

# **Western and Southern Area Planning Committee**

**4 November 2021**

## **HI1229 Custom House Quay, Weymouth – Public Realm Enhancements**

### **For Recommendation to Cabinet**

**Portfolio Holder:** Cllr R Bryan, Highways, Travel and Environment

**Local Councillor(s):** Cllr Jon Orrell

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Christopher Peck  
Title: Cycling and Walking Officer  
Tel: 01305221883  
Email: christopher.peck@dorsetcouncil.gov.uk

**Report Status:** Public

**Recommendation:** That having considered the representations received in response to public advertisement, that the Committee recommend the approval of the proposed changes to the Traffic Regulation Order as advertised for the removal of parking.

Having considered the representations received to public advertisement, that the Committee recommend that the Traffic Regulation Order for the contraflow cycle provision does not proceed.

**Reason for Recommendation:** To enable the footway widening in order to provide a more pleasant, safer environment for non-motorised users whilst retaining access for loading for harbour businesses. It is considered that the benefits of the public realm enhancement scheme and dedicated loading bays for harbour businesses outweigh the inconvenience of the loss of thirty-nine free one hour on-street parking spaces.

Further discussions with stakeholders indicate that a contraflow cycle route in this location would not be supported.

## **1. Executive Summary**

- 1.1 The current proposal is unrelated to any decision to be made on the continued presence of safety barriers on the harbour wall, which were installed in April 2021 following a risk assessment by the harbour authority.
- 1.2 The Weymouth Town Centre Masterplan (2015) and the Western Dorset Economic Growth Corridor Transport and Movement Studies, (2019), examined potential schemes for improving the town centre, including public realm proposals for the harbourside, emphasising the need to reduce on-street parking in this area, introduce a better quality public realm, and allow contraflow cycling on various streets in Weymouth to create a more coherent cycle network.
- 1.3 The removal of the harbour tramway was awarded funding from the Department for Transport in early 2020. The scope of the project was enlarged to consider more substantive public realm improvements during the Covid-19 emergency response period, when the road was closed during the day from July-September 2020 to allow hospitality businesses additional outside space and to support social distancing. Work commenced on rail removal in autumn 2020, with a temporary layout installed in March 2021 to allow full summer access for hospitality and leisure businesses based on the harbour.
- 1.4 The town council has previously requested improvements to the harbour, and have indicated that they have no objection to the proposed order. The scheme is supported by the ward Member. Over the first half of 2021, engagement activities have also taken place with the Harbour Consultative Group, with individual business owners in the harbour and with other stakeholders.
- 1.5 A public consultation on proposed changes to the layout of Custom House Quay was undertaken from January – February 2021, with over 1,400 responses. There was overall support for the scheme as a whole, with 58% in favour, 22% against and 20% unsure, however, some elements of the scheme, such as the contraflow cycle lane, were opposed by the majority of respondents – see Appendix E.
- 1.6 Contraflow cycling (two-way cycling on otherwise one-way roads) is an established, widely used technique, which has been implemented on 2,000 streets in London and hundreds elsewhere in the country. Since

very few schemes such as these have been implemented in Dorset, it is understandable that residents have concerns. It is therefore proposed that the contraflow cycle lane not be included in the final scheme.

1.7 The advertisement of a Public Notice on the Traffic Regulation Orders (TROs) took place in early July 2021, with a public consultation running from 8 – 31 July 2021. To make the necessary TRO changes, this report considers the objections and representations received and whether the proposed TRO changes should be implemented as advertised.

1.8 For technical reasons linked to the type of order, two draft TROs were published, one to remove the parking and one to permit two-way cycle movement. The responses to both have been amalgamated as there was considerable cross-over between responses, however, in many cases individuals chose to make representations to each separately, sometimes repeating their views.

1.9 A majority of the representations (52%) were objections to the proposals, both to the removal of parking and to the two-way movement for cycles. Themes identified from the objections and general comments are summarised below from paragraph 9.21 onwards.

