table Two below.

Table Two – Option Two

	£
Advertising one way Traffic Regulation Order (TRO) - including Legal Fees	2,000
Signing and lining of restriction	2,500
Introduce TRO, including consultations (30 X £25 Per hour)	750
Advertising road humps and 20mph Zone	1,000
Consultations for traffic calming (50x£25 per hour)	1,250
Construction of traffic calming	£18,500
Project Fees – (Construction cost x 25%)	4,625

TOTAL	30,625
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- 4.5 The Area Committee, has proposed to make a contribution of £3,000 to the scheme, which leaves an estimated shortfall of £27,625.
- 4.6 If Cabinet approval is given for the scheme to go ahead, the physical works could be funded from the Transport Capital Programme (£26,125) and the cost of the Traffic Regulation Order (£4,500) from Transport Development Section's Revenue Budget. However, this would be to the detriment of schemes with a high priority and not meet the objectives of the Local Transport Plan.
Head of Finance: Martin Judson

Legal Implications

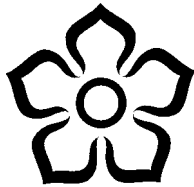
- 4.8 Traffic Regulation Orders are introduced under the 1984 Road Traffic Regulation Act and the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996. All aspects of that legislation would need to be complied with.
- 4.9 It would not be possible legally to have a restriction, which only applied to non-residents, as accesses would be required for Emergency Vehicle's, Statutory undertakers and Council vehicles (ie waste collection/street cleansing).
- 4.10 While an exemption could be introduced for residents and their visitors, should Cabinet so wish, there would be no legal way of signing such a restriction other than as a pedestrian street with permits for residents.
- 4.11 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 requires 20mph zones and one-way streets to be advertised.

5. Report Author

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DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)



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Cabinet

25th September 2006

DULVERTON ROAD

Report of the Corporate Director – Regeneration & Culture

Report

1. Background

- 1.1 At the meeting of the Braunstone Park & Rowley Fields and Westcotes & Western Park Area Committee on 1 June 2006, the Area Committee agreed that it would recommend to Cabinet that £3,000 from the Area Committee's budget for 2006/207 be used as a contribution to a traffic scheme for Dulverton Road. A scheme had been requested by residents of Dulverton Road to reduce peak hour rat running.
- 1.2 This report sets out the relevant City Council policies with regard to implementing such a proposal, how it matches with existing priorities and considers the financial implications of implementing a scheme against the budget set aside by the Area Committee

2. Current Council Practice

- 2.1 Current Council Practise not to introduce one-way streets in residential areas without traffic calming has been in operation since 1996 when the City Council's Planning Committee agreed the Welford Road Bus Lanes. As part of that bus lane scheme Stanfell Road was made one-way and traffic calming was introduced at the same time. The practice was introduced because the introduction of one-way streets without traffic calming could result in increased danger, as there is no opposing traffic flow, resulting in increased vehicle speeds.
- 2.2 The practise has been confirmed in delegated decisions by the Service Director – Highways & Transportation in response to petitions requesting one-way streets in Dulverton Road in July 2002, and Wiltshire Road in March 2003. Reports on the decisions of the Service Director were supported by the Highways & Transportation Scrutiny Committee.

3 Residents' Concerns

- 3.1 In 1996 the City Council consulted residents of Dulverton Road about the possible implementation of a traffic-calming scheme funded by City Challenge. This scheme included a proposal to make Dulverton Road one-way at the same time. The residents at that time split evenly on which way the road should be one-way and so the proposals were not taken forward.
- 3.2 In July 2002 the residents of Dulverton Road presented a petition to Full Council requesting that Dulverton Road be made one-way from Hinckley Road to Westcotes Drive. When the Highways & Transportation Scrutiny Committee on 4th September 2002 considered a report in response to the petition, they supported the decision of the Service Director to take no further action because:
- there were no injury accidents to justify traffic calming measures being introduced on accident reduction grounds: and
 - it would be contrary to the current practice regarding the introduction of one way streets.
 - The introduction of one-way streets without traffic calming could result in increased danger, as there is no opposing traffic flow, resulting in increased vehicle speeds.
- 3.3 Earlier this year Western Park Councillors contacted officers about the possibility of Dulverton Road being made one-way. Officers explained that Council practice meant that it was not possible to make Dulverton Road one-way unless it was part of a traffic calming scheme and that Dulverton Road had a low priority for traffic calming.
- 3.4 The June 2006 meeting of the area committee agreed the following recommendation:
"that £3000 be allocated towards making the Westcotes Drive end of Dulverton Road no entry."

