



## LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

**DECISIONS** to be made by the Lead Member for Transport and Environment,  
Councillor Nick Bennett

**MONDAY, 22 JANUARY 2018 AT 10.00 AM**

**COMMITTEE ROOM - COUNTY HALL, LEWES**

### **AGENDA**

- 1 Decisions made by the Lead Cabinet Member on 18 December 2017 (*Pages 3 - 4*)
- 2 Disclosure of Interests  
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- 3 Urgent items  
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Notice of Motion - Keep HGVs off unsuitable roads (*Pages 5 - 12*)  
Report by the Director of Communities, Economy and Transport
- 5 A259 Bus Priority Measures Experimental Traffic Regulation Order (*Pages 13 - 16*)  
Report by the Director of Communities, Economy and Transport
- 6 Bus Stop Clearway - Lexden Drive, Seaford (*Pages 17 - 28*)  
Report by the Director of Communities, Economy and Transport
- 7 Any urgent items previously notified under agenda item 3

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12 January 2018

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## LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS made by the Lead Member for Transport and Environment, Councillor Nick Bennett, on 18 December 2017 at County Hall, Lewes

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### 26 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 16 OCTOBER 2017

26.1 The Lead Member approved as a correct record the minutes of the meeting held on 16 October 2017.

### 27 REPORTS

27.1 Reports referred to in the minutes below are contained in the minute book.

### 28 RESCINDING OF HIGHWAY IMPROVEMENT SCHEME AT BROAD OAK, BREDE

28.1 The Lead Member considered a report by the Director of Communities, Economy and Transport, together with an amended Appendix 3. .

#### DECISION

28.2 The Lead Member RESOLVED to (1) rescind the highway scheme approved for the A28/B2089 junction in Broad Oak, Brede as shown at Appendix 1;

(2) remove the scheme from the County Council's highway terrier; and

(3) endorse officers continuing to engage with the Parish Council to identify appropriate measures to improve the safety of the junction.

#### Reasons

28.3 The scheme as currently designed is not a solution to address the issues that have been raised with the junction. The historic nature of the scheme and the need to compulsorily purchase land means it is unlikely that the scheme would be implemented by the County Council, given the stated priorities in the Local Transport Plan 2011-2026.

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**Report to:** Lead Member for Transport and Environment

**Date of meeting:** 22 January 2018

**By:** Director of Communities, Economy and Transport

**Title:** Notice of Motion - Keeping HGVs off unsuitable roads

**Purpose:** To consider a Notice of Motion from Councillor Osborne seeking written support to local MPs and the Secretary of State for Transport, for:

- The necessary powers to enable enforcement action to be taken against Heavy Goods Vehicles using unsuitable roads in England, and
- Legislation for all HGVs and large vehicles to install suitable Satellite Navigation (Sat-Nav) systems.

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**RECOMMENDATIONS:** The Lead Member is recommended to recommend that the County Council:

- (1) Does not support the three elements of the Notice of Motion, as set out in paragraph 1.1 under '*This Council calls for*'; and
- (2) Agree the Lead Member in consultation with the Director of CET, writes on behalf of the County Council, to the Secretary for State for Transport, to highlight the issues and impacts that local authorities and local communities in our rural areas are facing as a result of the damage caused by HGVs to our minor road network.

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## 1 Background Information

1.1. The following Notice of Motion has been submitted by Councillor Osborne:

"This *Council* notes:

- *The damage done to many smaller roads, especially villages and rural areas, by HGV lorries using roads that are too small for them and the work done by the Local Government Association to highlight this problem.*
- *Lorry sat-navs are like normal car sat-navs, but they include bridge heights, narrow roads, and roads unsuitable for trucks. In addition, they allow the driver to enter the lorry's dimensions - height, width, weight and load – so they are only guided along suitable roads.*
- *That Councils outside London and Wales are currently prevented from taking enforcement action for the minority of lorry drivers who flout weight and width restrictions, as the Government have failed to bring Part 6 of the Traffic Management Act 2004 into force for Councils in the rest of England.*

*This Council calls for:*

- *The Government to bring Part 6 of the Traffic Management Act 2004 into force for English councils with immediate effect so enforcement action can be taken against lorries who use unsuitable roads*
- *The Government to legislate so all HGVs and large vehicles install suitable sat-navs designed for lorries*
- *The Chief Executive to write to our local MP[s] and the Secretary of State for Transport to bring Part 6 of the Traffic Management Act into force and to support mandatory use of suitable sat-navs for HGVs and other large vehicles."*

1.2. In line with County Council practice, the matter has been referred by the Chairman to the Lead Member for Transport and Environment for consideration to provide information and inform debate on the Motion. The Lead Member's recommendation on this Notice of Motion will be reported to the Council at its meeting on 6 February 2018.

