

Chancel Lane Bridge Safety Improvements

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that:

- (a) the scheme shown on drawing number B2300119\CHAN\0007 be approved for implementation at an estimated cost of £55,000;**
- (b) the advertising of Traffic Regulation Orders associated with the scheme shown on plan B2300119\CHAN\0007 be supported and, if no objections are received, to make and seal the Orders.**

1. Summary

This report seeks approval for a developer funded scheme to improve pedestrian safety and accessibility on Chancel Lane by reducing speeds on the approaches to the railway bridge and discouraging larger vehicles from using the route with the use of bollards at either end.

2. Background

At the southern end of Chancel Lane is a narrow bridge over the railway line with poor visibility to oncoming pedestrians, cyclists and traffic. There are currently no footpaths and there is only enough room for one vehicle to pass safely in some places, which makes it less safe for pedestrians using the bridge daily. Although there is no record of collisions on the bridge, the route is perceived to be unsuitable for the mix of pedestrians, cyclists and drivers who use it daily.

Safe access across the bridge between Chancel Lane and Venny Bridge is a concern for pedestrians. In addition a further concern raised by Pinhoe Primary School parents is crossing Chancel Lane itself between the Mansell Construction and Thursby Walk. This link via the footpath just north of Thursby Walk forms part of the strategic cycle route which runs past Exeter Arena, Eastern Fields and east towards Broadclyst and connects through to the school.

As part of the recently developed Cold Storage Depot residential development, the S106 agreement provided for the developer to undertake works to improve Chancel Lane to be agreed with Exeter City Council (ECC). Devon County Council decided that the original scheme was not practical, and concluded that a toucan crossing in this location was unsuitable based on the local road characteristics, traffic volumes and pedestrian/cycle activity. Officers have used a DfT-approved mathematical formula used by many authorities, which concludes that a toucan crossing would be a disproportionate solution for the local area. Further details are provided in Options/Alternatives considered.

As a result of the revised scheme, Devon County Council suggested that a variation to the S106 agreement should be agreed between Taylor Wimpey and ECC. ECC have submitted a letter (Appendix I) confirming that they are robustly pursuing the payment and that Taylor Wimpey have now instructed their solicitor to proceed with the deed of variation on the basis

of the original £70,000 for highway works. The terms of the variation have been agreed and once it has been signed by all parties, the funds will be payable. The funds would be used towards the scheme being promoted in drawing B2300119\CHAN\0007.

3. Proposal

Attached plan no. B2300119\CHAN\0007 shows the proposed scheme, which includes narrowing the carriageway to 2.0m clear width with bollards at both ends of the bridge. This will limit the number of larger vehicles using this route. There is also a priority give and take arrangement at either end of these routes to help manage traffic flow and keep speeds down.

At the bridge itself, the edge of the carriageway is delineated. This will further reduce speeds and encourage drivers to proceed more cautiously as they cross the railway, which is where the visibility is at its poorest.

There are also minor footway improvements crossing from the bottom of Chancel Lane towards Thursby Walk. The existing kerbing has been realigned to narrow the entrance to the estate and enable a narrower crossing point for pedestrians linking through to the footway/cyclepath connecting through to Wilcocks Road. The footway on the western side of Chancel Lane has not been extended across the verge into the Mansell Construction access road (which forms part of the strategic cross city cycle route passing Eastern Fields/Exeter Arena) as this is in private ownership and the S106 funding does not cover the cost of purchasing this 3rd party land.

Traffic Regulation Orders (TRO) will be required for the 6'0" width restriction and for the minor changes to the extent of the double yellow lines at the junction with Venny Bridge. The existing 32' length limit and 7.5T weight limit will no longer be required following the scheme implementation. The signs concerning these orders will be removed and the orders may be revoked.

A Stage 2 road safety audit has been carried out on the proposed scheme, with amendments taken into account in the final design.

4. Consultations and Technical Data

In agreement with the local member, consultation on the scheme was included at the Exhibition Way Link Road exhibition in February/March 2011. Although the virtual footway element has since been dropped from the scheme on traffic policy grounds, the principles of the scheme, including restrictions to larger vehicles and improved pedestrian crossings at either end remains the same.

Two drop-in consultation events attracting over 300 local residents were held at Pinhoe Primary School and St James' School. These events displayed information on the different routes for the Exhibition Way link road (main purpose of the consultation) as well as the Devon County Council safety scheme for Chancel Lane Bridge. Survey feedback was received from over 150 people. Excluding people who had no preference on the scheme, 83% of people either strongly supported or supported the scheme with 17% either opposing or strongly opposing. In addition to the survey responses, a bundle of 88 letters (and 122 signatories) was received expressing an objection to closing Chancel Lane to through traffic.

