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| Meeting: | Executive Member for Transport Decision Session |
| Meeting date: | 20/01/2025 |
| Report of: | James Gilchrist - Director of Environment, Transport and Planning. |
| Portfolio of: | Councillor Ravilious, Executive Member for Transport |

Decision Report: Black Dike Lane – Danger Reduction scheme

Subject of Report

1. The Council received a petition from residents of Black Dike Lane and Manor Close, Poppleton. It was presented to Full Council by Councillor Hook on 21st October 2021.
2. The residents raised concerns about the “risk of a serious accident due to vehicles driving at an inappropriate speed and the increasing volume of large vehicles using the lane”.
3. The concerns have been reviewed as part of a feasibility study and this report provides feedback from the study as well as from the subsequent consultation exercise.
4. The Executive Member is asked to consider the findings and recommendations of the study and consultation, and to approve the recommended action for progression to implementation.
5. The decision is required so that the council can respond in an appropriate manner and demonstrate that the concerns of residents are being carefully considered and actions being progressed to address these concerns. The resulting scheme will aim to improve road safety conditions for the residents of Black Dike Lane and Manor Close and will be in line with the council’s core objectives.

Benefits and Challenges

Benefits

6. The scheme as proposed will address the concerns raised by residents of Black Dike Lane and Manor Close regarding road safety, specifically from large vehicles and the speeds of vehicles in general. The proposal represents a well-balanced and considered solution taking account of available data alongside the views of residents.
7. The proposed measures are low-key and sympathetic to the rural feel of Black Dike Lane and as such would not have any detrimental impact on the setting and environment of this part of Poppleton village.

Challenges

8. The project is funded from the Danger Reduction programme. The budget for the 2024/25 Danger Reduction programme is £55,000. The budget allocated to the Black Dike Lane project to enable completion of design and delivery in 2024/25 is currently £20,000.
9. Any increase to the scheme costs would have a detrimental impact on the wider Danger Reduction programme.
10. The implementation of the 60mph speed limit reduction to 40mph on the A59 (extending into Black Dike Lane, which already has a speed limit of 30mph starting just south of Micklethorpe House) is being progressed as part of the annual speed limit review programme and is separate to the Danger Reduction scheme. This speed limit amendment scheme has been approved to progress to design and delivery in 2024/25. The proposed approach is to deliver the two schemes concurrently.

The approved extension of the 40mph into Black Dike Lane is to be further amended to reduce this to 30mph, initially as an Experimental TRO.

Residents have expressed a desire, via the ward members, for the existing 30mph speed limit to be reduced to 20mph within the residential part of Black Dike Lane and Manor Close.

Policy Basis for Decision

11. The Danger Reduction programme aims to provide highway measures to improve road safety, often responding to concerns raised by road users and/or residents. The programme will contribute directly to the commitments in the Council Plan and the Local Plan.

12. This scheme reflects the four core commitments:

- **Equalities and Human Rights**

By referencing national guidance in developing potential solutions, which will address the road safety concerns of residents, the project reflects best practice and offers appropriate responses to the concerns and does not have any intentional or unintentional bias built into its aims and outcomes. Engagement has been undertaken with residents and key stakeholder groups (including equality groups) to determine their views on the proposals, and consideration has also been given to suggestions put forward as part of the consultation exercise.

An Equality Impact Assessment (EIA) has been undertaken and has demonstrated that the proposal has a slightly beneficial impact on some protected characteristic groups and no differential impact identified for others. The Access Officer is supportive of the proposals.

- **Affordability**

The proposed measures have focussed on addressing the main areas of concern in a manner which manages construction costs to an acceptable level, given the current programme budget available.

Low-key interventions are deemed appropriate to address the concerns without the need to introduce intrusive physical measures. The proposals are being developed in conjunction with the A59 speed limit reduction scheme, and resources are being utilised to minimise the expenditure by delivering both concurrently.

