

**REPORT TITLE: Objection report, proposed traffic calming, Lea Lane, Netherton**

<b>Meeting:</b>	<b>Cabinet Committee – Local issues</b>
<b>Date:</b>	<b>15th April 2025</b>
<b>Cabinet Member (if applicable)</b>	<b>Councillor Munir Ahmed</b>
<b>Key Decision Eligible for Call In</b>	<b>Yes</b>
<b>Purpose of Report:</b> To consider an objection and comments received to the traffic calming proposed under Highways Act 1980 – Section 90 A-F – Lea Lane, Honley / Netherton	
<b>Recommendations</b> That the: Formal objection be over ruled, and the four proposed traffic calming features be approved and implemented as advertised <b>Reasons for Recommendations</b> <ul style="list-style-type: none"> <li>• The traffic calming scheme of four features was proposed following comments received after an initial consultation and is a direct result of a request for measures to slow speeds on the road from local residents.</li> <li>• The proposed traffic calming on this route is aimed in particular at addressing concerns raised for residents entering and exiting the property Magdale House.</li> <li>• The scheme is designed to improve road safety for all residents and road users travelling along the road and provide a more resilient road network in this location.</li> <li>• The two traffic calming features added in response to the informal consultation to the original two features provide value for money over the initial smaller scheme.</li> <li>• The objections to the proposal do not outweigh the advantages.</li> </ul>	
<b>Resource Implications:</b> <ul style="list-style-type: none"> <li>• The design and implementation of the proposed Traffic Calming Scheme has been funded through Children’s Services.</li> </ul>	
<b>Date signed off by <u>Executive Director:</u>  <u>David Shepherd</u></b>	<b>28/02/2025</b>
<b>Is it also signed off by the Service Director for Finance: <u>Kevin Mulvaney</u></b>	<b>03/03/2025</b>
<b>Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer): <u>Sam Lawton</u></b>	<b>24/03/2025</b>

**Electoral wards affected: Holme Valley North**
**Ward councillors consulted: Cllr Donna Bellamy, Cllr Charles Greaves & Cllr Tony Mcgrath**
**Public or private: Public**

## Has General Data Protection Regulation been considered: Yes

### 1. Executive Summary

- A Commissioning Team within Children's Services raised concerns around the safety for pedestrians and vehicles entering/ exiting and travelling to and from Magdale House given that the road narrows here, the lack of a footpath and it is in the proximity of a blind bend.
- Lea Lane is a route which links Honley Village to Netherton Village and has a mixture of residential properties as well as commercial properties such as Farms/ Holiday Lets and converted Mill properties, in a semi-rural setting with a posted speed limit of 30mph and National Speed Limited roads to the South. See Plan TF.17.200.281.011. **(Appendix 1)**
- Footways are limited and only present in areas of residential properties along Lea Lane. They do not exist in the direct periphery of the property of Magdale House.
- A feasibility discussion took place with Children's Services to consider the various potential solutions which could be introduced to mitigate their concerns of speeding traffic and road safety risks in the vicinity of Magdale House.
- A decision was taken that the most appropriate engineering solution would be the installation of vertical traffic calming features in the form of speed cushions and a scheme was designed on that basis.
- Funding was secured, by Children's Services, for this scheme to be taken forward.
- The proposals were subject to public consultation locally and changes made to the scheme as a result.
- Revised funding was requested and approved.
- The scheme was formally advertised in line with the Road Hump Regulations 1999

### 2. Information required to take a decision

2.1 Initial design of the scheme proposed 2 sets of 2 cushions positioned to North and South of the entrance of Magdale House, features 1 and 2 as shown on plan TF.17.200.281.006a. **(Appendix 2)** These proposals were subject to public consultation.

The original scheme was then changed to include a total of 4 sets of 2 cushions on the approaches to Magdale House, (Features 1 – 4 - Appendix 2) with a set located on the southern approach to both Wrigley Court and Cocking Steps Lane respectively following comments received to the informal consultation.