5. Financial Considerations

The estimated cost of the scheme is £55,000, including design fees works and costs associated with the Traffic Regulation Order (TRO). A deed of variation has been agreed and is awaiting completion. Exeter City Council (ECC) expect to secure this developer funding from Taylor Wimpey in May 2013 to enable the county council to carry out the works in 2013/14.

ECC are confident that the deed of variation can now be formally concluded so that the money is in place, following consultation of the traffic orders to enable DCC to start on site. There is potential to forward fund the works using Local Transport Plan monies in anticipation of payment from the developers.

6. Sustainability Considerations

The scheme is expected to improve pedestrian and cycle safety by removing a significant number of HGV movements and providing a less attractive north-south cross city route for general traffic.

Evidence suggests that the proposed traffic management changes to provide a narrower crossing point for pedestrians is an appropriate measure, taking into account the vehicle numbers, pedestrian/cycle movements and safety concerns in the area.

7. Carbon Impact Considerations

The proposals should have a positive impact by encouraging more children to walk to school and helping to reduce levels of car use and HGVs through a residential area. Reduced HGV movements on Chancel Lane is also anticipated to offer air quality benefits.

8. Equality Considerations

No new policies are being recommended in this report. The improvements are anticipated to improve safety and accessibility for all road users with. No adverse impacts on any particular group are therefore expected. As the proposals include narrowing of the carriageway and build outs, plans will be forwarded to the Guide Dogs Exeter Mobility Team to ensure that once the scheme is completed, local residents' guide dogs are trained in using the new traffic management layout.

9. Legal Considerations

The lawful implications of the proposals have been considered and taken into account in the preparation of this report.

The proposed works are subject to the resolution of any objections received regarding the Traffic Regulation Orders. The traffic regulation order relating to width restrictions and to revoke the length restriction on the road must be advertised in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

10. Risk Management Considerations

This proposal has been assessed and all necessary action has been taken to safeguard the Council's position.

The greatest risk is in Exeter City Council failing to secure the developer funding relating to the scheme; however, Appendix I indicates that this is at an advanced stage of

negotiation. By the time Devon County Council are ready to implement the scheme, i.e. following consultation on the traffic orders, this matter is likely to have been resolved.

11. Public Health Impact

The scheme will have a positive public health impact by improving safety and encouraging more children to walk to school. Pinhoe Primary School has a high proportion of children dropped off by car and it is anticipated that this scheme will make the routes to school more attractive on foot/by cycle, thereby promoting more healthier modes of travel.

12. Options/Alternatives

Toucan Crossing

Installing a toucan crossing was rejected partly following the road safety audit but also using the PV^2 formula, which is a well established calculation used to help assess what appropriate intervention might be, ranging from 'do nothing', to narrowing the carriageway/installing refuges, to providing formal crossing facilities. The formula evaluates the potential for conflicts to occur between vehicles and pedestrians over the survey period. The analysis concluded that a toucan crossing would not be an appropriate measure and is unlikely to represent good value for money.

The Stage 2 Road Safety Audit did not consider it suitable to install a toucan crossing on this section of Chancel Lane. Although speed is a concern, this would be helped by the proposed buildouts limiting both the speed and size of vehicles using the route.

Virtual Footway along the whole length of the bridge

Previous drawings have shown virtual footways marked by a white edgeline for the whole length of the bridge. This reduced the vehicle carriageway to a consistent 4.2m along its length between the bollards at either end. The footway varied between 1.8m at its widest and 0.8m at its narrowest. A virtual footway is not recommended as it is not contained within the TSRGD or authorised by the DfT and so cannot be implemented on the county council's roads, if there is another alternative. Virtual footways give the impression to pedestrians that it is safe to walk within the white line; however, there is still a risk, particularly where there is insufficient carriageway width for two vehicles to pass, for drivers to cross into the footway.

