

# PORTFOLIO HOLDER DECISION RECORD



Report subject	<b>Darby's Lane Experimental Traffic Regulation Order (ETRO)</b>
Decision maker	<b>Cllr Mike Greene (Portfolio Holder for Transport and Sustainability)</b>
Decision date	Not before 12 August 2021. This has been extended from the original date of 29 July 2021 to allow interested parties to make representations at the request of the Portfolio Holder.
Decision taken	<b>To extend the experimental closure of Darby's Lane for review and decision after 3 months of further operation, and, to expand the experiment to include a new closure of Kingsbere Rd at its junction with Hennings Park Road by Experimental Traffic Regulation Order (ETRO) with a further review after 6 months of operation and consultation.</b>
Reasons for the decision	<p>Decisions regarding Traffic Regulation Orders (TROs) including ETROs are delegated to the Portfolio Holder. An ETRO can run up to a maximum of 18 months and therefore a decision is required in regard to the future regulation of traffic in this area.</p> <p>The Portfolio Holder has considered the results of consultation to date, has considered the evidence he has received relating to operation of the closure and the wider implications for the traffic network and also has consulted and taken direction from the local Ward Cllrs and Officers and considers that the experimental closure of Darby Lane should be continued for review and decision after 3 months of further operation, and, to expand the experiment to include a new closure of Kingsbere Rd at its junction with Hennings Park Road by Experimental Traffic Regulation Order (ETRO) with a further review after 6 months of operation and consultation.</p> <p>The closure of Kingsbere Rd may prevent an alternative cut through route and may more effectively create a small Low Traffic Neighbourhood (LTN) and this may change the public view of the measure and help realise wider benefits.</p> <p>In view of the maximum legal duration of an ETRO of 18 months, there is insufficient time to extend the Darby Lane closure by 6 months and still process a final decision on that measure. This is the reason the Darby's Lane closure will be subject to review after only 3 months of further operation.</p> <p>The new ETRO to introduce an experimental closure of Kingsbere Rd can continue for a maximum of up to 18 months however the intention is to review that after 6 months of operation. It is noted that 6 months of operation is the minimum period of operation required for an ETRO to be reviewed and made permanent.</p>
Call-in and urgency:	This decision is subject to a 5-day call in period.

Corporate Director	Kate Ryan – Chief Operations Officer.
Responsible officer	Richard Pearson
Wards	Oakdale
Status	Open
Background	<p>The original scheme comprised installation of a point road closure to motor traffic of Darby's Lane at its junction with A35 Wimborne Rd.</p> <p>Darby's Lane lies on the Transforming Cities Fund (TCF) route C5 which links Canford Heath to Poole Town Centre. It is a key walking and cycling route to Poole High School which is less than a mile away, and there are also a number of junior schools in the surrounding area. As such, this route is a primary link on the draft Local Cycling and Walking Improvement Plan (LCWIP). De-trafficking Darby's Lane has created a quiet road suitable for children to cycle on – without this it would be necessary to consider installing segregated cycling infrastructure along its length in order to maintain the safe continuous route intended under TCF. The measure also facilitates more significant junction improvements as part of that intervention.</p> <p>Kingsbere Road is only 200m from an entrance to St Marys Primary and its closure will help promote walking and cycling to the school and in the area by making it a quieter and safer route.</p> <p>The proposed closure of Kingsbere Road to through traffic will directly affect the route of the Service 32 bus to Poole, operated by Morebus. This service is contracted by BCP Council to ensure local residents have access to a bus in the area. It operates two times each way per day on Mondays- Saturdays.</p> <p>Following closure of Kingsbere Road Service 32 will instead divert along the length of Pound Lane, with 4 bus stops provided.</p> <p>The local bus operator will be asked to provide information on journey times in this area so that monitoring of the scheme can take place. All buses are fitted with GPS tracking and this can be used to accurately determine impacts. The data will be requested in Autumn 2021 when traffic volumes are more likely to have settled to normal pre-Covid levels. The Council will also continue to monitor road casualties on the diversion routes for bus and general traffic.</p> <p>The remit of the original Darby's Lane experimental closure was to:</p> <ul style="list-style-type: none"> <li>▪ Foster an increase in cycling by creating a safer, more continuous cycle route;</li> <li>▪ Support the health, environmental and traffic benefits of sustainable travel in line with national and local transport policy;</li> <li>▪ Initially, and ongoing to a degree, to form part of the Council's transport response to the COVID-19 pandemic.</li> </ul> <p>The existing experimental road closure was brought in by a decision of Corporate Incident Management Team (CIMT) as part of the Council's Emergency Active Travel Fund Tranche 1 (EATF T1) Programme. Based on Department of Transport (DfT) requirements EATF T1 measures had to be devised within 7 days, started to be delivered on the ground within 4 weeks and completed on the ground within 8 weeks of commencement. The measure was</p>

introduced with the stated intention of reviewing it after an experimental period of 6 months.