## 2 Supporting Information

### Current County Council policy relating to the control of HGVs

2.1. The County Council policy relating to the control of HGVs is at Appendix 1 to the report. In summary, it seeks to regulate the use of HGVs and, in recognition of the inadequate strategic road network in the county, it outlines that it is accepted that national “A” and “B” roads should be available for heavy lorries and, therefore, will disperse across the network rather than be concentrated on selected roads.

2.2. It is recognised that HGVs will still need to use our minor (“C” class and unclassified) road network for access purposes to households and businesses in our rural areas. The presence of HGVs on our minor road network is influenced by:

- Planning issues – many rural farms/premises are now used for commercial and leisure purposes as part of the diversification of the local economy, particularly in East Sussex where a significant proportion of businesses are small and medium sized enterprises, which results in HGV movements to and from these sites;
- Centralised deliveries by many businesses, resulting in one large HGV making many deliveries across a wide area instead of smaller commercial vehicles delivering from local depots;
- The use of Satellite Navigation systems misdirecting HGV drivers down unsuitable routes;
- Increasing level of internet deliveries; and,
- Overseas drivers not familiar with the local road network.

2.3. Unless there is a specific structure along a route, we are only able to implement prohibitions by way of a Traffic Regulation Order to restrict HGVs using a route as a cut through. In considering a potential prohibition, the following issues are taken into account:

- Is a more suitable alternative route available?
- Can this route be adequately signed?
- What level of enforcement is available by the Police who currently have to follow the offending vehicle through the entry and terminal point of the restriction?
- What is the real extent of the problem – where is the evidence to support the claims of increased HGV use?
- How many of these HGVs would be impacted by a prohibition (origin/destination or number plate surveys would be required for each road under consideration)?
- What are the economic impacts – how would any prohibition affect local businesses which form part of our rural economy?
- What is the environmental impact of additional signage, the cost of implementing the necessary Traffic Regulation Order (TRO), and the whole life cost of maintaining the signs both at the restriction as well as the alternative route signing?

### Part 6 of the Traffic Management Act

2.4. The Traffic Management Act (TMA) was introduced in 2004 to tackle congestion and disruption on the road network. The Act places a duty on local transport authorities to ensure the expeditious movement of traffic on their road network, and those networks of surrounding authorities. Part 6 of the Act specifically relates to the civil enforcement of traffic contraventions, and gives Government the power to introduce a new framework for the enforcement of parking, bus lanes and certain moving traffic matters.

2.5. Part 6 of the TMA (2004) also enabled the introduction of the London Lorry Control Scheme (LLCS), which is often mistakenly referred to as the lorry ban. It is administered by London Councils, and controls the movement of heavy goods vehicles over 18 tonnes maximum gross weight. It operates at night and at weekends on specific roads in London, helping to manage the environmental impact of HGV vehicles and minimise noise pollution. Enforcement is carried out in residential areas during unsociable hours through restricted use of these roads.

2.6. Not all roads in London are controlled by the scheme. There is a core network of routes, usually trunk roads and similar, along which HGVs can travel at any time without needing permission to do so. These roads are known as the Excluded Route Network (ERN). The roads on which the scheme applies are known as Restricted Roads.

2.7. During the controlled hours of the scheme, goods vehicles with permission must travel along the ERN to the closest point of their destination. The journey must be completed by using the shortest distance along restricted roads. If hauliers need to gain access via a restricted road, each vehicle will

require a permission to carry out deliveries/collections within the hours of control. All journeys can be undertaken by using a compliant route in line with the Traffic Order, which is designed to ensure that goods vehicles over 18 tonnes maximum gross weight obtain a permission to use the restricted roads during the prescribed hours of the scheme. The decriminalisation of the scheme means that the operator and the driver using the restricted roads without permission will be at risk of receiving a Penalty Charge Notice (PCN).

2.8. There is nothing in the current legislation which, as the Notice of Motion called for, would enable the introduction of a similar regime to London being implemented across the rest of England. If such a regime were to be introduced, there would be a number of issues at a local level that would need to be addressed:

- For offences to be detected, they would need to be witnessed by a Civil Enforcement Officer or CCTV cameras, both of which would require significant set up costs that would need to include back office functions to identify vehicle owner, issue notices and handle any disputes.
- The potential level of offences that could reasonably be expected to be detected, particularly on the rural parts of our road network, and the level of additional enforcement resource that would be needed to make its introduction financially viable and represent good value for money.
- How additional enforcement resources would be funded as there will be no revenue stream, such as those provided by the current parking enforcement 'pay and display', to supplement the revenue generated by enforcement action.
- A significant upgrade of existing signage, including alternative route signing which is not presently provided for many of our restrictions, to ensure that any potential dispute would stand a realistic chance of being defended at adjudication. It would require significant capital funding to deliver this.
- The introduction of such a regime could potentially lead to the devaluation of some offences within Part 6 of the TMA, including moving traffic contraventions relating to one way streets, no entry, left/right turn prohibitions etc.