- **Climate -**

The introduction of low-key measures avoids the need for substantial, disruptive construction. Reducing the speed limits on

Black Dike Lane, whilst also influencing what size vehicle uses the lane, will serve to improve the environment along Black Dike Lane. The proposal aims to improve local conditions so that pedestrians, cyclists and other road users can travel more safely. This in turn will lead to improved health and well-being also linked to reductions in noise and air pollution.

Avoiding the need for substantive construction methods, materials and use of heavy machinery reduces the carbon footprint associated with the implementation of the scheme.

- **Health –**

The proposed measures will serve to improve how vehicles travel along Black Dike Lane and aim to improve local conditions so that pedestrians, cyclists, and other road users can travel more safely. This in turn will lead to improved health and well-being also linked to reductions in noise and air pollution.

Financial Strategy Implications

13. The project is being progressed as part of the 2024/25 Danger Reduction programme, through the Local Transport Plan Capital Programme.
14. At the time of writing of this report, the budget for the 2024/25 Danger Reduction programme is £55,000. The estimated scheme costs to complete design and implementation for the Black Dike Lane project in 2024/25 is £20,000 (not including the costs for the A59 speed limit amendment).
15. The reduction of the 60mph speed limit on A59 and initial part of Black Dike Lane to 40mph is being progressed as part of the annual speed limit amendment programme. This has been approved to progress to design and delivery stage in 2024/25.
The approved extension of the 40mph into Black Dike Lane is to be further amended to reduce this to 30mph, initially as an Experimental TRO.
16. If the Executive Member approves the request to reduce the speed limits on Black Dike Lane, this could be funded from a separate transport budget similar to the approach taken for the annual speed limit amendment programme.

Recommendation and Reasons

17. The Executive Member is recommended to:
 - a) Approve Option 1 as set out in Annex A (Plan 2) comprising:
 - (i) A complete refresh of all road markings along Black Dike Lane and replacement of all faded or damaged signs, as well as hedge trimming to improve visibility of the signage;
 - (ii) The introduction of additional signs and road markings to further reinforce the existing signs and markings and better highlight existing hazards to ensure motorists drive appropriately in compliance with the signed speed limits, and to dissuade larger goods vehicles from using Black Dike Lane; and
 - (iii) The reduction of the 60mph speed to 30mph under an Experimental Traffic Regulation Order for up to 18 months, after which a further decision will be sought about whether to make the ETRO permanent.
 - (iv) The reduction of the 30mph speed limit to 20mph under an ETRO for up to 18 months, after which a further decision will be sought about whether to make the ETRO permanent.

Reason: To carry out a number of complimentary measures to improve road safety on Black Dike Lane and Manor Close.

Background

18. The Council received a petition from residents of Black Dike Lane and Manor Close, Poppleton. It was presented to Full Council by Councillor Hook on 21st October 2021.
19. The residents raised concerns about the “risk of a serious accident due to vehicles driving at an inappropriate speed and the increasing volume of large vehicles using the lane”.
20. The residents petitioned the council to “produce a plan to address the problems highlighted and work with partners to achieve this including speed reduction, restricting access to large vehicles and possibly gated closure of the lane at the junction with the A59”.
21. A report was presented to the Executive Member decision session meeting on 18th January 2022 in acknowledgement of the petition and provided details the nature of the concerns being raised as well as providing details of any actions taken by that time.

22. The Executive Member noted the petition and requested that the project be added to the proposed 2022/23 programme for further investigation and development of potential solutions. It was also decided that the project be reported back to an Executive Member decision session meeting for a decision on how to proceed following completion of the feasibility study and to feedback on consultation.
23. The project was added to the 2022/23 Danger Reduction programme and a feasibility study was undertaken to investigate the key concerns and issues and to consider potential options for progression to design and delivery.
24. The study took account of available data (road surface condition, speed survey data, accident records, traffic flow data, existing restrictions) alongside the views of residents. Various measures were considered and are detailed in the study report.
25. Physical traffic management measures were discarded as they were deemed to be inappropriate, would be detrimental to the rural setting of the lane and would impact negatively on residents with the likelihood of increased noise and vibration, particularly when ambient noise levels would be low.
26. The use of vehicle activated signs (VAS) would only serve to better manage the current speed limit and the criteria supporting the use of VAS would not be met.
27. Restrictions on access into Black Dike Lane, including a prohibition on left turns from the A59, would have served to reduce and manage the number of vehicles using Black Dike Lane but this option was discarded due to the likely impact on residents, forcing them to use alternative routes into the village and putting additional pressure on those routes.
28. Introducing physical measures to limit the road width and control access into Black Dike Lane were rejected as they would prevent vehicles which have authorised access requirements such as refuse and emergency vehicles. They would not deter the use of the lane by vehicles avoiding queues on the A59.
29. Improvements to pedestrian facilities were not proposed, as such measures would be difficult to provide due to the lack of available road width and low thresholds to properties. A footway immediately abutting properties would not be appropriate as doorways and windows would open onto the footway, presenting a hazard to

