

TITLE: UXBRIDGE ROAD, HAYES – PETITION FOR A PEDESTRIAN CROSSING

Cabinet Portfolio

Planning and Transportation

Report Author

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Papers with report

Appendix A

HEADLINE INFORMATION

Purpose of report

To inform the Cabinet Member that a petition has been received from residents in the Park Road area of Hayes requesting a pedestrian crossing on Uxbridge Road in order to access bus stops on each side.

Contribution to our plans and strategies

For a safer borough

Financial Cost

There are none associated with the recommendations to this report

Relevant Policy Overview Committee

Residents' and Environmental Services

Ward(s) affected

Charville

RECOMMENDATION

That the Cabinet Member

- 1. Discusses with petitioners the details of their request.**
- 2. Following the outcome of 1 above, asks officers to investigate the feasibility of a scheme to install a pedestrian crossing on Uxbridge Road as requested by the petitioners and report back with the estimated cost.**

INFORMATION

Reasons for recommendation

The Council carries out an annual programme for the provision of pedestrian crossings and if the Cabinet Member considered it is appropriate, the petitioners request can be added to the programme for subsequent investigation.

Alternative options considered

The petitioners have made a specific request for a pedestrian crossing in a particular section of Uxbridge Road, Depending on the outcome of discussions with the Cabinet Member there may be options with regard to the location.

Comments of Policy Overview Committee(s)

None at this stage

Supporting Information

1. A petition with 41 signatures has been presented to the Council with the following heading:

“ We the undersigned would like to have a pedestrian crossing on the Uxbridge road so that both Park Road bus stops can be safely reached from either side of the road. At present this very fast straight stretch of the Uxbridge Road(that few drivers appear to keep to the 40 mph speed limit) is very difficult and dangerous to try and cross safely especially at peak traffic time. If a pedestrian crossing was put at this location it is considered it would help keep drivers within the 40 speed limit”.
2. The petition was predominately signed by residents from Park Road and Westacott which are close to Uxbridge Road. It is likely however that residents in many other roads in this part of Hayes may have signed the petition if they had been given the opportunity.
3. The location of Park Road in relation to Uxbridge Road is indicated on Appendix A. There are two junctions with Uxbridge Road and between them there are two pairs of bus stops. These are indicated on Appendix A and it would appear the petitioners are requesting a pedestrian crossing between these sets of bus stops.
4. From this location the closest pedestrian crossings on Uxbridge Road are within existing signal controls at the junctions with Hayes End Road westwards and Landsbury Drive eastwards. Both would entail a relatively long walk and this could be uncomfortable for elderly residents. The alternative would be to cross the road without the aid of a crossing and this can only be considered potentially hazardous as the Uxbridge Road has a 40 mph speed limit.
5. The Cabinet Member is aware that on an annual basis, the Council endeavours to install as many formal pedestrian crossings as resources permit. It is suggested therefore that following discussions between the Cabinet Member and petitioners with regard to the details of their request, Officers are asked to carryout a feasibility study. The results can then be reported back to the Cabinet Member for further consideration including the estimated cost.

Financial Implications

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Cabinet Member meeting with Petitioners – 16 June 2010

There are none associated with the recommendations to this report as the feasibility study can be undertaken with in-house resources. However, if subsequently a report can be presented to the Cabinet Member recommending the introduction of a pedestrian crossing, it would include the estimated cost and the potential sources of funding that may be available.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member to discuss in detail the petitioners request and subject to the outcome Officers could then investigate the feasibility and estimated cost to introduce a pedestrian crossing as requested.

Consultation Carried Out or Required

When the Council are in a position to consider the introduction of a pedestrian crossing if this is feasible and can be funded, Public Notice will be given to allow comments from the public to be submitted to the Council. Prior to this stage, informal consultation can be carried out with the petition organiser.

CORPORATE IMPLICATIONS

Legal

There are no special legal implications for the proposal, which amounts to an informal consultation.

A meeting with the petitioners is perfectly legitimate as part of a listening exercise, especially where consideration of the policy, factual and engineering issues are still at a formative stage. Fairness and natural justice requires that there must be no predetermination of a decision in advance of any wider non-statutory consultation.

In considering any informal consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

Should there be a decision that further measures are to be considered then the relevant statutory provisions will have to be identified and considered.

In relation to a zebra crossing the Council has powers contained in the following:

- The zebra crossing will be introduced using its powers contained in The Road Traffic Regulation Act 1984 ("the Act");
- The crossing shall be indicated in the manner prescribed in The Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Directions 1997("the Regulations").

Section 23(2) of the Road Traffic Regulation Act 1984 provides that before establishing a crossing the local traffic authority shall: -

- I. Consult with the chief officer of police about their proposal to do so;

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- II. Shall give public notice of that proposal to do so; and
- III. Shall inform the Secretary of State in writing.

When exercising their function conferred by or under the Act, the Council are under a duty imposed by section 122 of the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on and off the highway. The Council must, so far as practicable, have regard to a number of matters set out in Section 122 (2), which are as follows: -

- I. The desirability of securing and maintaining reasonable access to premises.
- II. The effect on the amenities of any locality affected, including the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or to improve the amenities of the areas through which the roads run.
- III. The National Air Quality strategy prepared under Section 80 of the Environmental Act 1995.
- IV. The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or wishing to use such vehicles.
- V. Any other matter appearing to the Local Authority to be relevant.

As stated above before establishing a crossing the Council must, inter alia, give public notice of the proposal. That duty encompasses a duty to consider representations received in response to such a notice.

The Council's powers to carry out these and other works are comprised in the Highways Act 1980 and the Road Traffic Regulation Act 1984. The crux is that exercising these powers with the object of improving highway safety is lawful, other relevant considerations such as the expeditious movement of traffic, amenity. If specific advice is required in relation to the exercise of individual powers, Legal Services should be instructed. For example, depending on the precise option decided upon and (if appropriate) implemented, then consideration ought to be given to whether the procedures under 90GA of the Highways Act 1980 should be followed. The procedures relate to certain traffic calming works in London such as overrun areas and pinch points.

The Road Traffic Regulation Act 1984 and the Traffic Signs Regulations and General Directions 2002 govern road traffic orders, traffic signs and road markings and there are no special circumstances drawn to our attention that would prevent the scheme proceeding provided that the appropriate statutory procedures are followed.

BACKGROUND PAPERS

Petition received 11th February 2010

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