

Individual Decisions

The attached reports will be taken as
Individual Portfolio Member Decisions on:

19th November 2009

Ref:	Title	Portfolio Member(s)	Page No.
ID1936	<p>Petition Relating to Anti-Social Behaviour in Hill Close, Newbury <i>(Paragraph 1 - information relating to an individual)</i> <i>(Paragraph 2 - information identifying an individual)</i></p>	Councillor Graham Pask	3 -11
ID1954	<p>Proposed Regulation of Vehicular Traffic - Byway 22, Beedon</p>	Councillor David Betts	13 - 28
ID1953	<p>A4/Sulhamstead Hill Junction Improvements</p>	Councillor David Betts	30 - 36

Individual Executive Member Decision

Title of Report:	Proposed Regulation of Vehicular Traffic - Byway 22 Beedon
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	19 November 2009
Forward Plan Ref:	ID1954

Purpose of Report: To request permission to advertise a proposed traffic regulation order, and to advertise for further restrictions in the future should the TRO prove unsuccessful

Recommended Action: That authority be given to advertise the traffic regulation order, and to advertise for further restrictions in the future should the TRO prove unsuccessful

Reason for decision to be taken: The purpose of the proposed traffic regulation order is to protect the surface of Byway 22 Beedon during the winter months

Statutory: **Non-Statutory:**
Other:

Other options considered: No restriction on heavy vehicles, leaving the surface of the byway for use by all traffic

Key background documentation: A suggested approach to the management of damage to West Berkshire's rights of way by vehicular use. September 2009

Portfolio Member Details	
Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
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Contact Officer Details	
Name:	Elaine Cox
Job Title:	Senior Rights of Way Officer
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Implications

Policy:	Council Plan 2007-2011: Improve the condition of the district's extensive highway network. Protect and enhance the natural environment of West Berkshire LTP 2 objective: To improve and promote opportunities for healthy and safe travel; LTP 2 Walking and Cycling Strategies Sustainable Communities Strategy: 'Greener' theme - to protect the countryside, increase the diversity of local wildlife and encourage sustainable travel.
Financial:	The initial costs are relate to the Officer time involved in making the Order.
Personnel:	None
Legal/Procurement:	The statutory consultation and advertisement of a proposed Order would be undertaken by Legal Services. If objections are received when notice of the proposed Order is given, then further legal advice and support may be required before a decision is made as to whether or not to make the Order.
Environmental:	The proposal will help to protect certain environmental aspects of the byway
Partnering:	None
Property:	None
Risk Management:	The proposal would help to maintain the the byway in a safe condition for all users
Community Safety:	None
Equalities:	The proposal would assist access to Byway 22 Beedon for those with mobility impairments.

Consultation Responses

Members:	
Leader of Council:	Graham Jones
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell
Select Committee Chairman:	Irene Neill
Ward Members:	George Chandler
Opposition Spokesperson:	Royce Longton

Local Stakeholders: Beedon Parish Council; Peasemore Parish Council; Ramblers' Association; British Horse Society; Trail Riders' Fellowship; Auto Cycle Union; All Wheel Drive Club; Land Access and Recreation Association; British Driving Society; Cyclists' Touring Club; Green Lanes Environmental Action Movement; Berkshire Liaison Group on Disability; Byways and Bridleways Trust; Open Spaces Society

Officers Consulted: Neil Stacey, Bob Bosley (Traffic and Road Safety); Liz Patient (Legal and Democratic Services); Paul Hendry (Countryside and Environment)

Trade Union: Rosemary Culmer

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 OSC or associated Task Groups within preceding 6 months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 Byway 22 Beedon forms part of a major historic linear route between North Heath, Chieveley, and The Ridgeway at the northern district boundary. It is also known as 'Old Street'. The linear route comprises sections of public rights of way of the status 'Byway Open to all Traffic', 'Restricted Byway' and 'Bridleway', which are all highways. The map at Appendix A shows the section of 'Old Street' which is the subject of this proposal (marked A-B). This specific section is also locally known as 'Green Lane'.
- 1.2 The sections of Byway Open to All Traffic are the only ones along which there are public rights of way for mechanically-propelled vehicles. By definition, however, the main use of a byway is by equestrians, pedestrians and cyclists. There are also rights for horse-drawn carriages.
- 1.3 In 2005, West Berkshire Council received many complaints that the byway section shown on Appendix A as A-B was very muddy and rutted, as a result of use by recreational four wheel drive vehicles (4WD). At the time, the available width for all to use was around four metres, because dense vegetation had, over the years, grown up to restrict the historic width of around 15 metres. The affected length was approximately 1.7 km, and the cost to import aggregate to lay a durable stone surface was prohibitively high.
- 1.4 There was some local concern about importing stone along a route known as and thought of as 'Green Lane', and officers were concerned about the high cost. There are 161 km of byways in West Berkshire, all being open to recreational 4WD vehicles, and the traditional remedy of laying stone along the route was seen as unsustainable in this context.

