Public Document Pack

Highways and Transport Committee

Agenda

Date:	**Tuesday, 16th November, 2021**
Time:	**2.00 pm**
Venue:	**The Capesthorne Room - Town Hall, Macclesfield SK10 1EA**

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:
https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

---

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

   To note any apologies for absence from Members.

2. **Declarations of Interest**

For requests for further information
Contact: Sarah Baxter
Tel: 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 5 - 12)

To approve as a correct record the minutes of the previous meeting held on 21 September 2021.

4. **Public Speaking/Open Session**

In accordance with paragraph 2.24 of the Council's Committee Procedure Rules and Appendix on Public Speaking, set out in the Constitution, a total period of 15 minutes is allocated for members of the public to put questions to the committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes each to speak, and the Chair will have discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days' in advance of the meeting.

5. **Speed Management Strategy** (Pages 13 - 82)

To consider a report on the draft Speed Management Strategy (The Strategy) which sets out a consistent approach the Council will take to managing speed on the highway network.

6. **Highways and Transport 2022-23 Programme Preparation** (Pages 83 - 98)

To consider a report on the allocation of highway revenue and capital funding to deliver day to day activities and programmes on the public highway to achieve the Council's Corporate Plan and the Local Transport Plan objectives and priorities.

7. **Parking Services Enforcement Policy** (Pages 99 - 120)

To consider a report on the Council's updated Parking Services Enforcement Policy.

8. **Local Cycling and Walking Infrastructure Plan (LCWIP) - Implementation Report** (Pages 121 - 132)

To consider a report on the Local Cycling and Walking Infrastructure Plan (LCWIP) - Implementation Report.

9. **HS2 Programme-Update** (Pages 133 - 144)

To provide an update on the HS2 programme, including Government programmes, Covid-19 impacts, planning policy, key actions and next steps.

10. **Closure of Mill Lane Level Crossing, Barthomley** (Pages 145 - 218)

To consider a report confirming the changes proposed to Barthomley Level Crossing (Mill Lane, Crewe) and to seek a resolution from the Council for an application to the Department for Transport to make a Section 249 Town and Country Planning Act 1990 Order on behalf of Network Rail to remove vehicular access and restrict the crossing to bridleway rights (for pedestrians, cyclists and horse riders).

11. **Infrastructure & Highways Department - Mid-year Performance Review** (Pages 219 - 252)

To consider a report on the performance across Infrastructure and Highways services for the first half of 2021-22.

12. **Work Programme** (Pages 253 - 258)

To consider the Work Programme and determine any required amendments.

13. **Minutes of the Public Rights of Way (PROW) Sub-Committee** (Pages 259 - 264)

To receive the minutes of the Public Rights of Way (PROW) Sub-Committee.

Membership: Councillors S Akers Smith, M Benson, C Browne (Chair), L Braithwaite, B Burkhill, L Crane (Vice-Chair), H Faddes, R Fletcher, A Gage, L Gilbert, M Hunter, M Sewart, D Stockton and P Williams

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee** held on Tuesday, 21st September, 2021 at The Assembly Room - Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor C Browne (Chair)
Councillor L Crane (Vice-Chair)

Councillors S Akers Smith, M Benson, L Braithwaite, B Burkhill, H Faddes, A Gage, L Gilbert, M Hunter, M Sewart, D Stockton and P Williams

OFFICERS IN ATTENDANCE

Mrs S Baxter (Democratic Services Officer), Mr D Brown (Director of Governance and Compliance), Mr R Hibbert (Head of Strategic Transport and Parking), Mr C Hindle (Head of Infrastructure), Mr A Ross (Director of Infrastructure and Highways) Ms J Wilcox (Head of Financial Management) and Mrs M Withington (Senior Solicitor (Acting) Property Legal Team Manager)

11 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

12 **DECLARATIONS OF INTEREST**

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor P Williams declared he had been involved in car parking consultations in the past as a member of Alsager Town Council and recently there had been a vote taken in respect of the matter by the Town Council which he had not taken part in. He had received a number of representations from members of the public and organisations, however he had not expressed a view on those. He had however, expressed a view in the media opposing car parking charges for certain car parks but because the information contained within the report referred to the consultation process he was happy to continue with the debate.

