

DECISION TAKER: Cabinet Member for Economic Recovery –Councillor Martin Tod

REPORT TITLE: THE BROADWAY SUNDAY EXPERIMENTAL TRAFFIC  
REGULATION ORDER

7 MARCH 2022

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WARD(S): ST MICHAEL

## PURPOSE

This report considers the objections to the Experimental Traffic Regulation Order in The Broadway, Winchester and whether the Order should be made permanent.

## RECOMMENDATIONS:

1. That the Winchester City Council (Prohibition of Vehicles) (The Broadway & Colebrook Street) Experimental Traffic Regulation Order (2021) is made permanent.
2. That the Service Lead: Legal be authorised to make and advertise the permanent Order.

## IMPLICATIONS:

### 1 COUNCIL PLAN OUTCOME

- 1.1 The scheme contributes to Council Plan priorities by contributing to the long term economic, social and environmental well-being of Winchester city and district.

### 2 FINANCIAL IMPLICATIONS

- 2.1 The cost of implementing the proposal will be met through the traffic management budget provided by Winchester City Council.

### 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Road Traffic Regulation Act 1984, and associated regulations, set out the requirements for implementing parking restrictions, crossing points and other speed management infrastructure on the public highway.
- 3.2 The Traffic Management Act 2004 places a duty on Traffic Authorities in respect of managing the road network, 'the Network Management Duty'. This sets out a specific duty for local authorities to ensure expeditious movement of traffic on the network.
- 3.3 The scheme is progressed in accordance with The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the Regulations") which include a statutory period giving any person an opportunity to object to the proposed scheme.

### 4 CONSULTATION AND COMMUNICATION

- 4.1 Preliminary consultation was undertaken with key stakeholders prior to implementing the experimental scheme. Hampshire County Council gave permission to progress the experimental Traffic Regulation Order under 'reserved matters' of the Traffic Management Agency Agreement.
- 4.2 District Councillors and the County Council member for the area support the scheme. Hampshire County Council were consulted and support the proposals.
- 4.3 On 7<sup>th</sup> July 2021 statutory consultees were consulted on the proposed experimental Traffic Regulation Order. No objections were received. The experimental Order was subsequently made and advertised on 4<sup>th</sup> August 2021 and it came into effect on 15<sup>th</sup> August 2021.
- 4.4 There is a six month period from the date an experimental Order comes into effect when objections can be made. During this period two responses were received, one objecting to the scheme and one in support. The responses are presented in the table below.

Table 1: Responses to consultation

Support / Object	Grounds
Support	I support the TRO to support a more pleasant and pedestrian friendly city centre, reduction in noise and air pollution, and promoting the growth of trade and business growth in the heart of the City.
Object	I wish to put forward my views on the proposal that all vehicles (except oversized ones) use Colebrook Street to access Colebrook Street car park, The Mercure and Travelodge Hotels Market Lane and The Square. From past experience when The Broadway is closed forms my opinion that this proposal is not reasonable or safe. The Street is very narrow in places and two way vehicles frequently mount the pavement to pass each other. I believe this is a risk to pedestrians, especially residents of St. John's. Vehicles continue to travel at an unacceptable speed. I have witnessed cars parking with two wheels on the pavement forcing people with mobility aids to walk in to the road. In my opinion the pavement is not maintained to a standard suitable for mobility aids again forcing residents in to the road. I personally do not need a mobility aid but do have visual problems and find it unsafe to use the pavement from Abbey Gardens to the car park. I believe this proposal to be unsafe and unreasonable due to the nature of the street.

4.5 The supporting representation is noted.

4.6 In reaching the recommendation to make the Order permanent, the objection has been carefully considered. Pedestrian access is maintained through The Broadway and maintenance issues will be reported and dealt with by Hampshire County Council as the Highway Authority. The nature of Colebrook Street means that vehicles travel at low speeds, and since the removal of through traffic from The Square and reduction of available parking spaces while this order is operational, traffic flows have significantly reduced. This decreases the likelihood of traffic and safety issues on Colebrook Street. It may be possible to further mitigate the issues raised through the removal of parking on Colebrook Street as this would provide more space for passing vehicles, however this is unlikely to be supported by residents. Other options include closing the Colebrook Street car park on Sundays to further reduce traffic demand on Colebrook Street, and extension of Controlled Parking Zone restrictions for Colebrook Street to include Sunday to limit uncontrolled parking in the area. Ongoing monitoring will be undertaken and a review of residents parking zone S, along with other options that can further cut traffic in Colebrook Street, are separately recommended in the Great Minster Street

and the Square Experimental Traffic Regulation Orders Report put forward in parallel with this paper (DD39).