## **2. Financial Implications**

2.1. The only financial implication would be the implementation costs of the TRO, costing around £3,000, the budget for which comes from the overall scheme construction budget. Funding for the whole scheme has already been authorised as part of the rail removal project, though additional funding has been found for some elements from the Government's Active Travel Fund.

2.2. If the proposed parking TRO were to be denied substantial work would still be needed on the street to improve drainage and provide a permanent surface.

2.3. Design costs have already been incurred to bring the scheme to construction; these costs are not recoverable. Were the TRO on parking not taken forward further design costs would likely be needed to make further alterations to the scheme.

### **3. Well-being and Health Implications**

- 3.1. 66% of Dorset's adult population is classified as obese or overweight and public health outcomes are particularly poor in the central Weymouth area, where the life expectancy of men is over ten years lower than in Upwey & Broadwey Ward. The scheme is part-funded through the Department for Transport's Active Travel Fund, which supports schemes to increase walking and cycling levels and increase physical activity.
- 3.2. Increasing opportunities for active travel is fundamental to creating healthier communities. Wider footways will help encourage active travel in the area and support healthier lifestyles.

### **4. Climate implications**

- 4.1. Emissions from transport are now the greatest source of greenhouse gas emissions in Dorset by sector, having increased from 32% of all emissions in 2005 to 46% by 2019.
- 4.2. The provision of free parking on Custom House Quay leads to many people making regular circulatory search trips in the town centre, adding unnecessary mileage and adding to other problems in the town centre. The removal of parking and the consequent improvement in conditions for people on foot will contribute to helping to shift some short car trips to these modes, saving carbon emissions.
- 4.3. Currently 50% of commuting trips in Weymouth under 5kms in length are undertaken by car. Improving conditions for people on foot will help provide alternative to some short car trips.

### **5. Other Implications**

- 5.1. The proposed scheme supports wider sustainability in the area through helping to reduce traffic movements in the town centre, thereby alleviating air pollution and enhancing the quality of the local environment. The 39 free spaces generate traffic in the area, particularly circulating traffic searching for free parking as discussed above. Responses to the TRO indicate that residents have noticed a welcome reduction in traffic levels on Custom House Quay while the temporary scheme has been in place.
- 5.2. The impact on economic sustainability of local businesses is mixed: although loading bays supports many harbour businesses, the removal of much of the 1hr parking may have an impact on some businesses whose customers previously relied on finding spaces in this location. In favour of the proposal, the allocation of more space for outside seating will benefit the businesses who will directly, as well as creating a more attractive

environment to support more visits to the town. Some free 1hr parking (on shared resident parking bays) remains on Mitchell Street, Market Street, Helen Lane and on the southern end of Commercial Road.

- 5.3. By improving the appearance and public realm quality of the area, the scheme supports parallel Property and Assets projects in the wider area, including the Peninsula regeneration scheme, and regeneration of the North Quay site.

## **6. Risk Assessment**

- 6.1. A design risk assessment has been conducted for the proposed scheme, addressing conflicts between road users, including pedestrians, cycles and motor traffic. The design techniques adopted will reduce high and medium risks under the pre-2021 layout to low, including through provision of additional surface treatments to slow vehicles and to provide safety to contraflow cycling.

## **7. Equalities Impact Assessment**

- 7.1. An Equalities Impact Assessment concluded that there will be positive impact on sectors of the community on the grounds of age, gender, pregnancy and maternity. The impacts on disability are unclear, with some positive impacts and some negative impacts.
- 7.2. It also concluded that there will be no change/ or assessed significant impact on the remainder of the protected characteristic sectors.

## **8. Appendices**

Appendix A – Custom House Quay location plan

Appendix B – Photograph pack illustrating previous layout and temporary layout.

Appendix C – Drawing HI1229/25/100/A, Custom House Quay General Arrangement.