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor L Gilbert declared he had received a number of representations from Alsager residents. He had also made representations on initial surveys relating to car parking whereby he had highlighted some reservations, however he had not expressed an opinion and had not pre-determined the item as he was not aware of the content of the report until the agenda had been published.

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor M Sewart declared that he was a member of Poynton Town Council who were opposed to certain items on the agenda and he had expressed his support for their opinions, however he had had not taken part in a recent vote by the Town Council.

In the interest of openness in respect of item 10 on the agenda-Request for a Review of the Tranche 1 Active Travel Schemes submitted by Councillor M Benson, Councillor S Akers Smith declared that she was the Council's Cycling Champion.

13 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 19 July 2021 be approved as a correct record and signed by the Chair.

14 **PUBLIC SPEAKING/OPEN SESSION**

The following member of public attended the meeting and spoke in respect of item on the agenda 5-Car Parking Review and Proposed Statutory Consultation:-

Town Councillor Michael Unett

Sue Helliwell

Town Councillor Helen Ellwood

Dave Poole

Mr Brooks on behalf of Mr Gooch

Town Councillor Robert Douglas

The following member of public attended the meeting and spoke in respect of item 10-Request for a Review of the Tranche 1 Active Travel Schemes submitted by Councillor M Benson on the agenda:-

Mr Brooks on behalf of Mr Gooch

The following Councillors attended the meeting and spoke in respect of item 5-Car Parking Review and Proposed Statutory Consultation on the agenda:-

Councillor Ashley Farrall

Councillor Patrick Redstone

Councillor James Nicholas

Councillor June Buckley

The following Councillor attended the meeting and spoke in respect of item 7-Highways Service Plan Improvement - Update on the agenda:-

Councillor Ashely Farrall

In addition statements were read out by the Democratic Services Officer on behalf of Councillor Rachel Bailey in relation to item 8-Annual Road Safety Report on the agenda and on behalf of Town Councillor David Latham Item 5- Car Parking Review and Proposed Statutory Consultation on the agenda.

15 **CAR PARKING REVIEW AND PROPOSED STATUTORY CONSULTATION**

Consideration was given to a report on the car parking review and proposed statutory consultation. Extensive debate ensued with a number of points being made in relation to the principle of standardised parking zones with Members expressing views both in favour of this and against it. Key concerns expressed by Members were the lack of reference to Wilmslow (page 18 of Appendix 1) alongside the need for circumstances in individual towns to be considered in car parking consultations, the failure of the report to include a range of tariffs for consultation, the importance of consulting the public, the requirement to make car parking charges fairer and the ability to address the current injustices, the need to generate income and invest in key services, inclusion of some free parking was considered necessary in towns where new charges were proposed to support town centre vitality and the timetable for the consultation process and how this was to be undertaken.

A motion was moved and seconded which sought to approve the recommendation subject to the following amendments:-

- Insertion of the words ‘the consultation is commenced subject to the removal of the proposal for the implementation of parking charges on Sunday’ at the end of paragraph 2.2.1 of the report;
- Removal of paragraph 2.1 of the recommendation in its entirety;
- Removal of the words ‘application of the zonal’ from paragraph 2.2 of the report;
- Inclusion of the words ‘which may come forward as a result of the consultation‘ after the words ‘car parks’ in respect of paragraph 2.2.3 of the report.

Further to this in accordance with the provisions as outlined in paragraph 2.31 of the Constitution a request for a recorded vote was made with the following results:

FOR
Councillors S Akers Smith, C Browne, B Burkhill, L Crane and H Faddes.

AGAINST
Councillors M Benson, L Braithwaite, A Gage, L Gilbert, M Hunter, M Sewart, D Stockton and P Williams.

The motion was declared lost with 5 votes for and 8 against.

(The meeting was adjourned for lunch from 12.50pm until 1.30pm).

16 **CHESHIRE EAST BUS SERVICE IMPROVEMENT PLAN**

Consideration was given to a report on the progress made towards the Bus Service Improvement Plan including recommendations as to how this document would be completed to meet the timescales set out in the National Bus Strategy.

