

Croydon Council

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 6 th October 2015
AGENDA ITEM:	19
SUBJECT:	OBJECTIONS TO PROPOSED ZEBRA PEDESTRIAN CROSSING AT Coulsdon Road
LEAD OFFICER:	Jo Negrini, Executive Director of Place
CABINET MEMBER:	Councillor Kathy Bee Cabinet Member for Transport and Environment
WARDS:	Coulsdon East
CORPORATE PRIORITY/POLICY CONTEXT: These projects address the corporate policies adopted in the Corporate Plan 2011-2013 and Croydon's Draft Community Strategy 2010-2015. This report is in line with objectives to improve road safety for cyclists, and to make sustainable transport more accessible: <ul style="list-style-type: none">• Sustainable City: Facilitating a modal shift to sustainable transport• Connected City: Electric vehicles, cycling and walking facilities• Caring City: Improving health and wellbeing	
AMBITIOUS FOR CROYDON & WHY ARE WE DOING THIS: As part of Ambitious for Croydon, the administration has plans to improve the way that the council delivers on its roads and transport agenda. Their commitment specifically identifies the following areas as of a priority: <ul style="list-style-type: none">• Improve safety for pedestrians and cyclists. Ensure that these policy initiatives are embedded within the developing Transport Vision.	
FINANCIAL IMPACT The estimated cost of implementing the scheme as recommended in this report is £45,000 to be met from the Council's 2015/16 Local Implementation Plan allocation for Junction and Pedestrian Improvement scheme.	
KEY DECISION REFERENCE NO.: Not a key decision	

1. RECOMMENDATIONS

That the Traffic Management Advisory Committee recommend to the Cabinet Member for Transport and Environment that they agree to:

- 1.1 Consider the objections and comments received following the giving of public notice in respect of the proposal to introduce a Zebra Crossing facility at Coulsdon Road near its junction with Cearn Way as shown on plan No.HWY/1212/TMAC/Coulsdon Road, and the officers' response to the objections.
- 1.2 Authorise the Highway Improvements Manager, Streets Division to make the necessary Road Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) in order to implement the above zebra pedestrian crossing facility.

2. EXECUTIVE SUMMARY

- 2.1 This report is for the Traffic Management Advisory Committee to consider the objections and comments received from a number of residents, following the publication of Public Notices of the Council's intention to introduce a zebra pedestrian crossing on Coulsdon Road by Cearn Way.

3. DETAIL

- 3.1 The proposal to install a zebra pedestrian crossing was made following the coroner's recommendation after the 2 fatalities and subsequently meetings with residents, ward councillors, council and police officers.
- 3.2 A report was put before this committee at its meeting on July 2015 to consider and approve carrying out a formal consultation to implement a pedestrian zebra crossing installation at Coulsdon road near its junction Cearn Way.
- 3.3 This Committee resolved to recommend to the Cabinet Member for Transport and Environment that they delegate to the Highway Improvements Manager, Streets Division the authority to give public notice and subject to receiving no material objections, to make the necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) in order to introduce this zebra crossing facility.
- 3.4 The formal public notice was published and street notices were put up on lamp columns in Coulsdon Road/Cearn Way on 29th July 2015.
- 3.5 Following the publishing of public notice for this zebra pedestrian crossing, the Council have received number of objections from local residents.
- 3.6 A summary of the objections and responses are given below. Similar types of objections are grouped together for reporting purpose.