NOTE: To be printed and viewed at A1 size

Appendix D – Drawing HI1229/30/03/Orig, Traffic Regulation Orders

NOTE: To be printed and viewed at A1 size

Appendix E – January 2021 Consultation summary responses

Appendix F – Summary of responses to the TRO consultations

## 9. Background Papers

9.1. Custom House Quay is situated at the southern end of the peninsula of Melcombe Regis (see Appendix A). The southern side forms the harbour wall, with the first metre of space in from the edge of the harbour wall part of the commercial operation of the harbour rather than highway. Until the temporary arrangements described below, thirty-nine one-hour car parking spaces occupied most of the area on the southern side of the road (see Appendix B).

9.2. Improvements to the public realm of the area have been suggested previously, including the [Weymouth Town Centre Masterplan](#) (2015) which suggested the “provision of a high quality pedestrian connection from The Peninsula to and along Custom House Quay to the town bridge” as well as incorporating cycling along this route..

9.3. The *Western Dorset Economic Growth Corridor Transport and Movement Studies* (WSP, 2019), a collection of strategy documents covering parking, transport and public realm in the town centre, provided further analysis and suggestions. Amongst other issues raised, the Weymouth Town Centre Public Realm Strategy made the following points about the area in and around the quayside:

- *“Significant demand for on-street parking, contributing to vehicles circling in search of spaces and limiting pedestrian movement;*
- *The extant rail lines of the former harbour branch line on Commercial Road, Cosen’s Quay and Custom House Quay are a hazard, particularly to cyclists;*
- *The Custom House Quay and Trinity Road/Cove Row/Hope Street areas contain a good mix of residential and commercial land uses, giving the area significant economic potential. However, on-street parking detracts from views across the harbour, impacts on the visitor experience and reduces available space for pedestrians.”* (Weymouth Town Centre Public Realm Strategy, February 2019)

9.4. The *Western Dorset Economic Growth Corridor Weymouth Town Centre Transport Strategy* also identifies the value in providing for contraflow cycling on a range of streets in the town centre, including Custom House Quay.

9.5. Until 2020 the rails forming the harbour tramway ran within the carriageway. The dimensions of the railway restricted the layout of the road, limiting the size of the footway on the northern side. As the rails

were redundant, proved a risk to road users and a maintenance burden, they were removed, with authority granted at Cabinet on 28/9/2020 (<https://moderngov.dorsetcouncil.gov.uk/ieDecisionDetails.aspx?ID=415>)

- 9.6. The removal of the rail lines and the required redesign of drainage on the road gave an opportunity to reassess how the road was laid out and offered the potential to achieve some of the identified improvements suggested in the *Western Dorset Economic Growth Corridor* analyses.
- 9.7. With the re-opening of hospitality businesses in July 2020, Dorset Council agreed under emergency legislation to restrict access to Custom House Quay during the day for the summer period, with only certain business users allowed access, and nearly all the one-hour parking suspended. This permitted more space to be given over to pedestrians for social distancing, and for hospitality businesses to re-open with outside space.
- 9.8. Under this arrangement the sitting out spaces were placed where car parking spaces were previously. This limited access to the harbour wall, and additional provision was installed to protect access to vessel moorings and pontoon access points, and alterations made over the summer to help alleviate specific issues.
- 9.9. In January 2021 a public consultation on a proposed permanent scheme incorporating some of the changes in the temporary scheme was issued on Dorset Council's website and publicised through a press release and social media, with considerable coverage in the local media. Given the Covid-19 restrictions no drop-in events could take place, but some key stakeholder engagement took place using online meetings. The results of this exercise are summarised in Appendix E.
- 9.10. From late September 2020 Custom House Quay and Commercial Road were subject to major works to remove the rail lines, with work only complete by spring 2021, at which point a temporary surface was installed to once again allow sitting out areas from early April 2021, together with a wider footway. No contraflow cycle lane was installed at this point as this would have required specific signage additional design work and a temporary traffic regulation order. Indicative loading bays were installed to support harbour usage.
- 9.11. The temporary scheme in 2021 closely followed the design proposed under the permanent scheme, with the exception of two-way cycling. Nevertheless, some contraflow cycling has taken place even without the proposed provision.
- 9.12. The proposal to provide a route for contraflow cycling followed Government guidance which is summarised below in answer to *Objection*

