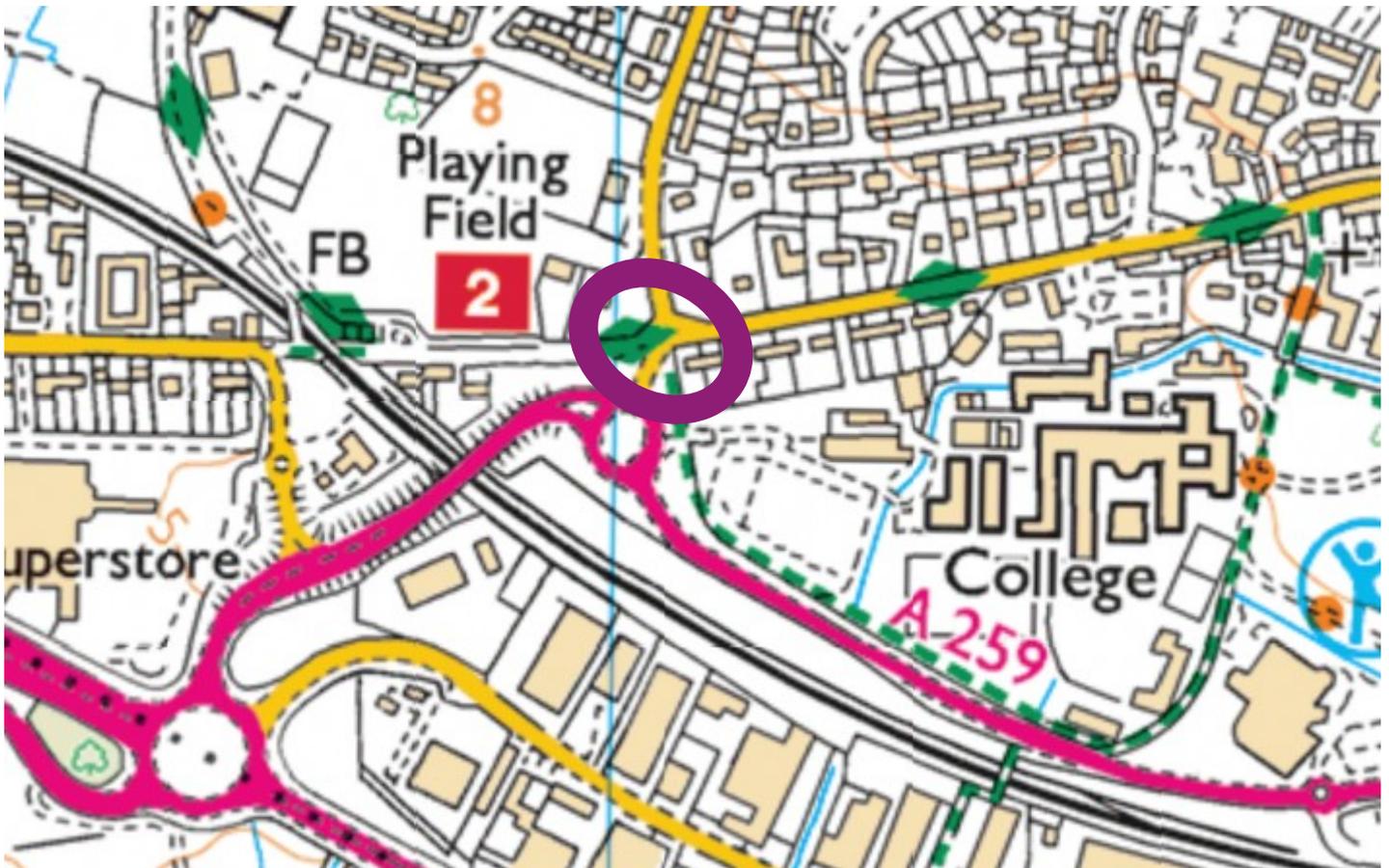




**ChiCycle Believe Proposed Modifications to Pavements Near the Chichester Mini Roundabout at the Intersection Between Sherbourne Rd and Westgate will Contravene the Equality Act 2010**



**The location of the proposed S106 scheme of concern is marked on the map above by the purple ellipse.**

Report compiled by Mark Record June 2021



# ChiCycle Believe Plans to Modify the Chichester Mini Roundabout at the Intersection Between Sherbourne Rd and Westgate may Contravene the Equality Act 2010

Outline Planning Permission for Phase 1 of the Chichester White House Farm development 14/04301/OUT includes legal agreement document (SECTION 106 PLANNING AGREEMENT - 11.04.18 - PART 1 OF 9). Page 98 this document states developers are required to “establish an advisory Infrastructure Steering Group to be managed and led by the County Council”. The purpose of the steering group is to “take forward the preliminary designs for the Highway Works to detailed designs and delivery of the Highways Works prior to their approval by the County Council”.

Detailed plans currently under discussion within the steering group:

- Do not follow DfT guidelines for shared use paths; and
- Fail to comply with the Equality Act 2010 and/or the Disability Discrimination Act 1995.

Removal of the existing legal footway status from the pavements around the Sherbourne/Westgate mini roundabout and the conversion of these pavements into shared use cycle-tracks, will result in a reduction in provision for all pedestrians and will particularly impact residents relying on assistance dogs and anyone with mobility issues.

At least two local residents rely heavily on assistance dogs and regularly use the pavements adjacent to this mini roundabout. Neither Patricia O'Brien nor Paul Voller have been contacted about the proposed changes. ChiCycle have also contacted the RNIB and Canine Partners and neither of these organisations appear to have been consulted about the proposals.

Current guidelines on Cycle Infrastructure Design LTN1/20 state:

*6.5.5 Where a shared use facility is being considered, **early engagement** with relevant interested parties should be undertaken, **particularly those representing disabled people**, and pedestrians and cyclists generally. Engaging with such groups is an **important step** towards the scheme **meeting the authority's Public Sector Equality Duty**.*

Various DfT guidelines advise that shared use pavements are an unsuitable solution in these types of location. These include , Inclusive Mobility (2005), Manual for Streets (2007), Cycle Infrastructure Design (LTN2/08) and Shared Use Routes for Pedestrians and Cyclists (LTN1/12), Cycle Infrastructure Design (LTN1/20).

Please support ChiCycle and insist these current detailed designs are rejected. They must be replaced with an alternative safe scheme meeting DfT LTN1/20 guidelines avoiding discrimination towards vulnerable residents in our community.