4. Priority

- 4.1 Traffic calming using road humps started in the city in 1992 on a relatively ad hoc basis based on requests. However, because of the number of requests it became clear that it was necessary to prioritise all residential streets for traffic calming. In 1993 all residential distributor roads and areas were ranked according to their accident rate per kilometre. Planning Committee on 13th June 1993 authorised the Director of Environment and Development to seek funding for the top 40 in the priority list. The same methodology was used for further reviews in 1995 and 1999, with the later review being approved by the meeting of the Urban Management Sub-committee on 6th January 1999.
- 4.4 A further review took place in 2002, when The Service Director – Highways & Transportation, agreed a new priority list in consultation with the Cabinet Lead under delegated powers. As with previous reviews, accident data for three years (in this case 1999 to 2001) were used to determine priority. The list included 18 residential distributor roads and 15 residential areas where the first year rate of cost benefit return was 50% or more, and this return forms the basis for the preparation of schemes to be funded from Local Safety Scheme and Traffic Calming Budgets.

- 4.5 The Westcotes Drive area that includes Dulverton Road is 24th in the list agreed by the Service Director – Highways and Transportation in January 2002 under delegated powers. He also agreed that the areas in the top 15 would be investigated for inclusion in future traffic calming programmes.
- 4.6 Between 1st January 2003 and 31st December 2005, one personal injury accident took place in the Westcotes Drive area. This means that it is unlikely to have a high priority in the new list for traffic calming, currently being finalised. During the same period, there was no injury accident in Dulverton Road itself.
- 4.7 The table in Appendix One shows the current priorities for traffic calming. If Dulverton Road were to move from its current position at 24 to be included in the current list a project of a similar size, but of higher priority would need to be displaced to accommodate it. The projects most likely to be displaced are:
- Amadis Road
 - Garendon Road
 - Upper Tichborne St
- 4.8 In addition to the areas and roads in Appendix 1 the following schemes have been carried forward from previous years' priority lists and have now been either been completed or are still being completed:
- North Braunstone West – Implemented 2005/2006 - residential
 - Aylestone Village – Implemented 2005/2006 - residential
 - Peebles Way – Still in progress - residential
 - Cort Crescent – Implemented 2004 - distributor
 - Hallam Crescent East – Still in progress - distributor
- 4.9 Since the priority list for traffic calming was agreed by the Service Director – Highways & Transportation in September 2002, the department has concentrated on introducing traffic calming schemes that assist in developing Safer Routes, particularly to schools
- 4.10 Our progress in implementing the priority schemes has been slower than we would have hoped expected. This is due to the consultations with residents taking longer than we anticipated.

5. Local Transport Plan Implications

- 5.1 Traffic calming schemes are, and always have been targeted on those areas where they are most likely to have the most benefit. In reducing accidents
- 5.2 The introduction of traffic calming schemes has had an important role in reducing casualties in the city. We need to reduce the number of people killed or seriously injured on the city's roads by 40% by 2010 (based upon the average for 1994 - 1998), and to reduce the number of children killed or seriously injured by 50% over the same period to meet the targets set by Central Government. That means ensuring that no more than 76 adults are killed or seriously injured and fewer than 13 children are killed or seriously injured on Leicester's roads.
- 5.3 The Local Transport Plan sets these national targets as mandatory targets. Diverting funds from other priority schemes funded through the LTP may affect our ability to meet those casualty reduction targets.

6. Proposal from the Area Committee.

- 6.1 At the meeting of the Braunstone Park & Rowley Fields and Westcotes & Western Park Area Committee on 1 June 2006 residents said they were not asking for a one-way system, just a no entry to the road that would allow residents to turn round. They were also concerned that it appeared they had to wait for an accident to happen before anything could be done. They disputed the need for traffic calming as the street was too narrow to speed down.
- 6.2 Their proposal was supported by a survey of residents who were overwhelmingly in support of making the Westcotes Drive end of Dulverton Road no entry, including a "pinch point". At the meeting residents said that there were more cars than houses which meant there was nowhere for cars to pull in to allow others to pass. There had been problems with drivers refusing to back up and they were concerned that backing down the road round a corner or on to Hinckley Road could cause an accident.
- 6.3 The area committee agreed that £3,000 be used from area committee funding towards the cost of making one end of Dulverton Road no entry. Councillors said this would constitute most of the cost of implementing such a proposal.

