

## **CHURCH STREET (D2885) AND HIGH STREET (D2885), LEATHERHEAD -**

### **PROPOSED AMENDMENTS TO THE EXISTING PEDESTRIANISATION SCHEME IN CERTAIN LENGTHS OF THE ABOVE-MENTIONED ROADS AND TO THE EXISTING RESTRICTED ZONE IN THOSE ROADS -**

#### **STATEMENT OF REASONS FOR PROPOSING TO MAKE THE TRAFFIC REGULATION ORDERS**

#### **Background and Introduction**

1. In June 1981 the then new Fairfield Link Road (now named "Leret Way") was opened to traffic. This had the effect of removing through traffic from the Leatherhead Town Centre area. This area was becoming very difficult to manage with the increasing number of motor vehicles using the roads as the awkward "off-set" cross-roads at the junction of High Street, Church Street, Bridge Street and North Street was becoming difficult to negotiate, particularly by larger vehicles and the High Street itself was very narrow in places with very narrow footways as well. Prior to June 1981 both Church Street and the High Street were classified as "A" Class Roads (Church Street was at that time part of the A245 and the High Street the A2012), following the opening of Leret Way both the High Street and part of Church Street were declassified. Consequently, following the opening of Leret Way (June 1981), in 1983 the original pedestrianisation scheme was introduced in certain lengths of the High Street and Church Street. In 2003 this original pedestrianisation scheme was modified somewhat and with a few minor modifications over the succeeding years this is the scheme that is currently in force.
2. Following the COVID 19 Pandemic of early 2020, on 9 May 2020 the Government announced that funding would be available to local authorities to provide temporary measures to support social distancing and active travel as part of the COVID 19 recovery programme. Surrey County Council ("SCC") was granted £848,000 by the Government to support the roll out of the first phase of active travel schemes with SCC providing match funding. As part of the active travel measures in the Leatherhead town centre area, a Temporary Traffic Regulation Order was implemented to extend the hours of operation of the pedestrian zone from Monday to Saturday 10 a.m. to 4.30 p.m. to Monday to Sunday 10 a.m. to 4.30 p.m. This Temporary Traffic Regulation Order also extended the waiting restrictions within the pedestrian zone from 8 a.m. to 6 p.m. on Mondays to Saturdays to 8 a.m. to 6 p.m. on Mondays to Sundays inclusive. At the same time, pedal cyclists were permitted to cycle within the pedestrian zone (not including that part of the High Street lying between North Street and Church Street), provided they followed the existing one-way system in Church Street and High Street, Leatherhead. At the same time, to comply with legal advice previously received, vehicles being used in connection with the Leatherhead Street Market were exempted from the pedestrianisation scheme, once again provided they followed the existing one-way system in Church Street and High Street, Leatherhead. As for pedal cyclists this exemption did not apply to that part of the High Street lying between North Street and Church Street.

3. The Temporary Traffic Regulation Order has helped in enabling social distancing to be maintained by extending the period during which vehicles could not enter and wait in the pedestrian zone by, inter alia, including Sundays. It also helped to encourage cycling at a time when there was reduced passenger capacity on public transport to enable social distancing to be maintained on that type of travel.

**Proposed extension to the hours of operation of the existing pedestrianised zone in High Street and Church Street, Leatherhead and provision of an exemption for pedal cyclists to cycle within that zone during the hours of operation of that Zone**

4. With the eighteen-month Temporary Traffic Regulation Order coming to an end, SCC and Mole Valley District Council consulted with residents and businesses, as well as other consultees such as Surrey Police and the Leatherhead Residents Association to find out if there was support for making the measures contained in the Temporary Traffic Regulation Order “permanent”. This consultation was carried out in the form of a letter drop to residents and businesses within the pedestrian zone in High Street and Church Street, Leatherhead. The letter drop included a letter outlining the reasons for the consultation, a questionnaire and a plan showing the area of the pedestrian zone. The letter, questionnaire and plan were also placed on SCC’s website and signs were erected on lamp columns in Church Street and High Street informing general highway users of the consultation.
5. 82% responses to this consultation were received with over 85% of respondents supporting the proposal to indefinitely extend the hours of operation of the pedestrian zone to include Sundays, 10 a.m. to 4.30 p.m., including no waiting from 8 a.m. to 6 p.m. on Sundays as well. However, there was slightly less support to continue to permit pedal cyclists to use the pedestrian zone, with 45.12% in support and 54.88% against. In general, those who responded to the consultation considered that the extension to the hours of operation of the pedestrian zone had resulted in a more safe and pleasant environment. However, respondents were less certain about permitting cyclists to continue to use the pedestrian zone, where it was considered that pedestrians would be more at risk.
6. Mole Valley District Council also carried out consultation with 82 businesses located within the Leatherhead town centre area, including those located in the Swan Centre, Church Street, High Street, North Street and Bridge Street. Their questionnaire was also shared via their Transform Leatherhead and Mole Valley District Council’s social media channels. In summary, 26 businesses (32%) responded to the consultation. The results of the survey show that 50% of the businesses that responded to the consultation considered that the temporary extension to the hours of operation of the pedestrian zone to include Sundays was beneficial for their business, with 23.1% considering that it had not. 73% of businesses that responded also considered that it had been beneficial overall to the town centre area. With respect to permitting pedal cyclists to use the pedestrian zone, 50% of businesses responding considered that this had been beneficial to their business, with 19.2% disagreeing with this view. Similarly, 50% of businesses that responded to the consultation considered that making the High Street available to cyclists had been beneficial to the town centre area generally, with 34.6% disagreeing with this view.