2. Options

- 2.1 Officers decided to try an alternative approach to restoration, by first clearing back the encroaching vegetation to allow the whole width to be made available, thereby opening up the surface to the drying effects of sun and wind. Once this had been done, advisory notices were erected to request that vehicle users respect the surface by driving along one side only, leaving the remaining side for non-vehicular byway users. The approach was unsuccessful, and recreational 4WD vehicle users utilized the whole width, which was found to be unable to stand up to the use.
- 2.2 In considering the best solution to the situation, the advice of an ecological consultant was sought. They recommended that a central strip be restored, to be mown to a width of around 6 metres three times a year, with the remaining width to be mown only once every three to five years (to encourage recovery of woodland flora), and the boundary hedges cut back to a similar timescale.
- 2.3 Levelling works to the central strip were carried out in the summer of 2009, and imported stone was used where ground conditions were very soft, and to stabilize the central strip. Final surface restoration, comprising disc harrowing and seeding, is planned for the spring of 2010.

- 2.4 A temporary closure to mechanically-propelled vehicles has been imposed in order to protect the works and allow them to settle and consolidate.
- 2.5 It is feared, however, that should the byway be opened for recreational 4WD vehicles during the winter months, when ground conditions are wet and surface vegetation (which discourages use) is low, the vehicles will again use the entire width available to them, and the surface will soon revert to a very muddy condition, not easily useable by anyone other than in a vehicle. There would also be a detrimental effect on attempts to re-establish woodland flora.

3. Procedure and consultation

- 3.1 Rights of way officers have recently produced a draft report on management of vehicles on public rights of way, which is at Appendix B. The Mid and West Berkshire Countryside Access Forum endorsed the recommendations in September 2009, and further consultations are planned, prior to a consideration by West Berkshire Council members. The report advocates the use of traffic regulation orders where other measures, e.g. notices, have failed, and/or where a TRO is needed to preserve the local ecology or character of a right of way. The least restrictive option should be tried first, i.e. a seasonal TRO, and one which targets the most damaging elements of use first.

4. Conclusion

- 4.1 The approach of widening the available width of byway was unsuccessful, resulting in use of the whole lateral extent of the byway by recreational four wheel drive vehicles, despite polite requests to limit that use. Despite restoration works having taken place along a central strip, there is concern that to open up the byway again to recreational four wheel drive use will result in rapid surface deterioration of its whole width once again.
- 4.2 Byway 22 has suffered from damage primarily by recreational four wheel drive vehicles, during the wet months of the year. Although the byway is also used by motorcycles, there is little evidence that these comparatively light vehicles have caused similar levels of damage.

5. Recommendation

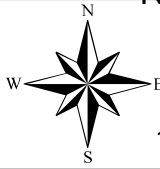
- 5.1 The recommendation is to impose a traffic regulation order (TRO) for mechanically-propelled vehicles with more than two wheels. This restriction would be during the wettest months of the year (October to the end of May), when ground conditions are wet and when surface vegetation (which will discourage use) is low. Powers will be sought to include in the order a facility to close the byway to vehicles during the summer months June to September, should surface conditions become very wet. There will be exemptions for legitimate private vehicular access.
- 5.2 Should further deterioration in the surface occur as a result of recreational four wheel drive use during June to September, or by motorcycles during the winter, it is requested that authority be given to advertise for further appropriate restrictions on vehicular use.

Appendices

Appendix A – Map of proposed traffic regulation order.

Appendix B – A suggested approach to the management of damage to West Berkshire's public rights of way by vehicular use. September 2009.

Appendix C – Consultation responses.



APPENDIX A Proposed TRO Beedon BW 22 (A-B)



1:16,521

Public Rights of Way Team



APPENDIX B

A SUGGESTED APPROACH TO THE MANAGEMENT OF DAMAGE OF WEST BERKSHIRE'S RIGHTS OF WAY BY VEHICULAR USE

September 2009

CONTEXT

Vehicles on public rights of way, most notable four wheel drive vehicles, have caused damage to many byways and former roads used as public paths (now Restricted Byways) in West Berkshire. The effect ranges from parallel ruts, which make use difficult for cyclists, equestrians and carriage drivers in particular, to major or deliberate damage, rendering use by any other types of user difficult or impossible. Such surface defects may deter increased participation by other users of rights of way, and there may be other detrimental effects, such as deviation of users onto adjacent private land.

Mechanically-propelled vehicles may use Byways Open to all Traffic, and prior to May 2006 were also permitted to use the then 'Roads Used as Public Paths' (RUPPs, now 'Restricted Byways'). There is some damage present on Restricted Byways as a legacy of their use by vehicles, and there may in places be continued illegal use of these routes by vehicles.

All public rights of way are highways. West Berkshire District Council, as the highway authority, has a duty to maintain these highways in a condition suitable for the use which is made of them. In 2008/09, West Berkshire spent approximately 50% of its works budget repairing damage caused by four wheel drive vehicles.

LEGAL BACKGROUND

West Berkshire Council has a duty to 'assert and protect the rights of the public to the use and enjoyment of any highway for which it is the highway authority, including any roadside waste which forms part of it' (Section 130 Highways Act 1980). This duty extends to all legitimate public users of public rights of way, including vehicular users of byways.

Although the District Council has the responsibility to protect the rights of users, the following are offences:

Offences

Careless and inconsiderate driving

S3 Road Traffic Act 1988

If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, he is guilty of an offence.