Members welcomed the recommendations outlined in the report and acknowledged the work undertaken by officers in producing a draft plan within the short timescales. Members acknowledged the importance of measures to improve bus services in the borough, however the need to ensure the success of the BSIP could be effectively measured was emphasised.

RESOLVED

1.That the objectives defined within the draft BSIP (see paragraph 1.8 and Appendix 1), as supporting the Council's wider policy objectives and the local context as set out in the evidence base be approved.

2.That it be noted the draft BSIP document would be subject consultation with all community groups and residents before it was finalised and submitted to Government.

17 **HIGHWAYS SERVICE IMPROVEMENT PLAN - UPDATE**

Consideration was given to a report on the work done to date and the proposals for implementing the recommendations of the Highway Service Improvement Plan.

Concerns were raised by the Committee that funding for highway maintenance to the local highways network provided by Government was inadequate.

The potential recruitment of a Quality Assurance Officer to the Council was welcomed as was the introduction of the value for money. Further discussions ensued in relation to lack of funding provided by Government. It was suggested that Members of all political groups should lobby their local MP's in respect of the lack of funding for highway maintenance.

Further to this it was agreed that the Chair of the Highways and Transport Committee should write to the Department for Transport expressing concerns at the shortfall in this funding.

RESOLVED

1.That the progress to date on the development and implementation of the Highways Service Improvement Plan be noted and the feedback on the plan and the actions being taken to implement an improved service also be noted.

2.That the Chair of the Highways and Transport Committee be requested to write to the Department for Transport expressing concerns relating to the shortfall in funding for highways maintenance.

18 **ANNUAL ROAD SAFETY REPORT**

Consideration was given to a report on the activities and measures undertaken during the 2020/21 Financial year to address road safety issues in Cheshire East.

The road safety initiative workshops with schools, cyclists and so forth was welcomed.

RESOLVED

That the report and the comments made on the highway service's road safety activity undertaken in 2020/21 be noted.

(The following item was considered after Minute No.20).

19 **THE MIDDLEWICH EASTERN BYPASS**

Consideration was given to a report on the Middlewich Eastern Bypass which sought authorisation for the sealed and made orders to be withdrawn.

It was noted that when the agenda had been originally published the report made reference to the scheme and its associated Orders. However, due to time constraints, a further report would be brought to at an additional meeting scheduled to take place in October 2021.

RESOLVED

1.That the Director of Governance and Compliance be authorised to withdraw:-

(a) the sealed and made Compulsory Purchase Order known as "The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2021" and,

(b) the sealed and made Side Roads Order known as "The Cheshire East Council Middlewich Eastern Bypass) (Classified Road) (Side Orders) Order 2021"

both made on 18 June 2021.

2.That the Director of Governance and Compliance be authorised to undertake all the necessary and appropriate notification processes to inform all affected landowners (as named in the schedule to the CPO and as notified of the SRO), Statutory Undertakers and National Casework Team at the Department for Transport of the formal withdrawal of the Order.

3.That it be noted a further report to consider new/replacement orders would be provided to the Committee as reasonably practicable.

(During consideration of the item, Councillor A Gage left the meeting and did not return. The following item was considered after Minute No.18).

20 **REQUEST FOR A REVIEW OF THE TRANCHE 1 ACTIVE TRAVEL SCHEMES SUBMITTED BY COUNCILLOR M BENSON**

In accordance with paragraph 2.41 of the Constitution, consideration was given to Councillor M Benson's request for a review of the tranche 1 Active Travel schemes. Councillor M Benson spoke in respect of the matter explaining the reasons for his request.

In addition Councillor M Benson put forward the following motion which was not taken forward:-

'That in respect of the Emergency Active Travel Measure introduced during September 2020 in Old Middlewich Road, Sandbach, this Scheme is brought to an end, the cycle lane is removed and parking on both sides of Old Middlewich Road is restored.'

Members sought clarification as to how officer decision records could be reviewed . Members were advised that this scheme had been implemented as a temporary traffic order and therefore could only last for 18 months. If the decision were to be made to make the traffic order a permanent one, members of the public, organisations and Members would be consulted. Members were advised that all Traffic Regulation Orders were dealt with as officer delegated decisions with the final decision being taken by the Director of Instructure and Highways and this had not changed from the previous Constitutional arrangements. .