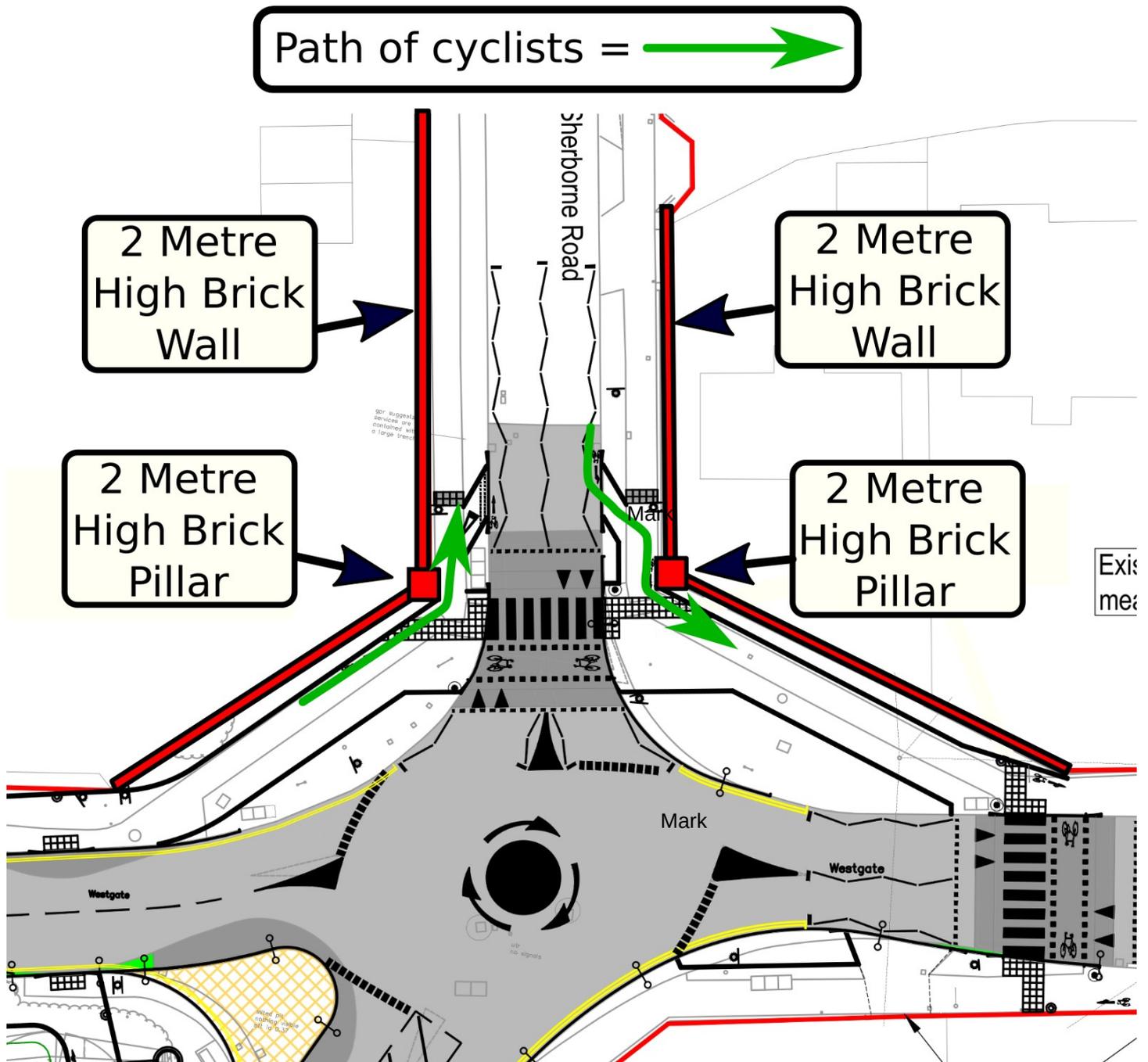
The following pages detail ChiCycle's concern and highlight relevant guidelines, evidencing the inadequacies within the current proposals.

Mark Record (Secretary for ChiCycle)

## Issue No1. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!

The Northern side of the mini-roundabout is bounded by 2-metre high brick walls. Current proposals re-locate cyclists from the road onto the pavement on a shared use cycle track. Issues are:-

- 1) Cyclists will round corners with virtually zero forward visibility directly into the path of oncoming pedestrians.
- 2) The proposed width of sections of shared cycle tracks are well below minimum widths recommended by DfT. Indeed, shared use cycle tracks are inappropriate in this location according to current guidelines.

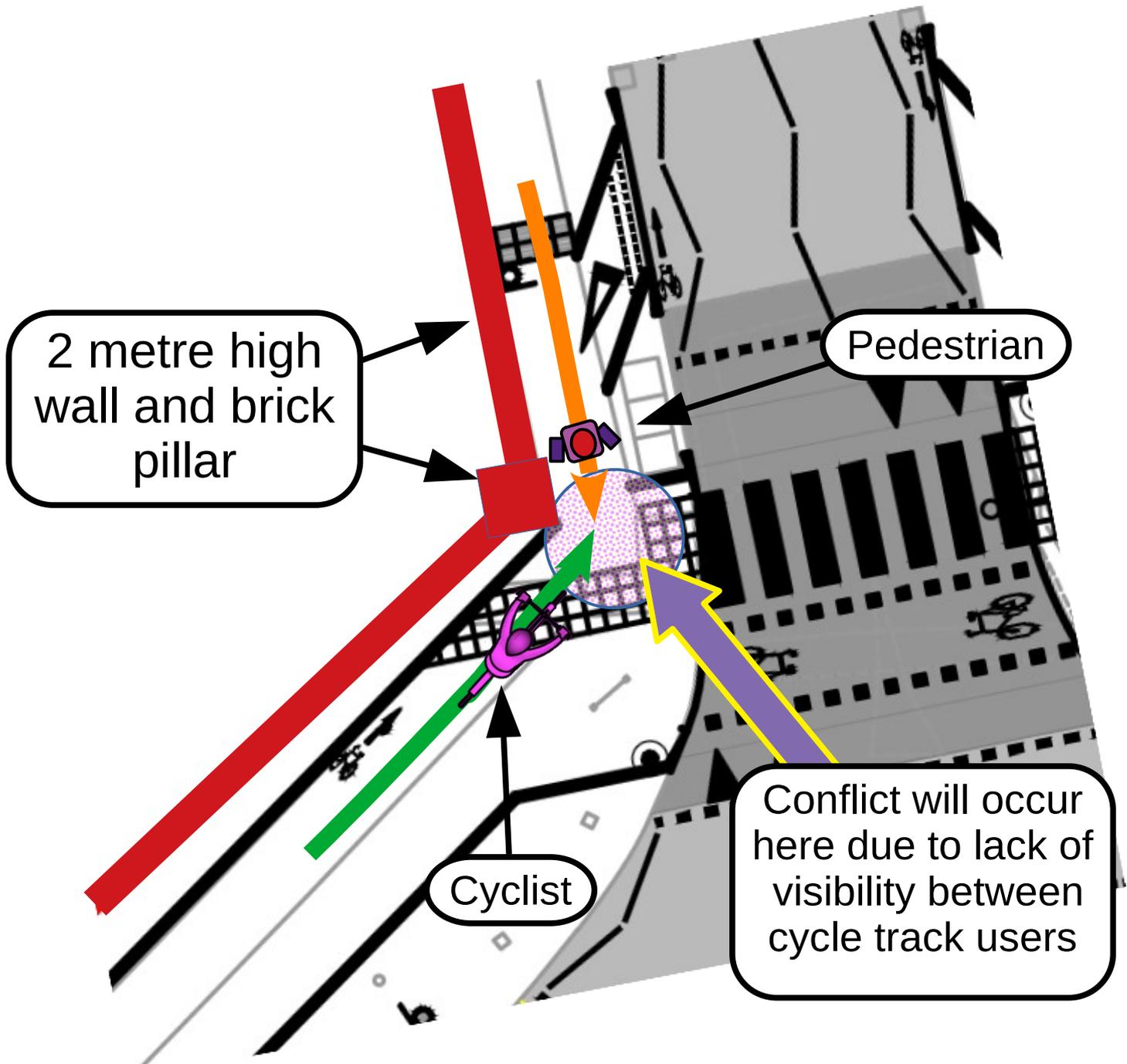


The image above shows an annotated clip taken from the currently proposed scheme.

The route of cyclists around blind corners will clearly inconvenience/endoranger pedestrians. Frail elderly members of the community are particularly vulnerable to injury from collisions with bicycles on these blind corners.

## Issue No1 Continued. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!

3) Conflict between cyclists and pedestrians will be inevitable on the North West pavement of this roundabout.



