

# Report to Decision Making Session for the Cabinet Member for Environment & Highways

**26 February 2024**

<b>Subject:</b>	Objections Arising from The Advertising of the proposed speed humps – A461 Dudley Port & Horseley Heath, Tipton - side roads
<b>Cabinet Member:</b>	Environment and Highways Councillor Danny Millard.
<b>Director:</b>	Alice Davey, Borough Economy
<b>Key Decision:</b>	No
<b>Contact Officer:</b>	Simon Chadwick, Highways Network Development & Road Safety Manager. <a href="mailto:Simon_chadwick@sandwell.gov.uk">Simon_chadwick@sandwell.gov.uk</a>  Steve Scrivens, Senior Engineer Highway Services. <a href="mailto:steve_scrivens@sandwell.gov.uk">steve_scrivens@sandwell.gov.uk</a>

## 1 Recommendations

- 1.1 That the objections received via the statutory consultation process are noted but approval is given to implement the proposed traffic calming measures as advertised with amendments as shown in Appendix A.
- 1.2 That subject to 1.1, the Assistant Director – Legal and Assurance and Monitoring Officer be authorised to complete the necessary statutory procedures.
- 1.3 That the Director – Borough Economy informs objectors of the decision of the Cabinet Member for Environment and Highways.



## 2 Reasons for Recommendations






- 2.1 These proposals will improve highway safety for vehicles, cyclists, and pedestrians on the side road approaches to Dudley Port and Horseley Heath.
- 2.2 A Delegated Decision Report was signed off by the Director Borough Economy on the 2<sup>nd</sup> November 2023 approving statutory consultation with residents and to implement traffic calming measures on the side road approaches to the A461 if no unresolved objections were received.
- 2.3 Statutory consultation was carried out with all affected residents along Dudley Port and Horseley Heath, Tipton between the 7<sup>th</sup> and 28<sup>th</sup> November 2023.
- 2.4 Each resident received a plan showing the traffic calming measures along with a letter outlining the principles for the scheme and confirming an end date for them to submit any objections.
- 2.5 The Local Ward Members and the Cabinet Member also received notification of the consultation period and associated proposals.
- 2.6 A response was received from Councillor Gill and seven replies were received by email objecting to the proposals.
- 2.7 As objections have been received, a decision relating to the objections is required.
- 2.8 The design team have revisited the proposals and have agreed to remove the speed humps on the majority of the residential cul de sac roads, Arnhem Way, William Ker Road, Heath Close, Mill Street and Dovecote Close. The Department of Transport, Local Transport Note 1/20 allows roads with low volume of vehicle traffic to be exempt from speed humps without compromise the objectives of the scheme.
- 2.9 The following table highlights the outstanding objections.



<p>Resident A</p>	<p>Resident A objects to the proposed speed hump in Peake Drive it was explained to the resident in order to comply with Department of Transport, Local transport Note 1/20 we will proceed with the speed hump on Peake Drive as planned due to the large number of properties off Peake Drive which will result a high volume of vehicle traffic at this location.</p> <p>The resident has expressed their disappointment in our decision to proceed with the speed hump at this location.</p>
<p>Resident B</p>	<p>Resident B objects to the proposed speed hump in Peake Drive it was explained to the resident in order to comply with Department of Transport, Local transport Note 1/20 we will proceed with the speed hump on Peake Drive as planned due to the large number of properties off Peake Drive which will result in a high volume of vehicle traffic at this location.</p> <p>No response has been received, so the objection is still valid.</p>



### 3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people</p> <p>The installation of the traffic calming scheme will provide a much safer highway environment in which children and young people can walk and cycle.</p>
	<p>People Live Well and Age Well</p> <p>The installation of the traffic calming scheme will help reduce the potential for road harm and provide facilities to encourage greater use of sustainable travel modes such as walking and cycling, which will have the added benefit of improving health and wellbeing.</p>
	<p>Strong Resilient Communities</p> <p>An improved highway safety environment will make our communities feel safer, more protected, and confident in their homes and neighbourhoods.</p>
	<p>A Strong and Inclusive Economy</p> <p>Our local highways are the arteries of our communities. They connect our residents to employment, education, local services and indeed the wider world.</p>
	<p>A Connected and Accessible Sandwell</p> <p>The introduction of the traffic calming scheme will provide facilities to encourage greater use of modes such as walking and cycling, linking safely with local bus and rail routes.</p>

### 4 Context and Key Issues

4.1 Sandwell MBC has consulted with residents, stakeholders, emergency services and ward members on details of traffic calming measures on the side roads off the A461 Dudley port / Horseley Heath. A decision relating to the objections is required.