Mandy Withington, the Senior Solicitor (Acting) Property Legal Team Manager who was in attendance advised the Committee that the terms of reference of the Committee did not include involvement in officer decision records which this matter fell under.

Disappointment was expressed that an officer's decision could not be "called in" once it had been made by an officer and if this was the case then it was felt the matter should be referred to the Constitution Committee for further consideration. Members were advised that any decision authorised by the Committee which gave delegated powers to the officer then that decision was subject to a referral of that decision in accordance with Paragraph 4.19 of Chapter 3 Part 1 Section 2 of the Constitution.

RESOLVED

That Councillor M Benson's comments be noted.

(Once the vote had been taken, the Senior Solicitor (Acting) Property Legal Team Manager explained a written response would be circulated in respect of the question raised by Councillor A Gage of how officer decision records could be reviewed by the Committee).

21 **WORK PROGRAMME**

Consideration was given to the work programme.

It was reported that the Flowerpot Junction Improvement Scheme would be considered at the 22 January 2022 meeting.

RESOLVED

That the work programme be approved subject to the inclusion of the amendment as outlined above.

The meeting commenced at 10.30 am and concluded at 3.09 pm

Councillor C Browne (Chair)

This page is intentionally left blank

Cheshire East Council

Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Speed Management Strategy
Report of:	Andrew Ross, Director of Highways and Infrastructure
Report Reference No:	HT/14/21-22
Ward(s) Affected:	All Wards

1. Executive Summary

1.1. The draft Speed Management Strategy (The Strategy) sets out a consistent approach which the council will take to managing speed on the highway network.

1.2. The report recommends that due to the high level of community interest in the issue of speed management and its relationship to safety and active travel that in line with good practice the Strategy should be subject to a consultation process.

1.3. The current 2016 document successfully implemented a framework against which speed limits could be assessed and introduced. The Strategy builds on both the approach of the 2016 document and the very important partnerships with the Police, the Fire and Rescue Service and the Cheshire Road Safety Group, who are key to delivering the Strategy.

1.4. The Strategy introduces an approach to speed management focused on Education, Enforcement and Engineering (3 E's) and sets out a hierarchy of tools that the council has available to manage speed on the highway network and also sets out how and when they will be applied. This will be the basis on which the council will respond to the many requests in relation to speed management and speed limit compliance that are received each year.

1.5. The report recommends that the Strategy is published for consultation purposes and a further report comes back to this committee on the outcome of the consultation prior to formal adoption of the Strategy.

1.6. The Strategy will contribute to the council's priority of a transport network that is safe and promotes active travel.

2. Recommendations

2.1. The Highways and Transport Committee is recommended to:

2.1.1. Approve the publication of the Strategy for an 8 week consultation process.

2.1.2. Note that a report on the outcome of the consultation process and seeking approval of the adoption of an updated Speed Management Strategy will be presented to this Committee.

3. Reasons for Recommendations

3.1. It is important that the council has an up-to-date strategy for the management of speed on the highway network that takes account of all current policies and guidance.

3.2. The current document was adopted in 2016 and since then there have been a number of legal and national guidance changes which have been included in this update, including:

- The development of a highway network hierarchy following guidance in Well Managed Highway Infrastructure 'A Code of Practice', which takes into consideration current and expected road use along with local economic and social factors.
- Revision to the National Traffic Signs Regulations and General Directions in 2016, which allowed highway authorities further discretion relating to the placement of certain traffic signs.
- Updated legislation on air quality.

3.3. Consultation on the Strategy will help to shape the document and get buy in from our key partners, stakeholders and local communities.

4. Other Options Considered

4.1. To not update the Strategy would mean an opportunity to build on our approach to speed management with our partner organisations, such as those involved with the Cheshire Road Safety Group (CRSG), would be missed. This Strategy covers the whole process of speed management not just speed limits and helps to deliver wider goals of the Council and CRSG.