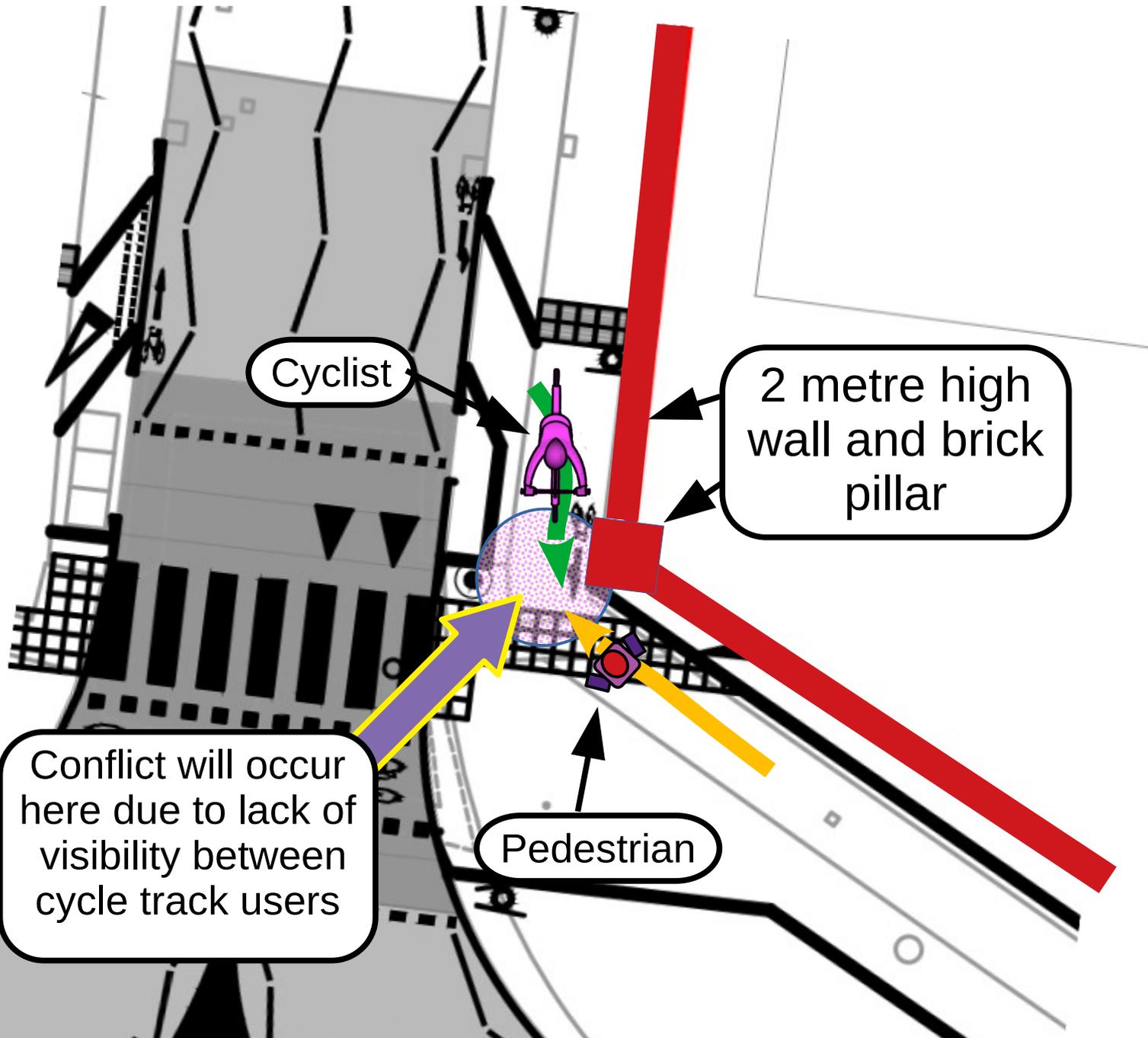
DfT Guidelines for Cycle Infrastructure Design LTN1/20 state:

*5.9.3 "Objects such as walls, fences and trees should not be sited close to the cycle track on the inside of bends as this will potentially affect the visibility"*

This guidance applies to all new cycle infrastructure (as in this case) but is clearly not adhered to in these proposals. In this example, the apex of the corner is bounded by the edge of a substantial brick pillar and wall, giving no visibility between approaching pedestrians and cyclists

## Issue No1 Continued. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!

4) Conflict between cyclists and pedestrians will be inevitable on the North East pavement of this roundabout



DfT Guidelines for Cycle Infrastructure Design LTN1/20 state:

5.9.3 Table 5-7 provides minimum horizontal curve radii which should be used for cycle traffic on cycle routes including shared use facilities alongside rural highways where there are few pedestrians.

These radii are based on being able to accommodate the turning space required by the cycle design vehicle (i.e. the actual turning radius of the vehicle) and to provide adequate stopping sight distance at typical cycling speeds

The minimum inside radius given in LTN1/20 Table 5-7 is **four metres** but at the brick pillars this scheme uses a radius of **zero meters**!

## Issue No1 Continued. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!

5) Conflict between cyclists and pedestrians is inevitable at this location on the North East pavement of the roundabout



The image above shows the visibility a cyclist will have when rounding the brick pillar that bounds the North East edge of the pavement. The absolute minimum stopping sight distance recommended in LTN1/20 Table 5-5: Stopping Sight Distances (SSD) is 17 metres! This distance is usually measured to the extreme inside radius edge of the cycle track. As cyclists approach the apex of this corner, ChiCycle approximate an actual working SSD of only 1 - 2 metres. This is between **6%** and **12%** of the minimum distance recommended by DfT!

## **Issue No1 Continued. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!**

6) Conflict between cyclists and pedestrians is inevitable at this blind corner at the North West pavement of the roundabout.



The image above shows the approaching view of any pedestrian heading south on Sherborne Road, with the proposed crossing to the left. The implications are disastrous for anyone reliant on a mobility assistance dog, a frail elderly person, or a mother with children using the North West pavement. Current proposals convert this footway into a shared use cycle track!

In addition, Bishop Luffa has approximately 1,600 students who are increasingly encouraged to walk or cycle to school, rather than be driven in. The westward arm of the roundabout (West Westgate) also links two national cycleways and the Saltern's way cycle path. Whilst the proposed pedestrian zebra crossing at Sherborne Road makes sense, is it really realistic to re-locate cycle traffic from the road onto this pavement?

## **Issue No1 Continued. Cyclists will Round Sharp Blind Corners Directly into the Paths of Oncoming Pedestrians!**

7) Conflict between cyclists and pedestrians is also inevitable at this blind corner at the North East pavement of the roundabout.



The image above shows the approaching view turning north into Sherborne Road of a parent taking children to Parklands Infant and Nursery School or returning from First Steps Childcare at Chichester College.

Can it be justified for families to share space at this sharp corner with busy commuter cycle traffic approaching? Will mobility impaired and partially sighted residents feel safe using the proposed infrastructure that will have cyclists rounding this sharp corner without the protection of compliance with DfT forward visibility criteria for shared use cycle tracks?

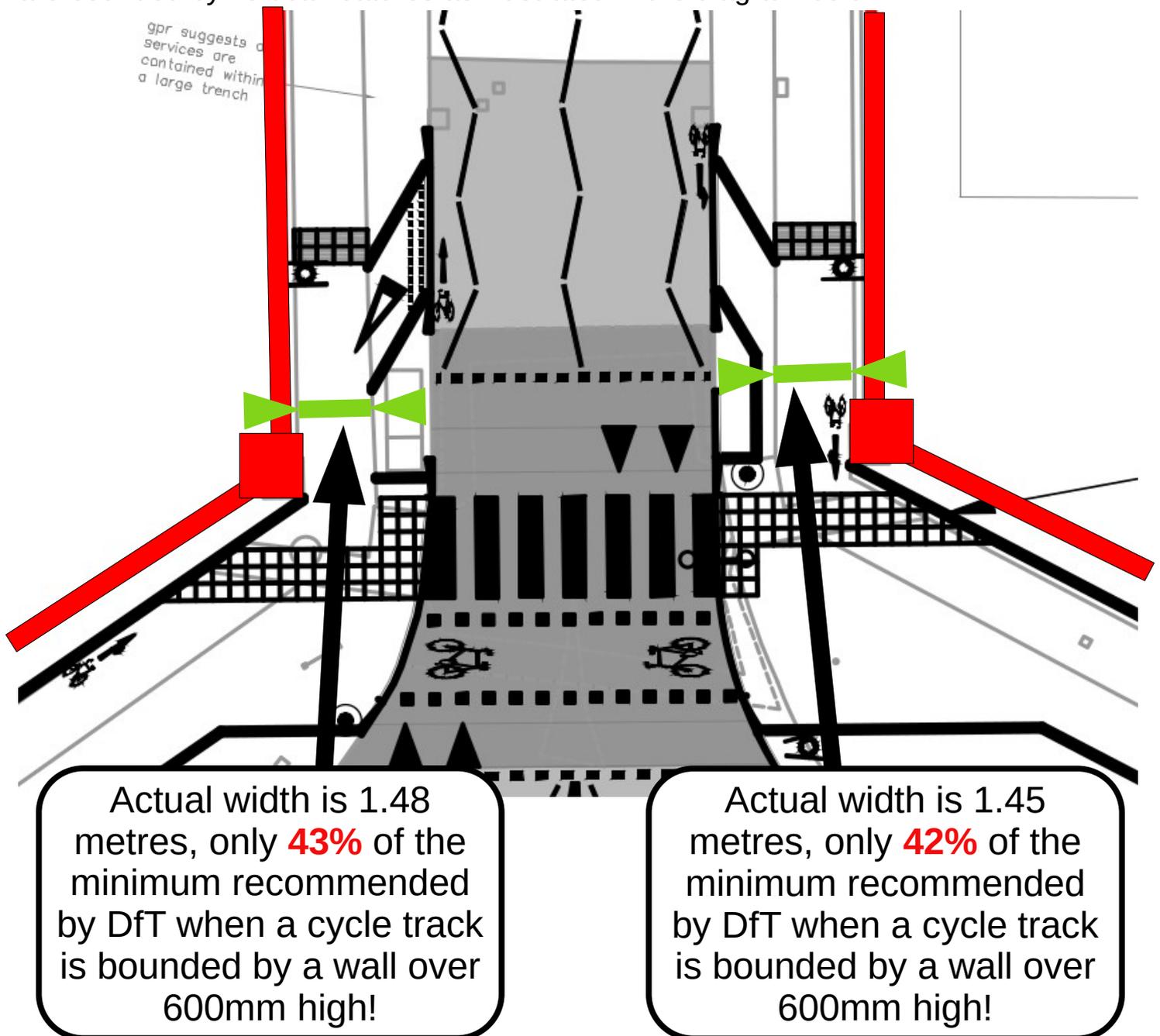
## Issue No2. Unsuitably Narrow Pavements are Proposed for Conversion into Shared Use Cycle Tracks!

