

North Horsham County Local Committee

12 March 2012

East Street, Horsham – Experimental Traffic Regulation Order

Report by Director Communities and Infrastructure

Ref: NH14 (11/12)
Key Decision: No
Part I
Electoral Division: Horsham Tanbridge & Broadbridge Heath

Executive Summary

In 2009 the North Horsham County Local Committee approved funding for works on a joint project with Horsham District Council to introduce a shared space environment in East Street, Horsham. The Committee also approved the introduction of a prohibition of driving in East Street and Market Square at all times, except for loading, unloading and blue badge holders and creation of dedicated parking bays for loading, unloading and blue badge holders.

Since completion of the shared space scheme the whole environment and shopping experience in East Street has changed considerably, with greater emphasis on pedestrian use. A core time prohibition of driving would remove any potential conflict between vehicles and pedestrians in this narrow street and allow the introduction of an on street café culture and themed events which has not been possible with the current arrangements. In addition the positioning of the loading and unloading and blue badge parking bays have been reviewed and amendments are recommended to improve vehicular movement and remove potential conflict between pedestrians and vehicles.

It is therefore proposed to promote an Experimental Traffic Regulation Order to introduce a further experimental core time scheme in East Street and Market Square between 10.30am and 4.30pm every day which would prohibit traffic during prime shopping hours, make amendments to the location of the loading and unloading bays whilst retaining the same overall length of bays, and to relocate the two blue badge parking bays to Carfax, outside the Kings Head.

Recommendation

That the Committee approves the Head of Legal and Democratic Services to make and advertise an Experimental Traffic Regulation Order for a maximum period of 18 months to:

- Prohibit driving in East Street and Market Square, daily between 10.30am and 4.30pm;
- Make amendments to the location of the three existing loading bays within East Street; and
- Relocate the blue badge parking bays from East Street to Carfax, and to report the results of the statutory advertising period back to the Committee after six months.

1. Background

- 1.1 In December 2007 the Committee approved the introduction of an experimental Traffic Regulation Order (TRO) to introduce a core-time 10.30am to 4pm pedestrianisation scheme in East Street and Market Square, Horsham.
- 1.2 On 2 March 2009 the Committee was informed there were twenty-three formal objections to that scheme, many of which related to the restrictions imposed on loading and unloading. One of those unresolved objections related to a legal challenge under the Disability Discrimination Act that the scheme was too restrictive for disabled persons. Despite this, approval was given for works on a joint project with Horsham District Council that saw the introduction of a one level layout shared space zone and the creation of dedicated parking bays for loading, unloading and blue badge holders in East Street. In addition they resolved to advertise a revised permanent TRO to prohibit access to East Street and Market Square at all times except for loading and blue badge holders.
- 1.3 Following advertising of the revised TRO, on 13 July 2009 the Committee was informed there were four unresolved objections, and twenty-nine individual responses supporting the revised proposals. The Committee resolved to support the prohibition of driving in East Street and Market Square at all times except for loading, unloading and blue badge holders and the formalisation of loading and blue badge parking bays in East Street.
- 1.4 In addition there was also significant support for core-time hours to be made a permanent feature in East Street including:
 - A 1249 signature petition from customers and traders of East Street;
 - Horsham Town Centre Forum;
 - An online poll on the West Sussex County Times website showed 57% of respondents supported a pedestrian zone, with 32% against; and
 - The East Street Reference Group which included the County Council and Horsham District Council Members, the Horsham District Council Town Centre Manager, representatives from the East Street and Park Place Traders, Horsham Cycling Campaign, Horsham Access Forum, and Officers of the District and County Council.
- 1.5 One of the original concepts of the shared space scheme was to reduce through traffic and within East Street and Market Square. Before and after surveys show this has been achieved with a 76% reduction in vehicles entering East Street since the changes in 2009. In addition many East Street traders have reported an increase in footfall since the completion of the pedestrian improvement. This is supported by a pedestrian and cycle survey conducted before and after the improvement scheme, which suggest that despite the current economic downturn, cycle use and footfall within East Street has experienced a combined overall increase of 17%.
- 1.6 Since the improvements were made to East Street there has been renewed interest in reintroducing a core time prohibition of driving, in an effort to further encourage pedestrian use and create a "café culture" in the street.