Driving mechanically propelled vehicles elsewhere than on roads

S34(1) Road Traffic Act 1988

Subject to the provisions of this section, if without lawful authority a person drives a mechanically propelled vehicle—

- (a) on to or upon any common land, moorland or land of any other description, not being land forming part of a road, or
 - (b) on any road being a footpath, bridleway or restricted byway,
- he is guilty of an offence.

Note that action on road traffic offences can only be taken by the police.

Damaging the surface of the highway

S1(1) Criminal Damage Act 1971

A person who without lawful excuse destroys or damages any property belonging to another intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged shall be guilty of an offence.

[The property being damaged in this case is the surface of the highway belonging to the highway authority.]

S131A Highways Act 1980

- (1) A person who without lawful authority or excuse, so disturbs the surface of–
- (a) a footpath,
 - (b) a bridleway, or
 - (c) any other highway which consists of or comprises a carriageway other than a made-up carriageway,
- as to render it inconvenient for the exercise of the public right of way is guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.
- [Level 3 is currently a fine not exceeding £1,000.]*
- (2) Proceedings under this section shall be brought only by the highway authority or the council of the non-metropolitan district, parish or community in which the offence is committed; and, without prejudice to section 130 (protection of public rights), it is the duty of the highway authority to ensure that, where desirable in the public interest, such proceedings are brought.

REMEDIES

The District Council has powers to restrict the use of any public right of way, via ‘traffic regulation orders’ (TROs). In view of the duty of the District Council to protect the rights of all users of rights of way, is not appropriate from the outset to impose blanket restrictions, and other measures should in general be tried first.

Exceptions to the principle would be that a traffic regulation order to restrict the use of vehicles should be used from the outset where there is evidence of either a serious threat of dangerous deterioration in the surface of the right of way, or a serious threat to the local biodiversity.

The District Council has the power to repair the damage, but care has to be taken that acting in such a reactive way does not simply move the problem in to other areas. There are measures which are in the power of the District Council to take, many of which try to prevent problems occurring in the first place, and these are suggested below.

First priority measures:

- Maintain the existing information boards on all restricted byways and also the cul-de-sac byway signs.
- Erect a Land Access and Recreation Association (LARA) code of conduct board, or similar, on each byway. A more informative board may be a good idea, explaining the

situation, e.g. 'if you damage this byway, this is an offence under (named legislation) and it may result in closure of the byway in the future'. Northamptonshire County Council has a policy in this respect.

- Erect signs requesting that particular classes of traffic refrain from use at times when the surface is sensitive to such use, e.g. after rain or over winter. Publicize the request amongst local user groups and the Land Access and Recreation Association (LARA). This could be extended to the system of 'Voluntary Restraint', whereby LARA will publicize the request amongst motoring groups. LARA is likely to require a commitment to future repairs from the Council, as a condition of Voluntary Restraint.
- Take steps to identify illegal users, via local knowledge, police data already in existence (e.g. from the Ridgeway policing), path wardens, liaison with responsible user groups and stakeholders, and research on web sites, e.g. vehicle club sites, where some companies organize off-roading holidays for vehicles. For example, four wheel drive groups from Germany and Holland have been seen on West Berkshire's byways.
- Consider the feasibility of employing wardens to observe use at known 'hot spots' on peak days, usually Sundays.
- Consider the selective use of CCTV, e.g. to monitor use by a suspected particular offender.
- Liaise directly with motor clubs, to explain the problems and encourage supportive behaviour.
- Assess the extent of damage caused by private landowner access. Encourage landowners to use alternative non-rights of way accesses if possible, and to repair damage caused and maintain the surface. Consider any incentives which could be offered under the Countryside Stewardship scheme in this respect.
- Make maximum use of neighbourhood policing, and formally approach the police with a request for increased support. Create partnerships with the police and provide help and information to assist them, as they cannot allocate resources to a 'nebulous' problem. Encourage the police to compile a specific database, so that repeat offenders can be identified. Note that a Neighbourhood Action Group is unlikely to consider a problem on a remote byway to be a priority.
- Repair and maintain byways which constitute priorities in the Rights of Way Improvement Plan. Follow repairs with temporary traffic regulation orders, if these are needed to protect new works. Accompany each TRO with a press release and signs on site, to explaining why it has been necessary.
- In the case of all restricted byways, renovate the surfaces following a survey of works required, and immediately follow this work by the installation of 'Kent Carriage Gaps', which are three posts which allow access for all users, except cars and larger, and allow private access by landowners.

- Erect accessible barriers to prevent vehicular use of non-vehicular rights of way where there is a reported problem.

Second priority measures if the first priorities do not meet with any success:

Seasonal or permanent traffic regulation orders (TROs) on byways may be imposed if vehicular use is damaging the environment, destroying local character or conflicting with non-vehicular users. Each TRO ought to be accompanied with signs on site, to explain why it has been necessary.

The guiding principle should be that the least restrictive option should be tried first. For instance, first of all, any restriction would be for as short a period as is necessary and should only apply to the most damaging types of users and at the most vulnerable times of year. An experimental TRO could also be used, but this would only be for a maximum of 18 months. A TRO would normally be accompanied by physical barriers.