2.2 The proposed vertical traffic calming, as per Appendix 2, is not only designed to address concerns regarding the safety of residents and visitors to the property both by vehicle and by foot but also to reduce the speed of vehicles travelling on Lea Lane on approach to this location.

2.3 A notice of proposals for the implementation of the traffic calming was advertised from 6<sup>th</sup> January 2025 to 3<sup>rd</sup> February 2025. During the formal advertisement period 1 objection was received.

#### 2.4 Objection – **(Appendix 3)**

Received from a resident of Wrigley Court. They are objecting to Feature 3 on the grounds that it is an excessive and non-urgent use of council funding. They also would not like the noise pollution caused by cars going over the feature outside their property.

They also requested that other features which don't create noise could be considered such as a priority give way.

## In Response

When designing traffic calming schemes, it is important that among all aspects of a scheme, the functionality of features is considered. Removing this feature from near the property would encourage drivers to increase speeds between the remaining features and schemes should be designed to encourage smooth, consistent driving across the extents of the scheme. This type of driving reduces the impact of noise and pollution as vehicles remain at a constant slower speed rather than increasing and rapidly slowing as they approach another feature.

A priority give way was considered as part of the feasibility stage but was discounted because of the larger impact on the objector and the surrounding environment as well as other limiting factors. A priority system would need to give southerly driving vehicles (uphill drivers) priority and as such a physical chicane would need to be installed. This would reduce the carriageway width at this location and position drivers transversely closer to the edge of carriageway. As mentioned above, there are limited footways and the southerly carriageway is not kerbed. This area would need to be refreshed and designed according to current standards.

Repositioning of either feature 3 or 4 would not be physically possible as we would not install any type of feature on a bridge deck.

Positioning feature 3 further south is not possible because of existing lighting columns, the carriageway width is reduced and not viable to allow for adequate spacing transversely.

Other features or combination of differing features such as priority give ways and chicanes would increase the likelihood of erratic driving and possibly increase the risk of personal injury collisions due to drivers that may attempt to rush through these features to avoid stopping. The priority system that the objector has suggested would arguably have a larger impact on noise and pollution as well as the level of conflict between drivers would increase, creating concerns from residents.

Features which rely on horizontal deflections only have an impact on vehicle speeds when there is the necessary flow of opposing vehicles to ensure the feature is effective. A constant balanced flow of vehicles is required. If a feature like this is effective and vehicles do give way, the constant stopping and starting increases both noise and air pollution.

It should also be noted that studies published by Department for Transport (DfT) suggest that cushions produce a reduction in the overall traffic noise level both during the day and night in a comparison against other vertical features such as round top and flat top road humps as well as a control scenario of features and/or no features at all. Kirklees Standard Details match the dimensions of feature used by DfT in the studies (Kirklees Standard Detail HD/SD/07/06b) **(Appendix 4)**

## 2.5 Comments Received **(Appendix 3)**:

Further comments were received outside of the advertising period but included for transparency purposes as follows.

### 2.5.1 Comment 1

This installation serves no benefit to restricting vehicle speeds on the two problem areas of Lea Lane: other side of bridge and the bridge itself.

In response

It should be noted that this is not a Casualty Reduction Scheme and was not investigated under the same requirements. The scheme is funded by Children's Services and is primarily aimed at targeting the concerns raised by this service. The additional concerns raised by local residents in the area were discussed with the Client, who upon investigation felt these additional cushions were essential to provide an overall scheme which met the needs of both local residents and Children's Services.

