

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

7 February 2017

Report of the Strategic Director – Economy, Transport and Communities

**PETITION – SWARKESTONE, BARROW LANE AND WOODSHOP LANE –
REQUEST FOR PERMANENT ROAD CLOSURE**

(1) **Purpose of Report** To inform the Cabinet Member of investigations undertaken following receipt of a petition requesting that the Barrow Lane junction with Woodshop Lane, Swarkestone be closed to traffic.

(2) **Information and Analysis**

Background

On 22 March 2016, the Cabinet Member acknowledged receipt of a petition containing 27 signatures requesting that the Barrow Lane junction with Woodshop Lane, Swarkestone be closed to traffic.

The petition reads as follows:

“Woodshop Lane is increasingly being used as a ‘rat run’ with cars and vans travelling in excess of the 30mph limit along what is an “Access Only” road. This is illegal on all counts. It is rapidly becoming a danger to ourselves as well as walkers, cyclists and other legitimate users. In the absence of any meaningful enforcement, it is proposed that the Barrow Lane end be permanently blocked.”

Local Member Comments

Councillor Rob Davison made the following comments:

“I fully support the request to close off Woodshop Lane to vehicular traffic at the current northern junction. Since being elected in 2013 I have had raised with me the issue of Woodshop Lane being used as a rat-run by vehicles heading to/from the Barrow direction from/to Melbourne, the Airport and Swadlincote.

I understand that all except 2 households on Woodshop Lane have signed this petition. I am informed that only one householder was against and the other was absent during the period the petition was gathered.

The one but important practical consideration is that delivery lorries need to use Woodshop Lane to access the public house. Closure of the north end will require residents' acceptance that the vehicles will need to make three-point turns by partial reversing into drive ways.

This is an unlit lane and in parts without a footpath. I have observed vehicles rushing down Woodshop Lane, which happens in both directions. As well as local residents it is used in the summer by visiting walkers and cyclists. Particularly during the summer Woodshop Lane is also crossed dozens of times a day by customers at the Crewe and Harpur public house to get to and from the riverside beer garden.

Residents have reported near misses when using the lane, who despite their local knowledge, have been taken unawares. Particularly at the lane's SE bend, and near the pub, the passing ramblers, cyclists and pub-goers are even more likely to be surprised by unexpected vehicles.

The residents had practical experience of Woodshop Lane being closed in February this year when the Derby-Melbourne road was closed for works by Severn Trent Water. The lane was blocked to avoid an increase in rat-running as Derby bound traffic was encouraged to head west from Swarkestone. The resultant quietening of the road for a week is what prompted this petition, instigated by a resident of Woodshop Lane.

Closing the road is not without some inconvenience to residents. When wanting to travel to/from the westerly direction they will have a slightly longer journey. Leaving Swarkestone will involve turning left near the bridge and then left again. When returning they will have to cross the oncoming traffic to turn right twice. Indeed from the Barrow direction it is the considerable back up of traffic that has made Woodshop Lane a popular short cut. The affected residents are therefore willing to accept longer journey times as a small price worth paying in order to achieve a better quality of life for themselves and visitors.

The overwhelming support for the petition shows this is the settled will of the great majority of residents and I ask the cabinet member to approve the request."

Officer Comments

Woodshop Lane is a residential lane, semi-rural in character, with a narrow single carriageway. The alignment of the lane is relatively straight, except for a sharp bend encountered at its southernmost point, and shares a junction with the A5132 Barrow Lane at its northern end and with the A514 Swarkestone Road at its eastern end. The Crewe and Harpur public house is located at the junction with Swarkestone Road which fronts directly onto the carriageway edge; a beer garden for the pub is located on the southern edge and patrons are required to cross the lane to gain access.

Historically, the road has been subject to through traffic by drivers wishing to avoid the nearby A5132/A514 give way junction. In an effort to deter this behaviour, the County Council introduced a Prohibition of Driving (Except for Access) Order on Woodshop Lane and regulatory signs are in place at either end, accompanied by supplementary plates advising of 'no through route to A5132' and 'A514', respectively. The signage, which is illuminated, remains in good condition and the restriction is legally enforceable by the Police. It is recognised, however, that the ability for the Police to carry out enforcement is limited, given other more demanding priorities they have.

Despite the petitioners concerns in regard to Woodshop Lane being increasingly used as a 'rat run' and of excess speeds, it does not suffer from a collision history problem. A check of the Police database, which records all collisions resulting in personal injury, reveals there have been none on Woodshop Lane, or at its two junctions, in the last three years. The available data indicates that, whilst the use of Woodshop Lane as a through route is illegal, this in itself does not appear to present a clear road safety issue from the associated increase in vehicle movements.