#### Satellite navigation systems in lorries

2.9. Over the last 10 years, there has been an increasing number of incidences where Satellite Navigation systems (Sat-Navs) are cited as directing HGVs along inappropriate routes, both within the county and elsewhere in the UK.

2.10. Whilst freight specific systems have been developed for use by the logistics industry, some HGV and van drivers use Sat-Nav systems that have been designed specifically for the car market. As a result, these systems take no account of the weight, height, length or environmental restrictions that HGVs have to adhere to.

2.11. We have consulted with the Freight Transport Association (FTA) on this issue who have advised that they do not believe that the Government should legislate for all HGVs and large vehicles to install suitable Sat-Nav systems, and that operators should not be forced into using Sat-Navs but, those that do, should use appropriate models which are designed for HGVs and large vehicles.

2.12. The FTA have also highlighted that Sat-Navs are a navigation aide and not a replacement for the driver's responsibility, so it is the driver that should be responsible for not taking inappropriate routes. Many operators also insist that there should not be any additional technology in the cabs of their vehicles, (i.e. no Sat-Navs) as they could be a distraction.

### **3 Conclusion and Reasons for Recommendations**

3.1. Firstly, the Notice of Motion requests the Government bring Part 6 of the Traffic Management Act 2004 into force for English councils with immediate effect so enforcement action can be taken against lorries who use unsuitable roads. Without a change in the legislation to the Traffic Management Act 2004, there is no mechanism to introduce a similar enforcement regime to that in London to control the movement of HGVs in East Sussex on certain routes, and then with specific permission to use restricted roads. Even if the legislation was in place, there are a number of issues, as highlighted in paragraph 2.8, which would need to be addressed. Additionally, the deliverability and affordability of introducing such a regime are unknown, and a clear business case would have to be made to demonstrate it represented value for money. As a consequence, it is recommended that this element of the Notice of Motion is not supported.

3.2. Secondly, the Notice of Motion requests Government to legislate so all HGVs and large vehicles install suitable Sat-Navs designed for lorries. As highlighted in paragraph 2.10, the FTA – a key stakeholder in the freight industry - would not be supportive of the introduction of such a request, and it is unlikely that Government would seek to pass the necessary legislation to enable this. Therefore, it is recommended that this part of the Notice of Motion is not supported.

3.3. Finally, the Notice of Motion also requests that the Chief Executive write to our local MP[s] and the Secretary of State for Transport to bring Part 6 of the Traffic Management Act (TMA) into force, and to support mandatory use of suitable Sat-Navs for HGVs and other large vehicles. As highlighted in paragraph 3.2, Part 6 of the TMA 2004 does not enable local authorities outside London to control the movement of HGVs and, as highlighted in paragraph 3.2, it is unlikely without the FTA's support that Government will legislate the mandatory use of Sat-Navs in HGVs. Therefore, it is recommended that this part of the Notice of Motion is not supported.

3.4 However, it is recommended that the Lead Member recommends to the County Council that he writes to the Secretary for State for Transport to highlight the issues and impacts that local authorities and local communities in our rural areas are facing as a result of the damage caused by HGVs to our minor road network.

RUPERT CLUBB

Director of Communities, Economy and Transport

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#### LOCAL MEMBERS

All

#### BACKGROUND DOCUMENTS

None



**EAST SUSSEX COUNTY COUNCIL****HIGHWAYS AND TRANSPORTATION COMMITTEE - POLICY SUMMARY**

<b>CONTROL OF HEAVY GOODS VEHICLES</b>	<b>PS4/5</b>
<p><u>Purpose of Policy</u></p> <p>To establish a pattern of control reconciling, so far as is possible, the conflicting demands of the transport of goods and the environment.</p>	
<p><u>Specific Policies</u></p> <p>1. A Traffic Regulation Order prohibiting goods vehicles over 7.5 tonnes gross weight*, except for loading or unloading, may be made where the following conditions are met:-</p> <p>[a] The road concerned is both physically and environmentally unsuitable for lorry traffic [see Appendix for details]; and</p> <p>[b] An average of not less than one "through" lorry per hour for the peak 10 hour period in a day [as distinct from journeys by vehicles requiring access for loading/unloading purposes in the affected length]; and</p> <p>[c] A more suitable alternative route is available.</p> <p style="text-align: right;">/Continued Overleaf</p> <p>* 7.5 tonnes gross weight is the close metric equivalent of the former 3 tons unladen weight.</p>	
<p><u>Supporting Statement</u></p> <p>As few roads in the County are really suitable for heavy lorries, it has been the deliberate policy of the Committee to allow the lorries to disperse over the available road network rather than to concentrate them on selected roads, themselves perhaps little more suitable than the rest. At the same time, the Committee has placed restrictions on particularly unsuitable roads, which were much used by heavy lorries perhaps as short cuts, with the aim of improving the environment for residents and other users of these roads.</p> <p>This policy relates to individual roads. Area type restrictions in towns will be dealt with individually.</p>	
<p><u>References – Further Information</u></p> <p>H &amp; T Committee - 16 December 1990 Agenda Item 11A H &amp; T Committee - 31 May 1989 Agenda Item 11</p>	<p><u>Date of Approval</u></p> <p>16.12.80 31.05.89</p>

