

## Officer Non Key Executive Decision

<b>Relevant Chief Officer (Decision Maker):</b>	John Blackledge, Director for Community and Environmental Services
<b>Relevant Cabinet Member (for consultation purposes):</b>	Councillor Neal Brookes, Cabinet Member for Enforcement, Public Safety, Highways and Transport
<b>Report Author (Officer name and title):</b>	Anthony Power, Parking Officer
<b>Implementation Date of Decision:</b>	6 March 2023

### Proposed Traffic Regulation Order

#### THE BOROUGH OF BLACKPOOL CYCLE LANE MODIFICATIONS ORDER 2023

#### 1.0 Purpose of the report:

- 1.1 To seek approval for the advertisement and implementation of a Permanent Traffic Regulation Order: THE BOROUGH OF BLACKPOOL CYCLE LANE MODIFICATIONS ORDER 2023.

#### 2.0 Recommendation(s):

- 2.1 To authorise the request to publish a public notice and progress with the proposed Traffic Regulation Order.
- 2.2 If no formal objections are received subsequent to the publication of the public notice in relation to the proposals or if any formal objections are received following the publication of the public notice are subsequently withdrawn, to authorise the Head of Legal to make the Traffic Regulation Order.

#### 3.0 Reasons for recommendation(s):

- 3.1 To fulfil the Traffic management role of Blackpool Council, please see background information below.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not to progress proposal to advertisement stage.

#### **4.0 Council Priority:**

4.1 The relevant Council Priority is

- “Communities: Creating stronger communities and increasing resilience”

#### **5.0 Background Information**

5.1 Blackpool Council secured £312,000 from the Department for Transport’s £225m Active Travel Fund available to local authorities to introduce cycling and walking improvements.

5.2 St Walburgas Road was identified as a possible location for a segregated cycle lane scheme, as it already contains some cycling provision and is used as a commuter route, supports a School site St Marys Catholic Academy and two employment sites, Spire Fylde Coast Hospital and Victoria Hospital.

5.3 The scheme proposed a segregated / separate on carriageway cycle lane, the scheme met the new requirements of separating traffic from cyclists with a physical barrier. This in turn changed the access and parking arrangements on St Walburgas Road for the residents.

5.4 To ensure there was robust and full engagement with stakeholders and residents Highways and Traffic Management Services appointed Infusion to undertake a consultation exercise on the proposal. The consultation provided all the information needed to understand the measures that would be implemented as part of the scheme should the scheme progress. The aim was to gather comment and opinion on cycling. The underlying message related to methods of transport cycling, support for cycling and active travel generally. The consultation took in comments from residents and road users in the immediate area and from further afield in Blackpool.

5.5 A total of 252 people responded to the survey, with 55.2% against the proposal, a proportion of these lived on St Walburgas Road, because of the hard segregation proposed they were unhappy with the impact on them and raising health and safety concerns in relation to exiting their properties. 40.5% were in favour of the scheme. Of note was of the 99 cyclists who responded 43.4% were already satisfied, 43.4% dissatisfied with the existing cycling provision along St Walburgas Road.

- 5.6 In light of the feedback received as part of the formal consultation, the decision was taken not to proceed with the scheme as proposed, but to invest in the existing cycling facilities along St Walburgas Road, this was a key message highlighted in the consultation feedback, not to proceed with the original proposal but to renew / refresh and improve the current scheme. A further review of the existing cycle facilities along St Walburgas Road was undertaken.
- 5.7 Whilst no significant changes are to be made to the layout whilst upgrading and refreshing the current cycle scheme road markings, the layout has to meet with current and relevant highway standards, in order to do so involves removing and upgrading the existing road lining on the west side of St Walburgas Road to provide cyclists with a safer route. As part of this a 15m extension to the existing double yellow lines outside property number 195 St Walburgas Road is required. This new arrangement will introduce safer lay-by parking between Grange Road and St Bernard Avenue (West side of St Walburgas Road).
- 5.8 As part of this modification an informal consultation was carried out with the houses between Grange Road and St Bernard Avenue. Of these houses 3 indicated they would in principle be opposed to the modification of the cycle lane, however due to our issues identified in the statement of reason and statutory duties of the Highways Authority the decision has been taken to proceed with the proposal to make the order and publish the necessary notices inviting formal representations to the proposals.
- 5.9 A section of single yellow line (and associated signage) is to be removed outside of No 197 St Walburga's Road to No 233 St Walburga's Road. This is required to help give cyclist a safer route and also help with safer layby parking between Riversway and Grange Road.
- 5.10 In November of 2020 a traffic counter was installed on St Walburga's Road, near to St Mary's Catholic Academy High School, monitoring south bound traffic. This counter not only counts the amount of traffic passing by, but also calculates the speed of the vehicles. The Police allow vehicles to travel at 10% +2mph over the posted speed limit. On St. Walburga's Road this equates to 35mph. The main figure they look at is the 85% of vehicles speeds if this figure is above the 35mph threshold then the police will look at the road and conduct further enforcement.
- 5.11 The 85% recorded on St Walburga's Road was 42mph with a top speed recorded at 95mph.
- 5.12 Due to this the police want to conduct further enforcement but have nowhere safe to park the police camera vehicle. We are going, as part of this project, to introduce a police only bay on the east side of St Walburga's just south of the entrance to the Spire Hospital.

5.13 Does the information submitted include any exempt information? No

5.14 **List of Appendices:**

Location Map

Statement of Reasons

**6.0 Legal considerations:**

6.1 Under Section 1(1) of the Road Traffic Regulation Act 1984, the Council in its capacity as traffic authority may make a traffic regulation order where it appears to the authority making the order that it is expedient to make it-

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

(b) for preventing damage to the road or to any building on or near the road, or

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or

(e) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or

(f) for preserving the amenities of the area through which the road runs or

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

6.2 Under Section 122 of the Road Traffic Regulation Act 1984 the Council has a duty to exercise the functions conferred on it by the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

6.3 The making of a Traffic Regulation Order requires advertisement and consultation in accordance with the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

6.4 The Council has a general network management duty under the Traffic Management Act 1984. It has a duty under the Crime and Disorder Act 1998 to consider those implications.

**7.0 Human Resources considerations:**

7.1 None.

**8.0 Equalities considerations:**

8.1 The council have considered its public sector equality duty in making this decision.

**9.0 Financial considerations:**

9.1 Funding for the works is from the Traffic Management budget.

**10.0 Risk management considerations:**

10.1 No risks identified.

**11.0 Ethical considerations:**

11.1 None.

**12.0 Internal/ External Consultation undertaken:**

12.1 Formal consultation with the Road Policing Unit at Hutton will be undertaken, public advertisement to be placed in the local newspaper. Documents shall be made available at Customer First, and Bickerstaffe House Main Reception for inspection, by appointment, beginning with the date on which the notice of proposal is first published and ending with the last day of a period of 6 weeks; the 6 weeks period begins when either the order is made or (as the case may be) the council decides not to make the order.

**13.0 Decision of Chief Officer**

13.1 To authorise the request to publish a public notice and progress with the proposed Traffic Regulation Order.

If no formal objections are received subsequent to the publication of the public notice in relation to the proposals or if any formal objections are received following the publication of the public notice are subsequently withdrawn, to authorise the Head of Legal to make the Traffic Regulation Order.

**14.0 Reasons for the Decision of the Chief Officer**

14.1 To fulfil the Traffic management role of Blackpool Council, please see background information..