

Title of meeting: Cabinet Member for Traffic and Transportation Decision Meeting

Date of meeting: 8th December 2022

Subject: TRO 43/2022: (SHIPWRIGHT'S WAY: HIGH STREET AND BROAD STREET) (BUS STOP AND WAITING RESTRICTIONS) (NO.43) ORDER 2022

Report by: Tristan Samuels, Director of Regeneration

Report Author: Chi Sharpe, Active Travel Officer

Wards affected: St Thomas

Key decision: No

Full Council decision: No

1. Purpose of report

1.1. This report considers the public response to the proposed Traffic Regulation Order (TRO) for bus stop and waiting restrictions on High Street and Broad Street, Portsmouth.

2. Recommendations

In relation to the proposals promoted under TRO 43/2021, it is recommended that the Cabinet Member for Traffic and Transportation:

- 2.1 Approves to relocate the existing bus stop clearing on High Street, Old Portsmouth, 5 meters further north-eastwards;**
- 2.2 Approves to extend the no waiting at any time restrictions (double yellow lines) on Battery Row by 3.5 meters on both sides.**
- 2.3 Approves to update the waiting and parking restrictions in the Order to match those on-street, covering the following lengths of road: Broad Street, Battery Row and High Street Old Portsmouth.**

3. Background

3.1 The Shipwrights Way, a 50-mile long-distance path linking Alice Holt Forest to Portsmouth Historic Docks, passes through Old Portsmouth. This section of the route provides a key link to the existing facilities on Pier Road and White Hart Road for those walking, wheeling or scooting.



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3.2 To ensure continuity of provision and to improve access along this route, Portsmouth City Council (PCC) have considered improvements to the highway at the junction of Battery Row and Broad Street. (appendix D)

3.3 The proposed design aims to improve pedestrian access to the area around the Square Tower and reduce road widths, with the intention of decreasing vehicle speeds and creating a safer environment for all users of the Shipwright's Way (appendix C). These designs follow feedback from internal and external stakeholders, ensuring they improve safety and respect the heritage of the area.

3.4 In order to accommodate the proposed design changes, TRO 43/2022 (appendix C) was developed to relocate the bus stop and amend the parking bays, facilitating improvements for walking and cycling at this junction.

3.5 The works will:

- Re-design the junction between Battery Row and Broad Street, comprising the reduction of the bell-mouth width to 6.5m, achieved by the installation of buildouts on both sides and the re-alignment of the central hatched area.
- Eastern buildout to be extended to the front of The Wellington (House number 62), providing a wider footway to accommodate the pavement licence and the re-aligned bus stop.
- Bus stop arrangement to take a form of a boarder with a length of 12m, where the buses stop in-line with the traffic flow.
- Enhancement of the pedestrian crossing over Battery Row, by the installation of 2no. uncontrolled crossings aligned with the desirable lines of the pedestrians.
- See Appendix C: for visual reference.

4. Consultation and notification

4.1 A statutory 21-day consultation and notification under TRO 43/2022 took place between 03 March 2022 and 23 March 2022.

4.2 Under statutory consultation, statutory bodies (police, fire & rescue, utilities companies etc.) are directly consulted on the Council's formal proposals and the public has a right to object. The Council has a statutory obligation to consider any objections received, with any comments received given due consideration. Appendix B contains the full representations received in response to the proposals.

4.3 In addition to the legal requirement of publishing the proposal notice in a local newspaper, the proposal notice was published on the Council's website, and on-street notices were displayed at affected locations, with copies posted to adjacent residential properties to raise awareness.



5. Consultation response

- 5.1 The consultation received one objection, based on the proposals for the Shipwright's Way footway build out (appendix B). The objector is concerned on several points that PCC address in response, including:

5.1.1 Lack of PCC engagement & Lack of continuity

Previous project managers have met with residents and Ward Councillors to discuss different options on this project, with many options considered. For the final design the Ward Councillors agreed on the scope of the consultation for the scheme. It was deemed that, owing to residents' prior knowledge of the scheme, and with the proposed design the only viable option, communication and engagement regarding the scheme design would be most effective via the official TRO process to which the objector commented.

5.1.2 Uncertainty around the precise route.

A map of the intended route will be published when the route in question is complete. This includes the diversionary route along Battery Row. HCC will be informed of this update and will be requested to update their map accordingly.