Specific Policies [continued]

2. An Order may also be made if, following a “deflectograph” survey, the structural condition of the road pavement is found to be unsuitable to carry the heavy vehicle loading being imposed upon it, and total failure is likely to result if action is not taken.
3. It is axiomatic that national “A” and “B” roads should be available for heavy lorries. Such roads will be improved if economically justified or reduced in classification if a restriction is to be imposed.

**EAST SUSSEX COUNTY COUNCIL**  
**HEAVY GOODS VEHICLE MERIT TATING - FACTORS AND SCORE**

<b>FACTOR</b>	<b>SCORE</b>	<b>FACTOR</b>	<b>SCORE</b>
<b><u>PHYSICAL FEATURES</u></b>		<b><u>TRAFFIC FLOWS</u></b>	
Width [excepting Pinch Points]		Traffic Flow [6am – 10pm]	
Under 4.5m	20	Over 1000	12
4.5m - 4.8m	12	Over 700	6
4.8m - 5.1m	8	Over 400	4
5.1m - 5.5m	4	Over 200	2
Over 5.5m	0		
<b><u>Pinch Points</u></b> [eg narrow bridge, close buildings, archway]		<b><u>% of HGV Traffic that is “Through”</u></b>	
Under 3.0m wide	10	Over 70%	7
3.0m - 3.8m	6	Over 50%	3
3.8m - 4.5m	3	Over 20%	2
4.5m - 5.5m	1		
Over 5.5m	0	<b><u>HGV Flow [per day in Peak 10hr Period]</u></b>	
<b><u>Hilliness</u></b>		Over 40	15
Over 50m/km	5	Over 30	9
15m/km - 50m/km	2	Over 20	6
Under 15m/km	0	Over 10	4
		1 - 10	2
		<b><u>INJURY ACCIDENTS</u></b>	
<b><u>Development</u></b>		<b><u>HGV Accidents [last 3 years]</u></b>	
In depth	6	Over 2	10
Slight/Ribbon	2	1 - 2	4
<b><u>Worst Kilometre of Bendiness</u></b>		<b><u>Total Accidents [last 3 years]</u></b>	
Over 140°/km	15	Over 10	8
110°/km - 140°/km	11	Over 5	4
85°/km - 110°/km	6	1 – 5	2
60°/km - 85°/km	2		
Under 60°/km	0		

A SCORE OF 55+ INDICATES THAT A BAN MAYBE JUSTIFIED SUBJECT TO CONDITIONS [b] AND [c] OF THE POLICY BEING MET

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**Report to:** Lead Member for Transport and Environment

**Date of meeting:** 22 January 2018

**By:** Director of Communities, Transport and Environment

**Title:** A259 Bus Priority Measures Experimental Traffic Regulation Order

**Purpose:** To seek authority from the Lead Member to progress with a trial to allow powered two wheelers to use the bus lanes along the A259 Bexhill Road.

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**RECOMMENDATIONS:** The Lead Member is recommended to:

- (1) Agree to the implementation of a 12 month trial allowing powered two wheelers to use the bus lanes along the A259 Bexhill Road; and**
  - (2) Authorise the making of an Experimental Traffic Regulation Order permitting the use of the bus lanes on the A259 Bexhill Road by powered two wheelers.**
- 

## **1. Background Information**

1.1. The Government Motorcycling Strategy, published in February 2005, sought to facilitate motorcycling as a part of its overall transport strategy. The Strategy sets out policy issues to consider and recommends care should be taken to mitigate foreseeable and avoidable risks of powered two wheelers (PTWs) using bus lanes. The Department for Transport published a resultant Traffic Advisory Leaflet (TAL 2/07) regarding the use of bus lanes by PTWs.

1.2. Allowing PTWs to use bus lanes provides a means of reducing emissions and journey times as more people may choose to use PTWs over cars. However, arguments against allowing PTWs into bus lanes centre on the principle of private motorised vehicles being allowed access to bus lanes, additional vehicles in bus lanes having a negative impact on other users (notably on buses and cyclists), and a potential increase in road safety conflicts between PTWs and pedal cyclists.

1.3. Many UK towns and cities have run and monitored experimental schemes which have subsequently been made permanent. The County Council has already successfully undertaken such a trial on the bus lane along the A259 South Coast Road between Telscombe Cliffs and Saltdean.