passing pedestrians as well as negatively impacting on privacy for the residents.

30. The proposal represents a well-balanced and considered solution taking account of available data alongside the views of residents.
31. The findings and recommendations of the study were discussed in detail with Councillor Hook on 20th July 2023. Councillor Hook was supportive of the recommendations.
32. A copy of the feasibility study report is attached in **Annex B**.

Consultation Analysis

33. Consultation has been undertaken in two stages – firstly an internal CYC consultation followed by a wider external consultation with key and statutory consultees as well as residents.
34. Prior to commencing external consultation, a further update was given to ward members. Again, the proposals were well supported however it came to light that many of the residents of Black Dike Lane and Manor Close had approached the ward members requesting that the 30mph speed limit be reduced to 20. Members subsequently asked for this to be included as a recommendation as part of the proposed measures and officers agreed to canvas residents on this suggestion as part of the wider external consultation.
35. External consultation took place from 25th January 2024. Details of the proposal were sent to key stakeholders via email, and via hand-delivered letters to all properties fronting or having access from Black Dike Lane and Manor Close. A detailed description of the findings of the study together with reasoning for the proposed measures were included in the consultation material. A copy of the resident letter is attached in **Annex C** and details of the responses are included in **Annex D** together with officer comments.
36. None of the external statutory consultees (including equality groups) offered a reply to the consultation. The CYC Access Officer has considered the proposal and is supportive.

37. Ten responses were received from residents – 6 from residents of Black Dike Lane, 1 from a property located on The Green, 2 from Manor Close and 1 from Station Road.

Generally, the proposals are well supported although additional actions were requested by some.

38. Separate to the main consultation exercise, the ward councillors canvassed residents of Black Dike Lane and Manor Close on 18th February, plus the 4 in The Green / Hodgson Lane which have garage access via Black Dike Lane. This was to gauge the desire for a 20mph speed limit. The councillors spoke to residents at 18 of the 35 properties and reported that from those 18 properties, all those residents they spoke to wanted a 20mph speed limit, except one who was neither for nor against it.

Options Analysis and Evidential Basis

Option 1: Implementation of the scheme shown in Annex A Plan 2.

39. This option includes a complete refresh of all road markings along Black Dike Lane and replacement of all faded or damaged signs, as well as hedge trimming to improve visibility of the signage.
40. Additional signs and road markings are to be introduced to further reinforce the existing signs and markings and better highlight existing hazards to ensure motorists drive appropriately in compliance with the signed speed limits, and to dissuade larger goods vehicles from using Black Dike Lane.
41. This option includes the reduction of the speed limit on the initial length of Black Dike Lane from the A64 from 60mph to 30mph. This action has originally been developed separately, initially as a reduction to 40mph, and has been approved for implementation. The current option proposes to reduce this further to 30mph (speed survey data supports this) under an Experimental Traffic Regulation Order (ETRO) to avoid delays to the delivery of the wider project. The ETRO would be in place for up to 18 months after which a decision would need to be made to make the speed limit TRO permanent.
42. The option also includes for the reduction of the existing 30mph limit to 20 under an ETRO to avoid delays to the delivery of the wider project. The ETRO would be in place for up to 18 months after which a decision would need to be made to make the speed limit TRO permanent.