It is not feasible to install features on the bridge deck or within the footprint of the deck, our policy is to avoid installing assets on a bridge deck or in the footprint of a bridge structure unless special authorisation is given. Structural tests would need to be undertaken, and these would be cost prohibitive to the scheme. As there is no footway installed, we would be forcing pedestrians across these features and creating inaccessibility which is against the guidance for equality. In addition, the bridge is narrower than the joining carriageway and can only comfortably accommodate one vehicle in either direction at any one time. Most drivers would drive according to the surroundings and prepare to alter driving speed and or position in the carriageway on the approach to this location. So, the bridge itself acts as a natural calming feature.

#### 2.5.2 Comment 2

The position for these cushions is on an incline and will lead to unnecessary noise 24 hours per day.

In response

Please see response to Objection 1 as follows.

When designing traffic calming schemes, it is important that amongst all aspects of a scheme, the functionality of features is considered. Removing the feature 3 from near the property would encourage drivers to increase speeds between the remaining features and schemes should be designed to encourage smooth, consistent driving across the extents of the scheme. This type of driving reduces the impact of noise and pollution as vehicles remain at a constant slower speed rather than increasing and rapidly slowing as they approach another feature.

A priority give way was considered as part of the feasibility stage but was discounted because of the larger impact on the objector and the surrounding environment as well as other limiting factors. A priority system would need to give Southerly driving vehicles (uphill drivers) priority and as such a physical chicane would need to be installed. This would reduce the carriageway width at this location and position drivers transversely closer to the edge of carriageway. As mentioned above, there are limited footways and the southernly carriageway is not kerbed. This area would need to be refreshed and designed according to current standards. As well as this, repositioning of either feature 3 or 4 would not be physically possible as we would not install any type of feature on a bridge deck.

Positioning feature 3 further south is not possible because of existing lighting columns, the carriageway width is reduced and not viable to allow for adequate spacing transversely. In addition, other features or combination of differing features such as priority give ways and chicanes would increase the likelihood of erratic driving and

possibly increase the risk of personal injury collisions due to drivers that may attempt to rush through these features to avoid stopping.

The priority system that the objector has suggested would arguably have a larger impact on noise and pollution as well as the level of conflict between drivers would increase creating concerns from residents. Features which rely on horizontal deflections only have an impact on vehicle speeds when there is the necessary flow of opposing vehicles to ensure the feature is effective. A constant balanced flow of vehicles is required. If a feature like this is effective and vehicles do give way, the constant stopping and starting increases both noise and air pollution.

It should also be noted that studies published by Department for Transport suggest that cushions produce a reduction in the overall traffic noise level both during the day and night in a comparison against other vertical features such as round top and flat top road humps as well as a control scenario of features and no features at all. Kirklees Standard Details match the dimensions of feature used by DfT in the studies (Kirklees Standard Detail HD/SD/07/06b) **(Appendix 4)**

### 2.5.3 Comment 3

The turning circle in Wrigley Court is insufficient, delivery vehicles tend to reverse into the Court after driving down from Netherton. As already mentioned, this part of Lea Lane is on an incline and HGV's often find it difficult to maintain traction on the slope, particularly as the entrance to Wrigley Court is a significant incline from Lea Lane. The installation of speed cushions where proposed close to the Wrigley Court junction will exacerbate this problem.

In response

The proposed cushions are designed to allow a larger HGV/ delivery vehicle to straddle a feature if necessary. Vehicles wishing to attempt a reverse around the corner into Wrigley Court will still be able to do so. The cushion will not make this manoeuvre more difficult for HGV professional drivers given that they have already driven up and over the feature and they would use their experience to reverse backwards.

As part of the consultation process, Statutory Consultees were informed of all proposed schemes, including the Freight Transport Association, and no objections were received from them, raising concerns about HGVs travelling over speed cushions.

2.6 Officers are required to be mindful of Regulation 90c of the Highways Act 1980 when objections are received to any advertised notice of proposed traffic calming, in that the Local Authority shall consider any objections sent to them, and may, if they think fit, cause a local inquiry to be held.