### 4.2 Legal and Statutory Implications



- 4.2.1 The Traffic Regulation Act 1984 powers to Highway Authorities regulate or restrict traffic on its highways, in the interest of safety and operation.
- 4.2.2 The Traffic Management Act 2004 imposes a network management duty on the Council to manage day-to-day operational use of its highways.
- 4.2.3 The Highways (Road Humps) Regulation 1999 provide the Highway Authority the mechanism and process to advertise and install road humps on the adopted highway.

## 5 Alternative Options

- 5.1 The options submitted for funding approval as part of the ATF submission to Central Government must be implemented. Any alternative options will not be funded as part of the Active Travel Fund and there is a risk of funding being withdrawn should local authorities not meet the criteria set out in the funding guidelines and initial submission documents.

## 6 Implications

<b>Resources:</b>	The budget to implement the scheme is approximately £2.2M and will be funded by funding from the Department for Transport, called the Active Travel Fund.
<b>Legal and Governance:</b>	The Grant Agreement shall be governed by and construed in accordance with the Law of England and Wales and the Parties irrevocably submit to the exclusive jurisdiction of the English and Welsh courts once this report is approved. Under section 65 (1) of the Highways Act 1980, a highway authority may, in or by the side of a highway maintainable at the public expense by them which consists of or comprises a made-up carriageway, construct a cycle track as part of the highway; and they may light any cycle track constructed by them under this section. To convert all or part of a footway to a shared pedestrian and cycle route, all or the appropriate part of the footway must be removed under section 66 (4) of the Highways Act 1980, and a cycle track 'constructed' under section 65 (1) of the act. No physical construction is necessary but there needs to be clear evidence that the local



	highway authority has exercised these powers. This can be provided by a resolution of the appropriate committee or cabinet member.
<b>Risk:</b>	The main risks are delaying the delivery of the schemes on site until approval is given and therefore missing the spend deadline, resulting in a loss of funding for Sandwell MBC
<b>Equality:</b>	An equality impact assessment was carried out during the development of the Sandwell Cycling and Walking Infrastructure Plan and the proposed infrastructure adheres to latest Government Guidance. Furthermore, an independent Road Safety Audit has been undertaken to ensure the schemes facilitate the safety of all users of the highway.
<b>Health and Wellbeing:</b>	A transport system that is easily accessible, reliable, and affordable contributes to life satisfaction and wellbeing in multiple ways. It enables access to work, friends, and family, as well as health-supporting facilities such as schools, colleges, parks, libraries, and health care centres. The proposed walking and cycling scheme will have a positive impact on the health and wellbeing of local communities by encouraging active travel and the associated health benefits of increasing physical activity and minimising the time spent sitting down.
<b>Social Value:</b>	Providing high-quality walk and cycle links to the stops will give greater opportunity for composite active travel and tram journeys, providing better access to local jobs, education, and facilities, as well as providing access to the wider West Midlands Region through the rail network and existing metro. This will improve opportunities, reduce inequality, and will reduce car dependency, improving air quality and wellbeing. The proposed cycle route will also form part of a network that will link communities to employment, education, transport hubs, town centres and other services.
<b>Climate Change:</b>	Sandwell Council has joined other councils in England that have declared a Climate Emergency and as a result developed and adopted a Climate Change Strategy 2021-2041. Within Sandwell's Climate Change Strategy Action Plan 3 for Transport states





	that Sandwell Council will “Implement highway measures and transport facilities that fully accommodate and promote the use of public transport, cycling and walking, making journeys by such methods easier, faster and safer, alongside measures to discourage car use. This active travel scheme aims to do this.
<b>Corporate Parenting:</b>	The funding will deliver cycling and walking improvements to public transport services as well as near schools and will encourage active travel which is good for our physical and mental health. Switching more journeys to active travel will improve health, quality of life and the environment for children and young people.

**7. Appendices**

7.1 Appendix A – Consultation Plan

**8. Background Papers**

8.1 Signed Delegated Powers Report approving statutory consultation with residents.

