
**Decision Session – Executive Member for
Transport and Planning**

25 October 2018

Report of the Corporate Director of Economy and Place

**Low Poppleton Lane Experimental Traffic Regulation Order (TRO) –
Decision on the continuation**

Summary

1. On the 14 September 2017 the Corporate Director of Economy and Place, in consultation with the Executive Member for Transport and Planning, agreed to the continuation of the existing traffic restriction under an Experimental Traffic Regulation Order (TRO) enforced with an Automatic Number Plate Recognition (ANPR) camera system.
2. This saw the implementation of new advanced warning signs and an ANPR system to operate the traffic restriction as a bus lane.
3. The Experimental TRO has been running for over 6 months, which is the minimum amount of time an Experimental TRO can run for before a decision is made on whether to make permanent.
4. The Executive Member can now therefore make a decision about whether to continue with this as is or instruct officers to look at some options that have been put forward by the public to modify the restriction in some way. These and other comments can be seen in Annex C, which is a summary of comments and objections received from the public.

Recommendations

5. That the Executive Member makes a decision from the following options presented:-

Either

1. To make the current restriction permanent and continue to enforce with the ANPR camera 24 hours per day 7 days per week.

Reason: To continue the existing restriction reducing the impact of through traffic in the area.

Or

2. To continue with the current Experimental TRO and instruct officers to review options to vary the Experimental TRO to address comments raised during the experimental period – including:-

- a) To allow motorcycles and scooters to access the restriction.
- b) and/or to allow private hire and hackney carriage taxi's to access the restriction.
- c) Reduce the hours of operation, for example 7am to 7pm for the restriction to be enforced.

Reason: To enable the impact of any changes to be reviewed in detail and provide a further report for a decision on which option to progress.

Background

6. A traffic restriction to prevent all vehicles travelling between Millfield Lane and Low Poppleton Lane was put in place and operated between the mid-1980s and 2009 to encourage usage of the A1237 rather than parallel residential routes by high volumes of vehicles and in particular use by HGVs accessing the British Sugar site. A fixed bollard restriction ensured that movements were prevented during this period.
7. The TRO was changed and a rising bollard was installed at this location in 2009 to enable buses to serve the new Manor School site and Poppleton villages while negating the impacts of other general traffic in the area that would impact on road safety and the level crossing. The road was narrowed to enable the rising bollard to operate effectively. Local buses, school buses and emergency service vehicles are permitted to pass through the restricted area. The aim of the restriction was to:-
 - prevent drivers using less suitable residential routes in preference to the A1237.
 - improve public transport in the area
 - and as part of the Manor Schools planning process be “in the interests of the safe and free passage of highway users and in the interests of providing sustainable transport options to the school site in accordance with policy T7c of the Development Control Local Plan”.
8. A petition from local residents requesting that a fixed closure be re-installed at the location of the rising bollard was considered by the Executive Member for City Strategy in March 2011. The Executive

Member at that time decided to leave the rising bollard in place owing to the impact of a full closure on bus services.

9. Following a period of intermittent operation the rising bollard and its associated ducting irreversibly failed and required either replacing or the provision of a new solution in order to maintain a physical traffic restriction.
10. During the period when the bollard was inoperable there was considerable abuse of the TRO which resulted in more vehicles travelling along Low Poppleton Lane. A number of complaints were received highlighting concerns almost on a weekly basis, including near misses between traffic and school children and about the impact of the additional traffic on bus services, pedestrians and cyclists in the area. The road narrowing and the bend in the road at the bollard location mean that buses and any unauthorised vehicles have to proceed with caution.
11. It should be noted that officers received a number of comments from nearby businesses, local residents and bus drivers about the number of speeding vehicles and near misses in the area of the restriction. In addition Network Rail have made strong arguments against the increasing of traffic over the Millfield Lane level crossing citing the current risk level this crossing is at and stating this risk would increase if further traffic were allowed over it. See the earlier report considered by the Director of Economy and Place and Annexes from Network Rail (Annex G and F).
12. As an alternative to reinstating the rising bollard in September 2017 the Director of Economy & Place approved the implementation of an Experimental TRO with enforcement using an ANPR camera system. Following the design and commissioning of the cameras the Experimental TRO and enforcement system was put in place in February 2018.
13. It should be noted that the progression of the British Sugar Development will have a significant impact on the road layout in the area. It is anticipated that, subject to planning consent being granted, Low Poppleton Lane will become a cul-de-sac off the new access road into the development.
14. The trial has been operating successfully since the end of February, 2018 where advanced warning letters were issued prior to penalty charge notices (PCNs) being issued. This allowed people to get used to the restriction being enforced.
15. Annex A shows the number of PCNs and warning letters issued up to July this year, which is made available on the Council website.

Three appeals have been considered by the Traffic Penalty Tribunal, one of the reasons provided from those who received a PCN included that they did not see the signs, their sat nav took them down the road or in general that they were just not aware of the restriction. Despite a greater level of advanced warning signage than required by the Department for Transport was put in place in the area. However, following the appeals additional road markings have been added.