1.4. The costs associated with the proposed trial along the A259 Bexhill Road would include legal notices and the installation of appropriate signing and lining, as well as before and after monitoring surveys. These costs will be covered from the capital programme allocation for the Bexhill Hastings Link Road Complementary Measures.

## **2. Supporting Information**

2.1 Delivery of the A259 Bexhill Road bus lane between Glyne Gap and Filsham Road is part of the Bexhill to Hastings Link Road complementary highway improvement plan. The Traffic Regulation Orders (TROs) necessary to create the bus lanes were advertised in early 2017 and approved by the Planning Committee in May 2017. Construction is programmed to commence in March 2018. A plan showing the extent of the scheme is included at Appendix 1.

2.2 Each scheme for allowing PTWs into a bus lane should be treated on its own merits as the circumstances will vary between schemes. For this reason, it is proposed that a trial be undertaken into allowing PTWs into the A259 Bexhill Road bus lanes and for monitoring to be carried out for the duration of the trial.

2.3 East Sussex Highways consulted with key stakeholders about the possibility of undertaking a trial on the bus lanes on the A259 Bexhill Road. The cycle group Hastings Urban Bikes are opposed to a trial on safety grounds. The bus company Stagecoach has raised no objections nor have Sussex Police or SECAMB. Two local councillors have given their support for the proposals. Copies of the comments received from the stakeholder consultation are available in the Members' Room.

2.4 East Sussex County Council and East Sussex Highways have undertaken a safety assessment of the A259 Bexhill Road between Harley Shute Road and Glyne Gap and the design for the bus lanes. This has not identified any major concerns with allowing their use by PTWs.

2.5 In other locations it is usual for taxis to also be permitted to use bus lanes and this is also the intention here. The design and consultation for the permanent TROs included this possibility. However, again it is considered prudent to allow use by taxis on a trial basis.

2.6 An Experimental Traffic Regulation Order (TRO) would be required to enable PTWs and taxis to use the bus lane on a trial basis. Experimental TROs can operate for a period of up to 18 months, during which a decision would need to be made as to whether the Order should be made permanent, modified or revoked. Objections to the Order can be made within the first six months from the date that it is made. Any objections to the Experimental TRO must be considered before any order giving permanent effect to its provisions can be made. It is therefore proposed that a 12 month trial be undertaken and would be accompanied by a publicity campaign led by East Sussex Highways.

2.7 Before and after surveys would be undertaken to assess the impact of the trial. East Sussex Highways will arrange for the installation of the necessary cameras and data recording equipment, and provide for the regular monitoring of the information available. Sussex Police will be approached on a proactive basis in relation to accident data over the duration of the trial. The trial will be ended immediately in the event that any significant safety issues become apparent. Any objections would need to be considered by Planning Committee. A further report will be presented to the Lead Member outlining the results of the trial and recommending whether the Order should be made permanent or not.

### **3. Conclusion and Reasons for Recommendations**

3.1 The A259 Bexhill Road bus lane between Glyne Gap and Filsham Road in Hastings is part of the Link Road complementary measures and will be implemented in 2018/19. At present, the TROs allow buses and cyclists to use the bus lane. Allowing PTWs to use the bus lane would potentially reduce the exposure of riders to general traffic, improve safety and reduce journey times as well as reduce pollution levels.

3.2 A safety assessment has not identified any issues with PTWs using the A259 Bexhill Road bus lane that should prevent a trial going ahead. Therefore, it is recommended that the Lead Member agrees that an Experimental Traffic Order is advertised that would permit PTWs to use the proposed bus lanes along the A259 Bexhill Road for 12 months on a trial basis.