2. **Proposals**

- 2.1 It is now proposed that East Street and Market Square be subject to an experimental prohibition of driving, every day between the hours of 10.30am and 4.30pm. This will be effected by means of bollards erected and removed daily at the eastern end of East Street by Horsham District Council operatives. With a traffic free environment during the day, this will remove any conflict between vehicles and pedestrians and allow an on street café culture to develop together with themed events which will bring a range of benefits to the East Street community.
- 2.2 Outside of these hours, East Street and Market Square would remain available for use by vehicles loading/unloading and blue badge holders only.
- 2.3 East Street was originally laid out to accommodate tables and chairs during the day when vehicles would be allowed in the street. This mix has proved to not be possible due to the narrow width and protection measures required for eating areas. It is therefore proposed to modify the location and lengths of loading bays to improve vehicle movement and reduce congestion at peak times. The overall length available for loading and unloading will remain the same.
- 2.4 Currently there are two bays provided for blue badge parking, one at the narrow western end and one in the middle of East Street. By relocating them from East Street into Carfax outside the Kings Head, it will free up limited space within East Street where there are physical restrictions due to the narrow width. It will also allow use of the bays for a longer period after the prohibition of driving core hours commence.
- 2.5 It is intended that these measures be introduced from early April 2012 and run for twelve months so that a full picture of their effects can be assessed. Such an assessment will be undertaken by Horsham District Council, and will include the views of traders and residents, 'before' and 'after' counts of pedestrians, vehicles and cyclists and an impact survey on businesses. Any unresolved objections to the proposals will be reported back to this Committee six months after introduction, and a further report will be required at the end of the 12 month period.
- 2.6 Plans showing the existing and proposed layout of the road and the TRO tile maps for the loading and blue badge bays are shown at Appendix D respectively.

3. **Consultation**

- 3.1 Experimental Orders require only informal consultation before they become operational. However, the operational date is the start of a six month statutory objection period. If any objections are received to these proposals during that period that cannot be resolved, they will be reported to the Committee for its further consideration at a future date.
- 3.2 However, there has previously been much debate and consultation over core time hours and the benefits it would bring to East Street. The 16-month trial

period between 30 June 2008 and 19 October 2009 was implemented before improvement works and resulted in not only objections but also considerable support for a traffic free environment for part of the day.

- 3.3 A survey in September 2011 conducted by local traders and working with Horsham District Council shows that there are three stakeholders who object to core time closure and 19 in favour – see Appendix A.
- 3.4 At it's meeting on 15 December 2011, the Horsham and District Access Forum, which includes Horsham District Council Members, the Horsham District Council Equalities Officer and representatives from the County Council, ROVIs, 4Sight, Local Involvement Networks (LINKs), Horsham Area Council for Voluntary Services (HACVS) together with independent town centre users, discussed the core time proposals and how best they would serve East Street. There was overwhelming support for a traffic free environment to be introduced into East Street.
- 3.5 However, it must be borne in mind that following the earlier attempts to introduce a core time prohibition of driving there was a significant unresolved objection relating to use of the road by disabled users.

4. Customer Focus Appraisal

- 4.1 A Customer Focus Appraisal has been undertaken and is attached at Appendix B to this report.

5. Resource Implications and Value for Money

- 5.1 It is estimated that the proposed experimental core time scheme will be at a total cost not exceeding £10,000. This is made up of £5,000 for the Traffic Regulation Order and £5,000 for amendments on site. This project is to be funded entirely by Horsham District Council.
- 5.2 Future maintenance costs associated with any proposed scheme will be managed within existing Highways Revenue budgets.

6. Risk Management Implications

- 6.1 Should the proposed Order be made, the risk to the County Council would be that some local residents and traders object to the amended restrictions, which must be resolved before the Local Authority could proceed with any final, permanent scheme. Under *The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996*, a public inquiry must be undertaken if unresolved objections to the loading restrictions remain.
- 6.2 The experimental Traffic Regulation Order cannot run for longer than 18 months i.e. it must be made permanent or withdrawn by the end of September 2013. There is a risk that if there are still significant unresolved objections to the loading restrictions at the end of the experimental period, the experimental Order (and the bollards) would need to be removed to return to the current TRO which prohibits all motor vehicles 24 hours a day, seven days a week with the exception of loading and blue badge holders.

6.3 A minimal risk exists that these proposals will not deliver the objectives of the scheme in terms of improving the street-scene environment and facilities for pedestrians. These proposals are the most suitable option in order to achieve the objectives whilst providing the necessary loading and unloading facilities.

7. **Crime and Disorder Act Implications**

7.1 It is considered that there are no issues arising under the Crime and Disorder Act associated with this proposal. This proposal includes changes to the street-scene layout including the provision of additional street furniture i.e. benches and bollards. The detailed design will take into account the need to deter, as far as possible, antisocial behavior.

8. **Human Rights Act Implications**

8.1 The rights of those living / working in the affected area have been considered and will be reflected in the detail design. The objection period will reveal any further local concerns which will then be considered at a later time.

Tony Toynton

Director Communities & Infrastructure

Contact: Chris Stark Tel: 01403 229814

Appendices

[Appendix A](#) – Survey of East Street traders

[Appendix B](#) – Customer Focus Appraisal

[Appendix C](#) – Plans of East Street layout

[Appendix D](#) –TRO plan

Background Papers

None.