DfT Guidelines for Cycle Infrastructure Design LTN1/20 stipulate that:

Where a cycle track is bounded by a vertical feature, people will not be able to use the entire width as they will naturally be wary of riding immediately next to walls and kerbs. Designers should provide additional width as shown in Table 5-3.

As at Sherborne Road on the north-side, where there are adjacent features such as a two-metre vertical wall, LTN1/20 indicates additional width of 0.5 metres should be provided in addition to the 3 metres minimum recommended width for shared use paths. Total 3.5 metres.

The proposed scheme ignores DfT minimum width guidelines where shared use tracks are bounded by vertical features as illustrated in the diagram below.

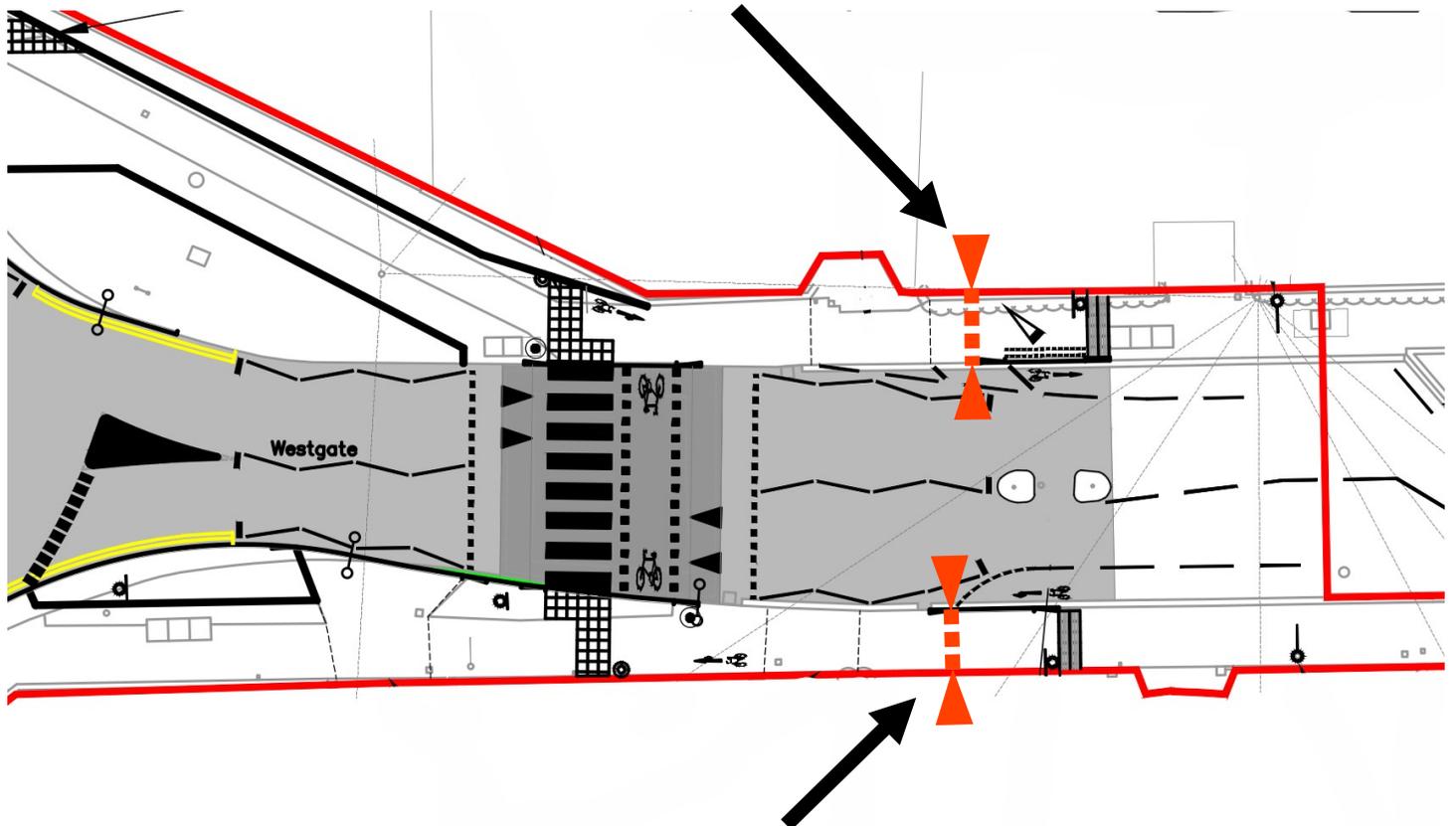


## Issue No2 Continued. Unsuitably Narrow Pavements are Proposed for Conversion into Shared Use Cycle Tracks!

On Westgate north side, the proposed path width is 1.9 metres adjacent to the beech hedge.

LTN01/20 requires a 3.7 metre width track at this location to comply with its guidance.

The proposed width of this shared use cycle track is only **51%** of the minimum width recommended by DfT!