5.1.3 Information on the design and constraints used by PCC

The design criteria used for the scheme is based on the following:

- A complete and accessible route for those travelling on foot, by bicycle and by horse;
- The heritage status of the area and the materials requirements in relation to this;
- The need to maintain HGV access to The Camber; and
- A balance of all road user needs, ensuring the objectives of the Local Transport Plan 4 (LTP4) for prioritising walking and cycling, and supporting businesses and protecting assets have been met.

Several proposed traffic calming options have been considered through the various iterations of the design. This includes speed humps and Traffic Islands, which ultimately were ruled out due to conservation requirements. A build-out was considered and proposed as the final viable option, given the historic nature of the site. This was further developed to reduce the available carriageway width, encouraging lower speeds.

5.1.4 Conservation and heritage

PCC's Planning conservation officer has previously specified that any materials used should match the existing materials, with no additional features. This is to ensure that the construction is sympathetic to the streetscape and the historic nature of the Square Tower. The balance between road safety and heritage was met through consultation with the ward councillors as the representatives for residents, advice from the Planning Conservation Officer the Old Portsmouth guidelines and a road safety audit (RSA).

5.1.5 Need for safe road crossings

Unfortunately, the available space does not allow for a marked road crossing /refuge. The most popular place to cross is opposite Feltham Row and this is the favoured location for an engineered crossing point which is outside of the scope of this project.



6. Reasons for the recommendations

6.1 Shipwrights Way:

The TRO is proposed to extend the no waiting at any time restrictions (double yellow lines) on Battery Row by 3.5 meters on both sides, following the widening of the footway. There is no loss of parking. Additionally, it will update the waiting and parking restrictions in the Orders to match that which is on-street in the following lengths of road: Broad Street, Battery Row and High Street Old Portsmouth.

6.2 The proposed design will improve pedestrian access to the area around the Square Tower, reduce road widths and decrease vehicle speeds to create a safer environment for users of the Shipwright's Way and other visitors to Old Portsmouth.

6.3 The visibility of approaching traffic and emerging traffic when leaving the access road Battery Row will be improved by the footway build out along with the visibility of people crossing at the mouth of the junction.

6.4 A single objection was received. The objector is concerned on several points that have been responded to above in 5.1 (the full objection can be read below in appendix B).

6.5 The design, and supporting TRO, consider the wider requirements for conservation and road safety at this location. It incorporates views from both internal and external stakeholders and follows the advice set out in the Old Portsmouth guidelines (appendix E) and an independent RSA.

7. Integrated Impact Assessment

7.1 An integrated impact assessment has been completed and is attached to this report.

7.2 Within the IIA, Building out on the footway to reduce speeds in high street old Portsmouth will impact positively on the following sections:

Section A - Community Safety

A1 - Crime

A3 - Health

A5 - Equality & diversity

Section B - Environment and Climate Change

B1 - Carbon emissions

B5 - Air quality

B6 - Transport

Section C - Regeneration of the city

C1 - Culture and heritage



- 8.1 It is the duty of a local authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:
- (a) securing the expeditious movement of traffic on the authority's road network; and
 - (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority."
- 8.2 Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.
- 8.3 Traffic regulation orders (TROs) can be made for a number of reasons, including avoiding danger to persons or other traffic using the road or for preventing the likelihood of such danger arising, for preventing damage to the road or any building on or near the road, for facilitating the passage on the road of traffic (including pedestrians) or preserving or improving the amenities of the area through which the road runs.
- 8.4 A proposed TRO must be advertised and the public given a 3 week consultation period where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account the comments received from the public during the consultation period.
- 8.5 Where the order relates or appears to be likely to affect traffic on a road which is included in the route of a local bus service the operator of the service should be consulted at least 21 days before making the order and their views should be taken into account in determining whether or not to make the order.
- 8.6 The power to make traffic calming works is contained in the Highways (Traffic Calming) Regulations 1999. Where a local authority proposes to construct traffic calming works they shall consult the chief officer of polices and such persons or organisations representing persons who use the highway or who are otherwise likely to be affected by the proposed works. The proposed works can include build-outs, chicanes, gateways, islands, overrun area, pinch-points, or rumble devices. Regulations apply to specific traffic calming works and the display of appropriate signs.
- 9. Director of Finance's comments**
- 9.1 The cost of the works is anticipated to cost £117,000. This will be funded from the Local Transport Plan (LTP) capital allocation approved by Council in February 2022.

