



Decision Session –

Executive Member for Transport

18th October 2022

Stopping up order for Scoreby Lane, Kexby

ANNEX B Review of objections previously received

1. Objection or concern

The status of these sections of verge have been the subject of much discussion over many years. The Council has not identified the correct extent of existing highway, particularly on the section immediately to the front of Hendwick Hall.

Suggested position

City of York Council accepts that adjustments were made to the emerging highway records plans (post-reorganisation) and that either those changes were not fully documented or that information has been lost over the years. The Council's position was clarified by the Officer in Consultation report of 2014. In the proposed draft Order only the verge to the front of the fence is shown as highway. The current consideration is and should be focused upon determining what areas of highway are necessary for the highway to function.

2. **Objection or concern**

The current surfaced route is insufficient for two large vehicles to pass safely utilising 2 metres of verge on either side of the road.

Suggested position

The revised Order plan now identifies a general verge width of 2m to be retained as publicly maintained highway. Many of the existing trees are 3.0m from the edge of carriageway. The presence of the trees forms a natural boundary to the movement of vehicles. In practice, two very large vehicles would not try to pass. One would pull over, most likely into a wider section of the lane. Overall width would be 7.8m which would provide 3.0m for the stationary vehicle and 4.8m for the moving vehicle. Given that the maximum legal width of agricultural motor vehicles is 2.55m, this should prove adequate. Wider vehicles are subject to additional control such as the abnormal load process.

3. **Objection or concern**

The existing fence (within 1 metre of the road – to the east of the lane, in front of Hendwick Hall), which hinders access, should be moved back to ensure there is 3 metres clearance from the metalled surface.

Suggested position

The Council's position was clarified by the Officer in Consultation report of 2014. The subsequent draft Order included only the area to the front of this fence as publicly maintained highway. Pre-1900 maps show another dwelling standing on the corner of the road, very close to what is now the metalled carriageway. The fence fronting Hendwick Hall has been in place for some twenty years. It

is understood this allows easier maintenance of the hedge. In recognition of this reduced verge width, the opposite verge to be retained as highway is to be wider than 2m, up to a maximum of 4.0m. This will allow more space for vehicles to pass at this location.

4. **Objection or concern**

The timber posts on the corner of Hendwick Hall should be removed entirely to provide a safe area of passage for vehicles.

Suggested position

The posts here have protected the inside of the bend from over-run by vehicles and highlight a level difference. The previous draft Order included only the area to the front of these posts as publicly maintained highway. Again, in recognition of this reduced verge width, the opposite verge that is to be retained as highway is to be wider than 2m, up to a maximum of 4.0m.

5. **Objection or concern**

The trees which are planted adjacent to the road will only continue to create further degradation of the road and a clear solution would be to remove the trees which are within 3 metres of the road surface.

Suggested position

There is no evidence of the trees causing damage to the road currently. If the application is progressed and the order granted, trees which remain within the adopted highway will be managed by the Council's Highway Maintenance and Arboricultural officers. Private trees which may encroach on the highway in the future will

be managed through the Highways Act process, with the Council requiring the landowner to take action where required.

6. **Objection or concern**

Concerns about possible impact on Way of Roses route 66.

Combination of carriageway width and reduced verge does not meet requirements for safe use by traffic attracted to this 'Way of Roses' Route 66. What is being proposed on Scoreby Lane needs to meet Sustrans' NCN Quality Standard.

Suggested position

The consideration in the other points apply equally to all travel modes. Three years ago, Sustrans set out a vision of making the National Cycle Network a traffic-free, more consistent and accessible network for everyone. By its nature Scoreby Lane does not and cannot meet Sustrans' NCN Quality Standard as the lane is not traffic free. It is however a rural road with very low levels of traffic and sufficient width will be retained (as described above) for all vehicles to safely pass each other, including pedestrians, cyclists and equestrians.

7. **Objection or concern**

Concerns about the volume of traffic and speed of motorists along the lane. The introduction of speed humps is suggested.

Suggested position

This lane is already adopted highway and is managed by City of York Council. Concerns about traffic levels or speed should be reported to the Council but are not considered relevant to his

stopping up application, which does not have any impact on the level of traffic or traffic speeds on the lane.

8. **Objection or concern**

Scoreby Lane lacks sufficient passing places along the route. The combination of narrow carriageway width, reduced verge and lack of passing places does not meet requirements for safe use by motor vehicles and farm traffic.

Suggested position

This is a country lane that carries motor vehicles, farm traffic as well as pedestrians, equestrians and cyclists. This revised application preserves a wider area of the verge as adopted highway to enable the provision of passing places should these be deemed necessary and included in the Council's highway improvement programme.

9. **Objection or concern**

Concern that enclosure and retained width are unsuitable and recommending a wider highway verge should be retained.

Considers there is evidence in support of a 5m verge to remain.

Suggested position

The revised application proposes a general verge width of 2m to be retained as publicly maintained highway, with a wider area near the bend just south of Hendwick Hall. This should be suitable for most vehicles, including large agricultural vehicles. Many of the existing trees are 3.0m from the edge of carriageway. The presence of the trees forms a natural boundary to the movement of vehicles.