C and in Appendix F. In short, local authorities have been asked to assess whether contraflow cycling can be permitted and provide for it where possible. Greater flexibility has been granted by Government to enable this approach under recent changes and contraflow cycling has been implemented on thousands of streets across the country. The unfamiliarity with this approach in Dorset may explain some of the local concerns with the contraflow cycling proposal. Examples of existing contraflow cycling provision elsewhere in Dorset (and BCP Council) can be found in Appendix H.

- 9.13. The permanent scheme will set out loading bays of various lengths on the harbour side to accommodate both large vehicles delivering to the hospitality and retail businesses, but also allow smaller vehicles to load onto the vessels moored alongside. An additional loading bay will be located on Maiden Street adjacent to the Ship Inn. Persistent illegal parking in this location causes blockages on Maiden Street and provision of a loading bay helps ensure that access through here can be maintained more easily. The layout of loading bays has been slightly altered following further discussions with representatives of the Weymouth and Portland Fishermen's and Licensed Boatmen's Association.
- 9.14. The public realm on Custom House Quay will be improved with a wider footway on the northern side, including an area for potential sitting out licences marked on the footway outside the hospitality businesses, and a clear footway available beyond this to the kerb. The surface would be renewed Saxon buff slabs, the same type as that in use there currently. At side roads, a textured crossover would be provided and giveaway lines set back, providing for pedestrian priority.
- 9.15. On the harbour side of the road a wider footway, interspersed with the loading bays, will greatly increase the space available. This footway will remain at carriageway level and protected, as now, with wooden bollards, which in places would be demountable. Improved seating would be provided in places where space is available – exact dimensions and locations of seating is yet to be determined.
- 9.16. The texture of the road will be imprinted asphalt herringbone patterned brick paving, similar to that on the Trinity Road on the southern side of the harbour. In several places courtesy crossing places imprinted in a differentiated pattern will be laid instead of the standard carriageway surface, with tactile markings to help aid navigation for visually impaired users.
- 9.17. In May 2021 the proposed TROs were sent to the Primary Consultees (Town Council, Police and DC Councillor) for comment. With



no objections received, the proposals went to Public Notice and advertised in the local press in July 2021. Street notices were also erected on-site.

- 9.18. A table showing the form of the comments is included as Appendix G. The majority of respondents objected both to the removal of parking (31 objections, 16 support, 12 general comments) and to the contraflow cycling (28 objections, 13 support, 13 general comments).
- 9.19. A total of 113 representations were received from 86 different addresses. More than one representation was received from individual addresses because in some places multiple individuals from a single address responded, or individuals responded to each of the two consultations. In some cases respondents had responded with comments on Custom House Quay to other TRO consultations, however, these were included in this assessment.
- 9.20. Subsequent discussions have been held with various interested parties, including representatives of the Weymouth and Portland Fishermen's and Licensed Boatmen's Association. This has led to some alterations to the location of loading bays to ensure better access to these users.
- 9.21. The objections and comments can be summarised into certain themes. These are set out below, with officer comments after each bullet point:

- *Objection a) Concerns about the loss of residents parking*

Comment: Many of the objections come from the operators of hospitality businesses in this area. Just 6% of the on-street parking capacity (approximately 13 spaces) in the Zone F area will be lost under the proposal, with 191 on-street parking spaces remaining. Further discussion on the potential for alternative provision for Zone F permit holders is ongoing, but approaches similar to that applied in summer 2020 and summer 2021 might be used in future to allow use of the Pavilion car park.

It should be noted that there are 471 residential addresses in the Zone F parking area, of which 89% are flats, only a few of which will have off-street parking. Only around one-third of these residents have applied for an on-street parking permit and therefore most are likely to rely on public transport, foot and cycle for transport. Changes to the public realm to benefit non-motorised modes will therefore be of direct benefit to the vast majority of residents within the Zone F area.