5. Background and Detail

5.1. The key changes between the Strategy and the previous 2016 version are as follows:

- The setting out of a clear hierarchical approach to speed management via the “3 E’s” (Education, Enforcement and Engineering).
- A new section, on design and the potential measures required to change driver behaviour if education and enforcement are not working (and funding is available).
- A guide to help identify which areas may be suitable for 20mph limits.
- Guidance on the introduction of advisory and enforceable 20mph limits. Clarification of the role of Cheshire Police and CRSG.
- Incorporation of a section on Speed Indicator Devices (SIDs) and clarification of the relationship between mean speed and 85th percentile speed.
- Clarification of where exemptions to the strict application of the Strategy will apply.

5.2. The Strategy describes how the 3 E’s will be used as steps or gateways before entering into the next step and how each step will be applied in Cheshire East.

5.3. The setting of speed limits is a sub-process in the overall Speed Management Strategy. It is an issue which draws particular community attention. The Council needs to have a consistent approach to the application of speed limits so that they are understood and complied with by the majority of drivers. The Strategy therefore deals with principles that will be applied when setting speed limits.

5.4. The Department for Transport (DfT) Circular 01/2013 “Setting Local Speed Limits” provides guidance to local highway authorities on setting speed limits, the Cheshire East Strategy sets out a framework of requirements for different limits and a process for implementing them to ensure that a consistent approach to setting speed limits in line with national guidance is followed across the Borough. The Strategy also provides information on the measures which can be used to support speed limits including traffic calming measures, camera technology and the role of education, training, publicity and enforcement and in doing so helps set out what might need to be considered to support speed limit compliance.

5.5. An important factor in shaping the Strategy is the adoption of Cheshire East’s Local Transport Plan in 2019 which placed much greater emphasis on the consideration of the needs of vulnerable road users such as pedestrians and cyclists.

5.6. In late 2016 the UK Roads Liaison Group released Well Managed Highway Infrastructure and as a result the Council have developed a Network Hierarchy which takes account of the varying functions and uses of its roads and considers whether they are primarily focussed on vehicle or people movement. This can help identify locations which may be suitable for the application of a revised speed limit.

5.7. We know from experience that in Cheshire East where the wrong limits are applied they are generally ignored. This means that safety is compromised by drivers failing to comply as walkers and cyclists may be given a false sense of security. Therefore, it is important that we follow a considered approach using design to encourage self-compliance where possible. This is also the key principle in national guidance (DfT Circular 01/13 Setting Local Speed Limits).

5.8. The Strategy has a core principle of ensuring that the speed limit for any road is appropriate and in keeping with its environment.

5.9. The strategy includes a framework which sets out criteria for setting different speed limits. This follows guidance given in DfT Circular 01/13 setting out the types of environment which may be appropriate for different limits and applies this to the Cheshire East context giving consideration to theuse of the network hierarchy.

5.10. The DfT guidance states that existing mean speeds should be used as the basis for determining local speed limits and the framework sets out the speed ranges appropriate for different limits. Technical guidance on the measurement of speed limits is given in the appendices.

5.11. The Strategy recognises the importance of encouraging active travel (cycling and walking) in our towns and villages in line with the current Local Transport Plan.

5.12. The Strategy provides a means of identifying areas suitable for 20mph limits using the movement framework, a consideration of the local road environment and existing speed measurements.

5.13. The Strategy also outlines when advisory 20mph outside schools may be appropriate.

5.14. The Strategy also proposes that where the physical design of any new residential developments naturally encourage motorists to drive at 20mph or less there is no need to introduce a Traffic Regulation Order for that speed limit. The Strategy also identifies physical engineering measures which have the potential to significantly change vehicle speed.

5.15. The role of technology such as informational Speed Indicator Devices (SIDs) to help manage speed is covered in the Strategy. They can have a role in modifying behaviour on 20 - 40mph roads in some circumstances. The document sets out a range of locational criteria which need to be followed to ensure that the devices operate effectively and safely.

5.16. Camera technology, which is used at appropriate sites reduces the number of highway deaths and injuries by enforcing speed limits and reducing red light running. The role of the Cheshire Road Safety Group in funding and identifying such sites is covered in the Strategy.

5.17. The document also outlines the role of the Cheshire Fire and Rescue service in delivering a range of educational programmes and targeted publicity campaigns for road users on behalf of the Council and finally, the draft document describes the role of the police in speed enforcement and the process to be followed with requests for changing speed limits, including the role of the Speed Management Group in checking the requests against the framework.