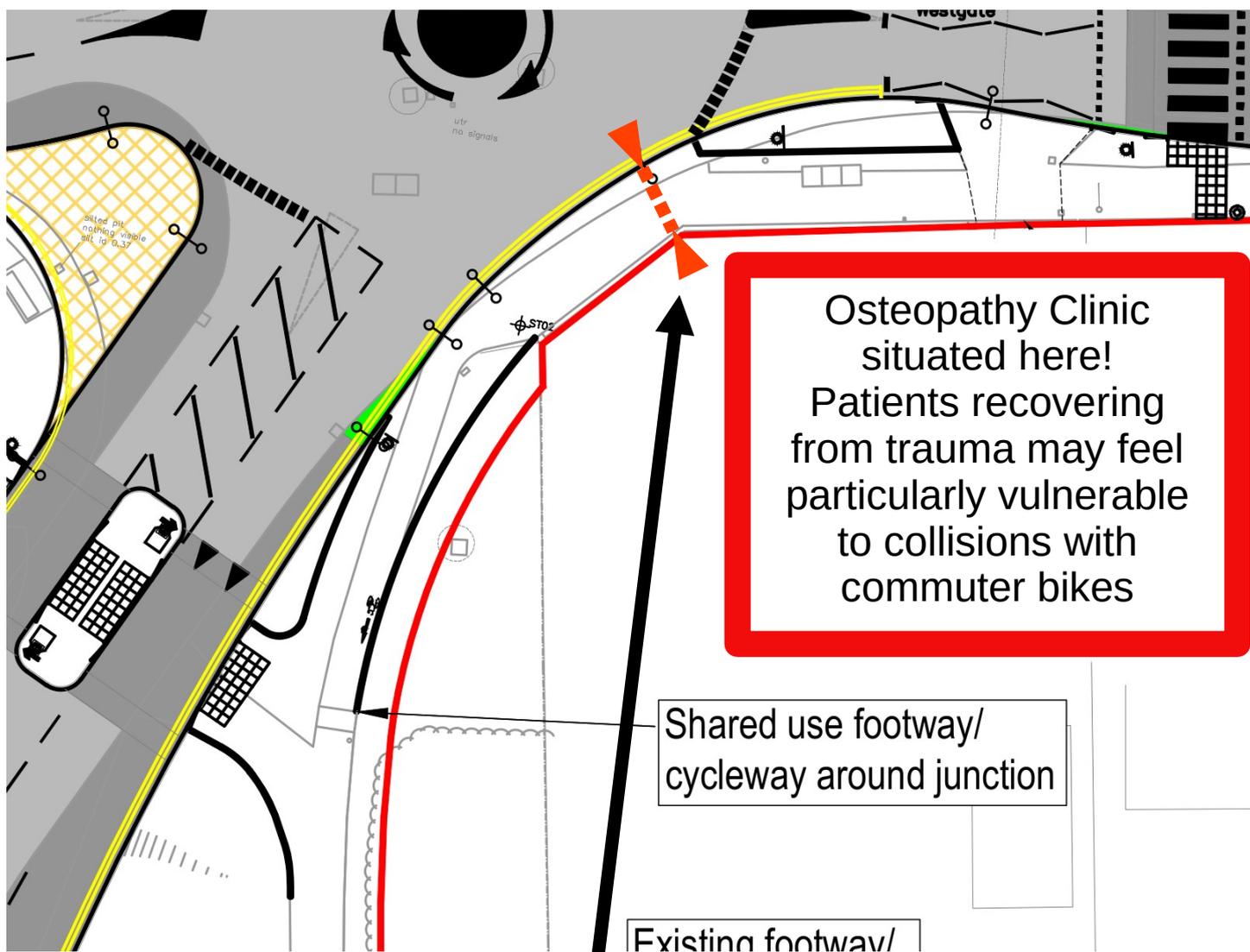
On Westgate south side, the proposed path width is 2.3 metres.

As above, LTN01/20 recommends a minimum 3.7 metre width shared track at this location to comply with current guideline widths.

The proposed width of this shared use cycle track is only **62%** of the minimum width recommended by DfT!

These design proposals fail to follow current advice given by all relevant DfT guidelines. This will result in discrimination towards vulnerable pedestrians in contravention of the 2010 Equality Act.

## Issue No2 Continued. Unsuitably Narrow Pavements are Proposed for Conversion into Shared Use Cycle Tracks!



On the south of Westgate, the proposed path width is only 2.8 metres

However, LTN01/20 recommends a 3.7 metre width shared track at this location to comply with current guideline widths.

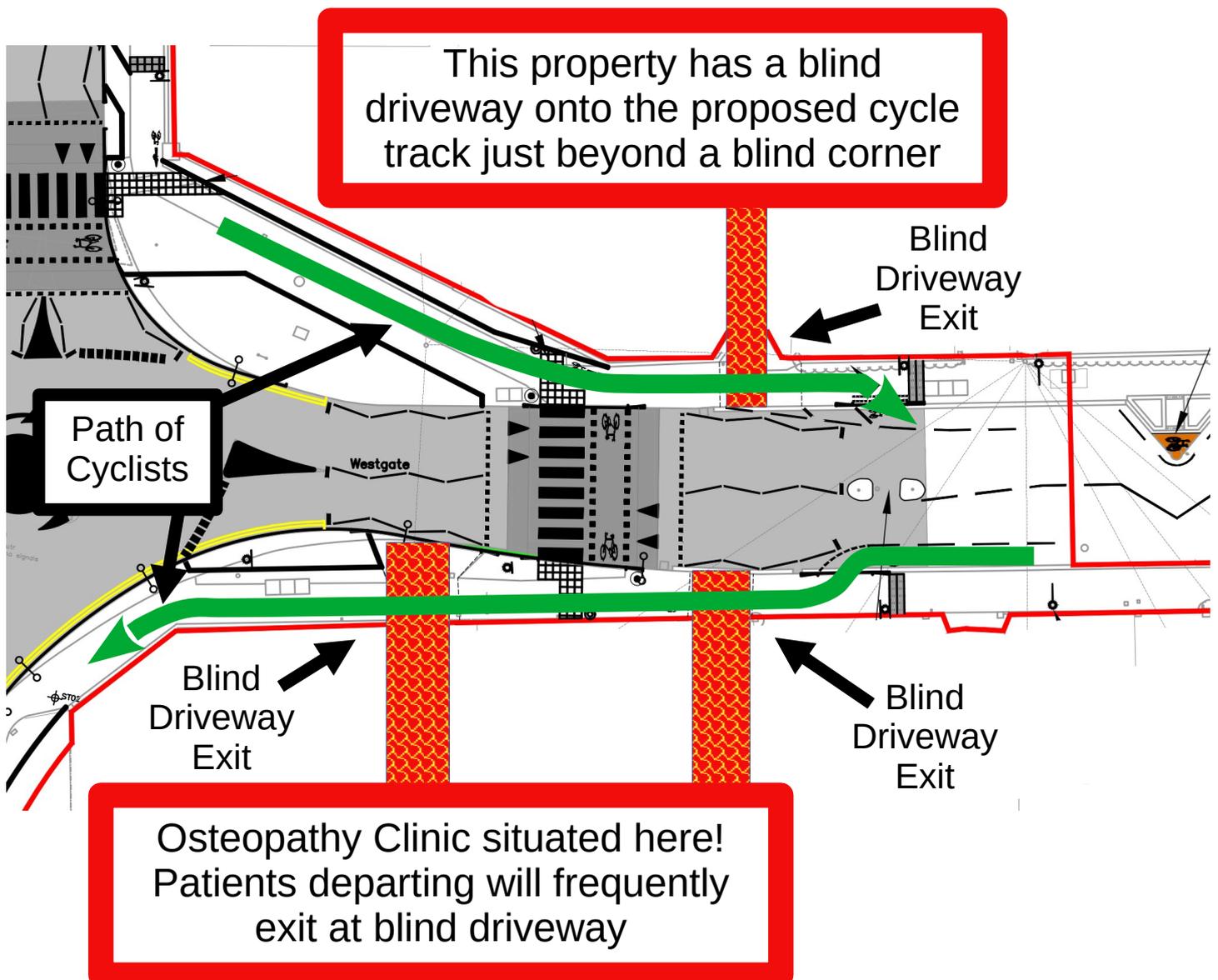
The proposed width of this shared use cycle track is only **75%** of the minimum width recommended by DfT!

### Issue No3. Converting Pavements into Cycle Tracks will cause Dangerous Conflict at Blind Driveways

The proposed shared use cycle tracks will induce conflict between pedestrians and cyclists. This will be exacerbated by cyclists suddenly swerving to avoid cars emerging from blind driveways.

Centurion Way is an example of well-designed shared use infrastructure where there is adequate width kept clear at either side of the path to allow good visibility between path users.

By contrast, the proposed cycle-track sections for Westgate permit only limited forward visibility as there is no clear space maintained at the inside edge of the pavement. With growing adoption of silent electric vehicles it will be impossible for cyclists to hear engine noise alerting them to emerging vehicles. Unless assistance is available to help guide vehicles safely out of these driveways, residents will be left with no choice but to edge out across a stream of cycle traffic that they cannot see or hear approaching.