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Signed by:
Tristan Samuels
Director of Regeneration

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:
Cabinet Member for Traffic and Transportation

Appendix A: The public proposal notice for TRO 43/2022

Appendix B: Public views submitted

Appendix C: Shipwrights way TRO Design.

Appendix D: Aerial of Battery Row and Broad Street. (Red Dots indicate build out locations.)

Appendix E: Old Portsmouth Guidelines

Appendix A: The public proposal notice for TRO 43/2022

THE PORTSMOUTH CITY COUNCIL (SHIPWRIGHT'S WAY: HIGH STREET AND BROAD STREET) (BUS STOP AND WAITING RESTRICTIONS) (NO.43) ORDER 2022

2ND March 2022: Notice is hereby given that the Portsmouth City Council proposes to make the above Order. The effect would be as follows:

1. To relocate the existing bus stop clearway on **High Street, Old Portsmouth**, 5 metres further north-eastwards
2. To extend the no waiting at any time restrictions (double yellow lines) on **Battery Row** by 3.5 metres on both sides, following the widening of the footway. There is no loss of parking.
3. To update the waiting and parking restrictions in the Orders to match that which is on-street in the following lengths of road: **Broad Street, Battery Row** and **High Street, Old Portsmouth**, making no changes on the public highway itself.

Copies of the draft Order, Statement of Reasons and Map are available to view on Portsmouth City Council's website: Search "Traffic Regulation Orders 2022" at www.portsmouth.gov.uk. Alternatively, they can be viewed at the Civic Offices, Guildhall Square, PO1 2AL, Monday to Friday between 9am - 4pm. Printed copies can be obtained by calling 023 9268 8501.

Persons wishing to object to these proposals must do so by sending their representations to TROteam@portsmouthcc.gov.uk or by post to Daniel Selby, Parking team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref TRO 43/2022 within 21 days of the date of this Notice (i.e. by **23rd March 2022**) stating the grounds for the objection.

Under requirements of current access to information legislation, please note that all representations submitted in response to this Notice, including the name and address of the person submitting it, may be made available for public inspection. Full details of the Council's Data Protection privacy notice can be viewed on the website.

Pam Turton, Assistant Director of Regeneration (Transport)
Portsmouth City Council

Appendix B: Public views submitted

Objection to proposal

1. Resident, Old Portsmouth

Resident thanks PCC for the opportunity to comment on this TRO. Broadly, this is welcomed as an element of completing the Shipwrights' Way, however, we are limited in our ability to provide detailed comments because of the lack of engagement by PCC with the community in the preparation of these plans.

objectives

1. Complete the Shipwrights' Way long distance path that is sponsored by Hampshire County Council (HCC) and promoted by PCC.
2. Provide a well-marked, continuous, attractive, accessible and safe route through Old Portsmouth to connect with the end of the Shipwrights' Way at Victory Gate at The Hard.
3. Encourage sustainable leisure travel and eco-tourism.
4. Respect the unique nature of this heritage area.

Background

Long overdue. HCC declared the 50 mile long distance Shipwrights' Way open in 2013. There were two gaps: one on Army land near Bordon and the other in Old Portsmouth. The Army completed their section in 2016 and it remains a matter of civic embarrassment that for 10 years PCC has lacked the will and/or ability to complete the Old Portsmouth section.

Lack of continuity. Over the years members have participated in 4 or 5 onsite meetings with PCC officers to discuss the options for completion. Many options have been discussed considering road safety, convenience, conservation and cost; likely solutions have been suggested and then ... no feedback. The frequent changes of project manager and the consequent lack of continuity have exacerbated the lack of ongoing communication.

Uncertainty about the precise route. HCC has published a map of the Shipwrights' Way with alternatives where it passes through Old Portsmouth at <https://documents.hants.gov.uk/ccbs/countryside/shipwrightsway-section12.pdf> Unfortunately, the Shipwrights' Way has never been signposted or waymarked in Old Portsmouth. Accordingly, it is difficult for visitors to follow the correct route. The map shows a route along the south side of Grand Parade and turns sharp left into High Street for a short distance before crossing High Street into White Hart Road.

