

## Dundry Parish Council

### **Briefing Note – Hill Road Turning Circle**

The problems of anti-social behaviour at the Turning Circle at the end of Hill Road have existed for many years. There are a complex set of circumstances which have prevented a resolution to the problem – simply put if there was an obvious, easy to implement and low-cost solution to the problem it would have been implemented already.

**Hill Road** is a public highway with a restricted byway running along it

Sections 47-50 of the Countryside and Rights of Way Act (2000) introduced a new category of highway called the “restricted byway”. A restricted byway is defined as a highway over which the public have restricted byway rights, with or without the right to drive animals of any description. “Restricted byway rights” include a right of way on foot, on horseback or leading a horse and a right of way for vehicles other than mechanically propelled vehicles (this includes a right of way for pedal cycles and horse drawn vehicles).

On 2<sup>nd</sup> February 2018 North Somerset Council Public Rights of Way team confirmed ‘*To put a gate across a restricted byway would be unlawful. There is in fact already a gate which shouldn’t be there and it’s possible if someone complains about it or brings it to the attention of others then it would have to be removed*’.

#### **Why is there a turning circle?**

The turning circle exists for the benefit of both residents who live along Hill Road and the residents who live on the lane off Hill Road called ‘The Steps’. The access to the Steps is very steep and via hairpin turn which means that residents need the turning circle as means by which to exit Hill Road. Furthermore, any large vehicles such as large delivery vehicles, removal vans, fire engines, ambulances need the turning circle to access the houses on The Steps.

#### **What are the issues?**

General anti-social behaviour including such as littering, fly-tipping, burnt out cars (not so common in recent times), people parking and playing loud music at unsociable hours, possession and use of drugs which have resulted in several prosecutions. Clearly the problem is well known to both North Somerset Council and Avon & Somerset Police.

#### **What specific actions have been taken in the past?**

Several options have been explored by the Parish Council in consultation with key stakeholders (NSC, Police, landowners, residents) some of which have been pursued, others not. These include:-

- Installation of a motorway style crash barrier – that has only been in place for around 15 years. Before that, cars were regularly set alight and pushed into the field (owned by Mr Cooksley).
- Erection of a 2m high mesh fence – about 3 years ago Mr Cooksley erected a fence to try and limit the amount of litter being thrown into the field. The fence was ripped down after just over a year
- Erection of a CCTV camera housing on the existing lamp post
- Various clean-up activities – both organised and informal (i.e. individual residents). Arranged with NSC for a supervised group of newly released young offenders under a formal rehabilitation program to come and clean up the turning circle and the field. The result was great but only lasted a matter of days
- Litter bin – was burnt out

- Increased NSC patrols – budget constraints are often an issue
- Increased police patrols – budget constraints are often an issue
- Closing the existing gate at night – inconvenient and not that effective. For a period of 2 weeks the gate was closed around 9pm. It was always open at 5am
- Suggestion that the track beyond the turning circle is opened-up (currently gated) to create a ‘through road’ thereby eliminating the need for a turning circle all together. This idea was not progressed
- Explored the option of painting yellow no parking ‘cross hatchings’ over the whole areas to try and act as a deterrent. NSC has advised that there are Department of Transport regulations and guidelines that must be adhered to in respect of traffic signs and road markings and any regulation must be enforceable. A Traffic Regulation Order would be required in the first instance, the cost of which is around £3,500. However, the guidance from NSC Highways is that this location wouldn’t qualify as a site where such markings would be needed.
- Numerous discussions with both the police and NSC raising the issues and trying to find a workable solution

#### **What are the impediments to implementing an effective solution?**

- Blocking the turning circle itself to vehicles (whilst keeping Hill Road fully accessible) will impact residents who also need it for their own use in addition to other visiting vehicles such as deliveries, refuse, etc.
- Reconstructing the junction with The Steps to effectively allow all vehicles to turn thereby making the turning circle redundant – was explored 3 years ago in conjunction with NSC. This would require a significant civil engineering project and the cost estimate at the time was more than £25,000
- CCTV – no usable electrical power. Battery operated could be an option. Operational considerations – who would review the footage? However, this would be in breach of current data protection legislation. This was confirmed by Avon & Somerset Police (25/1/18) during a meeting with them and a NSC representative at the turning circle
- Re-designation of Hill Road to a private road owned and managed by Dundry PC – this would enable closure and access of the road. A costly and highly bureaucratic process. Ongoing maintenance costs for Hill Road would then be responsibility of DPC.
- Lock the existing gate (ignoring the legal position) during the evenings and give a key/combination code to all residents – the person who locks the gate at night will have to first check if there is anyone in the turning circle; if in the event that the path of an emergency vehicle was prevented or impaired by a public highway being intentionally blocked, the consequences could be significant. Practicalities – getting out of your car in pouring rain to try and operate a padlock or combination lock?

#### **What’s next?**

- Part of the attraction of the turning circle for some people is its secluded nature. If it looks unkempt and dirty then people will treat it the same
- Several residents have been consulted about undertaking a clear up of the area, with a number of measures discussed including cutting back hedges; installing litter bins; placing CCTV signs (albeit with not active CCTV); planting wild flowers. The principle being that if it is turned into a well kept open area then it ‘may’ command more respect from many of the people who use it and try to discourage the anti-social behaviour.

The Parish Council would welcome input and help from residents who have thoughts and ideas on this matter.