## Issue No3 Continued. Converting Pavements into Cycle Tracks will cause Dangerous Conflict at Blind Driveways

Example: Cars emerging from this driveway will have no visibility of approaching cycle traffic on the pavement when it is converted into a shared use cycle path! The proposals fail to explain if cyclists or emerging cars have priority at this driveway.



Vehicles emerging from this blind driveway will cause cyclists to swerve into the path of pedestrians, sometimes resulting in injury.

DfT Manual for Streets (2008) explains:

6.4.8 ... **The fear of being struck by cyclists is a significant concern for many disabled people. Access officers and consultation groups should be involved in the decision-making process.**

### **Issue No3 Continued. Converting Pavements into Cycle Tracks will cause Dangerous Conflict at Blind Driveways**

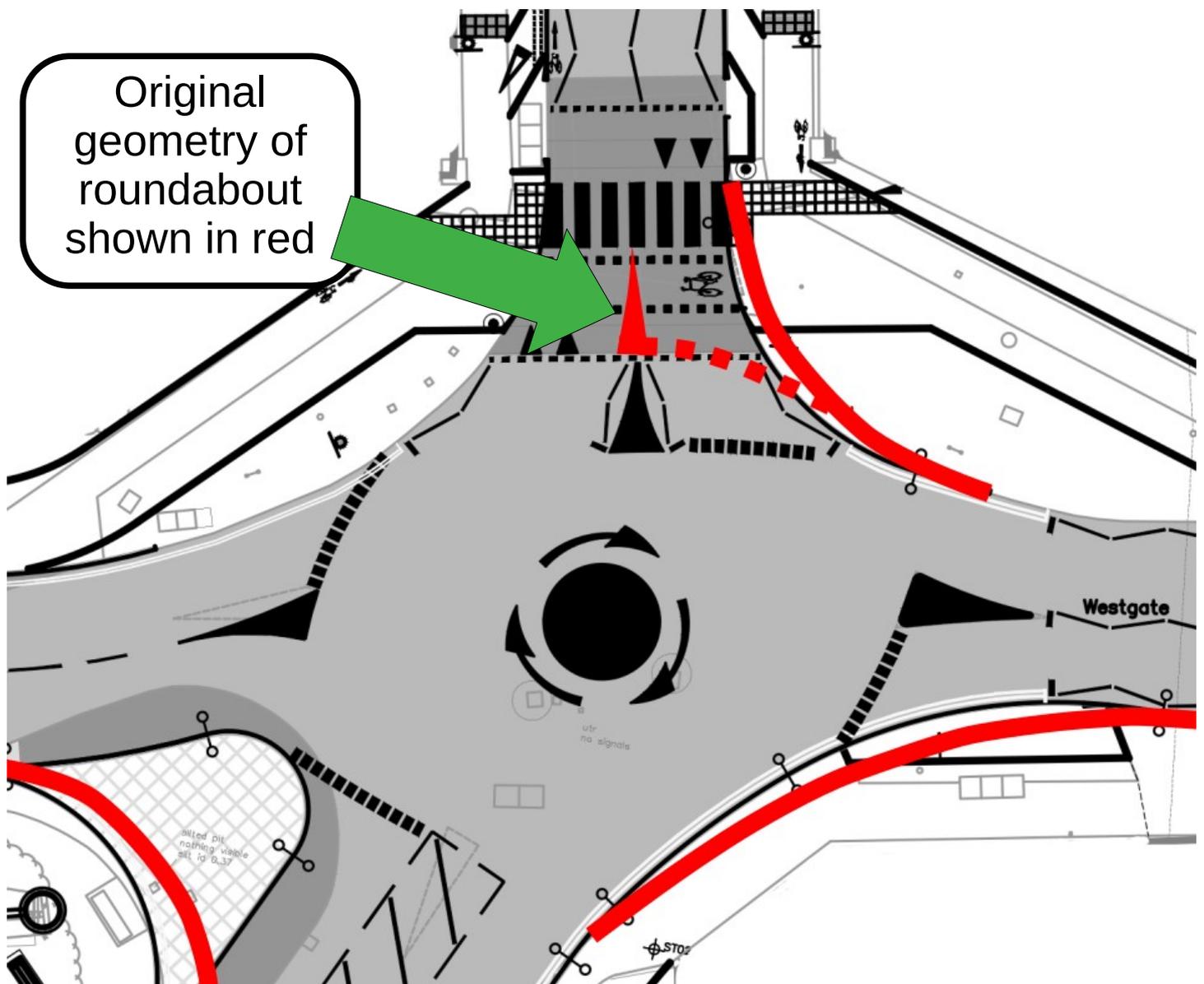
Unless the owners of these driveways remove their hedges and reduce the height of their front garden walls, emerging cars have no visibility of approaching traffic on this pavement when it is converted into a cycle track! Again, the proposals do not explain if cyclists or emerging cars have priority at these driveways.



The second driveway shown above is the entrance and exit of a busy osteopathy clinic on the south side of Westgate at the roundabout. Clients of this clinic may not realise the pavement has been converted into a shared cycle-track making collisions with cyclists likely. Cyclists knocked off balance by emerging cars are then likely to collide with vulnerable pedestrians.

## Issue No4. The Toucan Crossing is Perilously Close to the Exit of the Mini Roundabout!

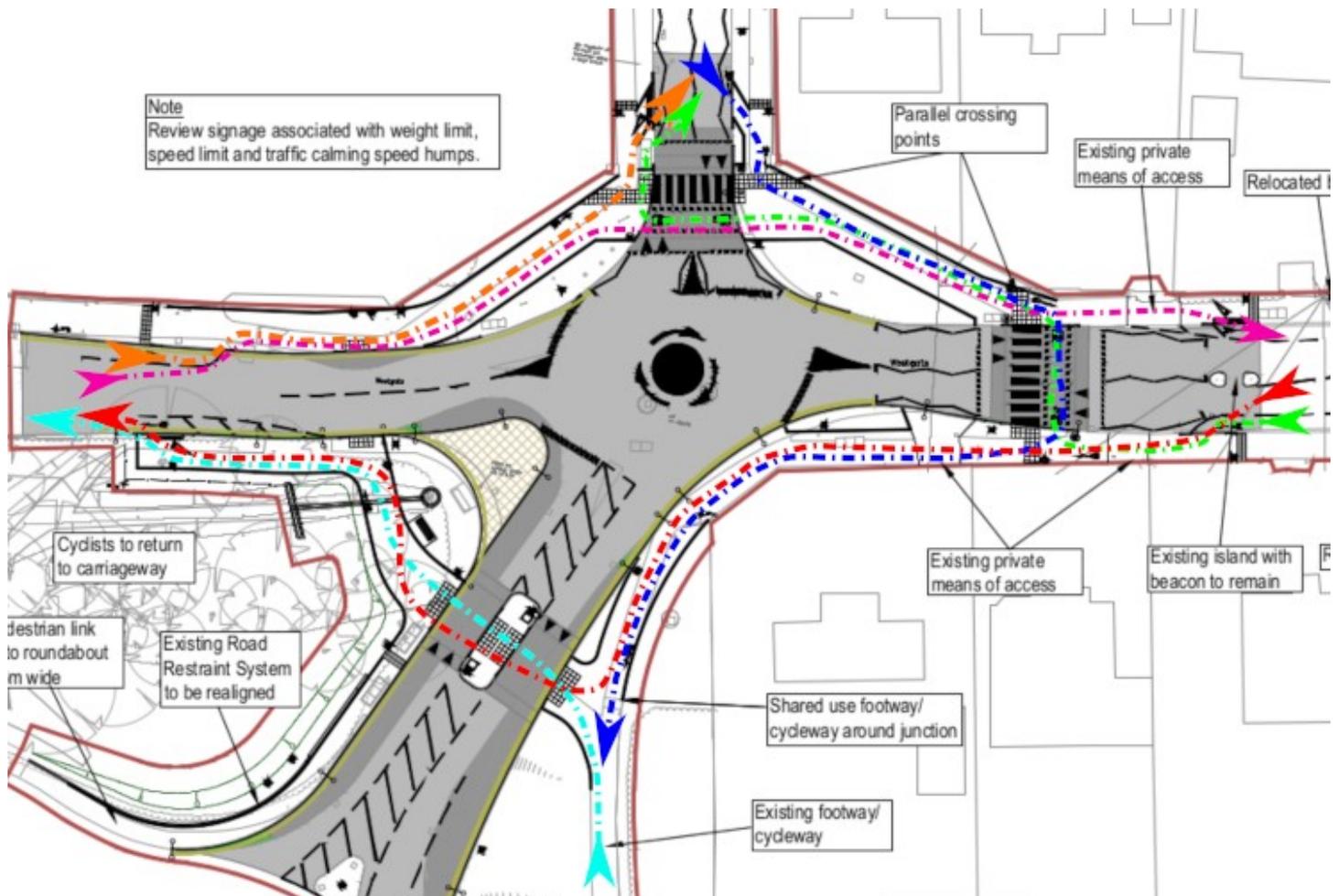
Because highway space is constrained at the northern arm of the roundabout by the two-metre-high walls, there is not space to fit in a standards compliant Toucan crossing. The current proposals skirt the safety issue by repainting the junctions northern "Give Way" markings unrealistically near to the roundabout's centre. Small hatchback cars may just be able to turn without crossing the central island but vans and buses will be unable to turn without their rear axle crossing the central island.