5.18. In 2018 the council introduced the Cheshire East Borough Council Air Quality Action Plan 2018-23 (AQAP) to address its obligations under the Local Air Quality Management Framework. Currently Cheshire East has a number of Air Quality Management Areas (AQMA). A key element of the AQAP is to improved air quality through traffic management. The Strategy allows for changes to speed limits to help improve air quality in AQMAs.

6. Consultation and Engagement

6.1. Consulting the below identified stakeholders on key issues within the Strategy should help to deliver the outcomes of the Brighter Futures Together Programme.

6.1. The intention is to undertake a Public Consultation as soon as practicable following approval being given; this is currently expected to be from 22/11/21.

6.2 An 8 week consultation period is proposed which accounts for an expected prolonged Christmas holiday period.

6.3 The plan is to engage with the following key stakeholders alongside the public:

- Members
- Town and Parish Councils
- Emergency Services
- Cycling Groups
- Schools
- Cheshire Road Safety Group
- Bus Operators
- Road Haulage Association
- AA
- RAC
- Internal Departments – Planning, Highways, Development Management, Passenger Transport and Air Quality

6.4 An online questionnaire with a background information page will be set up. The questionnaire and background information is being developed with input from members of the Council's Research and Consultation Team. The questionnaire will have a link from the council's consultation webpage.

6.5 A dedicated email address will be set up to communicate with key stakeholders this will allow responses and comments to be submitted.

6.6 A press statement is to be prepared to advertise the launch of the consultation period to encourage participation.

6.7 Social media will be used throughout the consultation period to ensure the profile is maintained.

6.8 The Strategy has been socialised with Cheshire Police, Cheshire Fire and Rescue and relevant internal departments ahead of this committee and the proposed consultation. This exercise was conducted to ensure the viability of the proposals. Further detailed comments will be sought from these groups as part of the proposed consultation.

7. Implications

7.1. Legal

7.1.1 Whilst there is no statutory duty to consult on proposals to change or amend Council Strategies, the Council are under an obligation to ensure that they consider stakeholders and the public view as they expect a fair process to have been followed and that any decision made has been done in a transparent way; by allowing a consultation process to take place the council will be complying with this obligation and ensuring that the consultation process is a fair one.

7.1.2 Such consultation should involve those directly affected by such changes together with the relevant representative groups. The responses to the consultation will need to be considered when the Highways and Transport Committee makes any future decisions on the Strategy.

7.2 Finance

7.2.1 The development work and consultation are being funded through existing highway revenue budgets. The application of the updated Strategy will also be funded through the existing highway budgets. The schemes identified would be managed through a prioritisation process to ensure existing highway budgets aren't exceeded.

7.3 Policy

7.3.1 The outcome of this consultation will be used to influence and shape the future Strategy.

7.4 Equality

7.4.1 An Equality Impact Assessment has been completed, Appendix B, which identified there are benefits for vulnerable road users, i.e. pedestrians and cyclists. This complies with the duty of the Council to have due regard to the Equality objectives set out in the Equality Act 2010.

7.5 Human Resources

7.5.1 There are no human resource implications.

7.6 Risk Management

7.6.1 Completing a public consultation will help shape the Strategy reducing the risk of the Council being seen as non-transparent.

7.7 Rural Communities

7.7.1 There are no rural communities impacts.

7.8 Children and Young People/Cared for Children

7.8.1 There are no children and young people/cared for children impacts.

7.9 Public Health

7.9.1 Effective speed management has the potential to improve population health and wellbeing by improving road safety and decreasing traffic accidents, while also reducing vehicle emissions that contribute to poor air quality and climate change. The Public Health department will engage with the developing strategy as part of the consultation process**.**

7.10 Climate Change

7.10.1 The document to be consulted on seeks to improve AQMAs by identifying them as exceptions to the strict application of the Strategy where this would have a positive benefit on air quality.