RUPERT CLUBB

Director of Communities, Economy and Transport

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#### **LOCAL MEMBERS**

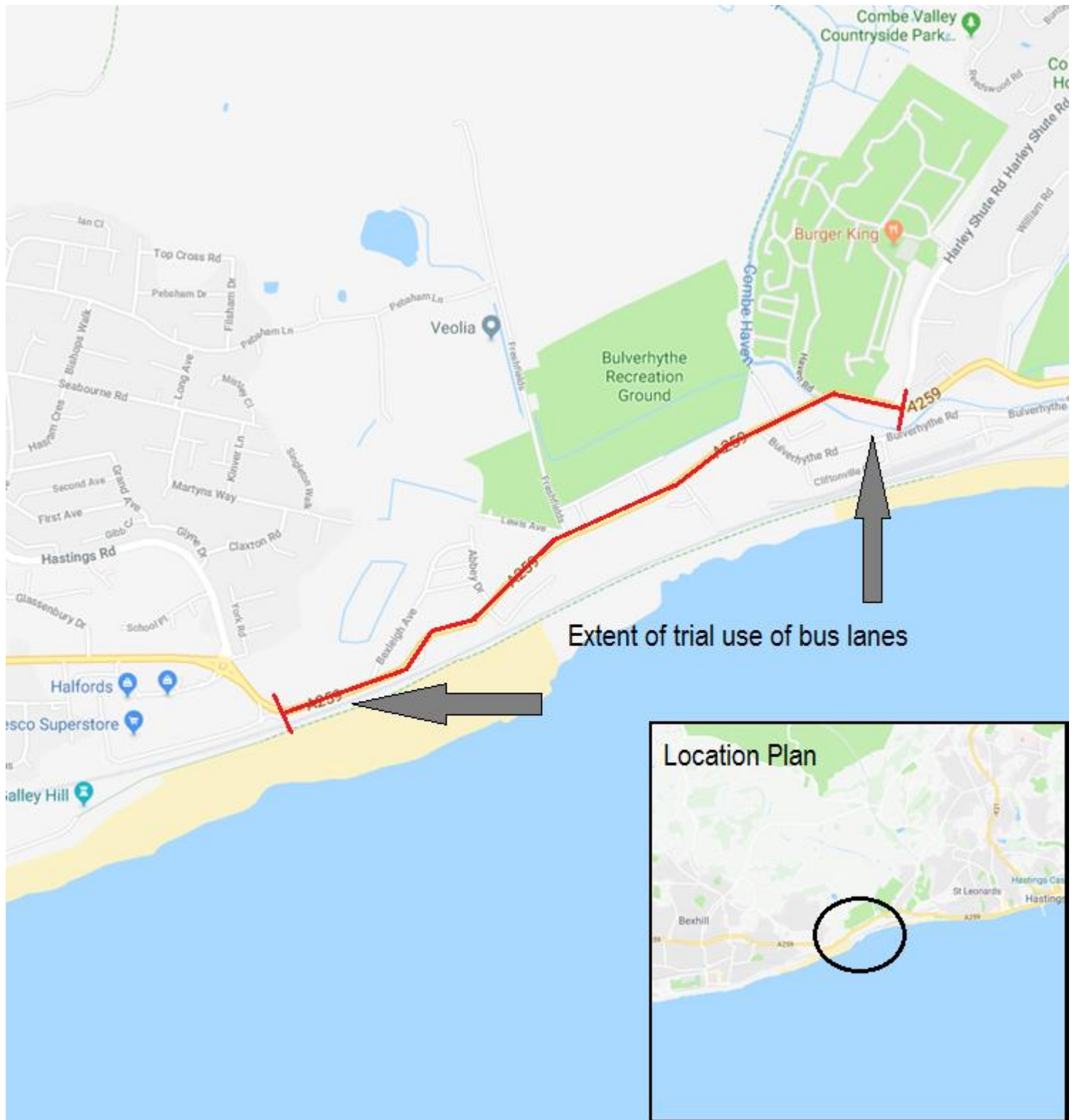
Councillor Matthew Beaver

#### **BACKGROUND DOCUMENTS:**

1. Traffic Advisory Leaflet 2/07 – The Use of Bus Lanes by Motorcyclists

# Trial use of bus lanes on A259 Bexhill Road by motorcyclists

Appendix 1



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Committee: **Lead Member for Transport and Environment**

Date: **22 January 2018**

Report By: **Director of Communities, Economy and Transport**

Title of Report: **Bus Stop Clearway – Lexden Drive, Seaford**

Purpose of Report: **To consider the comments received in response to the introduction of a Bus Stop Clearway in Lexden Drive, Seaford.**

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**RECOMMENDATION: Lead Member is recommended to:**

- (1) Note the objection to the proposed Bus Stop Clearway; and**
  - (2) Approve the implementation of the Bus Stop Clearway as advertised.**
- 

## **1. Background Information**

1.1 The Department for Transport recognised the importance of preventing the obstruction of bus stops and the requirement for a Traffic Regulation Order (TRO) to be made for a Bus Stop Clearway (BSC) was relaxed in 2002. Bus Stop Clearways are now introduced by notice and are provided in line with adopted County Council Policy No. PS 4/33. This policy was approved by the Lead Member for Transport and Environment on 6 November 2006 and is attached as Appendix 1.

1.2 In October 2016, planning permission (reference: LW/3322/CC) was granted by the County Planning Authority for two storey extensions to the main building at Cradle Hill Community Primary School, Seaford. This was to facilitate an increase in the capacity of the School to three form entry. A planning obligation, which forms part of this permission, requires the existing bus stop be relocated from Lexden Road opposite the junction with Lexden Drive to Lexden Drive and a clearway be introduced.

## **2. Supporting Information**

2.1 The proposal is shown in the location plan attached as Appendix 2. The bus stop relocation would allow pupils using the bus to cross Lexden Drive (a more minor road that now benefits from dropped crossing points) instead of Lexden Road, which would be an improvement in road safety terms. The proposal would also help maintain the flow of traffic on Lexden Road.

2.2 An initial consultation was sent to Compass Travel, the main bus operator in the area, who advised that they had no objections to the relocation of the bus stop and introduction of the Clearway. Residents of Lexden Road and Lexden Drive who may be affected by the proposal were consulted directly in November 2017.