Note: consideration would always be given to whether motorcycles are required to be a part of any traffic regulation order, as the damage caused by motorcycles is arguably less than that caused by four wheeled vehicles. Motorcycles tend to use the 'middle lane' between the tracks of four wheeled vehicles, and it takes many traverses to produce the same depth of rut as that produced by the four wheeled vehicles. Motorcycles often cannot use the outer ruts, as the depth interferes with the footrests. They also cannot use tracks which have been badly damaged by vehicles. Kent has used a system of 'gated access' which allows motorcycles but not four wheeled vehicles.

Longer-term or ongoing high priorities:

- Constantly review the approach once the efficacy of the measures, plus any policing operations, have been assessed.
- Continue to encourage people to report number plates, times and locations of vehicles causing damage.
- Produce a widely-distributed information leaflet on rights and responsibilities of vehicle users. Distribute to garages, off-roading magazines, off-roading web sites, etc.
- Continue to seek alternative sites for off-road vehicular use, which do not involve the use of public rights of way. Attention is initially drawn to the Auto Cycle Union's initiatives, see www.acu.org.uk / local authority support). Seek such a site via the draft Local Development Framework, planning applications, Stewardship, LEADER etc. Consider a pilot scheme in an area where the parish council is supportive. See the initiative by Berkhamstead Motor Club, which has negotiated the use of a Council 'land bank' for use as a trials practice area, combined with other leisure use. An organization called 'Enduroland' also operates sites, at £30 per day, which can attract 100+ motorcyclists on a Sunday. Provision of such sites definitely results in a decrease of 'fun riding' on public rights of way. Milton Keynes UA, has granted a land lease to Milton Buzzard MCC, and Bucks. County Council, in partnership with South Bucks. District Council, has granted a lease to Hillingdon & Uxbridge MCC for trials use.

- Formally adopt the existing draft approach to the maintenance of rights of way used as private access to properties or land.

Note 1: In this context of this document, there are three case studies, summarized below, showing how policing has helped to combat illegal vehicular use: Operation Freedown, Bucklebury Common and Sussex Pathwatch.

Note 2: trials riding is a different branch of motorcycle sport riding, over rough terrain at low speed, with bikes that are very well silenced, can comply with the appropriate VOSA construction/use regulations and can be registered for road use if required, where as a motocross bike could not. Hence noise is never a problem the former. It is important that the differences are understood because noise is always flagged up as a reason not to grant practice areas for motorcycle trials, which, according to the Trail Riders' Fellowship, definitely do help to reduce illegal use.

Motocross/scrambling are competition events, (starting fees/prize money/awards, etc.), not tours in the countryside. They are increasingly being restricted by noise/impact - hence the influx of illegal motorcycles on public land/highways.

Case studies showing how policing has helped to combat illegal vehicular use

'Operation Freedown' – Kent Police

Operation Freedown began when, in 2002, the police responded to many complaints about off-road motorcycling. There had been no co-ordinated approach and the police called a meeting of all stakeholders. There were finite resources and it was decided to concentrate on 'hotspots' of known activity. The operation started at Freedown, and neighbourhood watch schemes, stakeholders etc. were used to identify popular times of the week. Officers with video cameras were waiting and there were prosecutions. Stakeholders were used to build up intelligence of patterns of use. There were also volunteers on the ground who reported number plates, and the police sent written notices to the owners. It transpired that many were company vehicles.

The police introduced a new code of 'nuisance motor vehicles' on the database and this also allowed for searches of patterns of use to be made.

Partnerships were also built up with local shops and newspapers. Information was given to buyers of certain types of vehicles, to inform them of responsible behaviour.

The problem, when tackled at Freedown, moved to other areas, and it became clear that more education was needed. Many vehicles came from social housing areas and clauses were inserted into tenancy agreements to prevent antisocial behaviour.

Trail riders were found, on the whole, to be responsible users: it was 'boy racers' who caused the problems.

Kent has 100 rural wardens (Kent County Council staff) – and will soon have police community wardens. Rights of way, environmental health and planning officers are also used.

Bucklebury Common, West Berkshire

Newbury police have served notices and confiscated vehicles, after observing problems with vehicular abuse of the common, first-hand. The police allocated resources to the problems following a high level of complaint from the public. Many motorbikes came from the local estates. 4 Wheel drive vehicles came from much further afield.

Sussex Pathwatch (taken from a report by West Sussex County Council to the County Surveyors' Society, July 2008)

'Sussex Pathwatch' was formed to combat motorized vehicles using public rights of way illegally in the Sussex countryside. A discussion group has been formed which comprises Sussex Police, South Downs Joint Committee, West Sussex County Council, Parish Councils, Landowners, recreation user groups and countryside organizations.

The initiative is essentially a scheme to encourage reporting of incidents, via a website or a police telephone number. Credit-card sized cards were distributed via libraries, TICs, parish councils and other local outlets.

Once incidents are reported a serial number is generated and allocated to a police officer. The officer then verifies the recorded information with the informant wherever possible. If the registration number is recorded this will be checked on the Police National Computer (PNC). The registered owner is sent a letter informing them of the complaint, along with a T51/1 form requesting the vehicle's owner to identify the driver at the time of the incident.

