

Decision Record – Proposed Traffic Signals, A3400 Birmingham Road / Western Road junction, Stratford-upon-Avon

Cabinet Portfolio Holder taking decision

Councillor Peter Butlin – Transport and Highways

Date of Decision:
(NOT BEFORE – 25th January 2013)

25th January 2013

Decision taken

That I, as Portfolio Holder for Transport and Highways, approves the implementation of the proposed traffic signals with crossing facilities for pedestrians and cyclists at the A3400 Birmingham Road / Western Road junction in Stratford-upon-Avon as part of a Section 278 agreement with Redrow Homes Limited.

Reasons for Decisions

The Portfolio Holder held an open public meeting on 25th January to consider objections from members of the public. A copy of the minutes of the meeting is attached at Appendix A.

(A) Evaluation of Alternative Options

As part of its assessment of the junction within the operational context of the A3400 Birmingham Road/Guild Street corridor as a whole, JMP have considered a number of alternative junction options and concluded that a roundabout would not be feasible for the following reasons:

- 1) The potentially significant costs of acquiring third party land necessary to build a roundabout of sufficient size;
- 2) The likelihood of significant utility service diversions which would also add to the cost; and
- 3) Potentially adverse road safety implications for pedestrians and cyclists.

A left-turn-only system from Western Road has also been considered but this is also not feasible for the following reasons:

- 1) Warwickshire Police have indicated that they would object strongly to a right turn “prohibition” at this location that was not entirely self-enforcing;

- 2) It is not possible to construct a physical feature that would allow heavy goods vehicle movements to manoeuvre safely into and out of the junction within the existing highway boundary; and
- 3) Such a facility would not be consistent with the bus operations plan for the proposed interchange as noted in **Section 3 (c)** below.

Having considered alternative options for the junction and concluded that they are not feasible, JMP has put forward the following recommendation:-

The consented traffic signal scheme provides the best junction performance overall. Alternative junction types have been considered and rejected as either undeliverable or causing excessive delay to the traffic leaving Western Road. These other schemes are unlikely to be acceptable on highway safety grounds nor would they be in accordance with the operational requirements for the proposed bus/rail interchange. Therefore, it is recommended that the consented traffic signal scheme should be implemented as the first phase of improvement at Western Road with a potential second phase of improvement if and when Warwick House is redeveloped.

The local member has objected to the above recommendation due to concerns that the traffic signals would further increase traffic congestion on A3400 Birmingham Road.

Although JMP's analysis shows that the proposed traffic signals are likely to increase vehicle delays and congestion on Birmingham Road, there are a number of compelling reasons why the recommendation to provide them should be accepted as discussed below.

(B) Road Safety Considerations

Proposals to redevelop the former Cattle Market will generate significant additional traffic on Western Road and increase the number of turning movements at its junction with Birmingham Road.

Western Road is currently a no-through road so traffic volumes are relatively low. However, as part of the Cattle Market redevelopment, the road will be opened up for general traffic and buses as a through route between A422 Alcester Road and A3400 Birmingham Road.

As noted previously, average weekday traffic flows (Mondays to Fridays) on Birmingham Road are consistently high throughout the entire 12-hour day (7am to 7pm) and there are very few gaps in the traffic stream. There are also periods of particularly high traffic intensity on Saturdays between 12 noon and 2pm during the retail and visitor peak.

JMP's analysis has confirmed that without the traffic signals, vehicles wishing to exit Western Road onto Birmingham Road would experience significant delays due to these high traffic volumes.

Such delays are likely to increase the risk of accidents if drivers on Western Road become impatient while waiting for gaps in the Birmingham Road traffic and pull out when it is unsafe to do so.

JMP has therefore concluded that that the traffic signals are necessary to allow vehicles to exit onto Birmingham Road safely and also to enable pedestrians and cyclists to cross Western Road safely. The off-road shared foot/cycle route which crosses Western Road near the junction mouth carries approximately 250 two-way cycle movements per day and significant pedestrian flows.

(c) Operational Requirements for Bus/Rail Interchange

The proposed bus rail/interchange is a key component in the Warwickshire Local Transport Plan Stratford Transport Strategy and a saved policy (SUA.1) from the Stratford-on-Avon District Local Plan Review.

