

Individual Decision

The attached report will be taken as
Individual Portfolio Member Decision on:

Thursday, 19th January, 2012

Ref:	Title	Portfolio Member(s)	Page No.
ID2391	Mill Lane, Newbury - 7.5t Weight Restriction	Councillor David Betts	1 - 14



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Individual Executive Member Decision

Title of Report:	Mill Lane, Newbury - 7.5t Weight Restriction
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	19 January 2012
Forward Plan Ref:	ID2391

Purpose of Report: To inform the Executive Member for Highways, Transport (Operational), ICT & Customer Services of the responses received during the statutory consultation on the proposed 7.5 tonnes weight restriction on Mill Lane, Newbury and to seek approval of the recommendations.

Recommended Action: That the Executive Member for Highways, Transport (Operational), ICT & Customer Services resolves to approve the recommendations as set out in Section 4 of this report.

Reason for decision to be taken: To enable the responses from freight users to be considered in light of ID 2216, which was in response to a petition from Mill Lane residents.

Other options considered: N/A

Key background documentation:

- ID 2216 - Petition - HGV restriction for Mill Lane, Newbury.
- Results of the vehicle survey.
- Responses received during statutory consultation.
- Appendix A – EIA Stage 1
- Appendix B – Location Plan TM/157/001

Portfolio Member Details	
Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
E-mail Address:	dbetts@westberks.gov.uk

Contact Officer Details	
Name:	Andrew Garratt
Job Title:	Principal Traffic & Road Safety Engineer
Tel. No.:	01635 519491
E-mail Address:	agarratt@westberks.gov.uk

Implications

Policy:	The consultation is in accordance with the Council's Consultation procedures.
Financial:	The introduction of a weight restriction, or the alternative advisory lorry route direction signs, will be funded from the approved Capital Programme.
Personnel:	None arising from this report.
Legal/Procurement:	None arising from this report.
Environmental:	None arising from this report.
Property:	None arising from this report.
Risk Management:	None arising from this report.
Equalities Impact Assessment:	EIA Stage 1 attached as Appendix A.

Consultation Responses

Members:

Leader of Council: Councillor Graham Jones- To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Overview & Scrutiny Management Commission Chairman: Councillor Brian Bedwell- To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Ward Members: Councillor David Allen fully concurs with Councillor Roger Hunneman's comments regarding officer's recommendation against an HGV ban in Mill Lane. Local residents will be very disappointed that their lives will continue to be blighted by HGVs using a narrow lane as access to the industrial areas of Newbury. I also agree with Roger that the link road through the Sterling Industrial Estate is the only viable solution to the existing congestion in the area.

Councillor Roger Hunneman comments are:

" I am very disappointed that the officer recommendation is against the implementation of a HGV ban in Mill Lane – this will mean a continuation of a significant environmental impact on the local residents.

It is clear that alternative routes for the HGV access from the west to the Newbury Industrial Estate are badly needed.

The officer, in para 1.4, of his report makes mention of the protected road alignment for a link road through the Sterling Industrial Estate and the fact that members resolved that the protected line should be retained and that officers take every opportunity to secure funding for this link road to be

built. In the ward members' opinion this link road represents the only possibility for improving the access to the Newbury Industrial Estate allowing the implementation of the HGV ban in Mill Lane and by removing through traffic, improving the environment for the residents of Kings Road.

The whole question of traffic management in East Newbury is going to be examined by a specially convened working group, the first meeting taking place shortly, and I very much hope it will further support the Link Road and consider any other ways of addressing these long standing problems in the area and thereby improving the environment for the residents of Victoria ward as well as reducing the existing congestion in the area.

I note that signage to encourage HGV's to use alternative routes is proposed and that a review of the effectiveness of this and the use of Mill Lane by HGV's is proposed to take place one year after implementation.

Finally in para 3.8 the officer states again that that the link road through the Sterling Industrial Estate is seen as the only long term solution to the concerns of the residents and that the Council will continue to pursue it. In my view it is essential."

Opposition Spokesperson:

Councillor Keith Woodhams concurs with the comments from the Ward Member Cllr Roger Hunneman.

