

Hampshire County Council

Report to the Director of Economy, Transport and Environment

April 2017

Traffic Order – Prohibition of Driving Except Agricultural Vehicles, in Thornford Road, Headley

Contact: Jenny Rees

Tel: 01962 832228

email: jenny.rees@hants.gov.uk

1. Summary

1.1 The following decision is sought:

That a Traffic Order be made under the Road Traffic Regulation Act 1984, the effect of which will be to prevent access by standard motor vehicles to Headley Ford situated on Thornford Road to prevent serious risk to life. The proposal will see a section of approximately 400 metres of Thornford Road made accessible only to tractors (vehicles used for agricultural or forestry purposes) which are capable of crossing the River Enborne safely.

2. Reason

2.1 A low cost scheme incorporating the prohibition of driving was prepared in response to a fatal injury accident which occurred on the 30th April 2012 involving a driver unfamiliar with the area driving into almost six foot of fast moving water. There was a significant history noted by Hampshire Highways and Hampshire Constabulary of vehicles previously being stranded in the ford.

2.3 The scheme supports all three strands of the corporate strategy: safer and more secure for all, maximising well-being and enhancing our quality of place.

3. Other Options Considered and Rejected

3.1 Do nothing. This allows an unacceptable risk to life for highway users.

3.2 Full road closure at the ford. This necessitates large agricultural vehicles making a right turn onto the heavily trafficked A339 with limited forward visibility. Without high cost mitigation measures this would pose a risk to all road users.

4. Conflicts of Interest Declared by the Decision Maker or Other Executive Member Consulted – None.
5. Dispensation granted by the Conduct Advisory Panel – None.
6. Reason(s) for the Matter being dealt with if Urgent – None.

Approved by:

Date:

25th April 2017



Stuart Jarvis
Director of Economy, Transport and Environment

Hampshire County Council

Report to the Director of Economy, Transport and Environment

April 2017

Traffic Order – Prohibition of Driving Except Agricultural Vehicles, in Thornford Road, Headley

Contact: Jenny Rees

Tel: 01962 832228

email: jenny.rees@hants.gov.uk

1. Introduction

- 1.1 This report considers the introduction of a traffic regulation, the effect of which will be to prevent access by standard motor vehicles to Headley Ford situated on Thornford Road to prevent serious risk to life as in the recommendation below:

2. Recommendation

That a Traffic Order be made under the Road Traffic Regulation Act 1984, the effect of which will be to have a section of approximately 400 metres of Thornford Road made accessible only to tractors (vehicles used for agricultural or forestry purposes) which are capable of crossing the River Enborne safely. Access to non motorised users will remain.

3. Justification and Details of Proposal

- 3.1 The scheme was prepared in response to a fatal injury accident which occurred on the 30th April 2012 involving a driver unfamiliar with the area driving into almost six foot of fast moving water. There was a significant history noted by Hampshire Highways and Hampshire Constabulary of vehicles previously being stranded in the ford.
- 3.2 Advanced warning signs were improved on the Hampshire approach in January 2012 by Basingstoke and Deane Borough Council. In 2014, a scheme was implemented following extensive investigations into potential options for the ford. This resulted in a prohibition of vehicles, except for access on that length of Thornford Road.
- 3.3 The road was reopened for two weeks during which time there were three reports of stranded vehicles including a significant incident

involving Hampshire Fire Rescue. The road was placed under a temporary closure again whilst an alternative solution was sought.

- 3.4 The proposed prohibition of driving is part of a package of works to form a gateway on the Hampshire and West Berkshire side of the river to highlight the prohibition and the danger to smaller road vehicles ahead.
- 3.5 The scheme supports all three strands of the corporate strategies: safer and more secure for all, maximising well-being and enhancing our quality of place.
- 3.6 The scheme was prepared to improve road safety.
- 3.7 Attached are:
 - (i) the traffic order and
 - (ii) a location plan.

4. Consultation

- 4.1 Consultation has been ongoing throughout the scheme with Councillor Chapman, Headley Parish Council, West Berkshire Council and interested local residents. The formal consultation for the traffic regulation order took place between the 18th August and the 12th September 2016.
- 4.2 The prohibition of driving, except agricultural vehicles has the support of the Police.
- 4.3 One representation was received in response to the public consultation. A full and detailed response to the representation is included in Appendix 1.

5. Local Member's View

- 5.1 The local Member, Councillor Chapman, supports the proposal.

6. Cost

- 6.1 The cost of implementation will be met from the ordinary Safety Engineering Casualty Reduction Partnership Programme.