2.3 During the 21 day consultation period, a notice was also placed on site detailing the length and duration times of the Clearway. This is shown in Appendix 3.

2.4 As a result of the consultation, two responses were received: one from the East Sussex County Council Passenger Transport team in support of the proposal and giving advice on construction requirements, and another from a resident of a property at the junction of Lexden Road and Lexden Drive, objecting to the proposal. Their objection is set out in full in Appendix 4. In summary, they are concerned over the loss of car parking spaces, access to an electricity sub-station, the amenity at their own property, the flow of traffic on Lexden Drive and that the Clearway will devalue their property.

2.5 As the Clearway is the relocation of an existing Clearway, there will be no net loss of on-street parking in this area. Officers have considered the concerns raised over the impact upon the access to the electricity sub-station and are confident that this will not be compromised. There is no evidence to suggest that the installation of the Clearway will have a detrimental impact on the value of residential properties in the immediate vicinity. Buses will only be expected to stop at the Clearway approximately once every 45 minutes and only between 8am and 6pm. Such an infrequent use during these hours is not deemed to create an adverse impact upon the amenity of the residents occupying the properties next to, or nearby, the Clearway.

2.6 The proposed Clearway has been discussed with the County Council's Passenger Transport Team and Compass Travel and has been proposed at a minimal length to ensure that the bus can stop in Lexden Drive rather than stopping traffic in Lexden Road. The proposal is for the Clearway to be operational from Monday to Saturday 8am – 6pm. On street parking within the Clearway would be permitted outside these hours.

### **3. Conclusion and Reason for Recommendation**

3.1 This proposal is required as part of a package of transport mitigation measures associated with the expansion of Cradle Hill Community Primary School. The Bus Stop Clearway is in response to road safety concerns, but has been designed and located to be mindful of the needs of residents' parking, which on the whole will remain unaffected. Parking currently takes place on the opposite side of Lexden Drive to that of the proposed Bus Stop Clearway and the existing junction protection markings will remain unaltered.

3.2 The Lead Member is therefore recommended, for the reasons set out in this report, to note the objection as set out in Appendix 4 and approve the implementation of the Bus Stop Clearway, as advertised.

RUPERT CLUBB  
Director of Communities, Economy and Transport

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### **LOCAL MEMBERS**

Councillor Boorman

### **BACKGROUND DOCUMENTS**

None

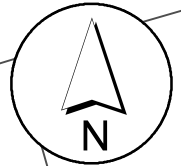
## EAST SUSSEX COUNTY COUNCIL

**LEAD MEMBER – TRANSPORT AND ENVIRONMENT**  
**POLICY SUMMARY**

<b>PROVISION OF BUS STOP CLEARWAYS</b>	<b>PS 4/33</b>
<p><u>Purpose of Policy</u></p> <p>To establish the principles for the provision of Bus Stop Clearways</p>	
<p><u>Specific Policies</u></p> <ol style="list-style-type: none"> <li>1. Bus Stop Clearways are provided on scheduled bus routes where on street parking results in a stationary bus causing a danger to other road users or an obstruction to through traffic or where passengers are unable to board or alight safely.</li> <li>2. The location of any Bus Stop Clearway will be determined by the Highway Authority and may require the relocation of any existing bus stop.</li> <li>3. There is no legal requirement to consult on the provision of a Bus Stop Clearway. However, such a provision can have a significant impact on nearby properties and, therefore, the County Council will consult: <ol style="list-style-type: none"> <li>a) Residents or businesses whose properties are either immediately fronted by or directly opposite the proposed marking</li> <li>b) The elected County Councillor/s</li> <li>c) The Parish or Town Council as appropriate</li> <li>d) Such other organisations as might be appropriate for a specific scheme (e.g. emergency services, bus operator)</li> </ol> </li> <li>4. In addition a notice will be placed on street advising of the proposed Clearway at least 28 days before any marking is introduced to ensure that any person affected by the proposal has an opportunity to comment.</li> </ol>	
<p><u>Supporting Statement</u></p> <p>The Traffic Signs Regulations and General Directions 2002 removed the requirement for Bus Stop Clearways to be implemented using the Traffic Regulation Order process. This policy sets out the County Council's policy on consultation and implementation now that this is not covered by legislation.</p>	
<p><u>References – Further Information</u></p> <p>Lead Member for Transport and Environment – Agenda Item 10</p>	<p><u>Date of Approval</u></p> <p>06.11.2006</p>

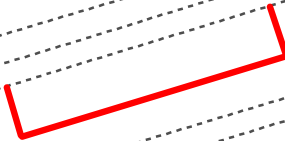
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PLAN TO SHOW PROPOSED BUS STOP  
[CLEARWAY] ON LEXDEN DRIVE, SEAFORD



PROPOSED BUS STOP  
[CLEARWAY] TO BE  
RELOCATED TO NORTH SIDE  
OF LEXDEN DRIVE  
[TIMES 8AM-6PM MON-SAT]

EI  
Sub Sta



Key to TRO Restriction Types  
Bus Stop

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East Sussex County Council  
Licence no. 100019601 2017.