The identified driver is subject to either a verbal or written warning, or a Section 59 warning (anti-social behaviour with a motor vehicle, under the Police Reform Act 2002). Notification of any action is then placed on the PNC, which alerts other officers to it. The S.59 warning lasts for 12 months and if further incidents of anti-social behaviour with a motor vehicle involving the driver occur, the vehicle will be seized. If this happens, the owner has to pay to recover the vehicle (currently £105, plus £12 for every day the vehicle remains seized). If the owner has not recovered the vehicle after 28 days, it may be crushed. The vehicle can be seized each time anti-social behaviour is reported and a new 12-month period will extend from that subsequent date.

Where there are a series of reports being generated from an area, wherever possible, Special Police Officers visit the area in an attempt to catch drivers committing a crime.

Some farmers and land managers (including Estates such as Goodwood, West Dean) have subscribed to Countrywatch, where they purchase a radio (around £200) enabling them to communicate directly with the Police and each other. These are particularly useful for warning neighbours that vehicles are travelling in their direction and to notify the Police when a crime is being committed.

The TRF has reservations about the scheme, as the public does not often understand what constitute an offence, and will report merely the presence of a vehicle. There is a value in reporting schemes, however, to help better understand patterns of use.

Meetings

Sussex Pathwatch meetings are held every four months and are open to anyone who wishes to attend. Currently they are attended by SDJC (Chair and secretariat), WSCC, Sussex Police, representatives from local parish councils, user groups (e.g. British Driving Society, British

Horse Society) and other land managers (e.g. National Trust, Estates, farmers). Motorised user groups, including the TRF, the Land Access and Recreation Association (LARA) and the Green Lane Association (GLASS), initially attended meetings, but withdrew their interest. They are all still invited and sent notes of the meetings, as it is considered that they would be a valuable asset to the group.

A different venue is chosen for each meeting, hosted by a different parish council or organisation, due to the large geographical area of Chichester District. The meetings give feedback on reported incidents (which is important to make people feel that their reporting is worthwhile) and provides everyone with an opportunity to discuss problems in their areas, with the relevant organisations present to address them. The importance of continued reporting to ensure the future success of the project is also emphasised and additional publicity carried out at appropriate times.

Now the reporting system is in place the group feels that signage needs to be improved to make people aware that motor vehicles are not allowed on Restricted Byways, as all too frequently when a vehicle is approached by a member of the public or land owner the driver claims not to know he is not allowed to ride/drive there. Wooden 'no motor vehicles allowed' signs, similar in size to residential road signs, are being considered in about 10 of the worst locations. Smaller signs are being considered for wider signage, bearing in mind many of the Restricted Byways are within an Area of Outstanding Natural Beauty where signage 'clutter' needs to be kept to a minimum. Funding is currently being sought for the signs.

Successes/problems

The scheme is already recording successes. Illegal motorised activity is estimated to have reduced by between 50% and 75% in Grafton Parish, one of the worst affected areas since the launch of Sussex Pathwatch. Over 150 warning letters have been sent to offenders, 30 Section 59 warnings have been issued and two prosecutions are pending. In addition to this, through the reports received, hot spots have been identified and Police Community Support Officers have subsequently been patrolling these areas, leading to a reduction in activity.

APPENDIX C

**PROPOSED SEASONAL TRAFFIC REGULATION ORDER (TRO) ON BEEDON BYWAY 22
CONSULTATION RESPONSES**

Consultee	Consultee's comments	West Berkshire rights of way officer's response
West Berkshire Council internal responses	Relating to the need for careful wording of the proposed restrictions.	Incorporated into the report.
Ramblers' Association	Happy with the proposals, but would like to see powers to restrict vehicular use during a very wet summer.	This is addressed in paragraph 5.1 of the report, in that powers will be sought to restrict access for vehicles should summer conditions become very wet.
Local resident	Not practicable to remove the permanent horse stiles each year to allow resumption of vehicular use.	The horse stiles will be permanently in place, and the metal gate will be opened to allow for resumption of vehicular use during the summer period.
British Driving Society (carriages)	Support the TRO and encouragement of use by non-motorized users.	The measures suggested will preserve the surface of the byway for the benefit of non-motorized users.
Portfolio Member, West Berkshire Council	Happy with the proposals in relation to Byway 22 Beedon.	
Trail Riders' Fellowship - 1	Support proposal to restrict access for vehicles with more than two wheels.	The reasons for not restricting motorcycle access are set out in the report.
Trail Riders' Fellowship - 2	<p>Pleased that West Berkshire is taking this approach on Beedon Byway 22 and will certainly be reinforcing the point to both Loddon Vale and Oxford TRF groups to be mindful of adverse conditions when out riding.</p> <p>Some comments made regarding technical language of types of motorcycle riding.</p>	Comments incorporated into Appendix B.
Trail Riders' Fellowship - 3	Glad to see that encroaching vegetation is recognised as a	All comments have been incorporated into the report and