Local Stakeholders:

N/A

Officers Consulted:

Mark Cole and Mark Edwards

Trade Union:

N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input checked="" type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 Mill Lane is a one-way road accessed from the A339 and is subject to a 30 mph speed limit. The carriageway width is approximately 5.5 metres and there is a footway on the south side, which is approximately 1.2 metres wide. On-street limited waiting and permit holder only restrictions operate on the south side in marked bays, with a prohibition of waiting at any time on the north side leaving an available running lane width of 3.6 metres for passing traffic.
- 1.2 The majority of older residential properties towards the western end of Mill Lane have no off-road parking facility, although they do make use of the on-street parking bays. There are a small number of businesses located on Mill Lane, including a garage / tyre suppliers and bus depot.
- 1.3 Mill Lane is the only access for traffic from the A339, including HGV's, serving the Newbury Industrial Estate, with their egress to the west being via Kings Road.
- 1.4 There is a protected road alignment for a link road through the Sterling Industrial Estate on Kings Road. If approval is given for the redevelopment of this site, the link road will form a new access from the A339 to Hambridge Road and thus to Newbury Industrial Estate. A report on this protected line was considered by the Transport Policy Task Group on 25th February 2011. Members recommended the retention of the protected line and for officers to take every opportunity to secure the funding through local developments to enable the link road to be built. However the link road is already secured within policy TRANS 1A of the West Berkshire District Council Local Plan 1991 to 2006 Saved Policies and within the Infrastructure Development Plan of the draft Core Strategy.
- 1.5 Use of Mill Lane by HGV's was first considered by the Newbury Area Forum on 17th January 2007 following receipt of a petition signed by 15 local residents complaining of excessive speed by HGVs. At that time it was agreed that HGV usage of Mill Lane should be monitored pending the possible construction of a new link road through the Sterling Industrial Estate.
- 1.6 A further petition containing 66 signatures was submitted to the Council on 9th December 2010 requesting that Heavy Goods Vehicles over 7.5 tonnes be banned from using Mill Lane and Boundary Road, Newbury (except for access). A seven day traffic survey was carried out during March 2011 and this showed that a total of 38,316 vehicles used Mill Lane, of which 1,003 (2.7%) were over 6.5 metres in length and likely to be classed as an HGV. Further analysis of the data showed that the daily weekday average of HGV movements was 191, with an average of 151 occurring between 08:00 and 17:00.
- 1.7 ID 2216 was considered on 29th June 2011 and recommended that the ban should not be implemented due to enforcement difficulties and the limited benefits that an HGV ban except for access would bring for Mill Lane and Boundary Road. Instead it was proposed that advisory direction signs incorporating the lorry symbol be included as part of the A339 signing improvements programmed for this financial year and that monitoring of the impact of HGV's using Mill Lane and Boundary Road should continue.

- 1.8 ID 2216 recommended that the monitoring should continue for a year after the completion of the A339 signing improvements in order to assess the effectiveness, with consideration being given to the introduction of a ban after this period.
- 1.9 The Individual Decision made on 29th June 2011 determined that the officer recommendation should be over-ruled and that the HGV signing improvement should be implemented in conjunction with the introduction of an HGV prohibition except for access. A weight restriction was advertised for Mill Lane only as preventing use of Boundary Road would prove very problematic due to the lack of turning areas for large articulated or rigid vehicles approaching from Bone Lane. A weight restriction on Mill Lane would also have the effect of significantly reducing HGV traffic on Boundary Road. A location plan is attached as Appendix B.
- 1.10 The statutory consultation and advertisement of the 7.5t weight restriction was undertaken between 13th October and 3rd November 2011.

2. Responses to statutory consultation

- 2.1 At the end of the statutory consultation period there had been nine responses, including one from Thames Valley Police indicating that they had no objection but the enforcement of environmental restrictions would be a very low priority for them. The Freight Transport Association (FTA) objected to the proposals, but the Road Haulage Association (RHA) responded indicating that they supported the proposals provided that their members would still be able to access the industrial estate. This would not be the case and this response was therefore treated as an objection for the purposes of this report.
- 2.2 A summary of the comments received during the statutory consultation, together with officer comments, is provided in Appendix B to this report.

3. Conclusion

- 3.1 HGV traffic using Mill Lane is inevitable given the number of local businesses that require servicing in the industrial estate and that it is currently the main route to Newbury Industrial Estate from the A339. If the proposal was approved the alternative route for HGV traffic accessing Newbury Industrial Estate would be via the A4 and Hambridge Road. This would add an extra 4.5km to each journey.
- 3.2 The police have indicated that enforcement would be a very low priority for them, even though Newbury Police Station is located on Mill Lane. The only other enforcement means would be by the Council's part time enforcement officer. His responsibilities include enforcement of all weight restrictions in West Berkshire. With this limited level of resource available, enforcement of Mill Lane would likely to be infrequent.
- 3.3 It is highly likely that financial pressures on local businesses and HGV operators would result in regular abuse of the weight restriction. Local residents may have raised expectations but be unaware of the limited enforcement resource and could quickly become dissatisfied with a scheme that is seldom able to achieve it's aim.
- 3.4 A weight restriction on Mill Lane would place an enforcement burden on the Local Authority, may be ignored by many HGV operators and introduces enforcement difficulties due to the legitimate HGV movements requiring access.

