

Provision of access measures on the public highway

Date: 02 November 2021

Report of: Senior Transport Planner, Transport Strategy

Report to: Chief Officer (Highways and Transportation)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report seeks approval of the Chief Officer (Highways and Transportation) to approve the Capital Programme funding allocation of £120,000 to be spent funding an annual programme of improvements to the public highway that enhance access, mobility and inclusion. These comprise:
 - Demand-responsive provision of accessible dropped kerbs and tactile paving
 - Provision of on street disabled parking bays outside residential addresses
 - Improvements to steps and ramps
 - Provision of short sections of new footway where this bridges a gap in accessibility
 - Replacement of inaccessible barriers
 - Improvements to highway infrastructure around bus stops
- Leeds has the ambition to be a child friendly and age friendly city – that is, enabling its youngest, older and disabled residents to travel independently and access public spaces and services is part of this ambition, as well as strengthening community cohesion and reducing reliance on other services. The allocation of this funding will assist in contributing towards achieving this ambition. The improvement programme also has the potential to help Leeds City Council meet its Public Sector Equality Duty in accordance with the Equality Act 2010.

Recommendations

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

- a) note the contents of this report;
- b) give approval to proposals to enable the installation of minor access/ pedestrian measures and implementation of the proposals; and
- c) give authority to incur capital expenditure of £120,000 in the financial year 2021-22, funded from the LTP Transport Policy Capital Programme.
- d) Approve the conversion of approximately 42m of verge alongside the western side of Hesketh Lane (from 22 Hesketh Lane onwards) to footway.

Why is the proposal being put forward?

- 1 This capital funding allocation will enable Transport Strategy to continue to respond positively to requests for improvements to accessibility and inclusivity of our highway network where these fall outside the general Highway Maintenance or other capital investment programmes.
- 2 To date, there are £60,000 worth of dropped kerb works in the programme, with additional requests being received and assessed on weekly basis. There is also a longstanding request to enable access to the footbridge linking the Spring Valley estate in Bramley and the Wellstones in Swinnow over Stanningley Bypass by providing a ramped alternative to three steps separating the ramped approach to the bridge from the footway on Spring Valley Crescent (see Appendix 2). A footway link is also proposed on Hesketh Lane in West Ardsley in order to improve access to the local greenspace and playground for pupils of the nearby primary school, but also benefiting parents, carers, older and disabled people. These proposals are not fully costed, but will be deliverable within the funding envelope, subject to prioritisation and further reports.

What impact will this proposal have?

Wards affected: All

Have ward members been consulted?

Yes

No

- 3 Having a funding envelope for delivering small scale access improvement measures has had a transformational effect on our ability to respond to localised need, which in turn has benefited the lives and enhanced the ability to travel and participate in public and community life for many disabled people and older people. The improvements normally funded through this programme are in themselves small-scale, but have the ability to radically improve daily journeys that disabled and older people make. This in turn means that older and disabled people can travel more often and more independently, have a greater choice of destinations and also a greater degree of modal choice.

Improvements to the footbridge and the provision of short sections of footway (e.g. Hesketh Lane) will also benefit road safety as will the improvements to the accessibility of footways and pavements, enabling wheelchair and mobility scooter users to safely use the footway as opposed to the carriageway.

The Equality, Diversity Cohesion and Integration screening has been completed and indicates that the provision of dropped kerbs, handrails, ramps and improvements to existing steps benefit older people, disabled people, children, women and carers. The same groups benefit from additional provision of footways.

What consultation and engagement has taken place?

- 4 This programme of access improvements is all about meeting local needs and localised demand. Requests for access improvements come directly from residents, as well as via ward members and MPs. The provision of dropped kerbs is often agreed through joint site visits and site audits. The vast majority of these have no impact on the surrounding area; residents are consulted when specific impacts, e.g., on parking, are identified. Residents of nearby properties are consulted on the provision of disabled parking spaces as part of the decision-making process.

What are the resource implications?

- 5 The £120,000 sum for which this approval is being sought is part of the Local Transport Plan allocation that covers walking, cycling and road safety as part of the government grant. The Integrated Transport Block is granted by government to local transport authorities to fund the delivery of smaller scale improvements to transport networks and facilities, to be spent at local discretion.

What are the legal implications?

The scheme (and improvements proposed) has a potential to contribute to the safety and well-being of residents by providing appropriate facilities addressing the existing access barriers. There are no specific legal implications included within this report, nor is any information contained within the report to be deemed confidential.