	<p>relevant factor. Welcome recognition of trail riders and of need to restrict 4WD. Under "Legal Background" the duty to maintain extends to "fit for purpose". LARA withdrew its support for Voluntary Restraint, as it saw little or no evidence of any improvement work being undertaken by highway authorities, and periods were getting extended. No doubt LARA will require cooperation before supporting them in future. Motocross/scrambling are competition events, (starting fees/prize money/awards, etc.), not tours in the countryside. They are increasingly being restricted by noise/impact - hence the influx of illegal motorcycles on public land/highways.</p>	<p>Appendix B.</p>
Byways and Bridleways Trust	<p>Support the approach of applying a TRO in a targeted yet least restricted way.</p>	<p>The approach adopted complies with good practice and the District Council's internal draft procedure.</p>
British Horse Society	<p>Welcome and support the proposal. The byway forms part of the British Horse Society-promoted Three Downs Link which links two National Trails, the Berkshire Downs, the Hampshire Downs and the South Downs for horse riders, walkers, cyclists and carriage drivers (in some parts).</p>	<p>The measures suggested will preserve the surface of the byway for the benefit of non-motorized users.</p>
Berkshire Liaison Group on Disability	<p>More time needed to comment.</p>	<p>There will be an opportunity to comment further if the TRO is advertised.</p>

Individual Executive Member Decision

Title of Report:	A4 / Sulhamstead Hill Junction Improvements
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	19 November 2009
Forward Plan Ref:	ID1953

Purpose of Report: To report the results of consultation with Sulhamstead Parish Council.

Recommended Action: That the scheme detailed in Appendix A be implemented subject to further detailed design and minor amendments currently being discussed with the Local Ward Member.

Reason for decision to be taken: To improve road safety and capacity at the A4/Sulhamstead Hill junction.

Statutory: **Non-Statutory:**
Other:

Other options considered: Other revised junction layouts have been considered and are discussed within the body of the report.

Key background documentation: A4 Corridor Study 2007

Portfolio Member Details	
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Implications

Policy:	The proposals will help achieve the following Council Plan outcomes: CPO1 – Better Roads and Transport
Financial:	The scheme can be funded from £150,000 as allocated in the approved Highways and Transport Capital programme for 2009/10.
Personnel:	None
Legal/Procurement:	None
Environmental:	The proposed scheme has taken into account the need to have minimal impact on the surrounding environment.
Partnering:	None
Property:	None
Risk Management:	The project will be managed in accordance with the West Berkshire Project Management Methodology.
Community Safety:	The proposed scheme will improve road safety at the junction.
Equalities:	None arising from this report.

Consultation Responses

Members:	
Leader of Council:	Awaiting response - comments to be reported at ID.
Overview & Scrutiny Management Commission Chairman:	Awaiting response - comments to be reported at ID.
Select Committee Chairman:	Awaiting response - comments to be reported at ID.
Ward Members:	Local Ward Member Councillor Chopping is in agreement with the proposed scheme. As part of the scheme Cllr Chopping would like the possibility of widening the deceleration lane explored. He would also like to see a slight widening of the A4 to the north to allow more additional central reserve for right turning vehicles. These proposals will be investigated as part of the ongoing detail design process.
Opposition Spokesperson:	Cllr Keith Woodhams :Awaiting response - comments to be reported at ID.
Local Stakeholders:	None
Officers Consulted:	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 OSC or associated Task Groups within preceding 6 months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 The A4 Corridor Study approved by Executive in January 2007 identified a number of Highway improvements on the A4 between Newbury and Theale. The A4/Sulhamstead Hill junction was highlighted for its poor accident record and capacity issues when exiting from Sulhamstead.
- 1.2 An outline scheme was produced by consultants as part of the study, however this scheme was revisited along with the accident record and a number of options considered. 13 accidents have occurred at the junction in the last 10 years, with 3 classed as serious and 10 slight, resulting in a total of 17 casualties. Of the 13 accidents 5 occurred in the last 3 years and 7 involved vehicles turning right from Sulhamstead Hill cutting across the path of (mainly westbound) vehicles on the A4.
- 1.3 Visibility when turning from Sulhamstead Hill is adequate, however forward visibility of the junction for motorists travelling westbound from Reading is poor and motorists on the A4 do not appear to adjust their speed accordingly. It is felt that the queuing on Sulhamstead Hill causes drivers to become impatient and combined with the high speed of vehicles on the A4, is the main cause of the accidents.
- 1.4 The most effective solution in terms of accident reduction would be the provision of a roundabout. Although, it is anticipated this would cost in excess of £800k and would require significant land acquisition and the removal of a number of trees in the area. The provision of a roundabout would make the route through Sulhamstead more attractive to traffic accessing the A4 and would in all likelihood draw traffic into the area to the detriment of the Parish.
- 1.5 The possibility of traffic signals was also raised by Sulhamstead Parish. Considering the speed of traffic and relatively short stopping sight distance, particularly on the westbound approach to the junction it is considered that traffic signals would create a road safety hazard, particularly the potential for rear end shunts with stationary vehicles on high speed A4 approaches. It is anticipated traffic signals would cost in excess of £250k.
- 1.6 The proposed scheme illustrated in Appendix A strikes a balance between road safety improvements, speed reduction on the A4, capacity improvements for vehicles exiting Sulhamstead Hill and safeguarding the environment.
- 1.7 The scheme involves widening the exit from Sulhamstead Hill to improve capacity narrowing the running lanes on the A4 from 3.5 to 3m and widening the central hatching to provide more protection for right turners exiting Sulhamstead Hill. A left turn deceleration lane will be provided from the A4 into Sulhamstead Hill which will improve the profile of the junction to westbound motorists and help clarify the turning manoeuvres of motorists at the junction. The proposed scheme will also involve the provision of a Vehicle Activated junction warning Sign (VAS) which will activate for westbound motorists approaching the junction at speed. The opportunity will also be taken to upgrade the street lighting in the vicinity of the junction.
- 1.8 The above scheme will be carried out in conjunction with planned maintenance on the A4 to minimise disruption to Sulhamstead residents and the travelling public.

