

Report to Chief Officer Highways and Transportation

Date: 11 September 2018

**Subject: – Proposed Amendment to the Existing Pedestrian Zone Restriction
Commercial Street, Rothwell**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Rothwell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The Council's City Priority Plan states that the Council should "support the sustainable growth of the Leeds economy". The proposal to amend the pedestrianised zone is aimed at improving the amenities of the area by providing a Care Home Dispensary and a complementary extension of its store trading hours and associated pharmacy services further into the evening.

Leeds City Council has been approached by Boots PLC who are proposing the siting of the company's local care homes dispensary at their Rothwell store and pharmacy due to the relocation of the present facility due to closure its current base at the Colton store which is closing due to relocation to Thorp Arch where the site cannot host the current dispensary unit. The Rothwell store which the footprint needed to accommodate the delivery vehicles associated with the delivery service which is offered to local care homes for their pharmaceutical needs. The current service operated from Colton covers the needs of 92 care homes sub regionally.

Commercial Street in Rothwell is currently a pedestrianised zone and is accessible for loading before 10am and after 4pm. The Boots store and parking area required for the dispensing service situated to the rear is only accessible from this street. Although the vast majority of vehicle movements could be accommodated before 10am and post 4pm, however, a few vehicles would need access during -afternoon. Other than the use of Commercial Street the only alternative is access from the public parking to the rear of the store which is in practical terms inaccessible for the movement of the pharmaceutical deliveries. This report therefore proposes:-

A relaxation of the current restriction to operate a limited permitted access during the 10am to 4pm restricted period sufficient for the very small number vehicle movements needed to sustain the local Care Home Dispensary Service.

Recommendations

The Chief Officer (Highways and Transportation) is requested to:

- i) Approve the design and implementation of the alteration to the existing Pedestrian Zone at an estimated cost of £5,000, fully funded by the pharmacy. Details are shown on drawing numbers TM/29/078/CON/01
- ii) Request the City Solicitor to advertise a draft Traffic Regulation Order that permits cyclists to travel along Commercial Street and enables delivery vehicles to access off street premises during the restricted hours and if no valid objections are received, to make, seal and implement the Order as advertised.

1 Purpose of this report

- 1.1 To seek approval to advertise a draft Traffic Regulation Order to amend the existing Pedestrian Zone Order to enable a limited number of vehicles to legally access their off street parking facilities and to allow pedal cycles to use Commercial Street (as shown on drawing number TMW /29/CS). If no valid objections are received, to request that the City Solicitor make, seal and implement the order as advertised.

2 Background information

- 2.1 In the light of plans to close and relocate the store currently providing the local care Homes Dispensary Services following a review by the operator Boots their Rothwell store was selected for a number of operational reasons but also because it would complement and sustain this valued local store.
- 2.2 The store is understood to be well suited to accommodate the proposed new Care Home Services facility with a large self-contained service yard that can accommodate the small delivery vans to be used for the service. A number of those vans already visit the store providing a delivery service to local patients.
- 2.3 The majority of the care home deliveries are in the morning and evening and would not be affected by the traffic restriction. The relaxation of the traffic restriction is to allow for the early afternoon run. This will be of short duration and is currently completed by six vans and so will have only minimal impact on the present users of the pedestrianised High Street and.
- 2.4 Other options have been considered by the company, however the majority of the alternative premises are small in size and could not accommodate the care home

room service provision. Therefore the Rothwell store is considered the only viable site to meet this service requirement.