7. The Professional View

- 7.1 Restricting entry without making a road one way is unenforceable. It is doubtful that point of entry restriction would allow greater freedom to turn in the street, as suggested by residents. The main difficulty is not caused by rat running but by the level of parking in the street. These are mainly residents' cars and so the difficulty will remain.
- 7.2 The introduction of a one-way on Dulverton Road without traffic calming is contrary to City Council practice (see section 2 above). The Chief Constable shares the same concerns about one-way streets being introduced in residential areas without traffic calming. The Chief Constable would be responsible for the enforcement of the restriction requested by residents and has concerns about the resources he would need to enforce it.
- 7.3 As Dulverton Road has a low priority for traffic calming, the introduction of any Traffic Regulation Orders would need to be undertaken by the Traffic Regulation Order Team. That team is currently fully committed to work on the introduction of de-criminalised parking for early 2007. Diverting them to non-programmed work could mean that it would be at the expense of an area, which needs to be reviewed prior to city taking on enforcement under Decriminalised Parking Enforcement in January 2007. Members of Cabinet will recall that the budget lead management reductions in the Regeneration and Culture budget mean that non-programmed work can only be taken on at the expense of already contracted work, or if completely externalised. Even if most of the investigative work was carried out by an external consultant, as suggested by the Area Committee, any reports and ensuring consistency with other TRO's would need to be done by the Traffic Regulation Order Team.
- 7.4 A traffic survey undertaken in July this year between 7am and 9am showed that 33 non-residents turned into Dulverton Road from Westcotes Drive to get to Hinckley Road. No vehicles were observed going the opposite way. This suggests that if Dulverton Road is to be made one-way it should be from Westcotes Drive to Hinckley Road. The majority of people (115) leaving Dulverton Road during this period were residents.

- 7.5 While it is possible to put in a restriction, which exempts residents, such a restriction would be almost impossible to enforce. Other vehicles including emergency service vehicles and Statutory Undertakers would also need to be exempt, and the level of policing required to ensure that the restriction was not abused by visitors to the road is unlikely to materialise. The police have indicated that they would formally object to a Prohibition of Driving Order because of enforcement implications.
- 7.6 A point of entry order introduced in Brandon Street, following a request from the Fire & Rescue Service, is constantly abused by drivers. The local school has asked for it to be removed because school pupils are in danger as they do not know which way traffic will be coming at them.
- 7.7 In Leicester there are some residential roads that are one-way but without traffic calming. These were made prior to 1990 when the legislation changed to make it easier to use road humps to slow traffic. The one way sections are either short lengths of road where motorists cannot gather speed and/or predate the legislation change. Gimson Road and Carlisle Street were introduced in 1982 and Lansdowne Road in 1978.

8. Other Implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS
Equal Opportunities	NO	
Policy	YES	The Area Committee proposal is in contravention of current practice (section 2 of supporting information)
Sustainable and Environmental	NO	
Crime and Disorder	YES	6.5 of supporting information
Human Rights Act	NO	
Older People on Low Income	NO	

9. Risk Assessment Matrix

	Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
1	Do nothing – residents continue to feel at risk	M	M	
2	Introduce pinch point without one way restriction	M	H	
3	Introduction of a one-way street without traffic calming and increase vehicle speeds	M	H	Introduce traffic calming at the same time

L - Low
M – Medium
H - High

L - Low
M - Medium
H - High

10. Background Papers – Local Government Act 1972

- Report to Planning Committee - Traffic in Residential Areas 13th June 1993.
- Report to Planning Committee - Traffic in Residential Areas 12th September 1995.
- Report to Urban Management Sub-Committee - Traffic Calming in Residential Areas 6th January 1999.
- Report to Service Director – Highways & Transportation – Traffic in Residential Areas – Approved 29th September 2002
- Report to Highways & Transportation Scrutiny Committee – Action in Response to Petition – Dulverton Road – 4th September 2002.
- Minutes of Braunstone Park and Rowley Fields, Westcotes and Western Park area committee – June 2006
- Report to Cabinet 24th July 2006 – Area Committee Expenditure

11. Consultations

Consultee	Date Consulted
Head of Finance Regeneration & Culture	10 August 2006
Head of Legal Services	10 August 2006
Chief Constable	24 th August 2006

The Chief Constable has expressed concerns that the introduction of either a point of entry or a prohibition of driving would be difficult to enforce and has indicated that he would not support the implementation of such restrictions.

APPENDIX ONE

PRIORITY	RESIDENTIAL AREA	NUMBER OF ACCIDENTS 1999-2001
1	Amadis Road Area	1
2	Garendon Street Area	1
3	Saxby Street Area	5
4	Woodgate	7
5	Baldwin Road Area	5
6	Cossington Street Area	10
7	Hazel Street Area	3
8	Queniborough Road Area	9
9	Biddulph Street Area	3
10	Imperial Avenue Area	6
11	Upper Tichborne St Area	4
12	Kedleston Road Area	9
13	Astill Lodge	4
14	Saffron North East	9
15	Hallam Crescent East Area	5

Shaded Road Areas are those similar in cost to Dulverton Road and therefore most likely to be displaced by its inclusion in the current priority list