7. Conclusion

- 7.1 It is recommended that the proposed prohibition of driving except for agricultural vehicles is implemented as advertised.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Hantsfile Reference NF0512	Hantsfile

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1 The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. The website contains a summary assessment of the impacts on Hampshire's highway network and transport systems.
- 1.2 It is considered that the issues covered by this report will not have impacts requiring further specific actions by the Council above those already established in its existing policies and working procedures

2. Impact on Crime and Disorder:

- 2.1 No significant change.

3. Climate Change:

- 3.1 How does what is being proposed impact on our carbon footprint / energy consumption?

No significant impact.

- 3.2 How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No significant impact.

Representation 1 - Annie from Newbury (address withheld):

- 1.1 The objector states the ford links byways in Hampshire and Berkshire and with the correct vehicle crossing is safe.
- 1.2 The closest Byways Open to All Traffic (BOATs) in West Berkshire are at Brimpton Common and the closest in Hampshire at Burghclere or south of Kingsclere, both easily accessed via alternative routes on the local highway network. There are no BOATs only accessible via the ford or that are accessed from Thornford Road or the immediate vicinity.
- 1.3 The River Enborne that forms the ford is within a fast acting catchment that floods quickly in response to rainfall and becomes regularly impassable to all vehicular traffic. Although crossing may be safe at times to those in appropriate vehicles - the accident history and records from Hampshire Constabulary and Hampshire Highways highlight people regularly fail to make an appropriate judgement in terms of crossing the ford.
- 1.4 Although there is no official report from the Coroner, Hampshire County Council officers attended the Inquest and a transcript of the event is held by the Legal Team and Safety Engineering. The Coroner did not make a direct ruling under Rule 43¹, but a transcript of the Coroner's Inquest contained a couple of paragraphs which intimate the Coroner's belief that the ford will not remain open.

¹ If the coroner feels that the evidence gives rise to a concern that circumstances creating a risk of other deaths will occur or continue to exist, he/she may make a Rule 43 report (now regulation 28) which is sent to the organisation which has responsibility for the circumstances.

**HAMPSHIRE COUNTY COUNCIL
WEST BERKSHIRE DISTRICT COUNCIL**

ROAD TRAFFIC REGULATION ACT 1984

**THE HAMPSHIRE AND WEST BERKSHIRE (C111 THORNFORD ROAD)
(PROHIBITION OF DRIVING) (EXCEPT AGRICULTURAL VEHICLES)
ORDER 2017**

Hampshire County Council and West Berkshire District Council in exercise of their powers under Sections 1, 2, 3 and 4 of the Act, Part IV of Schedule 9 to the Act; and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following order:

1. In this order, and the preamble and schedule hereto:
 - “the Act” means the Road Traffic Regulation Act 1984;
 - “agricultural or forestry vehicle” has the same meaning as defined in Section 108 of the Road Traffic Act 1988; and
 - “road” means any length of highway or any other length of road to which the public has access, and includes bridges over which a road passes.
2. Save as provided in article 3 of this order no person shall cause any vehicle to proceed the length of road specified in the schedule to this order.
3. Nothing in article 2 of this order shall apply so as to prevent any person from causing any vehicle to proceed in the length of road referred to in that article if the vehicle is an agricultural or forestry vehicle.
4. The Hampshire and West Berkshire (C111 Thornford Road) (Prohibition of Driving) (Except for Access) Order 2014 is hereby revoked.
5. This order shall come into operation on the _____ 2016 and may be cited as “The Hampshire and West Berkshire (C111 Thornford Road Ford) (Prohibition of Driving) (Except Agricultural Vehicles) Order 2016”.

GIVEN this _____ day of _____ 2015

THE COMMON SEAL of HAMPSHIRE)
COUNTY COUNCIL was hereunto affixed)
in the presence of:)

Authorised Signatory

THE COMMON SEAL of WEST)
BERKSHIRE DISTRICT COUNCIL was hereunto)
affixed in the presence of:)

Authorised Signatory

SCHEDULE

Road in the Borough of Basingstoke and Deane and the District of West Berkshire Prohibition of Driving

That length of C111 Thornford Road between a point 42 metres south of its junction with Thornford Road in West Berkshire and a point 362 metres south of that point.

LOCATION PLAN This site is located at the border between Hampshire County Council and West Berkshire Council. The Hampshire approach to the ford starts at the southern junction of Thornford Road with Ashford Hill Road, West Berkshire's approach is at the northern end of Thornford Road with it's junction with Thornford Road.