Blocking off Woodshop Lane at its northern end would indeed remove through traffic, with the lane effectively becoming a cul-de-sac. Modern design standards recommend that a turning head should normally be provided at the end of all cul-de-sacs wherever vehicles would otherwise have to reverse over long distances. Woodshop Lane is some 250m in length and therefore, without a turning head, vehicles would potentially be forced to reverse for unacceptable distances, having to negotiate the aforementioned sharp bend. This would create particular access problems for refuse collection vehicles and delivery vehicles (both for the pub and residential properties) which, in the absence of a turning head, would likely have to reverse out onto the busy A514 Swarkestone Road. Such a manoeuvre would be unsafe, and reversing onto roads of this class should clearly be avoided.

A turning head at the northern end of Woodshop Lane would therefore be essential, to avoid vehicles having to reverse long distances, which would need to be of sufficient width to allow refuse collection and delivery vehicles to turn safely. The layout of the carriageway dictates that a minimum width of 16.5m, maintained over a length of at least 4.8m, would be required to accommodate such manoeuvres.

On-site investigations have determined that the physical restraints of the built environment prevent the above width from being achieved. The existing carriageway falls well short of the required width and, even with removal of the adjacent grass verge and footways, there would be insufficient road space to construct a suitable turning head. Irrespective, it is anticipated that the removal of verge and footway would not be an acceptable compromise to some residents of Woodshop Lane.

Without the possibility of a turning head, drivers would be left with the prospect of having to find space to turn around and this is likely to lead many to use private land and driveways or, for larger vehicles, reversing the entire length of Woodshop Lane which carries a clear risk, as already described. It is noted that the Local Member has suggested that residents would have to accept vehicles turning on their land. However, it is not appropriate to introduce highway engineering measures if they cannot be managed within the limits of the highway and have to rely on the use of private land.

Given that a turning head cannot be achieved, blocking off Woodshop Lane will inevitably create road safety issues and jeopardise the good collision history under the current arrangement. It is therefore recommended that the request be refused.

Whilst the Prohibition of Driving (Except for Access) Order has limited effectiveness, due to enforcement issues, it is still considered to provide a deterrent to the majority of law abiding road users and other engineering solutions have been explored but are not considered viable for a number of reasons. For example, an upgrade of the existing restriction to physically block-off the road at some point would simplify enforcement for the Police but crucially, would prevent residents from gaining motorised access to their properties from one direction. This might be a compromise some residents may be prepared to accept, but it would significantly increase the usage of the remaining junction. In such circumstances, it is important that road safety is not further compromised as a consequence. Unfortunately, both the junctions concerned have limited visibility with little scope for improvement, so such a measure could increase the risk of vehicular conflict. As mentioned above, in the absence of a dedicated turning head, larger vehicles would also have to reverse onto the main road from this single point of entry.

The introduction of a one-way system has also been considered, removing through traffic in one direction only. Similarly, the 'exit' junction would experience a significant increase in usage with all vehicles required to exit via this junction alone. Experience shows that traffic speed increases following the introduction of a one-way system, due to the removal of an opposing traffic flow and the risk of meeting oncoming vehicles in the carriageway. Clearly, the introduction of any measures that would compromise the existing good road safety record should be avoided.

(3) Financial Considerations There are no financial considerations associated with this report.

(4) Legal Considerations As the Local Highway Authority, the Council is able to propose a Stopping-Up of the Highway, in certain circumstances, through powers provided under the Highways Act 1980 (sections 116 in the case of a vehicular route). Once such an Order is made, the highway land ceases to be a highway (i.e. all highway rights are removed by law). Where a

proposed Order is successful, the land becomes free of any highway control and it is common law presumption that the subsoil of the area stopped-up reverts to the landowners. The landowners subsequently have the rights to enclose that land, subject to any necessary planning consent that may be required.

For a successful application, the Council is required to be able to demonstrate that a highway has either become unnecessary, or, can be diverted so as to make it nearer or more commodious to the public. Local highway authorities do not usually encourage such applications to stop-up the highway as anyone can object to the Stopping-Up proposal and it is difficult to prove that a highway has become unnecessary.

Furthermore, there must be agreement from all residents living in the road, confirming that they fully support the application and that they would take over future maintenance of the road, including all associated costs. There has been no suggestion from residents that they would be willing to take on this responsibility and it would appear from Councillor Davison's comments that at least one resident opposes the request.

Taking the above into account, it is felt that the existing arrangements are the best that can be achieved in the circumstances.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Tracy McCann, extension 31930.

(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 The request to permanently block the Barrow Lane junction with Woodshop Lane, Swarkestone be refused.

8.2 The Local Member and lead petitioner be advised accordingly.

Mike Ashworth
Strategic Director - Economy, Transport and Communities