The measure was installed on 18<sup>th</sup> August 2020 and therefore the 6 month initial review period ended on 21<sup>st</sup> February 2021.

The measure has been retained in place to date pending this review and a decision.

The Council was not able to collect meaningful data on the traffic impact of this measure as traffic flows have been very varied and atypical during the trial period due to periods of lockdown related to Covid. Therefore any data collected is not meaningful compared against previous known flows. However, the Council has a strategic traffic model called a SATURN model. This is based on known traffic flows in 2017. This model gives an indication of the impact of the Darbys Lane closure on some of the possible alternative routes that traffic would take and the changes to traffic volume and journey times on these routes is set out below:

Derby's Lane	Route	AM Travel Time Diff (seconds)	Inter Peak Travel Time Diff (s)	PM Travel Time Diff (s)	AM Traffic Volume Difference (Vehicles/hr)	PM Traffic Volume Difference (Vehicles/hr)
Rossmore Rbt to George Rbt via Longfleet Road	Route East Bound	-8.9	-6.7	-3.3	14	36
	Route WB	7.9	9.0	4.2	36	26
Dorset Way/Adastral Rd Rbt to 7830 Wimborne Rd/Dorchester Rd (09PS) Via Dorchester Rd/Oakdale Rd	Route East Bound	-0.05	0.3	0.3	-64	-68
	Route WB	-2.4	-9.5	-12.2	-8	-7
Wimborne Rd/Dorchester Rd (09PS) To Dorchester Rd/Pound Ln	Route East Bound	0.5	0.6	0.9	58	70
	Route WB	-0.9	-8.2	-11.1	-4	-5

The largest increase in journey time of 9 seconds is west bound from Rossmore Roundabout to George Roundabout via Longfleet Road. The largest traffic volume increase is on Wimborne Rd/Dorchester Rd to Dorchester Rd/Pound

	Lane and comprises an increase of 70 vehicles per hour. These increases are relatively small in scale.
Options appraisal	<p>The options available are to retain, modify or remove the measure and/or continue the experiment and review again at a future time within the original 18-month experimental period.</p> <p>Whilst the measure has never operated at normal times, due to the Covid 19 pandemic, many of the original scheme objectives still apply however certain modifications have been identified as being desirable and viable in the light of the consultation feedback.</p>
Consultation undertaken	<p><b>Public Consultation:</b></p> <p>Whilst the period for pre-consultation of this measure was very short, the experimental period has provided a less time pressured consultation to be undertaken as follows:</p> <ul style="list-style-type: none"> <li>▪ 'ETRO Response' mailbox collected written objections and written representations of support or comment. A summary of responses and analysis is provided. (Appendix A);</li> <li>▪ Online questionnaire to collect information about how individuals responded to the measure on a scale ranging from positive to negative and on a range of specific questions (Six-Month Review March 2021- Appendix B).</li> </ul> <p><b>Formal written responses:</b></p> <p>A total of 31 responses were received, 4 in favour, 16 against and the remainder were comments, queries or neutral.</p> <p><b>On-line questionnaire:</b></p> <p>As of 21<sup>st</sup> February 2021, 160 responses were received.</p>

- 74% disagree that Darby's Lane should prioritise cycling at the New Inn Junction. 23% agree.
- 71% disagree that the changes make it safer for me to cycle in Darby's Lane. 22% agree.
- 74% disagree that the changes make it safer for me to walk in Darby's Lane. 18% agree.
- 82% disagree that the changes have encouraged me/my family to travel to school on foot/by bicycle. 12% agree.
- Overall, one in five (20%) of respondents feel a positive impact from the changes, with just over two thirds (68%) feeling a negative impact.

Results vary by date of response, respondent type, age, gender and mode of travel.

Notably, 47 of the responses were received before launch (during the ETRO notification period), 65 during the first 4 weeks and 46 after 4 weeks.

Before launch, 74% perceived a negative impact, during the first 4 weeks 80% perceived a negative impact however after 4 weeks 46% perceived a negative impact and 43% perceived a positive impact.

It is possible that those responding before or shortly after the measure was installed were responding more to the idea of the measure whereas those responding after 4 weeks were perhaps responding more to how the measure impacted them in practice. Furthermore, due to the pace at which the measures were introduced in the very early stages of the closure the Traffic Signals at the Wimborne Road/Fernside Road (New Inn) Junction were not adjusted to match the trial arrangement as traffic signal adjustment took longer to introduce for technical reasons. Overall, whilst the public consultation is on balance against the measure, it is apparent that during the course of the trial the public view moved to be more supportive of the trial.

Kingsbere Rd is an alternative route for many rather than using A35 Wimborne Rd. It is possible that some of the remaining negativity around the trial is based on those responding locally who have had more traffic displaced onto their roads and therefore the suggestion of extending the trial period by 3 months and introducing a closure in Kingsbere Rd may increase overall local support for the experiment.