The current proposals fail to provide swept path analysis for buses, vans, or dustbin lorries. ChiCycle are unconvinced that repainting the give way lines near the centre or the roundabout will make the Toucan crossing acceptably safe for either cyclists or pedestrians.

## Issue No5. There are No Reasonably Accessible Alternative Routes Allowing Vulnerable Pedestrians to Avoid Risking Use of the Proposed Shared Use Cycle Tracks!

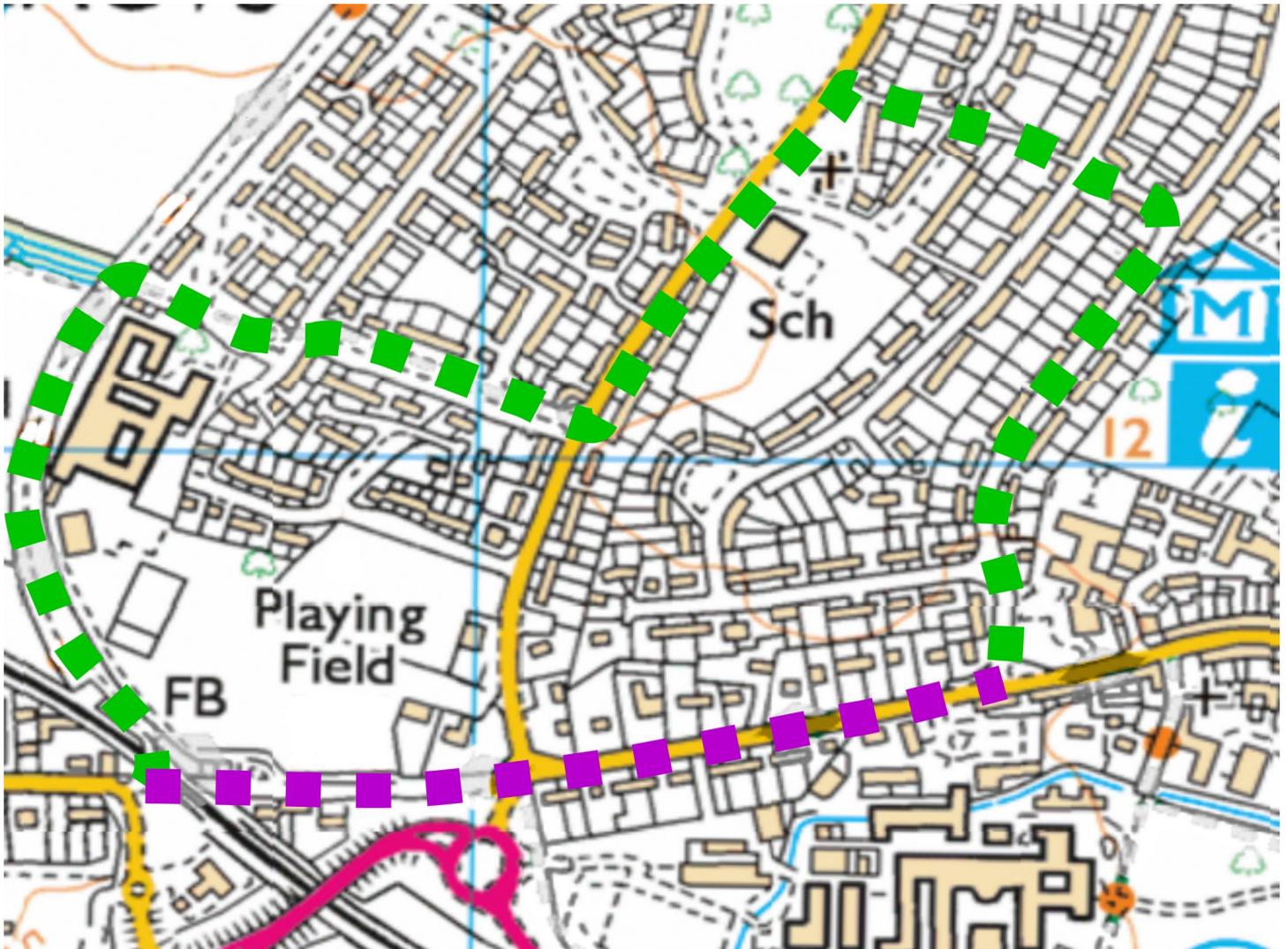
The coloured lines in the diagram (shown below) represent paths and desire lines that cyclists are likely to follow after the proposed conversion of the footways into shared use cycle-tracks.



This design will result in conflict that will particularly disadvantage vulnerable pedestrians. Parents pushing prams or holding a child's hand, elderly or disabled pedestrians will be unable to avoid walking on narrow shared use cycle-tracks if they need to negotiate this junction.

## Issue No5 Continued. There are No Reasonably Accessible Alternative Routes Allowing Vulnerable Pedestrians to Avoid Using the Proposed Shared Use Cycle Tracks!

The purple dots in the diagram show the existing pedestrian route from the railway foot bridge at Bishop Luffa school towards the Market Cross. If the proposed scheme goes ahead, elderly, disabled pedestrians who fear collision with bikes will have to take a long detour to use alternative, safe pavements and paths. The shortest realistic alternative route is shown by the green dotted line.



The green route that would avoid conflict with bikes on narrow shared use pavements, is over **1.15 km longer** than the direct route shown in purple. The Centurion Way mostly complies with existing DfT standards so it is possible some elderly or disabled pedestrians might be confident walking the route shown by green dots.