- Objections – Group A:
 - The zig-zag lines will cross my property and will render my drive unusable as it is necessary to stop on the side of the road where you are proposing to paint the zig-zag lines- in order to reverse either in or out from the property. Is it seriously proposed that I should never use my drive again.
 - I can cite examples of one official interpreting laws and regulations in one way and assuring someone that they can safely take a certain course of action. The official is taken at his word and actions are duly taken but then another official, with a different take on interpreting the law, comes along and prosecutes the hapless member of the public for the very actions he was assured he was safe to take. Zigzag lines outside of my property will make me vulnerable to prosecution and I will live in fear of the risk every time I enter or leave my property.
 - If I am driving down the Coulsdon Road towards Stoats Nest/Brighton Road, for me to reverse into my drive I would need to stop on/over the actual crossing, wait for the traffic to pass/clear before manoeuvring into my drive (which at busy times can take a number of minutes to ensure safety especially with the speeding traffic which we have to endure, often coming down the road around the bend). I believe that traffic behind me would believe that I am stopping for the Zebra Crossing and wait as it is illegal to overtake on the zig zag lines, therefore causing a backup and causing a potential hazard to both traffic and pedestrians. I could not do a U turn (sweep around) in Cearn Way to drive into my driveway from the other angle as you are narrowing Cearn Way. How therefore do you propose that I legally and potentially safely get into my driveway and therefore access to my property? As stated previously the geographical situation of these properties does not allow us to drive into them as they are too steep and it is illegal to reverse out onto a main road (these properties are not regular to those others around the borough which you keep referring too, so please take this into consideration).
- Response to Group A:
 - ❖ Regulation 22 (1)(c) of the Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 states that being in the controlled area (within the zig zag markings) does not prohibit the driver from stopping for the purposes of making a right or left turn.
 - ❖ Residents have been assured that they will not be committing an offence by driving into their access. However, to pull over and remain stationary in the controlled area for longer than the time necessary to make a turn would be a different matter and stopping in this

context means waiting, parking on the carriageway or loading which is not permitted on the zig-zag lines. A vehicle manoeuvring to reverse into a driveway does not however constitute a stopped vehicle.

- ❖ There are many places in the borough where there are vehicular entrances adjacent to zebra crossings and we are not aware of any issues with these.

o Objections – Group B:

- The fatalities were not due to speeding which suggests pedestrian error was involved. Is there really sufficient evidence to justify a zebra crossing at this point.
- Crossings have a built in statistical average-accident rate. In Croydon this is around three personal injury accidents per year. If the accident records show fewer than this, it is possible that a new crossing would hurt rather than help. Therefore I question that with the known risks along this stretch of road, of the blind bend, junctions, lack of visibility and the speeding of vehicles that putting the zebra crossing in in this position would increase the risk to pedestrians rather than decrease them and with only 2 accidents in the last 2 years, that this falls below that of a Croydon crossing rate and therefore question the viability of putting a crossing in?
- My parents are in their eighties, my father had a major stroke a few years ago and now has vascular dementia. My mother is frail and has severe arthritis and can just about manage to get from my drive to my front door. They are not able to cope with walking across the Coulsdon Road and up Cearn Way. Therefore, the proposed crossing will deprive all of us of our human right to family life which, according to the newspaper reports, the courts seem so keen to afford to convicted offenders.
- I consider that not only will the proposed zebra crossing contribute nothing to local road safety, it will exacerbate the current situation and increase the danger to pedestrians and motorists alike. If the placing of a zebra crossing outside of 54 Coulsdon Road was considered by a majority to be the preferred option, this proposal would have been tabled in the first instance – not as a last resort.
- The two deaths in 2013 are the only accidents involving pedestrians that I am aware of in the sixteen years I have lived at 56 Coulsdon Road and, in the case of the first death, I am given to understand that the victim's judgement was impaired by alcohol and that she was with two people who did safely cross the road. Prima facie, then, this incident does not appear to be a sound reason for installing a zebra crossing.

- Please reject this calamitous, third rate planning application and abandon this disastrous course of action forthwith.
- Response to Group B:
 - ❖ The proposal to introduce a zebra pedestrian crossing in Coulsdon road at its junction with Cearn Way resulted from the coroner's recommendation after the 2 fatalities and subsequent meetings with residents, ward councillors, council and police officers.
 - ❖ We ensure that safety for all road users is included in all the schemes we design. This means all our relevant projects undergo an independent road safety audit. As part of the audit for the Coulsdon Road crossing, visibility was checked on all approaches and was found to be well within the minimum distances given in the guidance. In addition to complying with the minimum distances we apply a layer of "anti-skid" high friction material on the carriageway surface to ensure motorists can stop in time. Generally, if queuing traffic is an issue, this can be overcome by placing advance warning signs at appropriate locations. However at Coulsdon Road the audit findings were that there was more than the minimum visibility given in the guidance.
 - ❖ The Metropolitan Police were consulted in detail, and they had no safety concerns over the location chosen.
 - ❖ There are other locations in the borough where driveways exist within the zebra crossing controlled area, i.e. within zig-zag lines, we are not aware of any access issues.
- Objections – Group C:
 - We are naturally concerned that the houses along here could only be sold at a considerably reduced price due to the crossing.
 - I have consulted an estate agent who has stated that the siting of this zebra crossing would affect both the saleability of these properties and the value of them by about 10%. Under the Land Compensation Act 1973, owners of dwellings can claim compensation for possible devaluation. due to exposure to certain 'Physical factors' that result from operational impacts of a new Highway Public Works scheme eg. The Thornbury Barracks Roundabout. I feel the approach that Croydon is taking of this situation to be very blinkered, concentrating only on the pedestrian crossing from a bus stop and not the other 2 issues of a junction at

a blind bend and speeding along this stretch of road, instead of considering all 3 causes and dealing with them all together to rectify the situation

- Response to Group C

- ❖ We are not aware of property values affected by zebra crossings. The Council would not provide compensation.