While residents were able before the temporary scheme to access the one hour free parking adjacent harbour wall, technically they were not permitted to use this during the day, and therefore it was of very limited value for most residents, who would have been forced to move their vehicles before 0900 or risk a fine, and only be permitted to return their vehicle in that location at 1800.

- *Objection b) Perceived 'danger' posed by the cycle lane*

Comment: As outlined above, further discussion with stakeholders means that the Recommendation is not to proceed with the contraflow cycle lane. The following response to the objections and comments are purely to explain why the reason why this was proposed in the first place.

A large number of comments were recorded by people who viewed the proposed arrangement of the cycle lane as unsafe, with some concerned about how cycles will access the cycle lane and those who might exit it, and some concerned about risks to pedestrians.

A cycle lane on road would have provided protection to pedestrians: in the absence of dedicated on-road provision, with widened footways adjacent to the road some cycle users may choose to use the footway, which in a location with high pedestrian flows is more likely to lead to conflict.

Although pedestrians are currently unused to having two-way cycling, the provision for cycling would have been marked at junctions and crossing points and it would have been likely that people on bikes would travel slowly through the area, as is already the case. As several respondents pointed out, pedestrians currently use the road here and people on bikes are used to sharing the space with pedestrians as this is common on many paths in the town already.

Data available suggests that many people on bikes are already travelling very slowly through Custom House Quay – whereas on Westham Road the average speed along the street by bicycle is over 20km/h, on Custom House Quay the average speed to travel along the street is just 3.5km/h.

On Westham Road, where there has been a long-held ambition to introduce contraflow cycling, over one in five of the people on bikes using the street using it in a contraflow direction. Failing to provide for contraflow cycling where there is a clear desire line means that some users are deterred, while others may be forced to use a riskier alternative on busier roads.

- *Objection c) The cycle lane is unnecessary*

Comment: As outlined above, further discussion with stakeholders means that the Recommendation is not to proceed with the contraflow cycle lane. The following response to the objections and comments are purely to explain why the reason why this was proposed in the first place.

The Government's [Local Transport Note 1/20](#) guidance issued in May 2020 is the latest and most thorough guidance on the design of roads for cycling. The Government has indicated that all schemes must follow this guidance. On contraflow cycling, this states the following:

*“To make cycling an attractive alternative to driving short distances, cycle routes should be at least as direct – and preferably more direct – than those available for private motor vehicles. Permitting cyclists to make movements prohibited to motor traffic, allowing contraflow cycling, and creating links between cul-de-sacs to enable cyclists to take the shortest route, should be the default approach in traffic management schemes and new road networks.” (p. 30)*

The document goes on to say:

*“Where speed is low in urban areas, contraflow cycling without a dedicated cycle lane has been found to be successful even on narrow streets with on-street car parking. The following minimum carriageway widths are recommended:*

- 2.6m with no car parking
- 3.9m based on car passing cycle, no car parking
- 4.6m with car parking on one side of the road
- 6.6m with car parking on both sides of the road” (p. 78)

In this case the road is kept at 4.6m in length, though when in use the loading bays will result in narrower sections which will operate as ‘give and take’.

Some respondents suggested that the cycle lane was unnecessary either because there was no connecting link at the eastern end or that people on bikes could use the alternative route.

A route eastward on Custom House Quay links to the Esplanade, with the adjacent promenade permitting cycling except during the summer daytime

restriction. Under the current plans for the redevelopment of the peninsula there will be also eventually be a route for cycling. The redevelopment of the site currently taking place might also lead to an increase in the need for people to access this area, for instance, to reach employment or leisure destinations. Dorset Council should therefore be planning a coherent and safe network for people to access this area by bike.

