

Draft Access Control Measures Policy Statement – Consultation

Report of the Transport Strategy Manager

1. PURPOSE OF THE REPORT

- 1.1. To provide an update on existing guidance and legislation regarding access controls and raise awareness of the current consultation on the proposed access control measures policy statement.

2. BACKGROUND

- 2.1. In July 2020, the government released new guidance for local authorities to follow on designing high quality, safe cycle infrastructure. The Council are currently reviewing its procedures to ensure it supports this guidance alongside the current legislation in the Equality Act 2010. The Council are also working with its maintenance and design teams to implement these procedures across the borough.
- 2.2. The Council are aware that access controls mean that routes are not accessible for all users and that this has been a concern to residents in the borough. This policy statement will help make sure officers are responding to any queries in an appropriate manner. There are also a number of local areas where access controls support wider efforts to combat anti-social behaviour ASB particularly from off road motorbikes. Therefore, the accessibility of sites has to be weighed up against the risks caused by anti-social behaviour (ASB).
- 2.3. In “A Plan for Walking and Cycling in Stockport 2019-2029” Stockport identifies that by 2029, the Council’s ambition is to deliver a high quality and fully connected walking and cycling network, and to promote walking and cycling as regular and accessible forms of transport for all age groups and ability levels. The plan sets out how this vision will be achieved in Stockport. The Plan is just one element of the Council’s current approach to cycling and walking.
- 2.4. This policy statement will agree once approved a local approach to balance the issues that have been raised regarding accessibility for the disabled and cyclability with the need to protect residents from the negative impact of ASB including illegitimate usage of routes.

3. CURRENT LEGISLATION

- 3.1. According to the current legislation in Section 20 of the Equality Act 2010 - Adjustments for disabled person's: (4) The second requirement is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.
- 3.2. The Equality Act 2010 places a duty on local authorities and landowners to ensure that traffic-free paths are accessible to all legitimate users. Where possible SMBC should be making all routes accessible and not making it difficult for a disabled person to navigate around. This will require the removal or/and redesign of many existing access control barriers on traffic-free paths in order to comply with the Equality Act 2010.
- 3.3. Therefore, if there are no other way of accessing the route and there is no overriding significant risk to the public, access controls should be wide enough for all legitimate users. The removal and redesign of existing access control barriers to make sure they comply would be needed in some locations. This will need to be undertaken in a considered manner.
- 3.4. Also, where barriers are maintained for specific reasons they should be reviewed regularly to insure that if they can be removed in the future they are.

4. STOCKPORT POLICY STATEMENT 2021

4.1. STRATEGIC POSITION

- 4.1.1. Improving the access control measures will link in with the council's asset management policies, equality obligations, ROWIP and Cycling and Walking Plan as it will establish a better accessible network for all users to use.
- 4.1.2. This policy statement agrees a local approach to balance the issues that have been raised regarding accessibility and cyclability with the need to protect residents from the negative impact of ASB including illegitimate usage of routes.

4.2. FUTURE ACCESS DESIGN

- 4.2.1. The statement would propose the following as standards for access controls at all new sites:
- 4.2.2. Where possible all future access controls measures should follow the guidance as set out in Local Transport Network (LTN 1/20) (Section 1.6, paragraph 16 and Section 8.3 relate to chicane barriers). Which is Bollards (where appropriate) installed at a minimum of 1.5m spacing,

which allows users to approach in a straight line whilst permitting all types of cycle and mobility scooter to gain access where there are no concerns about quad bike access or speeding cycles or motorbikes

- 4.2.3. A 1.2m spacing of bollards where there are concerns about quad bike access but no concerns about speeding cycles or motorbikes,
- 4.2.4. A 3.5m chicane where there are no concerns about quad bikes but concern about speeding cycles or motorbikes and a 3.5m chicane with an over-lap to reduce the gap to 1.2m where there is concern about quad bikes and speeding cycles / motorbikes.
- 4.2.5. In new schemes, a risk allowance will be set aside for the cost of any mitigation works for access controls. New schemes will take each area on face value and trust that the most accessible route is tried first. A review will be undertaken to understand why an access control would be the best option. There will be a general presumption against the use of access controls unless there is a persistent and significant problem of antisocial moped or motorcycle access that cannot be controlled through periodic policing. Schemes will be monitored over a period to see if any complaints or queries be received. If this is a persistent area for anti-social behaviour then the money that has been set aside for mitigation works can be used to design accessible access controls. All controls will need to consider individual site issues such as width of path and gradient. These considerations will need to be captured as part of the design process for clarity in decision-making.

4.3. CURRENT ACCESS CONTROLS REVIEW

- 4.3.1. The Council have received a number of complaints about the inaccessibility of some routes where the access controls are an issue for some users. Therefore there is a need to review current controls.
- 4.3.2. The review of current access controls will consider a number of issues: who are the legitimate users of the route?; Is the barrier compliant?; Is there evidence that the route is an area with anti-social behaviour which has resulted in barriers being instated?; and, Are other methods for controlling anti-social behaviour appropriate?. The council will also have to priorities the locations to be addressed first to give the most public benefit from the funding available. For example more heavily used and publicised routes to be reviewed before other routes are addressed.
- 4.3.3. Where there is potential to amend the barrier it is proposed that it should be monitored over a three-month period to see if any complaints or queries have been received regarding issues on the route, if there have been no issues such as anti-social behaviour the barriers would then be amended subject to funding availability in line with the new design guidance above. Amendments would also be consulted on with appropriate stakeholders and

councillors when finalising any new design.

- 4.3.4. If there is a need to retain the barrier a record of the reason the barrier is to be maintained will be needed to meet with the requirements of the current legislation.

5. CONSULTATION

- 5.1. The draft Access Control Policy statement is out for consultation between the 17th of January and the 25th February. The consultation is on online via the “have your say” page on the council website and with hard copies of the documents and the questionnaires in the libraries. ([Stockport Metropolitan Borough Citizen Space - Citizen Space](#))
- 5.2. Council Officers are taking this information to a range of public meetings including the Walking and Cycling Forum and the Disability Stockport Transport and Access Forum.
- 5.3. Social media will also be used to raise awareness of the consultation with the public.

6. RECOMMENDATION

- 6.1. Councillors note that the consultation is in progress and utilise their own contact to encourage people to respond.

BACKGROUND PAPERS

There are none.