Access to Information	
Contact Officer:	Matthew Davenhill Contract Asset Manager matthew.Davenhill@cheshireeast.gov.uk

	07896 270075
Appendices:	Appendix A Draft Speed Management Strategy Appendix B EIA
Background Papers:	Current Speed Management Strategy 2016

Cheshire East
Speed Management Strategy

First Draft

October 2021

Working for a brighter future together

Cheshire East Council

Cheshire East Council
Highways

Document history and status

Rev	Date	Description	By	Review	Approved
R0	01/10/21	DRAFT CEC SMS	*F Price*		

Cheshire East Council
Highways

Contents

1.	**Overview**	**3**
1.1	Overview	3
2.	**Introduction**	**4**
2.1	Purpose of a Speed Management Strategy	4
2.2	Roles and Responsibilities	4
3.	**Policy Context**	**6**
3.1	National Guidance	6
3.2	Cheshire East Council Corporate Plan	6
3.3	Local Transport Plan	6
4.	**3 E's Approach to Speed Management**	**8**
4.1	Introduction	8
4.2	Evaluation	10
5.	**Education**	**11**
5.1	Introduction	11
5.2	Driver Education	11
5.3	Community Speed Watch Campaigns	12
5.4	Use of Speed Indicator Devices	12
5.5	Provision of Portable Speed Indicator Devices	12
5.6	Existing Equipment	14
5.7	Fixed Installation SIDs	14
5.8	Site Approval	14
6.	**Enforcement**	**16**
6.1	Introduction	16
6.2	Role of the Police	16
7.	**Engineering**	**17**
7.1	Introduction	17
7.2	Implementing Engineering Measures	17
7.3	Engineering Measures	17
7.4	Principles of Setting Speed Limits	18
7.5	Road Function	20
7.6	Existing Speeds	20
7.7	Safety and Speed Cameras	21
7.8	Speed Limit Framework	22
7.9	20mph Areas	27
7.10	Existing 20mph Areas	28
7.11	Rural 40mph zones	29
7.12	Exceptions to setting speed limits	29
7.13	Air Quality Management Areas (AQMAs)	30

Cheshire East Council
Highways

7.14 Cross Border Roads 30
7.15 Buffer or Shoulder Zones 30
7.16 Planned Developments 30

Glossary of Terms **32**

Abbreviations and Acronyms **34**

Appendix A – Prioritisation Matrix **35**

Appendix B - SID's **37**

Appendix C - Cheshire Police Speed Management Process **40**

Appendix D - Technical Guidance on Collection and Interpretation of Speed Data **41**

Appendix E - Criteria for Safety Camera Core Site Selection and Implementation **42**

Appendix F – 20mph Additional Guidance **43**

Cheshire East Council
Highways

1. Overview

1.1 Overview

This Speed Management Strategy covers Cheshire East and sets out the Council's ambition as Local Highway Authority to promote safer roads and speed compliance across the Borough.

This revised strategy builds on the previous version published in 2016 and takes account of changing national and local aspirations of providing a safer road environment and encouraging a more active travel attitude. The document promotes the collaborative working arrangements of key strategic partners, working closely with Cheshire Police and Cheshire Fire and Rescue Service.

Our vision for speed management in Cheshire East is to provide a safe highway environment where our communities and those using the network, feel the speed of travel is appropriate for the environment and that the Council listens to the concerns of residents and road users.

Managing speed throughout the Borough is a key responsibility of the authority and the use of this strategy will bring about a consistent approach when speed related issues are raised. The strategy will be used as a tool to determine the most appropriate way in dealing with such issues on the road network.

Changing speed limits is not the default reaction to perceived issues relating to concerns of speeding traffic and a suite of options and tools is available to the authority and its partners. In using the principles of the 3 E's Education, Enforcement and Engineering the Council can promote the most appropriate approach in tackling a speed management concern to ensure the right solution is delivered.

The Department for Transport, DfT,[1] guidance Setting Local Speed Limits outlines how local authorities should approach the process and strategies of selecting appropriate speed limits within its area of responsibility. Speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance and acceptance that the road has the right speed limit set.

In accordance with the published guidance, this strategy supports the principles set out in the guidance but also promotes a more holistic approach to speed management.