43. This will allow for the measures to be implemented expediently and at relatively low cost. It would also serve to address the concerns of residents as well as meeting the objectives of improving road safety.
44. The proposal was developed based on consideration of factual evidence as well as a review of anecdotal evidence and reflects the views of residents. The measures will not be detrimental to the rural setting of the road. It is considered that these actions will satisfactorily address the main concerns without the need to introduce invasive measures. The measures are supported by members and residents.
45. There is sufficient budget within the Danger Reduction programme to deliver Option 1 during 2024/25. The ETRO would be funded and progressed from a separate transport budget, similar to the approach taken for the annual speed limit amendment programme.
46. A reduction of the speed limit from 30mph to 20, achieved by signage only, would tend to reduce speeds by 2-3mph. As mean speeds are currently below 20mph and the 85th percentile speed is 24mph, a reduction to a 20mph limit would be satisfactory in bringing the speeds below the enforcement level and the speed limit should be self-enforcing.
47. A reduction of the speed limit from 60mph to 30, also achieved by signage only, would also tend to reduce speeds by circa 2-3mph. As mean speeds have been recorded at 28.93mph (southbound) and 28.75mph northbound, and 85th percentile at 35mph both directions), a reduction in the speed limit to 30mph would be deemed appropriate.
48. Option 1 would meet the core objectives of the Council and is the recommended option.

Option 2: As Option 1 but without a reduction to the speed limits other than that already approved (60 to 40mph).

49. Whilst officers acknowledge the concerns of residents about the speed of vehicles along the residential section of Black Dike Lane,

speed surveys indicate that compliance of the 30mph speed limit is good with mean speeds recorded at 19.56mph eastbound and 17.95mph westbound and 85th percentile speeds recorded at 24mph. Less than 1% exceeded the signed speed limit and less than 0.3% exceeded the enforcement limit.

50. However, the road layout, close proximity of houses to the road, the type of vehicles, and the rural setting all add to the feeling that pedestrians do not feel safe. Pedestrians need to use the road due to the lack of footways and are at risk due to passing vehicles.
51. Retaining the speed limit as 30mph will not be acceptable in achieving the desired road safety benefits. Motorists would be more likely to continue using Black Dike Lane as a suitable alternative to queuing on the A59 and any potential reduction in the risk of collision would not be achieved.
52. A reduction of the speed limit from 30mph to 20, achieved by signage only, would tend to reduce speeds by 1-2mph. As mean speeds are currently below 20mph and the 85th percentile speed is 24mph, a reduction to a 20mph limit would be satisfactory in bringing the speeds below the enforcement level and the speed limit would be self-enforcing.
53. Retention of the 30mph speed limit through the residential part of Black Dike Lane and Manor Close is therefore not recommended.
54. Compliance of the existing 60mph is also good, with no exceedance of the signed limit, and 85th percentile speeds recorded at 35mph. A reduction of the signed 60mph speed limit to 40mph is already approved as an extension of the reduction on the A59 to 40mph and can be implemented separate to the danger reduction scheme.

Organisational Impact and Implications

55. The project will have the following implications:
 - **Financial**, contact: Chief Finance Officer.

There are no financial implications arising from the recommendations in this report at this point.

The project is funded from the Danger Reduction programme. The budget for the 2024/25 Danger Reduction programme is £55k. The budget allocated to the Black Dike Lane project to enable completion of design and delivery in 2024/25 is currently £20k.

If scheme is contained within £20k budget, this will leave enough money to cover remaining Danger Reduction schemes in 2024/25 Capital budget. Any additional costs for this scheme will reduce the funding available to the other schemes.

- ***Human Resources (HR)***

There are no HR implications.

- ***Legal, contact: Head of Legal Services.***

The Traffic Management Act 2004 places a duty on local traffic authorities to manage the road network with a view to securing, as far as reasonably practicable, the expeditious, convenient, and safe movement of all types of traffic. The Council, as a traffic authority, has the power to make Traffic Regulation Orders and temporary Traffic Regulation Orders under the Road Traffic Regulation Act 1984 and in accordance with the procedures contained in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 and the Road Traffic (Temporary Restrictions) Procedure Regulations 1992.