- Objections – Group D:

- A fully functioning speed camera placed before the junction with Byron Avenue, and known to identify miscreants who would be dealt with appropriately, seems to us be an appropriate preventive measure for speeding. If nothing is done to reduce the speed of some vehicles there is a possibility that they would reach the zebra crossing with no time to stop safely.
- I am not clear on who has responsibility for this proposal - Croydon Council and/or Transport for London - but if expense is the overriding factor, this stance certainly casts these organisations' priorities in a poor light – it would appear finances are more important than good road planning and safety, and certainly the disproportionate and permanent harm caused to local residents. If the cost of a zebra crossing on Coulsdon Road has already been budgeted for, why can this money not be ring-fenced and the additional cost of a speed camera incorporated into the 2016 budget?
- There is considerable consensus that a speed camera above the Byron Avenue junction would be the most effective and preferred option, slowing traffic around this dangerous junction, but that Transport for London have rejected this proposal because it is too expensive.

- Response to Group D

- ❖ Speed cameras are not something that the Council can install, these are part of the remit of the police and TfL (London Safety Camera Partnership) and for a location to qualify there would need to be at least 3 fatalities or serious injury accidents in a 3 year period over a 1km length of road, and these must be proven to be relating to a speeding vehicle. We do not think Coulsdon Road qualifies for such a camera and hopefully it never will.
- ❖ Croydon Council is responsible for the installation of this zebra pedestrian crossing.

o Objections - Group E:

- How will these properties have the possibility of having deliveries? Most building supplies come with grabs nowadays and how will we receive them if the lines are in place and the lorries have no access to our driveways? What happens when we move house, where does the removal lorry park and have access?
- I still question how these houses affected get deliveries of construction materials as these vehicles are fitted with grabs and also for removal lorries, as you are asking the removal men to walk/lift our household items 2/3 houses away with these particular households having a 40ft driveway at a 40 degree upward incline!
- I regularly have deliveries to my house, some of which are large and heavy, and I use tradesmen for repairs and property maintenance. These are always during daylight, working hours, yet the zigzag lines will render this practice impossible at any time. What is the procedure here? How do I maintain my property if I am denied the means of transporting the supplies to it?

▪ Response to Group E:

- ❖ There are many properties within the borough where there are loading or waiting restrictions as well as within the controlled areas of a zebra and pelican crossing. This is an issue which should be easily overcome by a professional and competent company as it is not unknown for properties to be sited within zebra crossing zig zags, or indeed other locations where there are loading/waiting bans. Contractors can pull over just outside the controlled area and load/unload from there, and as said before, they can quite legally access a driveway within the controlled area.

o Objection – Group F:

- Siting a zebra crossing on a T junction contravenes planning regulations and creates new danger for both pedestrians and drivers. How is it that the system applies a heavy hand when compelling motorists to comply with traffic laws, yet sees fit to ignore traffic regulations with blatant and brazen abandon and impunity when they do not suit officialdom?

- Response to Group F:
 - ❖ Siting a Zebra Crossing near a T junction does not contravene planning regulations. The crossing complies with the regulations concerning the distance to the nearest junction.
- Objection – Group G:
 - My house is at an obtuse angle to the proposed crossing. My bedroom is at the front of my property and below the level of the road. Are you able to categorically guarantee to me that I will not have an orange light constantly flashing in my bedroom for the rest of my life? And will the Council compensate me if this turns out not to be the case? Certainly, this would devalue my property and could have long term health consequences.
- Response to Group G
 - ❖ A light-shield can be installed to the belisha beacon globes to block any light shining into residents rooms. This practice is in use at other locations in the borough.
- Objection – Group H:
 - I believe there is a 'road traffic act' for any zebra crossing not to be within 5m of a junction and the proposal of putting the crossing on the corner of the junction with Cearn Way would be violating this.
- Response to Group H
 - ❖ It is not a legal requirement that crossings are sited 5m or more from a junction, it is guidance. This guidance is contained within Local Transport Note 2/95 (Design of Zebra Crossings, DfT). In this case the guidance has been followed in that the junction of Cearn Way is to be altered to provide the safe distance.