3 Main issues

- 3.1 Commercial Street in Rothwell is a pedestrian Zone, which only permits loading before 10am and after 4pm and no vehicles (except for buses) are allowed on the street between 10am and 4pm. The Pharmacy Store and the proposed parking/loading area to the rear is only accessible from Commercial Street. Most of the vehicle movements associated with the proposed car home dispensary service will occur within the unrestricted time period pre 10am, however, a number of vehicles will need to restock at lunch for deliveries during the afternoon during the core pedestrianised hours. During this period the only alternative access would be from the public parking to the rear of the store which has poor access for such purposes involving steps and uneven surfaces and insecure in terms of moving pharmaceuticals and the associated personal information .
- 3.2 A secondary proposal of this report relates pedal cycling. Currently cycles are currently prohibited to travel on Commercial Street even though the street does have a distinct carriageway and footways which is inconsistent with encouraging the use of cycling in the local centre. Department for Transport advice and traffic studies have demonstrated that there are no road safety concerns in permitting cyclists from using pedestrian zones, particularly when pedestrian numbers are not high. Cyclists respond to pedestrian density, modifying their speed, dismounting and taking other avoiding action where necessary. It is therefore proposed to amend the existing Order to permit cycling accordingly.
- 3.3 After careful consideration of the pharmacy proposals, it is has been concluded that a relaxation to the existing Traffic Regulation Order such as to permit motor vehicle access to 'off street premises between the hours of 10am and 4pm' would enable the small number of vehicle movements needed to service the pharmacy to provide the car home dispensary to provide essential service to some of the most vulnerable residents of Leeds, whilst maintaining good road safety within the Pedestrian Zone.
- 3.4 The pharmacy have agreed to a "Memorandum of Understanding" that will limit the movements of their small vans to 6 on any given day and that these vehicles will travel along Commercial Street at speeds no greater than 10 miles-per-hour.
- 3.5 The Pharmacy has indicated that once the Care Home Dispensary is operational then the store would extend its trading hours up to 8pm with a pharmacist available. These extended trading hours are expected to provide a significant extra benefit to the local community, particularly those requiring pharmacy services.
- 3.6 The Existing Traffic Regulation Order will also be amended to enable cyclists to legitimately travel along Commercial Street and provide them with a safer environment than they have at present.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Ward Members have been consulted and 2 supportive of the proposals whilst the remaining 1 has voiced their concerns and do not see the benefits to the scheme. The Councillor did not think it was appropriate to have delivery vans driving along the pedestrianised precinct so they can deliver prescriptions to care homes in various areas of Leeds to the possible detriment of pedestrian safety in the pedestrianised town centre.

4.1.2 West Yorkshire Police have been consulted and are supportive of the proposals.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An EIA has been completed and is attached as an appendix.

4.3 Council Policies and City Priorities

4.3.1 The Council's City Priority Plan states that the Council should "support the sustainable growth of the Leeds economy". The proposal to amend the pedestrianised zone is aimed at improving the amenities of the area by providing a Care Home Dispensary and the store intends to extend its trading hours further into the evening.

4.4 Resources and value for money

4.4.1 The estimated cost of implementing the proposed scheme is £5,000 subject to satisfactory completion of the advertising and making of the necessary Order. The scheme is to be fully funded by the store owner and operator.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The scheme involves the introduction of a relevant Traffic Regulation Order (TRO). Permanent TROs are subject to The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

4.6 Risk Management

4.6.1 If the Traffic Regulation Order is not implemented then there is a risk that the pharmacy would be not be able to function as a Care Home Dispensary and given that there are no other suitable sites, this could have a negative impact on the care of vulnerable care home patients. Furthermore, cyclists will still be formally prohibited from using the length of Highway in question notwithstanding a highway design which is well suited to the safe use for all.

4.6.2 There are considered to be no further risk issues over and above those expected when working within the public highway.

5 Conclusions

- 5.1 The introduction of the 'except for access to off street premises' amendment will enable the pharmacy to create the Care Home dispensary to the benefit of Rothwell and the wider community. Furthermore, allowing cyclists to use Commercial Street will provide a much safer environment for cyclists and to bring this into line with the regulations for the majority of Pedestrian Zones where cycling is permitted.

6 Recommendations

- 6.1
- i) Approve the design and implementation of the alteration to the existing Pedestrian Zone at an estimated cost of £5,000, fully funded by Boots. Details are shown on drawing numbers TM/29/078/CON/01

 - ii) Request the City Solicitor to advertise a draft Traffic Regulation Order and if no valid objections are received, to make, seal and implement the Order as advertised.

7 Background documents

- 7.1 None