- 3.5 Local businesses and representative bodies of freight hauliers (RHA and FTA) have indicated that prohibiting access from the west would have far-reaching consequences, impacting on their day-to-day running costs and operational efficiency targets, and could ultimately result in some businesses deciding to relocate out of the area to sites with easier access and distribution routes. These comments are detailed at Appendix B.
- 3.6 Results from the March 2011 traffic survey indicated that a Mill Lane weight restriction could potentially result in an additional 1,000 HGVs per week using the A339, Robin Hood roundabout, A4 Bath Road and Hambridge Road to access the Industrial Estate. Whilst this volume is relatively low when considered as an hourly or daily figure, it would potentially seriously impact traffic flow on these routes during peak periods and could exacerbate existing congestion concerns.
- 3.7 ID 2216 suggested that HGV movements through Mill Lane could be reduced by positively signing the industrial area with the use of the HGV symbols on direction signs. Having considered the objections from local businesses officers still feel that this would be the best option at this time.
- 3.8 The link road through the Sterling Industrial Estate is still seen as the only long-term solution to the concerns of local residents relating to reducing the volume of HGV movement in Mill Lane and the Council will continue to pursue it.
- 3.9 As part of the consultation of the draft report with ward members, Councillor Hunneman commented that he was disappointed with the officer's recommendation because the residents would like to see the ban implemented. However, in view of the concerns raised by the local businesses, the proposed solution is the only one that is really practicable.

4. Recommendations

- 4.1 The Council understands the concerns of local residents but also has to consider the potential impact such a restriction may have for the local economy and listen to the representations received following statutory consultation. It is therefore recommended by officers that the weight restriction is not introduced but that advisory direction signs incorporating the lorry symbol is introduced as part of the network signing programme for 2012/13.
- 4.2 Monitoring of the impact of HGV's using Mill Lane should continue for a year after the completion of the A339 signing improvements to assess its effectiveness. Further consideration of a weight restriction should not however be considered until there has been a significant change to the situation within the Sterling Industrial Estate.
- 4.3 That the respondents to the statutory consultation be informed accordingly.

Appendices

Appendix A – Equality Impact Assessment – Stage 1

Appendix B – Summary of Comments to Statutory Consultation

Equality Impact Assessment – Stage One

Name of item being assessed:	Mill Lane, Newbury – 7.5t weight restriction.
Version and release date of item (if applicable):	30 November 2011
Owner of item being assessed:	Andrew Garratt, Principal Traffic & Road Safety Engineer
Name of assessor:	Andrew Garratt
Date of assessment:	30 November 2011

1. What are the main aims of the item?
The main aim of this item is to consider the responses to the consultation on a proposed weight restriction on Mill Lane, Newbury.

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)

Group Affected	What might be the effect?	Information to support this.
Local Residents	See comments below.	N/A
Elderly Pedestrians	See comments below.	N/A
Person with less mobility	See comments below.	N/A
Child pedestrians	See comments below.	N/A

Further comments relating to the item:
Whilst banning HGV traffic may make for a better environment for local residents due to the reduction in traffic volume, there will still be a requirement for a number of HGV movements in Mill Lane in order to access and service local businesses in that immediate area. There is a footway suitable for the above user groups and for the majority of the length of Mill Lane pedestrians are separated from passing traffic by the presence of parking bays. Should the link road ever be introduced through the Sterling Industrial Estate then HGV movements would be considerably reduced.

3. Result (please tick by double-clicking on relevant box and click on 'checked')	
<input type="checkbox"/>	High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Not required