The user group most supportive of the measure were cyclists, with 40% being in favour and 45% being against.

Overall, the main reasons cited by those against the measure are an increase in congestion, displaced traffic and pollution and also a lack of understanding why the measure is needed and safety concerns.

Members Consulted who are all in favour of this decision:

- Cllr Mike Greene, Cabinet Member for Transport and Sustainability
- Cllr Felicity Rice, Ward Cllr for Oakdale
- Cllr Pete Miles, Ward Cllr for Oakdale

Officers Consulted:

- Julian McLaughlin – Service Director, Transport and Engineering
- Richard Pincroft – Head of Service, Transportation
- Richard Pearson - Transport Network Manager
- Andy Brown – Traffic Team Leader

	<ul style="list-style-type: none"> <li>• John McVey - Sustainable Transport Policy Manager</li> </ul>
Financial/Resource implications	<p>The initial costs of implementing the original EATF T1 programme measure were approximately £5,000 and these costs were recoverable from the external EATF T1 capital grant from the DfT.</p> <p>Retaining and expanding the measure in the way described would result in costs of around £10,000 to amend the current ETRO and these costs would be funded from the EATF Tranche 2 programme that included budget for the modification of Tranche 1 schemes.</p>
Summary of legal implications	<p>The Council has powers under the Road Traffic Regulation Act 1984 to make Traffic Regulation Orders and Experimental Traffic Regulation Orders.</p> <p>The legislation enables the Council when making an ETRO to include a provision granting power to a relevant officer to amend or vary the ETRO whilst it remains in force. The ETRO can remain in force for up to 18 months and therefore extending the trial by 3 months from the date of this decision is permitted.</p> <p>The proposed new ETRO in Kingsbere Rd will sit alongside the existing one and the impact monitored. The Council has, in reaching the decision to continue the existing ETRO and make the new one, considered the results of consultation to date and will continue to monitor the impact of the changes and further feedback during the remaining temporary period prior to any decision to make the experimental orders permanent. The decision to make a new ETRO is one for the Portfolio Holder to make, and this Decision Notice sets out how he has reached this decision and formally records the decision in line with the Council's Constitutional requirements.</p> <p>In making the decision to continue the existing Order and make a new Order the Council has considered the criteria contained within Section 122 of the Road Traffic Regulation Act 1984 and in particular the duty to make decisions to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).</p>
Summary of sustainability impact	<p>LTNs help to promote sustainable travel and therefore the environmental impact of this measure is mainly positive locally however some of the benefits may be offset by the displacement of traffic. This in turn may be offset if the measure helps promote more local travel by sustainable modes in the medium or longer term.</p>
Summary of public health implications	<p>Sustainable travel measures help promote more active travel modes and these modes help promote a healthy lifestyle.</p> <p>Reducing traffic will help improve air quality although there is some risk that displaced traffic may increase emissions elsewhere. Similar to the environmental impact, this may be offset if the measure helps promote more local travel by sustainable modes in the wider area in the medium or longer term.</p> <p>If central government advice on social distancing continues for some time, the closure of the roads helps prioritise the road space for pedestrians and provides more opportunity for people to socially distance and this may also help support a positive public health outcome.</p>
Summary of equality implications	<p>A comprehensive EIA screening has been undertaken based on the outcome of the consultation to date. This is attached Appendix C.</p>

	<p>Significant differences were only shown for age and gender. Some <b>age</b> groups showed slightly more agreement with the trial than others, but notable was the significant disagreement for the 35-44 age group. For <b>gender</b> men were less pronounced in their opposition compared to women. There were more pronounced variations in disagreement and impact based on where people live, how they travel, if they use local services, work in the area and the time the response was received. There will be different profiles for these groups, but any conclusions can only be supposed.</p> <p>In the context of responses showing relatively low levels of agreement, extending and enhancing the trial will not evidence further impact for any protected groups compared to the initial trial. By allowing more time and modifying the scheme to anticipate reducing traffic impacts arising from the initial 6 months period, more of the intended original benefits should be realised. Providing a safer overall environment to encourage take up of active travel is more inclusive and for this scheme there are not corresponding impacts on other protected groups by extending the trial.</p> <p>With disproportionate impacts of poor air quality for disabled people and children, and the detriment of high traffic levels for children's development, extending the time and scope of the trial will continue to provide benefits to these groups.</p> <p>Overall, the equality impact of this measure is therefore considered neutral or slightly positive however an extension of the trial will allow for more analysis to be undertaken.</p>
Summary of risk assessment	There are no major risks identified and a summary of the risks is included in Appendix D.
Conflicts of interest declared by Cabinet member consulted on this decision	Not applicable.
Background papers	Emergency Active Travel Fund Programme Cabinet Report 9/9/2020