Given that the hearing and determination of objections of this nature, in Kirklees, is done in a public forum, that being Cabinet Committee Local Issues, where the objectors can make presentation, Officers are confident that the objections are sufficiently aired, and this meeting serves as a local inquiry

## 3. Implications for the Council

### 3.1 Council Plan

The request for Traffic Calming was made using the Council's approved processes, which ensure it was considered in a fair and balanced way using cost benefit analysis. Implementing vertical traffic calming features in the locations identified are designed to improve road safety and allow traffic to travel through this section of the network at a slower average speed by providing a consistent and balanced scheme. The proposed scheme would support the Council Plan 1<sup>st</sup> April 2024 – 31<sup>st</sup> March 2025 in the following key priority areas;

Priority 3 – Continue to deliver a greener, healthier Kirklees and address the challenges of climate change. The proposed scheme as detailed above, utilises the most environmentally friendly features permitted for use on Kirklees Highways out of the suitable features that could be considered for this location. The introduction of features in this location may also encourage more active travel and discourage drivers from using the route as a quicker route.

Priority 4 – Continue to invest and regenerate our towns and villages to support our diverse places and communities to flourish. The investment in this location regenerates and provides a more resilient road network, improving the network and infrastructure and would contribute to strategic targets and overall aims of zero killed or seriously injured collisions by 2040 by slowing traffic speeds here.

As part of the Council Plan, we also have Shared Outcomes which this proposed scheme will also contribute towards; Best Start – Children have the best start in life. The scheme is funded and driven by Children's Services who are providing a home for young people within the care system, and this is in direct response to concerns raised by the team responsible for the Children's Home. Further concerns were raised for the safety of children within the local community who could also be affected by vehicles travelling at a higher speed. Introducing the proposed scheme in the location as shown helps to mitigate these concerns and encourage community engagement by providing a safer environment and network for the community to use. Safe and Cohesive – People in Kirklees live in cohesive communities, feel safe and are protected from harm. The introduction of the proposed will positively improve the concern of speeding vehicles in this area by encouraging slower speeds through the area, ensuring people feel safer and are protected from harm. A number of residents requested the consideration of additional features showing there is a cohesive community. Providing the proposed features would ensure the shared concern and goals of the community are met and actioned on. Efficient and Effective – Kirklees Council works smart and delivers efficiently and effectively. The additional features will ensure value for money as the additional cost of these features is marginal in comparison to if the additional features were to be considered separately. The proposed features are suitable for the location and will be effective in reducing the average speed of vehicles by providing an efficient scheme over a larger area.

### **3.2 Financial Implications**

Funding for this scheme has been secured, by Children's Services, as part of the overall scheme costs and justified by them as appropriate and necessary expenditure to deliver the conversion of Magdale House for young people. The total allocated for this scheme from Children's Services is £40,000.

There is a current cost that includes producing a feasible scheme, consulting and advertising the relevant Traffic Regulation Order and subsequent correspondence with residents. This current total expenditure against this scheme is currently £14,621.82

If the objections are upheld, the scheme would need to be abandoned, and the financial commitment already made would be lost.

This is because in order for the original scheme to be installed, the proposals would need to be re-advertised as an amended design of only two features (Features 1 & 2) at an additional Traffic Regulation Order cost of £6775.00. These proposals would lose both the proposed safety benefits and would not be the best value for money. The additional costs for this subsequent re-advertisement would also increase the scheme costs above the allocated scheme funds meaning any change to the current proposals could no longer be progressed resulting in a loss of the current costs.

### **3.3 Legal Implications**

These proposals have been developed in line with The Highways (Road Hump) Regulations 1999.

These proposals were noticed in accordance with Highways Act 1980 – Section 90 A- F and received objections which are being adequately discharged as required under Section 90C.