Overall, the majority of the businesses that responded to the consultation considered that the temporary changes to the pedestrian zone (including allowing cyclists to use the pedestrian zone) should be introduced on an indefinite basis.

7. From the comments made in paragraph 5 of this Statement of Reasons, it is considered that there is some concern regarding the continuation of the right to permit pedal cyclists to use the pedestrian zone, with 45% responding to SCC's consultation in support of this measure and 50% of businesses being so supportive. The greatest concern from respondents was the possibility of pedal cyclists colliding with pedestrians as well as wheelchair or mobility scooter users. However, SCC holds personal injury collision data for traffic collisions that have occurred over the most recent 5-year period. This information is provided by the Surrey Police and shows that there has been only one personal injury collision in the pedestrianised area of Church Street and High Street over the most recent 5-year period for which data is available (01/09/2016 to 31/08/2021). This collision occurred in the High Street in 2017, outside of the pedestrian zone hours and resulted in a slight injury. However, this collision did not involve a pedal cyclist or a pedestrian. There have been no recorded collisions occurring between pedal cyclists and pedestrians during the hours of operation of the pedestrian zone during the most recent 5-year period for which data is available. This includes a year of data when the Temporary Traffic Regulation Order has been in place allowing pedal cyclists to cycle within the pedestrian zone.
8. In view of the position that there is overall support within the town centre area for extending the hours of operation of the existing pedestrianisation scheme in High Street and Church Street, Leatherhead to include the times between 10 a.m. and 4.30 p.m. on Sundays it is now proposed to introduce this measure on an indefinite basis. This will also include the extension of the hours of operation of the existing restricted zone (i.e., the prohibition on the waiting by vehicles currently applying within the pedestrianised area). With respect to permitting pedal cyclists to cycle within the pedestrian zone during the hours of operation of that zone, this is not such a clear-cut decision due to the concerns expressed during the consultation period. However, in view of the overall results of the consultation, the most recent collision date available and to try and increase the use of sustainable transport to access the town centre and to encourage people to use more sustainable and healthier transport options, it is now also proposed to permit pedal cyclists to cycle within the pedestrian zone during its hours of operation. As indicated in paragraph 2 of this Statement of Reasons, the Leatherhead Street Market has been held within the pedestrianised area for some years now. However legal advice received some time ago indicates that vehicles being used for such purpose need to be exempt from the pedestrianised area as otherwise they cannot legally enter the area. Also, by so doing, it can be made a condition of such entry that any such vehicle must comply with the existing one-way system for vehicles in Church Street and High Street, Leatherhead. It is, therefore, now intended to provide such an exemption which will merely clarify the situation and formalise the current arrangements regarding access for vehicles being used in connection with the Leatherhead Street Market. For the avoidance of doubt, this exemption will only apply in connection with the vehicles being used in connection with the Leatherhead Street Market only and for no other street trading purposes whatsoever.

## Drafting amendments

9. In the existing Consolidation Order of 2017 (as amended) which enforces the Restricted Zone in Church Street and High Street, Leatherhead it is intended to insert, for the avoidance of doubt, into the Interpretation article the following expressions:

“Carriageway”, “day”, “week” and “permitted hours”.

This is merely to clarify the situation and formalise the current arrangements and involves no actual changes to the way the Consolidation Order of 2017 (as amended) presently operates. However, in the case of the following expressions - “day” “permitted hours” and “week” these are also required to be inserted as the hours of operation of the waiting restrictions within the Restricted Zone are proposed to be extended to between 8 a.m. and 6.30 p.m. on any day of the week and these would be defined on the Order of 2017 as “permitted hours” rather than repeat the whole wording several times within the actual text of that Order, thus saving on text with the Order itself.

In that Order the “Surrey County Council” has been incorrectly referred to as the “County Council of Surrey” and it is now intended to correct this error.

It is also proposed to change the definition of “telecommunication system” to “electronic communications apparatus” to take account of a change made in Paragraph 1 of Schedule 2 of the Telecommunications Act 1984 and the definition of “waiver certificate” to take account of a minor error made in the original Order of 2017.

10. In the existing Consolidation Order of 2017 (as amended) which enforces the various residents’ on-street parking places on certain roads within the District of Mole Valley two minor errors have occurred that now need correcting. These are -
  - (a) there is a residents’ on-street parking place in Swan Mill Gardens in Dorking (situated off Pixham Lane). Unfortunately, in one of the entries relating to this parking place in the above-mentioned Consolidation Order of 2017 it refers to Swan Mill Gardens, Leatherhead – it is now intended to correct this error so that both entries refer to the Dorking area where the road concerned is located,
  - (b) similarly, there is a residents’ on-street parking place in Queen Anne’s Terrace, but no Town or area is stated in the above-mentioned Consolidation Order of 2017 as to where the road is situated. Queen’s Anne’s Terrace is situated within the Leatherhead area, so it is now intended to correct this error so that it is clear in what are of Mole Valley the road concerned is situated.