Name: Andrew Garratt

Date: 30 November 2011

Summary of comments to Statutory Consultation

No. of Comments	Comments	Officer Comments
1	Thames Valley Police indicated that they have no objection to the proposal, but that the enforcement of environmental weight restrictions would be a very low priority for them.	Weight restrictions are enforced by an officer from the Property and Public Protection team and so we do not rely on police commitment to these types of restrictions anyway. However with the Council's limited resources and the number of weight restrictions in West Berkshire, enforcement would be very infrequent.
1	The Road Haulage Association Ltd. indicated support for the proposals provided that their members would still be able to access the industrial estate.	Access would not be permitted to other parts of the Industrial Estate and this was immediately highlighted to the Road Haulage Association, however no further correspondence was received from them. Their consultation response has however been treated as an objection.
1	<p>The Freight Transport Association objected to the proposal, indicating that in most cases they do not object to applications for environmental weight restrictions, but in this case they considered the proposal unwarranted as it would have a considerable detrimental impact on local businesses given the nature of the particular location.</p> <p>They also commented that:</p> <ul style="list-style-type: none"> • The proposal would be costly in time and fuel for businesses due to the additional three mile detour required to access some businesses located on, or adjacent to Bone Lane. • The proposal would be detrimental to the environment due to the additional air pollutants given out by the additional freight miles. • The proposal would add unnecessary congestion to the surrounding road network. 	Comments noted.
5	Five businesses located on, or adjacent to, Bone Lane objected	

Summary of comments to Statutory Consultation

No. of Comments	Comments	Officer Comments
	<p>to the proposal and made the following comments:</p> <ul style="list-style-type: none"> • The proposal would be costly in time and fuel for businesses due to the additional three mile detour required to access Bone Lane. This would seriously impact on local business commercial requirements, profit margins and affect production. This may ultimately result in job losses if running costs and business viability is affected. • The additional freight traffic, both delivery vehicles and customers, will exacerbate the traffic congestion problems already experienced on Hambridge Road on a daily basis at peak times. • Restrictions on movement and access would have an immediate and damaging effect to some businesses and would be a deciding factor for many on whether to continue to trade from this estate. • The proposal threatens the economic success of local businesses at a time when they are struggling to grow. Any change will affect the businesses that are already in the estate and will discourage new tenants. • Distribution based businesses rely on having good vehicular access. Having a single entry route into a very large industrial employment area does not make sense. • A thriving business estate is important to the local community and vital in providing local jobs. People who choose to buy homes on the gateway into Industrial 	<p>Comments noted.</p>

Summary of comments to Statutory Consultation

No. of Comments	Comments	Officer Comments
	<p>Estates should not be allowed to bring businesses on the estate to their knees and residents of relatively recent residential developments should not threaten the economic life of an industrial area that has been in place for many decades.</p> <ul style="list-style-type: none"> • Companies have invested in new vehicles and assessed routes in order to lower carbon footprint, but this seems to have been wasted if additional miles are added to each journey for alternative environmental reasons. • The additional time required could result in driver's being over their legal limits according to their tachograph readings if caught in peak traffic congestion. • The Parkway shopping development is designed to encourage additional visitors to the town and many will gain access via the Robin Hood roundabout. Additional and unnecessary HGV movements through this busy roundabout could raise road safety concerns, delay through traffic and discourage shoppers from returning. • One of the companies operates a second site at Greenham Business Park and has a shuttle lorry running all day between sites, which is fundamental to their business. This proposal would directly affect this routine and may result in the business relocating out of the Newbury area. • Members of the council and transport departments should support industry, not view it as an 	<p>Comments noted.</p>

Summary of comments to Statutory Consultation


No. of Comments	Comments	Officer Comments
	inconvenience.	
1	A lorry driver objected to the proposal on the grounds that it would add significant additional time to the journey for any driver approaching the industrial estate from Basingstoke or Tothill due to the general traffic congestion already in place at peak periods during the day. Additional large vehicles using the A4 through Newbury to the Hambridge Road crossroads would cause problems on this length of road.	Comments noted.
1	One business questioned the consultation method used to alert local businesses of this proposal and considered that it was insufficient given the consequences for local businesses if the restriction was introduced.	<p>There is no absolute requirement for individual residents or businesses to be contacted as part of the statutory process. Whilst we make every effort to notify and consult with local communities on many of our traffic management schemes throughout the district, it would not be possible to consult each resident or business on every scheme, as this would seriously impact on the progress and introduction of work. The Council fully complied with the statutory requirements.</p> <p>In this instance, given the potential to seriously impact on goods delivery or customer collection for local businesses, it is accepted that notification letters could have been sent to businesses in the immediate area. However the recommendations in the report have taken due consideration of the concerns of local businesses.</p>



GENERAL LAYOUT
Not to Scale

Notes:
1. Do not scale from drawing

Key:
 Proposed weight limit

 <p>Highways and Transport Council Offices Market Street Newbury RG13 5JD</p>			
<p>PROJECT MILL LANE, NEWBURY ADVERTISED 7.5T WEIGHT LIMIT</p>			
<p>LOCATION PALM</p>			
DATE	DESIGNED BY	PROJECT NO.	SCALE
DEC 2011	CW	ARG	A3
DRAWING NUMBER	ISSUED BY	DATE	SCALE
TM/157/001			NTS

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