Expecting people to follow the route through St Edmund Street / Maiden Street / Mitchell Street / East Street and the Esplanade is not acceptable and there is a record of cycle collisions on these streets, with two injuries to people on bikes, one a child, in the last five years. Whereas most people arriving at the Peninsula by motor vehicle from the south access the area using Boot Hill, Westwey Road, Swannery Bridge, Westham Road and the Esplanade, this is a long, busy route for people on bikes, for whom a more direct route can be found on the backstreets of Rodwell, old Weymouth (Spring Road) and the harbour.

Finally, Dorset Council must be prepared for the potential that micro-mobility solutions such as electric scooters become fully legal, and are permitted to use cycle facilities in the near future. Future users of these devices are likely to want to travel east on Custom House Quay and if contraflow provision is not available they might be tempted to use the widened footway, putting them in greater conflict with pedestrians.

- *Objection d) Encouragement of anti-social behaviour / dominance of space by hospitality*

Comment: Many of these comments referred to the temporary layout over the last two summers, in which space was provided to hospitality businesses as a consequence of the Covid-19 response. For the final scheme, the space available will be designated by visual delineation in the footway, which will assist with ongoing enforcement and prevention of sitting out areas blocking the footway.

It should also be noted that whereas previously four of the businesses with sitting out licences were either public houses or restaurants, most of those able to access sitting out spaces under the temporary layout and proposed permanent scheme are smaller establishments whose business is focused on providing daytime café service.

- *Objection e) Waste of tax-payers money*

Comment: This was raised by only one or two comments. The scheme was nearly wholly funded by external resources, and the bulk of the scheme related to the removal of the rail lines. Increasing the space available for an enhanced public realm in the harbour area will help to increase Weymouth's attractiveness as a destination for visitors, with the harbour in particular providing an attraction which helps to broaden interest beyond the beach, spreading visitors both around the town, and for a longer period in the year. As outlined above, increases in active travel bring significant savings from the health benefits of more people being more physically active.

- *Objection f) Why can't the harbour be pedestrianised*

Comment: several respondents wanted Dorset Council to go further and close the quay to through traffic. Although various degrees of vehicle restriction for the harbour were proposed in the Western Dorset Economic Growth Corridor studies, such a change requires substantial modelling work to determine the wider impact on the town's traffic network. The servicing needs of the vessels in the harbour are often determined by a timetable that cannot be aligned with other needs and even timed vehicle restriction needs careful assessment of these users' needs.

- *Objection g) Disabled parking on the harbour*

Comment: several comments were made about the lack of disabled parking on the harbour. This has been considered as part of the Equalities Impact Assessment. Dedicated disabled bays have been provided on Custom House Quay, however, since these bays need to be 3m in width, they must be located at the more spacious, eastern end.

Blue badge holders are permitted to park on doubled yellow lines for three hours where they do not restrict access, and there is considerable evidence that many blue badge holders do just this. There was no dedicated disabled parking on the harbour previously.

As shown in Appendix B.2, the temporary layout has enabled wheelchair users to access the harbour in a way in which they would have been unable to if parking had remained in this location.

- 9.22. In considering the representations it should be noted that the two-stage consultation process means that many people who had given their views in the wider consultation in early 2021 did not give their views to the TRO consultation. The Government's additional Network Management Duty guidance (31/7/21) states clearly that consultations should not be treated as referendums, and are part of a suite of evidence on which decisions on TROs should be made.
- 9.23. The proposed removed parking realises ambitions set out in previous strategies, follows the most up-to-date guidance and supports a healthier, more economically prosperous and low carbon future for Weymouth which balances the needs of motor vehicle access, harbourside businesses and non-motorised users. As such it is recommended that the Portfolio Holder be recommended to support the proposed changes to the Traffic Regulation Orders as advertised.
- 9.24. Following further discussions with stakeholders the recommendation is sought that the contraflow cycle lane not be taken forward.
- 9.25. Full results from the first consultation (January – February 2021) together with primary consultee responses to the TRO consultation from Weymouth Town Council, Dorset Police and the local Dorset Councillor and with responses to the Public Advert, are held on the HI1229 project file are available to view on request.

**Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.