4. CONSULTATION

- 4.1 On 29th July 2015 formal consultation took place as part of the Traffic Management Regulation Order making process on the zebra crossing proposal in the form of public Notices published in the London Gazette and the Council also fixed street Notices to lamp columns and posts on site to ensure that local residents were informed and aware of the proposal.

- 4.2 It is also a legal requirement under section 23(2) of the Road Traffic Regulation Act 1984 that the Secretary of State is informed in writing of the proposals to establish pedestrian crossings and the Chief Officer of the Police was consulted.
- 4.3 Official bodies such as the Fire Brigade, Cyclists Touring Club, The Pedestrian Association, Age UK, The Owner Drivers Society, The Confederation of Passenger Transport and bus operators are consulted separately at the same time as the public notice is issued. Up to 27 Bodies in total are consulted depending on the relevance of the proposals.
- 4.4 Case law indicates that this consultation process includes a duty to consider any representations received in response to such a notice.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000
Revenue Budget available				
Expenditure	0	0	0	0
Income				
Effect of decision from report				
Expenditure	0	0	0	0
Income				
Remaining budget	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Capital Budget available	100			
Expenditure		0	0	0
Effect of decision from report				
Expenditure	45	0	0	0
Remaining budget	<u>55</u>	<u>0</u>	<u>0</u>	<u>0</u>

5.2 The effect of the decision

This scheme is funded by Transport for London (TfL) from the Council's 2015/16 Local Implementation Plan allocation for Junction and Pedestrian Improvement schemes. The budget allocation for 2015/2016 for Junction and Pedestrian Improvement scheme is £100,000 of which this project will cost £45,000. Other TMAC reports spend for the current financial year accounts to £55,000. A decision to proceed will result in that the allocation is spent. The

new facility will be maintained in the future from the Council's highways maintenance budget.

5.3 Risks

There is no financial risk to the Council in the short term as the proposed scheme is funded by TfL. Should the scheme not proceed then the Funding would then have to be reallocated. This would be subject to the agreement of TfL or the funding provider.

5.4 Options

The alternative would be the "do nothing" option and not provide the crossing facility. The Council would not be complying with the coroner's recommendation.

5.5 Future savings/efficiencies

There are no savings or future efficiencies arising from this report.

Approved by: Louise Phillips Business Partner, on behalf of Head of Finance, and Deputy Section 151 Officer, Place Department.

6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

6.1 The Council Solicitor comments that Section 6, 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) provides powers to introduce, vary and implement Traffic Management Orders. In exercising this power, section 122 of the Act Imposes a duty on the Council to have regard (so far as practicable) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The Council must also have regard to such matters as the effect on the amenities of any locality affected.

6.2 The Council have complied with the necessary requirements of the Local Authorities Traffic Order Procedure (England and Wales) Regulations 1996 by giving the appropriate notices and receiving representations. Such representations must be considered before a final decision is made.

Approved by: Gabriel MacGregor Head of Corporate Law on behalf of the Council Solicitor and Monitoring Officer

7. HUMAN RESOURCES IMPACT

7.1 There are no human resources implications arising from this report.

Approved by: Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources department.

8. EQUALITIES IMPACT

- 8.1 This proposal will improve access to the bus stop and in particular this will benefit vulnerable road users such as, cyclists, pedestrians and those with reduced mobility.

9. ENVIRONMENTAL IMPACT

- 9.1 The recommendations in this report will help to remove barriers to walking and will encourage more sustainable modes of travel.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 There are no crime and disorder reduction impacts in this report.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