The bus operations plan at the interchange is predicated on the requirement for traffic signals at its southern access (A422 Alcester Road/Brunel Way junction) and to the north (A3400 Birmingham Road/Western Road junction). It would not be feasible to serve the development or the bus/rail interchange from a single access on A422 Alcester Road.

As there is no turning circle at the interchange due to land availability constraints, buses require access in a clockwise and an anti-clockwise direction depending on which bus route is being operated.

The County Council currently provides financial support for approximately half of all local bus services in Stratford-upon-Avon. It is currently proposed to schedule these services to and from the interchange but this will depend on buses being able to access and egress it efficiently at no additional cost.

The County Council also proposes to encourage commercial bus operators to operate services to and from the interchange and to use it for layover purposes to reduce the impact of buses from locations such as Wood Street and Bridge Street. The Council's willingness to do so will also depend on buses being able to access and egress it efficiently at no additional cost. The proposed traffic signals would enable efficient access and egress to be provided at the interchange for buses and also rail replacement coaches in the event of train cancellations.

It is anticipated that a significant number of buses would enter the interchange from A422 Alcester Road to the south for layover purposes. These buses would need to exit the interchange via Western Road and turn right towards town in order to resume service.

A left-turn-only system using Regal Road roundabout to U-turn is however not feasible for the reasons previously noted in paragraph 3.6 above.

(D) Legal Considerations

Planning permission for the Cattle Market development includes a condition which requires that traffic signals at the A3400 Birmingham Road / Western Road junction must be in place before properties can be occupied.

Failure to provide the traffic signals in accordance with the condition is likely to prevent the developer from selling the properties, as it will not be possible for them to discharge the condition.

The Courts have ruled that when the planning authority has decided what highway works are necessary to make a development acceptable, and has granted planning permission requiring that those works be carried out, the highway authority is in effect under a legal duty to co-operate in the implementation of the permission even if it disagrees, or subsequently changes its mind, about the desirability of the works.

There is an exception to this rule, but only where circumstances have changed so fundamentally as to undermine the basis of the original decision on highways requirements.

If there has been no such fundamental change in circumstances, the developer could potentially take steps to force the County Council to carry out the works, or obtain permission for the development to proceed without compliance with the condition.

If the development were to be allowed to proceed without compliance with the condition, and later it is found that the traffic signals are essential (due to accidents or severe congestion on Western Road), the County Council may have to fund provision itself at a cost of £150-200,000. This funding would need to be met from the County Council's Capital Programme, potentially at the expense of other transport schemes. The revenue costs for the ongoing operation and maintenance of the traffic signals, which are currently due to be provided via a commuted sum from the developer, would also need to be met by the County Council. This cost would fall on the Transport and Highways Revenue Budget.

(E) Construction Access Requirements

The first phase of construction works at the former Cattle Market site requires the access onto A422 Alcester Road to be closed-off. In order to maintain access to Stratford Station and to enable spoil from the development to be transported off-site, the sole means of access to and egress from the development will be via Western Road.

The proposed traffic signals are also necessary to accommodate the additional traffic which will be generated during this phase of construction in order to provide safe access onto Birmingham Road.

**Background Information/ factors considered in arriving at these decisions -
(set out below and in the officer report):**

Background:

The recommendation to provide traffic signals at the junction of A3400 Birmingham Road/Western Road with crossing facilities for pedestrians and cyclists was originally considered by Stratford-on-Avon Area Committee at its meeting on 12 October 2011.

The Area Committee resolved to hold a further meeting once more information had been gathered about the significant changes that had occurred along the Birmingham Road corridor (specifically new developments and associated increases in traffic flows), and the desirability of reviewing all traffic management measures along the route.

At its meeting on 8 December 2011, the Area Committee resolved that,

- 1) Subject to Recommendations 2 and 3 also being approved, the decision on the proposed traffic signal junction with pedestrian and cycle facilities at Birmingham Road/Western Road be deferred for determination by the Area Committee no later than 30 September 2012.
- 2) The proposed traffic signal junction with pedestrian and cycle facilities at Alcester Road/Brunel Way, Stratford-upon-Avon be implemented as advertised.
- 3) The Warwickshire County Council (District of Stratford on Avon) (Civil Parking Enforcement Area) Waiting Restrictions, On Street Parking Places and Residents Parking) (Consolidation) (Variation No. 14) Order 2011 be implemented as advertised.