- 4.7 The most up to date police road casualty statistics have been analysed and there were no accidents within Colebrook Street during the trial period to 30 June 2021.
- 4.8 Market operators have plans in place to allow emergency vehicle access if necessary through the market. A safe route is maintained through the stalls and this is also used to escort large vehicles through when necessary. The plan has been put into operation twice during the experimental period and has been successful.
- 4.9 The Sunday Market has been operating in The Broadway since August 2020 under a Temporary Traffic Regulation Order introduced under Covid legalisation. The current Experimental Traffic Order was brought into force following the temporary Order and mirrors those arrangements and has continued to operate successfully. It is considered that the benefits of the scheme show that the Experimental Traffic Order should be made permanent.

## 5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 This scheme has a positive impact on the public realm through the reduction of motorised traffic

## 6 EQUALITY IMPACT ASSESSEMENT

- 6.1 The objection raises issues related to mobility and visual impairment, however, the impact of the scheme for all pedestrians has been considered in paragraph 4.6 above and for the reasons given it is considered that the scheme does not adversely impact on those with mobility or visual disability.
- 6.2 The Equality Impact Assessment did not identify any other equality issues with this proposal. See Appendix 2.

## 7 RISK MANAGEMENT

- 7.1 It is considered that risks have been mitigated throughout the trial and subsequent experimental scheme.

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
Financial Exposure	The scheme has been implemented on site under the Experimental Traffic Regulation Order. The making permanent of the Order will incur minimal costs including staff resources and	N/A - This is required as part of the statutory process.

	advertising.	
Exposure to challenge	In accordance with the Road Traffic Regulation Act 1984 and The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, the objection received during the consultation period has been considered and is set out within this report. If approved, the Order will be made permanent and a six week period then follows where the Order can be challenged in the High Court on procedural grounds.	To consider all representations received prior to making a decision on how to proceed.  Opportunities for further work (see Other Key Issues).
Innovation	N/A the scheme has been designed and implemented.	Opportunities for further work (see Other Key Issues).
Reputation	As above in 'exposure to challenge'.	
Achievement of outcome	The objectives of the scheme have been delivered.	
Property	N/A	
Community Support	As set out above.	
Timescales	An experimental traffic order can only continue in force for up to 18 months. A decision on how to proceed is therefore required before its expiration (and following the six month consultation period).	
Project capacity	N/A	
Other	N/A	

8.1 Opportunities for further improvements have been identified through the development of this scheme and work will continue to explore options for the following:

- a) Planning and coordination of events that may impact on market operators.
- b) Permanent signage.
- c) Area wide HGV restrictions.
- d) Amendments as required based on the results of the street market review.
- e) Extension of the times/days of operation of the residents parking scheme in Colebrook Street.

## 9 SUPPORTING INFORMATION:

- 9.1 The Sunday Market has been operating in The Broadway since August 2020 initially under a Temporary Traffic Regulation Order introduced under Covid legislation. The current Experimental Traffic Order which came into effect on 15<sup>th</sup> August 2021 mirrors these arrangements and has continued to operate successfully.
- 9.2 The general effect of the Experimental Traffic Regulation Order is to prohibit vehicles on Sunday between 6am-7pm, to enable Sunday Markets to be held on the Broadway, at the following locations: The Broadway between the entrance to the Bus Station and its junction with Colebrook Street, and: Colebrook Street between its junction with The Broadway and its junction with Market Lane.
- 9.3 During the Prohibition of Vehicles period mentioned above, the following exemptions are allowed: market traders for access for loading and unloading; larger vehicles requiring access for deliveries to be escorted through the closed area. Access to the bus station and for emergency vehicles is maintained.

## 10 OTHER OPTIONS CONSIDERED AND REJECTED

- 10.1 Alternative locations for the market were considered and rejected.

## BACKGROUND DOCUMENTS:-

### Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

None

Other Background Documents:-

None

APPENDICES:

Appendix 1 Plan 501v1

Appendix 2 Equality Impact Assessment