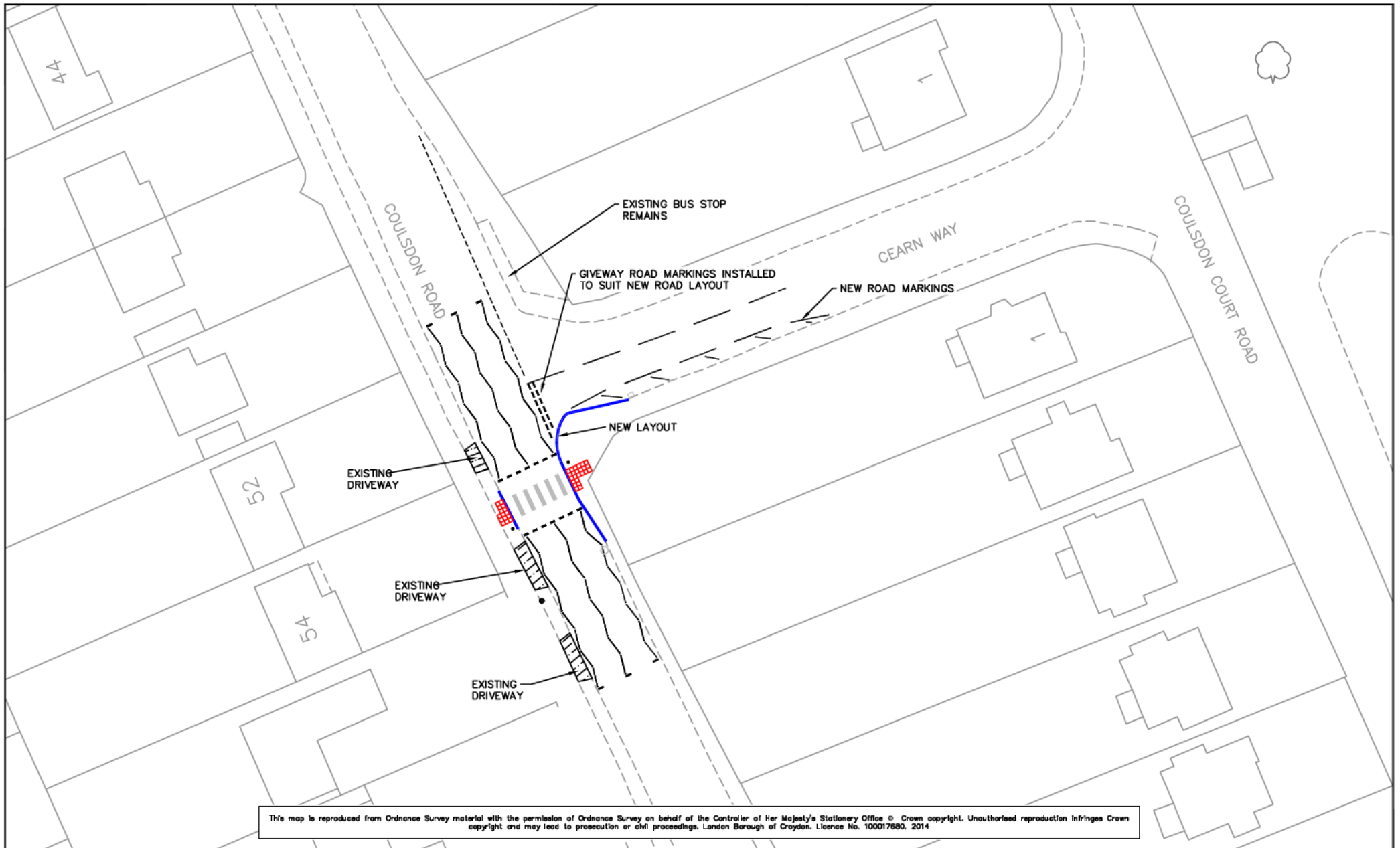
- 11.1 The proposed crossing was resulted from coroner's recommendations and its location was subject to a small study which assessed how it can best be designed to meet the needs and safety requirements of those using it.

12. OPTIONS CONSIDERED AND REJECTED


- 12.1 Initially the location considered was just north of Cearn Way, next to the existing bus stop. This location proved to be not viable due to the retaining wall of back gardens and the complications associated with working near this retaining wall.

CONTACT OFFICER:

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NOTES	JOB NAME COULSDON ROAD / CEARN WAY				PLACE DEPARTMENT DIRECTOR OF STREETS - STEVE ILES	DRAWING NO HWY/1212/TMAC
	DRAWING TITLE NEW ZEBRA PEDESTRIAN CROSSING					
	DESIGNER SB					
	DESIGNER SB	VERIFIED MB	SCALE AT A4 1:500	DATE Jul 2015	HIGHWAY IMPROVEMENTS	 www.croydon.gov.uk
	TMAC					