The approval of Recommendation 3 above means that there are no further Traffic Regulation Orders that now need to be approved.

The purpose of the deferral under Recommendation 1 above was to allow the A3400 Birmingham Road Traffic Management Study to be completed.

Although this study has taken longer to complete than originally anticipated, it has now put forward a set of recommendations including proposals for the Birmingham Road/Western Road junction.

Financial Implications:

If the recommendation is approved then the costs of providing the traffic signals will fall entirely on the developer of the Cattle Market site.

If however the recommendation is not approved there are financial risks to the County Council from either legal action or the need to provide traffic signals at the junction.

Report Author:	Nick Dauncey
Head of Service:	Graeme Fitton
Strategic Director:	Monica Fogarty
Portfolio Holder	Councillor Peter Butlin

Checklist

Urgent matter: yes/no*

No

Confidential or Exempt (state category of exempt information)

No

Is the decision contrary to the budget and policy framework?

No

List of Reports considered [please attach or forward a copy]

Report from author
Minutes – 25th January 2013 (Appendix A)

List of Background Papers [please include directorate contact names and numbers for access to background papers]

None

Any members and officers consulted or informed and any comments given.

Cllr Peter Butlin (Portfolio Holder)

Cllr Tilly May

CORPORATE BOARD

Legal – Ian Marriott, Serena Cammish, Peter Oliver, John Gregory

Finance – Liz Firmstone

Equality – Tejay De Kretser

Democratic Services – Georgina Atkinson

Communities O&S:

Cllr John Whitehouse (LD Chair)

Cllr Chris Saint (Vice Chair & C Spokes)

Cllr Ray Sweet (L Spokes Environment)

Cllr Izzi Seccombe

**Minutes of the Portfolio Holder (Transport and Highways) Decision Session
held on 25th January 2013**

Present:

Councillor Peter Butlin (Portfolio Holder, Transport and Highways)

Other Councillors:

Councillors Peter Balaam, Ron Cockings, Mike Perry and Kate Rolfe

Officers:

Georgina Atkinson, Democratic Services Team Leader
Nicholas Dauncey, Principal Transport Planner, Transport and Highways
Adrian Hart, Team Leader – Transport Planning, Transport and Highways
Ian Marriott, Community and Environment Legal Services Manager

1. Members' Disclosure of Pecuniary and Non-Pecuniary Interests

There were no declarations of interest.

2. Proposed Traffic Signals at the A3400 Birmingham Road/Western Road junction, Stratford-upon-Avon

Councillor Butlin, Portfolio Holder for Transport and Highways, welcomed the Councillors in attendance.

The meeting commenced with a presentation from Nicholas Dauncey, Principal Transport Planner, which provided background information in respect of the proposed recommendation. This included an outline of the key issues, which primarily appertained to traffic congestion along Birmingham Road and the need to provide safe access to a significant number of commercial, residential and retail developments.

A study was undertaken by JMP Consultants Ltd to assess possible options to tackle congestion and improve the air quality along the A3400 Birmingham Road corridor, while considering the access and safety requirements of all road users. As part of the study, JMP were required to recommend an appropriate form of junction at A3400 Birmingham Road/Western Road within the operational context of the route as a whole and including the effects of the proposed Cattle Market development and other committed developments affecting the corridor. Six assessment scenarios had been considered by JMP including traffic signals, the existing junction layout, the existing layout with a hardstanding island south of the junction, a roundabout, a restricted movement junction (with no right turn out of Western Road) and a restricted movement junction (with no right turn in or out of Western Road).

The results of this assessment, together with the County Council's obligations as part of the Section 278 agreement with Redrow Homes Ltd for the Cattle Market development, had concluded that traffic signals outperformed all alternative junction arrangements when considered against all assessment criteria. This would include

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crossing facilities for both pedestrians and cyclists. Although a restricted movement junction would improve journey times for left turners, a safe road layout was not achievable within the current highway boundary. There was a risk that drivers would ignore the right turn prohibition and a risk of collisions between large vehicles turning left into Western Road and outbound traffic leaving it. It would also increase crossing distance for pedestrians and journey lengths for buses, which could deter passengers and increase operating costs.

Following the presentation, Cllr Butlin invited each of the four Councillors present to set out their views in relation to the proposal.