We discussed with PCC the option of routeing the Shipwrights' Way along Battery Row but as far as we know, no decision has been made, although it is inferred in the Statement of Reasons. It would have been useful if the plan published for the TRO showed PCC's preferred Shipwrights' Way route because this would have helped us to evaluate the practicality of the plans.

Need for safe road crossings. Crossing High Street is potentially hazardous.

- There is a long history of calls for traffic calming measures in this location going back to a RTI in the early 20th century.
- A RTI on 18 April 2015 involved a LGV speeding around the bend and hitting an adolescent who was crossing the road.
- In January 2022 a hit-and-run driver killed a pedestrian crossing the road by the Duke of Buckingham pub. Although the police report has not yet been published, it is likely that a factor was driver speed being far higher than the speed limit - the mean free-flow speed in High Street on weekdays between 0600 and 0700 is 26 mph, well above the speed limit and also in excess of the police discretionary enforcement threshold of 24 mph. we have been campaigning for a zebra crossing in that location for over 8 years. It should not need the fatality of a Vulnerable Road User for the highway authority to react with retrospective road safety measures.



It is vital that the Shipwrights' Way plans include provision for safe crossing of the road in this location and the infrastructure complies with LTN 1/20. We welcome the fact that PCC is seeking to reduce road dangers in this location but is not convinced that the published plan is the safest option. PCC is requested to share its internal notes and documents discussing the design options showing how PCC has balanced the various factors.

Lack of information on the design constraints used by PCC. We have studied the statement of reasons published on the PCC website. Nevertheless, this has generated additional questions. We have asked PCC to provide information on these points:

1. What is PCC's assessment of the road safety issues at this location?
2. What is the range of possible options and what criteria were used in finalising this design?
3. What traffic calming measures were considered on the bend where High St and Broad Street meet?
4. Can PCC provide a marked crossing/refuge so that pedestrians and cyclists (especially cyclists with tag-alongs) can cross safely in two stages?
5. What conservation principles were applied, and what balance did the designer strike between road safety and heritage?
6. What direction was given by PCC (e.g. Leader, cabinet members, directors, ward councillors, officers) about maintaining the number of on-street parking spaces?

We have yet to receive answers on these points, so it is difficult to provide fully informed comments on the design. The plan published contains some elements of what has been discussed with various officers but lacks others.

Need for safe pedestrian and cyclist crossings. PCC as the highway authority has a statutory duty under the Road Traffic Acts to provide for the safe movement of people and goods. We are keen to understand why PCC has selected this design and understand better how the design on the bend is expected to provide adequate safety for pedestrians and cyclists crossing from the Square Tower to White Hart Road. The drawings show that the footway will be built out and that white hatching will be moved slightly. However, paint doesn't constitute infrastructure! Instead of widening the footway, a better solution would be to provide a traffic island wide enough to accommodate the length of a tandem bicycle or an adult cycle towing a trailer for children. This idea has been suggested to PCC officers but the responses have been lukewarm, with comments such as 'it might mean losing some parking spaces' and 'we'd never get permission for illuminated bollards'.