14. Reason for Recommendation

The Chancel Lane improvement scheme is a developer-funded scheme, which will improve safety and accessibility for all road users. This is a proportionate solution to reduce the number of HGVs using the rail bridge and will reduce speeds on the approaches to and from the bridge. There are sound traffic policy and technical reasons why alternative options have been rejected. Furthermore, the scheme is recommended as it has gained support from local residents at a recent consultation event, which attracted over 300 local residents.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Pinhoe & Mincinglake

Local Government Act 1972: List of Background Papers

Contact for enquiries: Jamie Hlland

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Background Paper	Date	File Reference
1. Exhibition Way Link Road Consultation Report	May 2012	http://www.devon.gov.uk/exhibition-way-consultation-report-may-2012.pdf

*jh180313exh
sc/cr/chanel lane bridge safety improvements
03 100413*

**Appendix I
To HTM/13/32**

Cllr P Edwards, Leader
Exeter City Council
Paris Street
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EX1 1JW

Please ask for:
Direct Dial:
Email:
Our ref:
Your ref:
Date:

01392 265219
richard.short@exeter.gov.uk
RPS/jw
7 March 2013

Dear Councillor Edwards

VARIATION TO S106 AGREEMENT ON COLD STORAGE DEPOT SITE, CHANCEL LANE

I have been pushing to resolve matters in accordance with your instructions. There are two issues.

The S106 agreement provided for the developer to undertake works to improve Chancel Lane with details to be agreed with the City Council. Subsequently Devon County Council decided that the original scheme they had been looking at was no longer practical and they suggested that the obligation to undertake works be varied to an obligation to pay £70,000 in lieu. This would require a variation of the S106 agreement which would have to be agreed by Taylor Wimpey and ECC. £10,000 of the £70,000 related to the provision of a toucan crossing.

The revised DCC scheme involves signage, build outs (in one case to replace a speed cushion), new carriageway markings, bollards to protect pedestrians and kerb realignment. A Toucan crossing is no longer considered necessary. The cost of these works may now be less than originally envisaged.

Taylor Wimpey were agreeable in principle to varying the S106 agreement but disputed the amount. They said that £60,000 would be reasonable and referred to the fact that they had incurred abortive costs designing the scheme that DCC had now decided not to implement.

DCC is cautious about doing works in advance of receipt of payment. I have offered, as you suggested, to provide a letter stating that ECC will robustly pursue payment by Taylor Wimpey. DCC has therefore agreed that it will progress the scheme through HATOC (without HATOC funding having been secured) so that they are ready to implement the scheme as soon as possible. The HATOC report can make reference to ECC's pursuit of the highway contributions. The next HATOC meeting is on 18 April 2013. The Traffic Orders would then be advertised for 8 weeks with the aim of signing the scheme off at the July HATOC for a start soon after and completion later in 2013.

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The second issue is that the S106 also required provision of a footpath link from the new development to Mayfield Road. Taylor Wimpey had an option to acquire No. 3 Mayfield Road and the footpath link would have been provided within the curtilage of that dwelling but, unfortunately, they lost that option when the property was repossessed by a mortgage lender. (There were some concerns expressed by residents about the desirability and safety of this footpath) Taylor Wimpey offered to pay an additional £5,000 which they said represented the cost of laying out the path had they been able to do so. This offer was rejected by the Northern Area Working Party and was subsequently increased to £9,000 but Members regarded this as still insufficient given that the footpath link had been a specific requirement in lieu of on-site open space and play equipment.

You and I previously agreed a negotiating stance that we would seek £30,000 in additional open space contribution to agree a variation to discharge this obligation and this was put to Taylor Wimpey. Taylor Wimpey never formally responded to this despite repeated reminders.

I have had a further discussion with David Matthews of Taylor Wimpey today. He informs me that he has instructed his solicitor to proceed with the deed of variation on the basis of the original £70,000 for highway works and an increase in the public open space contribution from £40,000 to £70,000 to cover the additional £30,000 that you required.

I would hope that the deed of variation can now be formally concluded so that the money is in place before DCC start on site, nevertheless DCC has indicated it will if necessary do the works in anticipation of payment.

In accordance with the constitution, I will need to consult Councillor Bialyk as Chair of Planning Committee in due course before signing off the deed of variation.

Yours sincerely

Richard Short
Assistant Director City Development



NOTES
 1. WIDTH AREA SHOWN NOT SHOWN, DETAILED PROPOSALS CAN BE VIEWED ON DRAWINGS B2300119\CHAN0007 AND B2300119\CHAN0008.

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<p>Project: CHANCEL LANE FOOTWAY</p>			
<p>Client: HATOC</p>			
<p>Scheme Title: CHANCEL LANE FOOTWAY</p>			
<p>Client Ref: B2300119</p>			
<p>Scale: 1:500 (A1) DO NOT SCALE</p>			
<p>Drawing No: B2300119\CHAN0007</p>			
<p>Revision: P1</p>			
<p>Notes: This drawing is for information only. It is not to be used for construction purposes. The purpose and project are defined in the drawing data in the contract bill of materials and conditions.</p>			