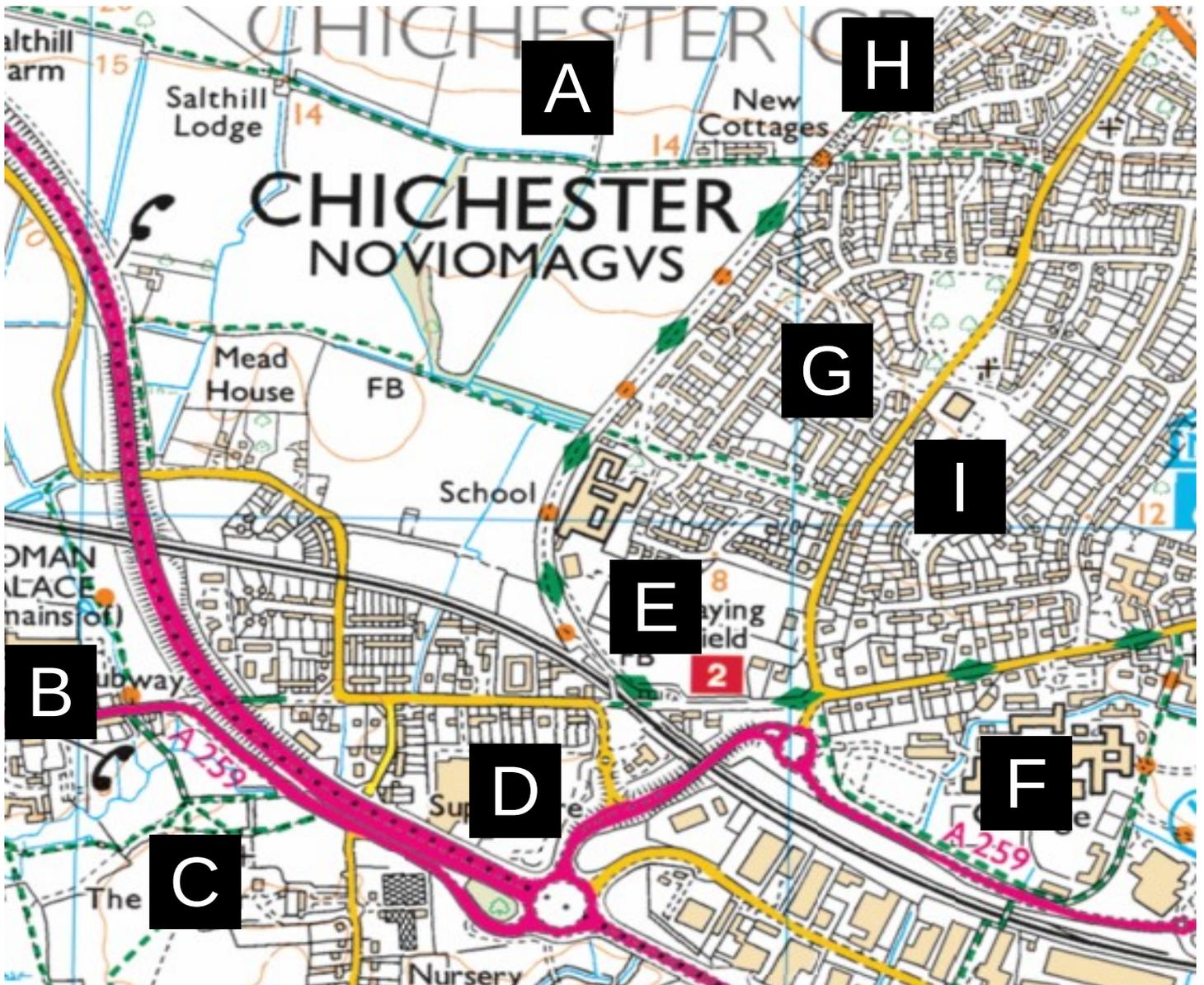
Ideally, an alternative pedestrian route should be available that avoids shared use cycle infrastructure altogether. If the proposed modifications to the mini roundabout go ahead, there will no longer be any route available for pedestrians to the West of Chichester that avoids the use of shared use paths or pavements.

## Issue No6. Many Walking and Cycling Journeys within Chichester Cross this Mini Roundabout

**It is unrealistic to shoehorn existing levels of walking and cycling onto existing pavements through their conversion to shared use cycle tracks!**

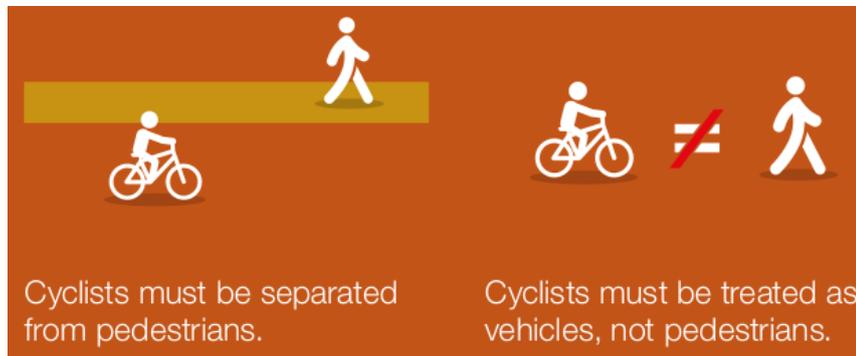
A number of locations to the west of Chichester create substantial volumes of pedestrian and cycle traffic that could not safely use the proposed narrow sub standard shared use pavements.

- A) Whitehouse farm housing development creating 1600 new homes
- B) National South Coast Cycleway NC2
- C) Saltern's Way Cyclepath
- D) Tesco Hypermarket (both shoppers and employees walk and cycle)
- E) Bishop Luffa School with approximately 1,600 students and teachers
- F) Chichester College and First Steps Nursery, 15,144 students, of whom 4,373 are full time students
- G) Parklands Council Estate, approximately 2,500 residents
- H) Centurion Way, counter estimates 1000 journeys made per day
- I) Parklands Community Primary/Infant/Nursery School



## Issue No7. National Policy on Cycling and Walking and DfT Guidelines, Require Consultation and Strongly Advise Against Conversion of Urban Pavements into Shared Use Cycle Tracks!

Current national policy on cycling and walking (Gear Change 2020) gives the following guidance in pictorial form on page 21.



Summery principle No2. shared by both the National Government “Gear Change” policy directive and DfT LTN1/20 state:

Cycles must be treated as vehicles and not as pedestrians. On urban streets, **cyclists must be physically separated from pedestrians and should not share space with pedestrians.** Where cycle routes cross pavements, a physically segregated track should **always** be provided. **At crossings and junctions, cyclists should not share the space used by pedestrians** but should be provided with a separate parallel route. **Shared use routes in streets with high pedestrian or cyclist flows should not be used.**

DfT LTN1/20 Guidelines on cycling infrastructure design state:

6.5.4 In urban areas, the conversion of a footway to shared use should be regarded as a last resort. Shared use facilities are generally not favoured by either pedestrians or cyclists, particularly when flows are high. It can create **particular difficulties for visually impaired people.** Actual conflict may be rare, but the interactions between people moving at different speeds can be perceived to be unsafe and inaccessible, particularly by vulnerable pedestrians. This adversely affects the comfort of both types of user, as well as directness for the cyclist.

6.5.5 Where a shared use facility is being considered, **early engagement with relevant interested parties should be undertaken, particularly those representing disabled people,** and pedestrians and cyclists generally. **Engaging with such groups is an important step towards the scheme meeting the authority’s Public Sector Equality Duty.**

DfT Inclusive Mobility Guidelines (2005) state:

Where a cycle track runs alongside a footway or a footpath **best practice is to physically segregate** the two as advocated in Local Transport Note (LTN) 2/86 Shared Use by Cyclists and Pedestrians.

## Conclusion

- 1) Both government policy on Cycling and Walking AND the Department of Transport guidelines on cycle infrastructure design, emphasizes shared use cycle-tracks are inappropriate in this urban location.
- 2) Even if shared use cycle-tracks were deemed appropriate, failure to follow current guidelines on the construction of shared use cycle tracks will result in additional discrimination towards vulnerable or disabled pedestrians.
- 3) Conversion of these footways into shared use cycle tracks without adequate consideration for vulnerable pedestrians or consultation with disability groups, will be a failure of the planning authorities Public Sector Equality Duty.
- 4) Modifying the roundabout to facilitate increased motor vehicle volumes is undesirable in this residential location.
- 5) Best practice according to Manual for Streets (2008) is the alternative solution of enabling safe cycling in the carriageway by reducing motor-vehicle traffic volumes and speeds.
- 6) Enabling cycling in the carriageway and improving road safety could be achieved by filtering traffic on Westgate and Sherborne road. Prohibiting private cars from using these street as through roads would significantly reduce traffic volume. With below 2,500 motor vehicles each day, the carriageways will then meet DfT standards as quiet streets.
- 7) Following the recommendations of the Gear Change policy on cycling and walking, the western cul-de-sac end of Westgate on the Bishop Luffa arm of the mini roundabout, should be designated as a quiet “school street” so that the majority of pupils can safely walk or cycle to school.
- 8) ChiCycle consider there is no reasonable justification for converting these footways into cycle tracks. We are seeking legal advice on how to challenge this by means of judicial review should Chichester District Council grant planning permission for the proposed scheme.