- 6 The approval of this report and the measures proposed herein evidence the Council in its role as highway authority exercising its powers and obligations with regard to the general power to improve highways (s62 Highways Act 1980). This stems from the fundamental duty of a highway authority to assert and protect the rights of the public to use and enjoy the highway.
- 7 Further, the Equality Act 2010 places a requirement on local authorities and other publicly-funded organisations to make “reasonable adjustments” to ensure that all people with protected characteristics can access our services. The Public Sector Equality Duty (2011) requires local authorities to “eliminate discrimination, harassment and victimisation (and) make sure people with a protected characteristic have the same opportunities as other people”. This is reinforced via the Department for Transport’s ‘Inclusive Transport Strategy’. The improvements noted are being proposed to ensure continued compliance with the Duty.
- 8 The funding will enable the Council to continue to meet its Public Sector Equality Duty and remove discrimination. If the programme of provision of small access measures cannot be continued, there is a very real risk that the authority will be found at fault in failing to make reasonable adjustments to enable people with a protected characteristic (which includes disability) to use the highway safely. This may result in cases being submitted to the Local Authority Ombudsman or a direct legal challenge. It could also compromise the Council’s Excellence standard achieved for its approach to equality and diversity and lead to negative publicity.

What are the key risks and how are they being managed?

- 9 Infrastructure works are subject to New Road and Street Works Act (NRASWA) and Traffic Management Act procedures. These minimise the impact and risk of damage and disruption to highways.

Does this proposal support the council’s three Key Pillars?

Inclusive Growth

Health and Wellbeing

Climate Emergency

- 10 The proposals will promote inclusive growth by extending the equality of opportunity to disabled people, older people and carers through making the public highway accessible to all. In relation to the Council’s Key Pillars more specifically:
 - a) *Inclusive Growth*. The proposal will promote inclusive growth, firstly, by making walking and wheeling (it’s equivalent) safer and more convenient. This will assist people who do not have access to a car, including women, children and carers, as well as disabled people,

and help reduce dependency on lifts and taxi or private hire. It will promote equal access to employment and leisure opportunities for older people and disabled people by improving the accessibility of footways, but also by prioritising car parking for those who need it most in local neighbourhoods.

- b) *Health and Wellbeing*. The proposal will support health and wellbeing by making walking and wheeling safer and more convenient as part of everyday journeys. This will enable more people to spend time outdoors, in their local communities and greenspace, and derive the associated physical and mental health benefits of doing so. By reducing the mental and physical strain of those journeys accessible streets enable disabled and older people to go out more often, reducing loneliness and isolation.
- c) *Climate Emergency*. The proposal will support efforts to address the climate emergency by enabling disabled people make short local journeys without a car and access bus stops. Furthermore, by promoting and enabling independent access to local facilities the proposals will reduce the need for carers to attend, sometimes driving a significant distance, in order to assist a disabled or older person with their local trip.

Options, timescales and measuring success

What other options were considered?

- 11 The alternative to funding the small-scale accessibility improvements is to discontinue the demand responsive mechanisms and rely on planned maintenance to meet the needs for accessible dropped kerbs. However, as the delivery of improvements already utilises the Direct Labour Organisations (maintenance depots), this would further divert resources from the planned maintenance programme, potentially resulting in further claims, and is unlikely to be able to meet the most acute needs of disabled residents.
- 12 There are three alternatives to the use of Spring Valley footbridge (see Appendix 2). Option one is using Swinnow Road which crosses the Stanningley By-Pass at grade. However, access to Bramley is then constrained by the railway structure, resulting in inaccessible, narrow footway. This arrangement is mirrored on Swinnow Lane, which is a further alternative to the footbridge. Providing a footway with an accessible width at either of these intersection points would require signalisation and single lane operation for traffic; this would have significant cost implications as well as leading to potential delays, including delaying bus services. The final alternative is crossing the by-pass at Pudsey Road. This would result in a long de-tour to a roundabout which lacks formal crossing facilities.
- 13 The footway arrangement on Hesketh Lane currently requires pedestrians to cross and re-cross Hesketh Lane in order to access the greenspace and the playground. As the main users are likely to be children, informal crossings consisting of dropped kerbs and tactile paving are unlikely to meet the users' needs and alleviate parental concerns over road safety. Introduction of formal crossings will be less cost effective than extending the footway.

How will success be measured?

- 14 Mobility impaired residents being able to travel around the city safely and comfortably as captured by the Age Friendly City ambition '1' statement: 'My neighbourhood and the places I visit are safe and accessible for walking'. As Leeds becomes a more accessible city the number of requests for the provision of access improvements would reduce. However, a steady demand is also evidence that the service is popular and of high level of awareness of the Council's responsiveness to demand led provision.

What is the timetable for implementation?

15 This rolling programme of improvements will be implemented in the financial year 2021-2022.

Appendices

16 Equality Impact Assessment Screening

17 Drawing 2 (Hesketh Lane Footway)

18 Appendix 2 – Swinnow and Bramley – barriers and constraints

Background papers

19 The record of requests and measures proposed as the result of these can be accessed here:
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