- ***Procurement, contact: Head of Procurement.***

There are no Procurement implications.

- ***Health and Wellbeing, contact: Director of Public Health.***

Public Health support any reduction of speed limits in residential areas.

This has an obvious benefit of reducing/preventing road traffic injuries. However, it can also support the promotion of physical activity through more active transport (e.g. walking and cycling) as people feel safer, benefitting wider health improvement. There is

likely to be the improvement of air quality which may result in a reduction of health problems related to pollution.

- **Environment and Climate action**, contact: Director of Transport, Environment and Planning, and Head of Carbon Reduction.

The proposed changes to speed limit and signage are likely to have a negligible impact on fuel efficiency and greenhouse gas emissions.

- **Affordability**, contact: Director of Customer and Communities.

There are no direct Affordability implications of the recommendations apart from: any accidents may affect a resident's ability to work and therefore may impact negatively on household income.

- **Equalities and Human Rights**, contact: Assistant Director of Customer, Communities, and Inclusion - every Decision Report must consider whether to have an Equalities Impact Assessment (EIA) and this section will include the key recommendations from the EIA or explain why no EIA is required.

An Equalities Impact Assessment is provided in Annex E.

*The key recommendation is **No major change to the proposal** – The proposal has a slightly beneficial impact on some protected characteristic groups and no differential impact identified for others.*

- **Data Protection and Privacy**, contact: information.governance@york.gov.uk - every report must consider whether to have a Data Protection Impact Assessment (DPIA) and this section will include the compliance requirements from the DPIA or explain why no DPIA is required.

Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any

type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions identified that whilst there is processing of personal and/or special categories of personal data and/or criminal offence data, it is not likely to result in a high risk to the rights and freedoms of individuals. Therefore, a simple DPIA was completed which identified the data protections risks as well as the mitigations either in place or that need to be put in place, to minimise these identified risks such as redacting or withholding personal identifiable information from the public report where we do not have a lawful basis to publish.

- ***Communications***, contact: *Head of Communications*.

We would expect significant interest in this report due to the focus on transport across the city. This will require a robust communications plan, timely responses, and sufficient horizon scanning. We will also cross-reference to see how this links into other projects going across the city.

- ***Economy***, contact: *Head of City Development*.

There are no Economy implications.

Risks and Mitigations

56. The risks are largely set out above. The main concern is available budget – at present there is sufficient budget to progress the scheme as proposed but the wider Danger Reduction programme budget is limited and any increase in costs incurred as part of this

scheme may impact on the progression of other Danger Reduction schemes in 2024/25.

57. The proposal for the Black Dike Lane scheme is such that low-key measures are to be introduced but this still accounts for a substantial amount of the available programme budget.
58. The council's reputation is likely to be at risk of severe criticism if none of the proposed actions are delivered. Residents will continue to have concerns about road safety on Black Dike Lane, with continued risk of injury to pedestrians, cyclists, horse riders, etc.

Wards Impacted

59. Rural West York (Councillors A. Hook and E. Knight).

Contact details

For further information please contact the author of this Decision Report.

Author

| | |
|-------------------------|------------------------------------|
| Name: | David Mercer |
| Job Title: | Highway Engineering Design Manager |
| Service Area: | Highway Asset Management |
| Telephone: | 07983 953303 |
| Report approved: | Yes |
| Date: | 07/01/2025 |

Co-author

| | |
|-------------------------|---|
| Name: | James Gilchrist |
| Job Title: | Director of Environment, Transport and Planning |
| Service Area: | Place |
| Telephone: | 01904 552547 |
| Report approved: | Yes |
| Date: | 09/01/2025 |

Background papers

Executive Member Decision Session report 18/01/2022

Annexes

Annex A – Existing Layout (Plan 1) and Proposed Option 1 (Plan 2).

Annex B – Feasibility Study report.

Annex C – External consultation letter.

Annex D – Consultation feedback and officer responses.

Annex E – Equalities Impact Assessment (EIA)