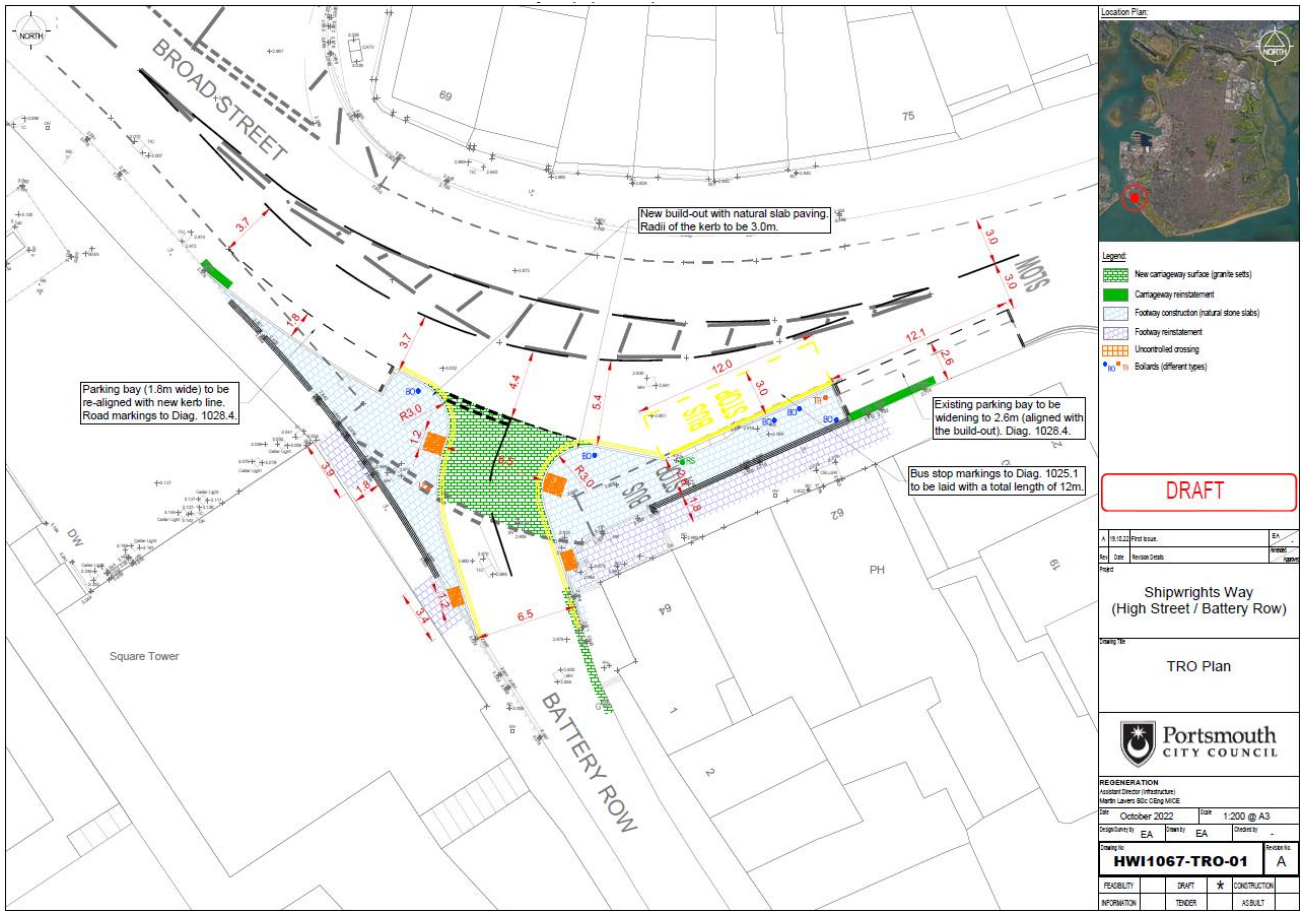
Conservation and heritage. We are committed to preserving the heritage and history of Old Portsmouth. However, we also recognise that compromises sometimes have to be made when the need is great. Whilst the prospect of a new traffic island with illuminated bollards on this bend might be anathema to some residents because it would spoil the vista of the Square Tower, it is necessary to acknowledge that for many years the vista of the Square Tower has been sullied by cars being parked adjacent to the NW corner of the tower with seemingly no objections from residents or visitors.

PCC itself has been ready to overrule the finer principles of conservation in a heritage area in approving the construction of the massively tall BAR building and in sticking unsightly black plastic parking sensors onto the historic cobbles of Grand Parade. At the time a ward councillor casually relayed a candid comment from a senior PCC officer that 'parking revenue trumps conservation'. Has someone in PCC said:

- 'Conservation trumps road safety'? (even though Portsmouth has experienced the shocking death toll of 7 pedestrians killed by drivers / motorcyclists in 7 months), or
- 'The need not to lose parking spaces trumps road safety'? (even though PCC was content to lose 17 on-street parking spaces to accommodate the new university sports centre).

In conclusion, we are eager to discuss these plans with the current project manager for the Shipwrights' Way and earnestly hopes that he will remain in post long enough to work with the community to deliver the long-overdue completion of these crucial enhancements to Portsmouth's sustainability.

Appendix C: Shipwrights Way Traffic Regulation Order Design.





Appendix D: Aerial of Battery Row and Broad Street. (Red Dots indicate build out locations.)



Appendix E: Old Portsmouth Guidelines

This will be attached as a separate part of the report due to its length. If being viewed online you can view the guidelines here:

<https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-old-portsmouth-guidelines.pdf>