



Leicester
City Council

WARDS AFFECTED:
CASTLE WARD

Report for consideration by the
Planning and Development Control Committee

13 March 2019

**YORK ROAD IMPROVEMENT SCHEME - OBJECTION TO PROPOSED
RAISED SPEED REDUCING FEATURES**

Report of the Director of Planning, Development and Transportation

1. Purpose of Report

- 1.1 To enable the Committee to give their views to the Director of Planning, Development and Transportation for him to take into account when considering the recommendations set out in Section 3 of this report.

2. Summary

- 2.1 The scheme includes improvements to York Road, Bonners Lane and Grange Lane and is part of the Connecting Leicester Programme. The scheme would provide an improved pedestrian and cycle route on York Road to connect with the existing cycle and pedestrian facilities on Welford Road and King Street. It will also maintain National Cycle Route NCN 63 along Grange Lane. The scheme is shown on the plan attached as Appendix A.
- 2.2 The proposed scheme includes the provision of raised speed reducing features (road humps) on Grange Lane and York Road. These were advertised and one objection has been received.

3. Recommendations

- 3.1 It is recommended that:
Members of the Committee give their views for the Director of Planning, Development and Transportation to take into account when considering the objection to the scheme prior to making a final decision.

4. Report

- 4.1 The York Road, Bonners Lane, Grange Lane scheme is part of the Connecting Leicester programme. The purpose of the proposed improvement scheme is to provide improved pedestrian and cycle links in the area. It will provide a segregated contraflow cycle lane on Grange Lane to improve NCN 63.

- 4.2 Grange Lane and Bonners Lane are subject to a 20mph speed restriction that includes other adjacent streets in this area of the city. The reduced speed limit in this area of the city centre was introduced in 2012. Speed reducing features were introduced on those streets within the zone where speeds were in excess of the reduced speed limit. At that time Grange Lane did not fit the criteria due to speeds being low, presumably as it was a no through road.
- 4.3 The scheme seeks to introduce road humps at key locations on Grange Lane and York Road. Local ward members and the chief officer of the police did not raise any concerns regarding the introduction of the proposed road humps.
- 4.4 The proposed road humps for Grange Lane and York Road were advertised on 28th November 2018; the closing date for objections was Wednesday 19th December 2018.
- 4.5 Following the advertisement of the proposal one objection was received. Whilst officers have corresponded with the objector, with the aim of addressing the objectors' concerns, the objector has not withdrawn their objection.
- 4.6 **Objection**
One objection was received during the objection period and is attached as Appendix B.
- 4.7 **The main points raised in the objection are commented on as follows:**
- **Level surfaces cause problems of wayfinding for people with severe visual impairment**
 - **Lack of kerb introduces problems for people with mobility issues getting out of taxis or large cars**
 - **The raised table at the junction of Upper and Lower Brown Street will have little effect on reducing speed on York Road**
 - **The objector believes the proposed design to be very different to the scheme introduced on Silver Street. Silver Street is in the city centre pedestrian zone with restricted access controlled by bollards. York Road is proposed to be restricted access with no physical control.**
 - **The objector also considers the comparison of York Road and Silver Street is inappropriate as Silver Street is a retail street with 'criss-cross' pedestrian movement and linear traffic flow. They consider York Road to be a linear pedestrian movement with vehicles turning into/out of carparks along the street which increases the risks to visually impaired pedestrians.**
- 4.8 The objector also refers to the Department of Transport's pause on development of level surface shared space pending revised guidance. This was issued in July 2018. Further guidance was issued in September 2018. The guidance stated:

While authorities need to ensure that all schemes are designed with the needs of different users in mind, and satisfy their obligations under the equalities legislation, the focus of the pause is on level-surface schemes in areas with relatively large amounts of pedestrians and vehicular movement, such as high streets and town centres (outside of pedestrian zones).

In addition, the guidance advises that the use of raised side road entry treatments, continuous footways, table junctions and shared use routes for pedestrians and cyclists when used in traffic management schemes are not included in the request to pause level shared space schemes. The advice also states that:

Giving priority to pedestrians and cyclists, and addressing the needs of people with disabilities or reduced mobility, does not mean that segregated footways or cycle paths are always required. This is especially the case where traffic volume and speed will be low.