2. Consultation

- 2.1 An initial consultation exercise was undertaken with the Parish in August which involved a site meeting with Parish representatives and Local Ward Member. Following this meeting the original scheme was slightly modified to avoid the removal of a mature tree and to include speed reduction measures on the A4 (VAS and lane narrowing). The final scheme as detailed in 1.7 above was re-presented to the Parish and Local Ward Member for a meeting on 2nd November 2009. The attached letter in Appendix 2 details the Parish's response to the latest design.
- 2.2 The majority of the Parish Council members do not agree that the scheme will have the desired impact and that their main concern regarding the speed of vehicles on the A4 is not being addressed. The Parish would also like to see a reduction in the speed limit on the A4. They are also concerned that the deceleration lane will have the effect of increasing speeds through the junction.

3. Recommendations

- 3.1 Every effort has been made within the design to reduce vehicle speeds on the A4 and to improve the profile and visibility of the junction to approaching motorists. In addition this section of the A4 will be reported to the Council's Speed Limit Review Group in April 2010 and as part of this process the Parish Council will be invited to present their views.
- 3.2 In widening the exit from Sulhamstead Hill it is anticipated that the increase in capacity will be enough to reduce the impatience felt by motorists without improving the capacity sufficiently to make the route more attractive to potential 'rat-runners'. High sided vehicles and 4x4's positioned in the right hand lane will block the view of motorists waiting to turn left, however as Sulhamstead Hill has a weight restriction it is considered this occurrence will be rare. This is a common issue at similar junctions throughout the Country and motorists must take due care if unsighted. This issue was not raised as a concern as part of the Stage 2 Safety Audit undertaken in October 2009.
- 3.3 Narrowing the lanes through the junction whilst widening the central hatched area will have the combined effect of reducing speeds and providing more protection for right turning vehicles. Any potential increase in vehicle speeds due to the provision of the deceleration lane will be marginal as motorists will still need to slow to enter the lane. Although now this manoeuvre will take place further away from the junction giving right turners at the junction more time to react; it is anticipated that narrowing the running lanes, the provision of VAS and increasing the size of and moving the existing traffic island further east will more than compensate for any potential increase in vehicle speed.
- 3.4 It would be preferable to have the backing of all Parish Councillors, however Officers feel this scheme will have significant benefits for users of the junction and that the scheme should proceed as detailed on drawing no81450/3 in Appendix A.