### **3.4 Climate Change & Air Quality**

As this scheme aims to significantly reduce the speeds of vehicles using the affected section, reduce congestion in this area, and support active travel, this will have a positive effect on Climate Change and Air Quality, and is in line with our current Strategy

### **3.5 Other**

#### **Working with Partners**

These proposals will ensure the appropriate and recommended vertical traffic calming features are installed to improve the facility for Children Services but also continue to provide a safer community for local residents and their families.

#### **Improving outcomes for children and young people**

The proposals are aimed at controlling traffic flow and speeds to create a safer environment for all children and young people in the area. As the conversion of Magdale House is specific to Children's Services, the improved environment will contribute to the success of the Childrens facility.

## **4 Consultation**

The three local ward councillors were consulted on the proposals and no formal objections were raised at that time.

Local residents were consulted prior to the scheme being advertised, resulting in scheme amendments.

## **5 Engagement**

Early engagement with Childrens Services was undertaken to ensure initial aims were understood, further discussions were had to provide feedback on various proposals but the final decision was to progress vertical traffic calming. Residents were provided with a letter and plan showing details of the initial proposals with five residents providing comments by email requesting further features, specifically at the areas near to Cocking Steps Lane and Wrigley Court junctions. Further informal consultation occurred and further comments from residents were received by email and telephone calls.

Amendments to the scheme were considered to try and appease the concerns, however, environmental factors as mentioned in response to Objection 1, were limiting the ability to meet the concerns raised or it was unfeasible to meet the request due to budgetary limitations. Councillors of the Holme Valley North Ward were consulted regarding the scheme and one Councillor has supported the implementation of the scheme in this

location by positively promoting the scheme and providing comments to residents which provide further guidance and explanation on the features. No comments were received from the 2 other Councillors from the Ward. Statutory Consultees were consulted, and no comments were received.

## **6 Options**

- a). That the objection be outweighed, and the proposals implemented as advertised,
- b). That the objection be upheld, and the proposals abandoned.

Officer recommendation Option a)

### **6.2 Reasons for recommended option**

The initial proposed scheme for 2 features (Features 1 & 2) is well supported by residents. The additional features (Features 3 & 4) have attracted 1 objection, but it should be noted that, during the initial consultation with residents, 5 separate members of the public requested further features on Lea Lane, specifically in the areas as shown on the final proposed scheme. The proposed scheme with 4 features aims at introducing a more robust scheme which will encourage drivers to drive consistently at a slower speed on Lea Lane, as they enter this residential area. It will provide a Safer environment for the community and target concerns raised by residents entering and exiting Wrigley Court and Cocking Steps Lane. The acoustic performance of speed cushions has been considered, and these are the most environmentally sensitive features that can be installed. Repositioning of the features is also not possible due to the current position of other assets on the network. This scheme also contributes to improving our current network and safety by providing a resilient network for future years as well as providing value for money. To provide these features at a later date would increase the cost exponentially and make it economically unviable.

Councillor Munir (Portfolio Holder – Environment and Highways) fully supports officer recommendation

## **7 Next steps and timelines**

Cabinet Committee Local Issues to consider the objection raised during the formal advertising period for the installation of the proposed traffic calming scheme and reach a decision on whether the Traffic Regulation Order is to be implemented as advertised.

If Cabinet Committee Local Issues chooses to overrule the objection received, the scheme, will be implemented as advertised.

If Cabinet Committee Local Issues choose to uphold the objection, the proposals to introduce the traffic calming scheme, as consulted and advertised, will not go ahead and the introduction of the scheme will be abandoned and any safety benefits lost.

## **8 Contact officer:**

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## **9. Background Papers and History of Decisions**

<https://www.kirklees.gov.uk/beta/delivering-services/pdf/council-plan-2024-2025.pdf>

## **10 Appendices**

Appendix 1 - TF.17.200.281.011

Appendix 2 - TF.17.200.281.006a

Appendix 3 – Objection & Comments received

Appendix 4 - Kirklees Standard Detail HD/SD/07/06b

## **11 Service Director responsible: Katherine Armitage**