- 4.9 The proposed scheme includes the introduction of a 24hr pedestrian zone Monday to Saturday. This restriction on the use of the street together with other proposed alterations to traffic flow in the area will reduce the volume of traffic travelling along York Road. As a result, officers consider that the proposed design satisfies the guidelines described above and is not classed as shared space.
- 4.10 The aim of the raised features is to encourage vehicles to travel along the improved streets at a speed commensurate with the surroundings. This will be of benefit to all users of the streets regardless of ability.
- 4.11 The objector suggests that the construction of a level surface across the whole width of the street will be detrimental to some users. However, it will bring benefits to other less mobile pedestrians, wheelchair users and those with young children in pushchairs. The city council is seeking to provide an environment where everyone can move around in safety. It is demonstrated here that there are many differing views on street design. The council has to take a view on what is the most sensible solution to the overall design of the street environment in order to achieve a layout where people not vehicles dominate.
- 4.12 In view of the above, officers are of the view that the objection does not constitute a reason not to implement the scheme as planned.
- 4.13 Subsequent to the initial proposal it was considered appropriate to advertise an additional raised feature at the junction of Grange Lane and Bonners Lane. This additional feature was advertised between 15th February and 8th March 2019. Members of committee will be advised of any further objections that may be received prior to the meeting of committee on the 13th March 2019 via an addendum report.

5 Financial Implications

- 5.1 The scheme total cost estimate is £2m. A decision on Transforming Cities grant from the Government to help fund the scheme is anticipated in mid-March.

6. Legal Implications

- 6.1 The Council may construct road humps in a highway maintainable at public expense under the Highways Act 1980 Section 90(a) subject to consultation being undertaken. This includes consulting the chief officer of the police and publishing a notice in the newspaper circulating in the area and at appropriate places on the highway. As an objection has been received, the council is under a duty to consider the objection in accordance with its general obligations to act reasonably in its

consideration, to consider all relevant information and disregard any irrelevant information and to provide full reasons supporting its conclusion and decision.

7. Powers of the Director

7.1 Under the constitution of Leicester City Council, delegated powers have been given to the Director of Planning, Development and Transportation to approve the construction of road humps having considered any objections that have been received and taken due regard of comments made by the Planning and Development Control Committee.

8. Report Author

Name: Steve Richards
Job Title: Project Manager, Transport Strategy
Tel number: 0116 454 2859
Email address: steve.richards@leicester.gov.uk

APPENDIX B

Formal objection to the traffic regulation orders including speed cushion notice for York Road scheme 2018

a) York Road

1) Highways Act 1980 – section 90(A) – speed humps

The Plan for this shows (in pink) an area around the junction with Upper and Lower Brown St as a raised table. This would imply a drop to the road surface at either side with a kerbed footway beyond.

However we think this plan is misleading since the written proposal shows a 'raised table' covering most of York Rd, not just around that junction. We understand this 'table' will create a level surface across the full width of the highway with no kerbed footway and described as equal priority for vehicles, cyclists and pedestrians across the whole area.

We object to this because

- a) Lack of kerb causes problems of wayfinding for people with severe visual impairment (VI) including for awareness of approaching the junction and footway crossings to car-parks. Tactiles are not adequate substitutes for kerbs and that has been clarified to engineers by DfT
- b) Conflict with vehicles, especially for people with sensory impairments or learning disabilities or neuro-diverse conditions who cannot 'negotiate' with drivers or see cyclists or interpret the ambiguity.
- c) Lack of kerb problematic for people with mobility problems getting out of taxis/large cars because of distance to ground (both stepping down and steep ramp angles).
- d) While this 'raised table' may reduce speed at the junction for north/south traffic, it is too long to have that effect east/west. Slowing traffic by the presence of pedestrians is a risky and unsettling way for those with impairments, which many will then avoid.
- e) The DfT has applied a pause on development of level surface shared space pending revised guidance. We believe this proposal creates the issues for disabled people that DfT have recognised. While it is likened to Silver Street, we believe the nature of this street very different.
 - Silver St is in the PPZ which restricts traffic by bollards to those with permits and restricts delivery times. York Rd will be 'access only' (plus some loading) – but how will that be enforced? There are no limits on Sundays on the western section.
 - Silver St is quite central – yet there is not the manpower to consistently enforce the 'no loading' in this and other level surface shared space areas in the PPZ. This leads to unpredictable blocking of a 'safe' route near to building line, which is a problem both for VI people and those with other disabilities. York Rd is more isolated, open to all, so effective enforcement even less likely.
 - Silver St has a mostly straight vehicle flow, with a criss-cross pedestrian flow between retail premises where level surface may