Councillor Perry spoke in objection to the proposed recommendation. He considered that the proposed option had been identified before the end of the study and that there had been no consultation with the Birmingham Road Steering Group. In addition, he was concerned that the decision would further exacerbate traffic issues along Birmingham Road corridor, which he felt had been generated over time by a piecemeal approach to planning and developments.

Councillor Balaam spoke in objection to the proposed recommendation. He considered that as the option had been proposed on the basis of two assumptions, which he felt were flawed, the option was therefore not the most appropriate solution. He explained that the decision not to proceed with the roundabout option and Restricted Movement Junction had been made on the assumption that the acquisition of the required land would involve a Compulsory Purchase Order (CPO). In addition, Councillor Balaam felt that the decision not to proceed with the restricted movement junction (with no right turn out of Western Road) had been made on the assumption that it would not be agreeable to bus operators and passengers, due to increased journey lengths. He believed that no consultation had been undertaken with the bus operators regarding this assumption.

Councillor Balaam agreed with Councillor Perry that new junctions for accessing developments along Birmingham Road had been implemented in a fragmented manner and considered that this was just cause for an alternative traffic management option to be applied at the Western Road junction.

Councillor Rolfe spoke in objection to the proposed recommendation and expressed concern that the implications of the development had not been fully realised when the planning application had been originally considered by Stratford-upon-Avon District Council. This had subsequently created a difficult situation for Warwickshire County Council, as highway authority, to resolve. Councillor Rolfe considered that the assumption that motorists would ignore the restricted movement junction was inaccurate, as she believed that heavy traffic and the physical restraint of the junction would force motorists to adhere to the restriction.

Councillor Cockings spoke in objection to the proposed recommendation. He considered that both the District and County Councils needed to develop a long-term and co-ordinated strategy for the consideration of future developments both along the Birmingham Road and within Stratford as a whole. Councillor Cockings also highlighted that the Section 278 agreement with Redrow Homes Ltd had created a challenging situation for the County Council.

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In response to the concerns and comments raised, Councillor Butlin acknowledged the complications caused by the approval of the Cattle Market development on appeal in 2007 and believed that these would hopefully be improved in relation to future developments once the District Council's Core Strategy had been finalised.

With regard to the acquisition of the land required for the installation of a roundabout, Councillor Butlin explained that the timescale associated with the process for a CPO would be approximately 18 months. This delay would be unacceptable due to the implications it would have on the Cattle Market development and the legal implications of not discharging the planning condition associated with the development to provide traffic signals at Western Road. Furthermore, the size of the roundabout at Regal Road would be insufficient for the safe U-turn manoeuvre of buses and HGVs.

In response to a question raised, Nicholas Dauncey explained that the proposed traffic signals would enable both buses and HGVs to manoeuvre without the acquisition of private land. Adrian Hart, Team Leader – Transport Planning, explained that the piecemeal approach to development along Birmingham Road was a significant issue and had constrained the number of options available to the County Council for dealing with traffic generation. He explained that while the Birmingham Road study had assessed the feasibility of a range of options, there was never a guarantee that it would identify an ideal set of solutions that would be both feasible and affordable for the corridor. A significant rationale for the proposed option at Western Road was the impact of safety to both motorists and non-motorists. He explained that making the decision based purely on the impact on traffic congestion alone was insufficient and that the junction had to operate safely for all road users.

In response to a question raised, Ian Marriott, Community and Environment Legal Services Manager, explained that a CPO application to acquire the land to install the roundabout or restricted movement junction would be judged on a range of criteria, with safety being a significant factor. This would become more difficult to justify following the installation of the traffic lights at the junction, unless there were serious concerns about safety.

To conclude, Councillor Butlin thanked the Councillors for attending the meeting and assured them that their concerns and suggestions had been noted; however, on the basis of the study results, together with the County Council's obligations as part of the Section 278 agreement with Redrow Homes Ltd for the Cattle Market development, Councillor Butlin approved the recommendation to install traffic signals at the A3400 Birmingham Road / Western Road junction.

Councillor Butlin agreed to issue a press release to provide the public with information regarding the decision. Councillor Balaam requested that he and the Birmingham Road Study Steering Group have the opportunity to review and contribute towards the press release before it is issued, to which Councillor Butlin agreed.

The meeting closed at 1.10 p.m.