Consultation

16. An Experimental TRO has to be in operation for at least 6 months before a decision can be taken to make it permanent. Comments and objections received during the 6 month period should be considered prior to any decision being taken. Prior to the scheme coming into operation, a letter was delivered to all residents and locations in the nearby location to the restriction, supported by localised social media to introduce the scheme and provide an email address for all comments to be sent to, see Annex B. These comments from the public have been compiled and summarised in Annex C.
17. A press release was also issued on 17 September advising that a decision was planned to be taken on whether to make the experimental TRO permanent at the Decision Session on 25 October 2018 and any comments should be submitted by 12 October.
18. The number of comments received is 29 as of the 1 October where 13 are against the restriction and 4 are in favour, all stating their reasoning. The rest are general comments and do not say whether they are for or against the restriction. Annex C lists all the comments, where some have suggested changes to the restriction, which this report highlights including:-
 - a. Hours of operation
 - b. An extension to exempting other vehicles, including motorbikes and scooters as well as taxis.
19. An initial review of the options that have emerged from consultation has shown that the current scheme which incorporates road narrowing at the bend in the road cannot be safely delivered without a physical highway scheme to re-widen the road.

Analysis

20. In response to the comments raised there are a number of options which could be progressed.

21. Option 1 – Make current Experimental TRO Permanent – This option would confirm the current Experimental TRO where only Emergency Vehicles, local buses and the Manor School bus would be the only vehicles permitted access through the restriction. No further changes would be needed to the road layout or enforcement mechanism.
22. Option 2 – This option would be for the Executive Member to instruct officers to investigate other options, such as hours of operation or an extension to exempting other vehicles, including motorbikes and scooters as well as taxis. As detailed above some change to road layout would be required, but these depend on the changes to the restriction imposed. Should the Executive Member wish to change the restriction, he could request officers develop proposals for a lesser restriction. This option would enable the implications (safety and cost) of the changes to be considered by the Executive Member at a future date.

Corporate Strategy

23. This meets the Council's sustainable transport policy within its Local Transport Plan by keeping this restriction in place that advantages bus, walking and cycling in the area. In addition it reduces the impact of traffic on local residential areas and reduces safety concerns on Millfield and Low Poppleton Lanes.

Council Plan

24. This report is supportive of the following priorities in the Council plan in addition to the One Planet York principles the Council champions:
 - a. A focus on frontline services
 - b. A Council that listens to residents

Implications

25. The following are the only identified implications.
 - **Financial** – Dependant on option to be progressed:
 - **Option 1:** No change to budget requirement
 - **Option 2:** £5k-£10k to review options – proposed to be accommodated within existing budgets. The cost of

implementation of the alternative options would be dependent on the extent of the layout and signage changes required.

- **Human Resources (HR)** - There are no HR implications
- **Equalities** – While it is considered there are no equality issues it should be noted that there are at least two comments from members of the public where they say the restriction is stopping them from accessing their health care needs. While this can not be proven or discounted it is worth pointing out that there are viable road and public transport options in the area, other than access Millfield or Low Poppleton Lane via this restriction.
- **Legal** – If the decision is to continue or vary the traffic restriction, the TRO will need to be amended and follow the standard TRO process that would include a period of consultation before approval of the changes in the TRO.
- **Crime and Disorder** - There are no Crime and Disorder implications
- **Information Technology (IT)** – As this is using tried and testing off the shelf technology, there are no IT implications
- **Property** - There are no property implications

Risk Management

26. Following a number of appeals, it has found that additional road markings would be advisable but not essential. Therefore officers have agreed to this and implemented the markings accordingly.
27. Changing the restriction is deemed would impact upon road safety as it is likely that a lesser restriction would increase traffic across the level crossing. This is based on increase traffic levels impacting on pedestrians and cyclists crossing of the road. Given the volume of school children coming and going to Manor School, officers deem this to be reason enough for this restriction to remain in place.
28. In addition the half-barriered level crossing, which the Network Rail is ranked at number 23 out of 2139 safety risk crossings across the London North East & East Midlands Route. See Annex F and G.

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Chief Officer Responsible for the Report

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**Report
Approved**



Date 25 October
2018

Specialist Implications Officer(s)

Financial: Patrick Looker, Finance Officer, 01904 551633

Wards Affected: Acomb & Rural West

For further information please contact the author of the report

Background Papers: None

Annexes:

- Annex A Number of PCNs and warning letters issued since July, 2018
- Annex B Introductory letter sent to local residents and businesses
- Annex C Summary and compilation of public comments to the scheme
- Annex D Corporate Director Decision session report for the implementation of this scheme and the Experimental Traffic Regulation Order
- Annex E Overview of the scheme
- Annex F Narrative risk assessment - level crossing overview and Environment
- Annex G Network Rail Risk Review

Abbreviations:

ANPR – Automatic Number Plate Recognition
PCN – Penalty Charge Notice
TRO – Traffic Regulation Order