have some benefits. York Rd has a vehicle flow that will cross pedestrian flow to turn into/out of the many car-parks, making vehicle route unpredictable. Level surface means the presence of the driveway crossovers is less obvious to pedestrians - whose flow is largely linear with no reason to keep crossing from one side to another. A straight flow on a kerbed footway would not hinder pedestrians, and is safer for those who are young, old or have impairments.

Therefore any benefits of this over-long 'speed table' for speed reduction are outweighed by the detriment to some groups of disabled people by removing the kerbed footway. A 'half-height' shorter speed table retaining a 60mm kerb (as used in some schemes in Gloucs) may be a more effective and acceptable option.

2) Proposals under Road traffic regulation act 1984 York Road

The removal of yellow lines and introduction of no waiting/loading except in designated bays along many city centre streets has resulted in much reduced opportunities for disabled people who hold Blue Badges to access premises in the area, since they were previously able to park/be dropped off on the yellow lines when no designated bays were available. A similar problem will occur in York Rd with this proposal – and no dedicated Blue Badge bays are proposed as an alternative.

While we can understand the problems with parking on this narrow street – which can cause implications for disabled people with blocked footways – there is a need for people with limited mobility to be able to get close to their destination venues, at the very least by taxi.

A concession has been made to allow Blue Badge holders to be dropped off on the western end of York Road. While this is welcome and would allow for off-loading on the 'near-side' it is of limited value because:-

- Blue badge holders who drive themselves cannot park, so it is of no benefit
- Due to the level surface wheelchair taxi ramps will be steep, and the step-up or down too high for other people with mobility impairments
- Many disabled people need to be accompanied in or out of a venue and the concession does not allow for it (e.g. by a taxi driver). Again, level surface hinders independent navigation or waiting on street for some.

We believe the above proposals will deter or exclude many disabled people from using premises along or close to York Road, putting them at significant disadvantage compared with people without a disability. Therefore they do not comply with Equality Act 2010 or DfT guidance.

Statutory Code of practice to Equality Act 2010

7.4 The policy of the Act is not a minimalist policy of simply ensuring that some access is available to disabled people; it is, so far as is reasonably practicable, to approximate the access enjoyed by disabled people to that enjoyed by the rest of the public.

Transport Minister Nusrat Ghani MP said in her letter of July 2018 to local authorities outlining the pause in level surface shared space 'I am absolutely clear that all public realm schemes should be inclusive and accessible'.

b) Grange Lane

1) Loading

There are similar problems to York Rd in that there will be no parking along most of the street and loading/parking bays at Oxford Street end are on the 'wrong' side so wheelchairs would have to off-load into carriageway, both a hazard and making ramps too steep. Similarly for disabled people needing to travel in front passenger seat, such as those who use guide-dogs or have mobility problems. Further, there will be need to cross the new cycle lane before reaching the footway. Parking bays would be better on the other side of the road.

2) Opening from Oxford St

We agree this area needs remodelling as shared cycle routes are confusing for all parties. However we believe the new crossing point here to be dangerous. Without a controlled crossing and with traffic noise from Oxford St masking vehicle approach, it will be impossible for some visually-impaired people and others to judge when traffic will be coming across. A level surface crossing speed table reduces 'clues' further for VI people and others who may find themselves unwittingly on the road. It may encourage pedestrians to feel they have priority. Many pedestrians in this area will be accessing the hospital and be less 'aware' than usual. However the priority of the vehicles will be to 'get off' (or across) Oxford St. especially if more than one vehicle is making the manoeuvre. It is therefore unwise for a pedestrian to assume they would or could stop.

A controlled crossing point is needed to give disabled people equal access.

Dec 19th 2018