Appendices

Appendix A – Drawing no. 81450/3

Appendix B – Letter from Sulhamstead Parish Council

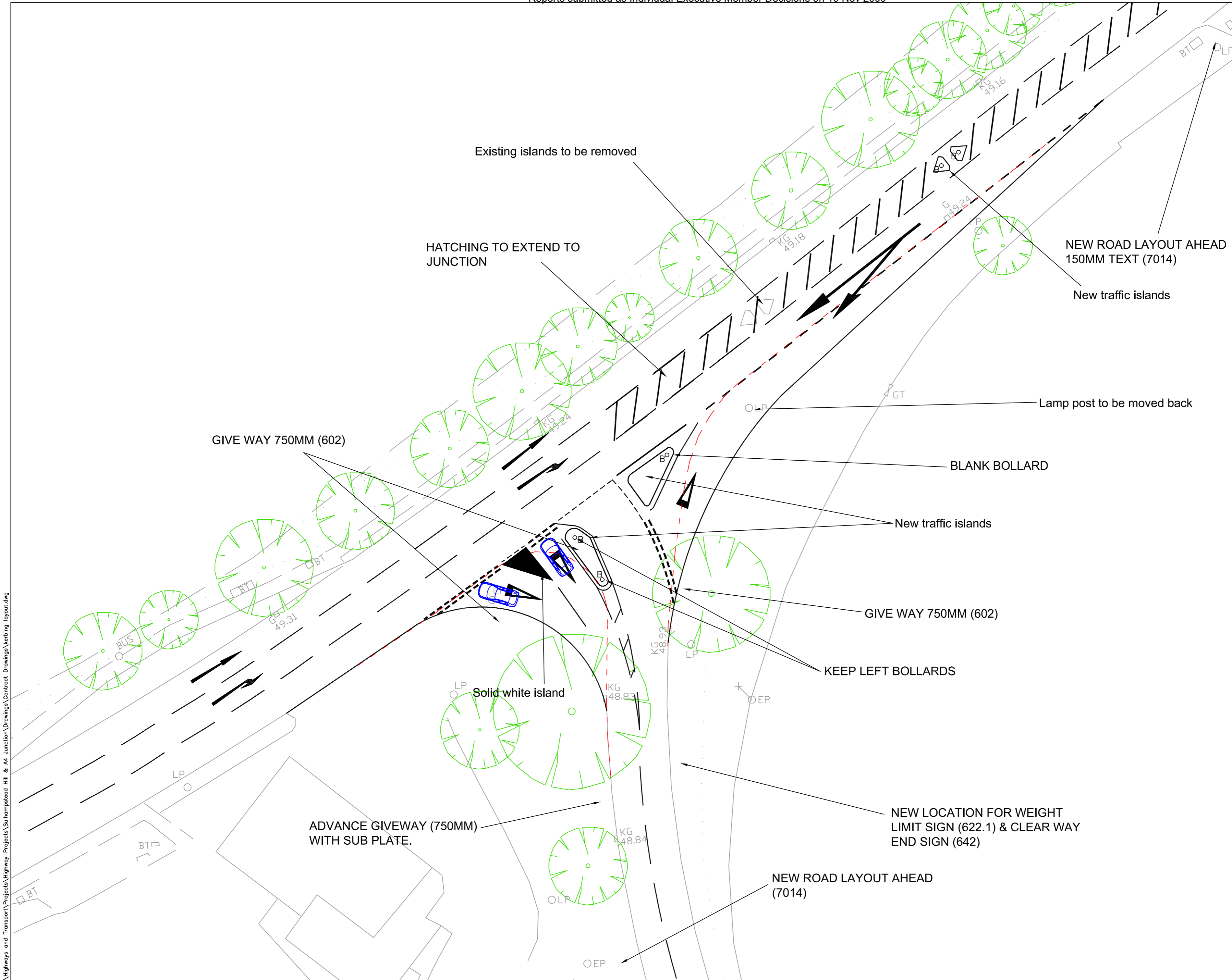
APPENDIX A

Notes

1. ADS Sign to be located 200m back from new junction arrangement
2. New VAS sign to be located 180m back from new junction arrangement . (see attached sheet).

KEY

--- Existing kerb line



REV	DESCRIPTION	DR	AU	REV DATE

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Highways and Transport
Council Offices
Faraday Road
Newbury
RG14 2AF

Project
Sulhamstead Hill Junction Improvements

Drawing Title
Proposed Layout

Drawn by	PM	Date	Aug 2009
Authorised by	JW	Scale	1:250
Drawing Number	81450/3	Drp size	A2
		Revision	

I:\Highways and Transport\Projects\Highway Projects\Sulhamstead Hill & A4 Junction\Drawings\Contract Drawings\Kerbing layout.dwg

SULHAMSTEAD PARISH COUNCIL

05 November 2009

Mr Jon Winstanley – Projects Manager
West Berkshire Council
Highways and Transport
Council Offices
Faraday Road
Newbury, Berks
RG14 2AF

Dear Mr Winstanley

A4/SULHAMSTEAD HILL – JUNCTION IMPROVEMENTS

Thank you for inviting the Parish Council to formally comment on the proposed junction improvements and for committing to report those comments for decision to the Council's Executive Councillor for Highways and Transport on Monday 9th November 2009.

As you are aware the Parish Council met on 2nd November to review and discuss the plans and the ten year accident record and we can report the formal comments of Sulhamstead Parish Council as follows:

The Parish council would like to acknowledge the efforts of Mr. Jon Winstanley and his department for providing copies of the proposal together with the accident report and for his efforts to address the concerns of the local residents. However, after some debate, with just one exception, the members of the Parish Council overwhelmingly voted to oppose the plan in its entirety.

Sulhamstead Parish Council have never requested improvements to the junction. When the topic of improving the junction has been discussed in previous Council meetings we have concluded that the quality of life of the residents of Sulhamstead Hill is a more pressing concern, and that we would oppose taking action that might draw additional weight of traffic to the Hill.

Specific to the proposed scheme Sulhamstead Parish Council are concerned that the proposal is a relatively expensive solution, with questionable benefits. We note that the evidence of the 10 Year Accident Report supports our previous comments that the issue with safety at this junction relates almost exclusively to drivers turning right onto the A4 from Sulhamstead Hill and the threat to them from fast moving traffic travelling East and Westbound.

SULHAMSTEAD PARISH COUNCIL

We conclude that an expanded (there is an existing area for one car) left turn lane whilst a 'nice to have' would have a dubious impact on the safety of this junction relative to the cost of the works. We also conclude that once even one high-sided vehicle or 4x4 is sitting at the junction waiting to turn right there will be impaired visibility and any benefit of the left turn lane will be negated.

As for the deceleration lane, we have grave concerns that this part of the proposal will exacerbate the safety problems associated with this junction and will encourage ongoing westbound traffic to continue at speed or accelerate. Currently, drivers turning left have the effect of slowing westbound traffic down as they approach the junction - a benefit that would be removed by a deceleration lane.

The view of this Parish Council is that the greatest issue with safety at this junction is the speed and volume of traffic travelling this stretch of the A4 (many drivers will have just come off the motorway). We believe the primary measure that could be taken to reduce driver frustration and so increase safety would be to slow the traffic in both directions to improve reaction times.

We consider there are two measures to consider: 1) to impose and enforce a speed restriction on this stretch of the A4 and 2) the possibility of traffic lights, ideally triggered by the weight of traffic attempting to join the A4.

We would ideally like to understand the issues and the costing of these measures as we feel that they may be more effective in both practical and financial terms.

Thank you.

Yours sincerely



Sandra Challis, Clerk to Sulhamstead Parish Council
For and on behalf of Sulhamstead Parish Council