Lexden Drive TRO

Author:JLu

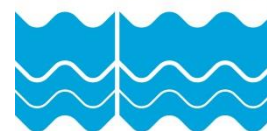
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## **EAST SUSSEX COUNTY COUNCIL**

### **BUS STOP CLEARWAY**

**NOTICE is hereby given that East Sussex County Council propose to introduce a bus stop clearway as defined in Schedule 7, Part 3 provision 3 of the Traffic Signs Regulations and General Directions 2016, which will introduce the following restriction:-**

**No stopping 8am-6pm, Mon-Sat, except buses**

**Lexden Drive,  
Seaford**

**North side – From a point 15m  
north of the eastern kerb line of  
Lexden Road, north-eastwards for  
18m.**

**The bus stop clearway conforms to new regulations and  
will ensure unhindered access for bus services.**

Transport Development Control  
East Sussex County Council  
Communities Economy & Transport  
County Hall  
St Anne's Crescent  
Lewes  
East Sussex BN7 1UE

Email: [Development.Control.Transport@eastsussex.gov.uk](mailto:Development.Control.Transport@eastsussex.gov.uk)

Date: 3<sup>rd</sup> November 2017

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**Appendix 4 – Representation received on the Bus Stop Clearway**

Hi Kate

I am even more opposed to this as time goes by.

Another concern is that with cars parked on the opposite side of the road, when the bus is collecting and delivering passengers. Road traffic cannot flow. This was witnessed the other day when the bus actually stopped there due to a parked vehicle next to the substation , a car coming from the top of Lexden Drive deliberately mounted the pavement alongside no. 88 Lexden Road and re-entered Lexden road after the intersection. This sort of behavior certainly puts pedestrians in extreme danger. I just wish I had caught this on film to substantiate my case. The existing bus stop is also used by several elderly people who would now have to cross the busier Lexden Road.

I am certain that if your proposals are put in place it will only be a matter of time before a serious accident occurs.

The only way this would work is for double yellow lines to be introduced opposite the bus stop. This would reduce the available parking in the area by about five spaces. Increasing the likelihood of people parking across my driveway. If your proposals are to go ahead would you please consider introducing the white unbroken line across my driveway so as I can prosecute anyone restricting access to my property.

Please give my letter consideration as I believe that if you introduce this, it will only almost certainly cause more problems than it will solve.

I look forward to hearing from you

Kind Regards

[REDACTED]

**From:** Kate Bishop

**Sent:** 20 November 2017 13:06

**To:** [REDACTED]

[REDACTED] \_ Seaford Lexden Drive Proposed Bus Stop Clearway

Dear [REDACTED],

Thank you for your email and subsequent letter.

Measures to improve highway safety within the vicinity of Cradle Hill Community Primary School were recommended as part of the recent planning application for the extension of the school. The measures include parking restrictions, additional school keep clear markings and bus stop relocation.

The main reason to relocate the bus stop was to help maintain the flow of traffic on Lexden Road, however it will also encourage pupils to cross the road on Lexden Drive to the bus stop which is a more convenient location.

I cannot comment on all points you make however can confirm access to the substation will be maintained.

I hope this provides you with some clarification on the reasons behind the relocation. If your view hasn't changed please let me know and your comments will be put forward when the final decision is made.

Kind regards,

**Kate Bishop**

Transport Development Control Officer  
Transport Development Control

[REDACTED]  
[eastsussex.gov.uk](http://eastsussex.gov.uk)



**From:** [REDACTED]

**Sent:** 03 November 2017 09:53

**To:** Kate Bishop

**Subject:** Objection \_ Seaford Lexden Drive Proposed Bus Stop Clearway

Dear Kate Bishop,

RE: LEXDEN DRIVE, SEAFORD – Proposed Bus Stop Clearway

I wish to express my serious concerns regarding this proposal. I feel it will introduce a “bottleneck” to an already severely congested traffic route. Please consider the points listed below before commencement of works.

- The value of my property will be considerably reduced
- Access to the electric Sub Station will be restricted

- Car parking spaces will be reduced causing access difficulty to my property (peak times)
- I already have the inconvenience of an electric substation, why should I be further disadvantaged
- My master bedroom is located at the closest point to the bus stop, and I work shifts.
- It's undoubtable that passengers will encroach my property whilst awaiting the bus.

May I please ask why the bus stop needs to be re-located from its current location, as it seems perfectly functional where it is.

I look forward to hearing from you, prior to seeking legal advice.

Sincerely,



(Paper Hard-Copy In Post)

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