

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Highways Operations
Date:	10 March 2022
Title:	Prohibition of Driving Traffic Order, Brookers Lane, Gosport
Report From:	Director of Economy, Transport and Environment

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1. The decision:

- 1.1. That the Executive Member for Highways Operations approves a Traffic Order to be made under the Road Traffic Regulation Act 1984 (RTRA), the effect of which will be to remove the small section of Prohibition of Driving from the green hatched area shown on plan TM/JR/01 (Appendix A), Brookers Lane, Gosport.

2. Reasons for the decision:

- 2.1. The decision is required to allow a new permanent access to the approved Bargate Homes development of affordable properties from Brookers Lane.
- 2.2. The development was granted planning permission at appeal in July 2021 and requires a small area of the current shared use cycleway and footway to provide the access to the site. The majority of the existing shared use facility will remain.
- 2.3. Due consideration has been given to RTRA section 122(1) and 122(2) and any other relevant legislation. In this case the Decision Maker acting on behalf of the Local Authority considers this Traffic Order expeditious, for the convenient and safe movement of vehicular and other traffic (including pedestrians and cyclists) to the Bargate Homes development.
- 2.4. The decision outlined in paragraph 1.1 (above) to exercise the functions of the Local Authority under RTRA section 122(1) and 122(2) has been reached on the basis of what is reasonably practicable after due regard has been given to:
 - the desirability of securing and maintaining safe and reasonable access to premises which will form the Bargate Homes development.

3. Other options considered and rejected:

- 3.1. To do nothing would mean the development would not be able to proceed, as these were the access arrangements for the site considered and approved by the Planning Inspector. The failure by the Highway Authority to use the

required secondary legislation to enable development approved by the Planning Inspectors decision would be likely to leave the County Council open to legal challenge.

3.2. To amend the requested space required to ensure no effect on the existing shared used cycle facility for the access to the development would not be possible due to land constraints. The design approved as part of the Planning Process, including the pinch point into Brookers Lane, has a very minor impact on the existing shared use facility. This option would not solve the concerns of many of the objectors with regards the use of Brookers Lane and the Drive to access the new development.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None.

4.2. Conflicts of interest declared by other Executive Members consulted: None.

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

I thank local County Councillors Pal Hayre and Stephen Philpott for speaking at my Decision Day today on this item.

I also thank the local residents for their written representation sent to me.

Approved by:

Date:

10 March 2022

**Executive Member for Highways Operations
Councillor Russell Oppenheimer**