[1] Department for Transport Circular 01/2013 – Setting Local Speed Limits

Cheshire East Council
Highways

2. Introduction

2.1 Purpose of a Speed Management Strategy

Cheshire East's Speed Management Strategy sets out a consistent transparent approach that the Council will use to provide a safe highway network that promotes active travel as one of the Council's priorities as set out in the Local Transport Plan, LTP.

This strategy sets out a hierarchy of tools that the Council has available to manage speed and traffic flow to ensure the safety of all road users. These tools will be the basis on which the Council will respond to the many requests in relation to speed management and speed limit compliance that are received each year.

The Council will consider these through a 3E's approach supported by ongoing evaluation: Education, Enforcement, and Engineering.

The strategy excludes temporary speed limits for traffic management purposes as these are risk assessed for specific circumstances and situations to protect workforce operations and those travelling on the highway.

2.2 Roles and Responsibilities

Cheshire East Council (CEC) is the Highway Authority and the Traffic Authority for the Borough of Cheshire East pursuant to the Highways Act 1980 and the Traffic Management Act 2004 respectively and is responsible for the management of speed on all public roads in Cheshire East except the motorway and trunk roads which are operated by National Highways.

Cheshire Police are responsible for speed enforcement, referred to as the Police in this document.

The Cheshire Road Safety Group (CRSG) consists of representatives of Cheshire East, Cheshire West and Chester, Halton, and Warrington together with Cheshire Police, Cheshire Fire and Rescue Service and National Highways. The work of this group supports the aims of the strategy.

It is intended that the strategy will be read and used by Cheshire East Council officers and other interested stakeholder groups such as Cheshire Police, local Members, and the public.

The previous Speed Management Strategy was adopted in 2016. Since then, there have been a number of changes both locally and nationally that have been taken into account in the development of this strategy, including:

- Following the introduction of The Code of Practice, "Well Managed Highway Infrastructure" which provides guidance to councils regarding the management and maintenance of local roads, the Council has developed a road Network Hierarchy. This is used to inform the appropriate speed management measure.
- Revised Traffic Signs Regulations and General Directions in 2016 which allowed Highway Authorities further discretion relating to certain traffic signage placement.
- Promotion of Active Travel initiatives.

Cheshire East Council
Highways

- Updated national technical guidance on air quality in April 2021 which places a greater emphasis on partnership working across Council services and other agencies to address air quality issues.

Cheshire East Council
Highways

3. Policy Context

3.1 National Guidance

The Speed Management Strategy is underpinned by national guidance and regulations on speed limits as well as the required speed limit review procedures.

The responsibility for setting speed limits on roads lies between the Council (for local public roads in the Borough) and National Highways (for Motorways and Trunk Roads). The role of enforcement falls to the police, supported by both the Council, as Highway Authority, and Cheshire Road Safety Group.

3.2 Cheshire East Council Corporate Plan

The Council has developed a Corporate Plan which sets out three aims the Council wishes to achieve:

Figure 1 Corporate Plan aims

Open - We will provide strong community leadership and work transparently with our residents, businesses and partners to deliver our ambition in Cheshire East.

Fair - We aim to reduce inequalities, promote fairness and opportunity for all and support our most vulnerable residents.

Green - We will lead our communities to protect and enhance our environment, tackle the climate emergency and drive sustainable development.

Two of the key priorities in the Plan is to provide:

- A transport network that is safe and promotes active travel, and
- Safe and well-maintained roads.

This strategy is intended to contribute to the delivery of those priorities.

3.3 Local Transport Plan

The Local Transport Plan (LTP) was adopted by the Council in October 2019. It sets out a framework for how transport will support wider policies to improve our economy, protect our environment, make attractive places to live, work and play and the role transport will play in supporting the long-term goals of the Council.

The Speed Management Strategy helps deliver the priorities of the LTP by setting out the criteria for how the Council will help manage issues of speeding in the Borough and the accommodation of active travel when setting speed limits.

Cheshire East Council
Highways

This Speed Management Strategy supports the LTP by the setting out the requirements for 20mph areas. This will, in turn, support greater levels of active travel. This is set out in Section 7.

The Strategy also recognises that to support economic growth, some roads should be prioritised for traffic movement. This is illustrated in Section 7.5.

Cheshire East Council
Highways

4. 3 E's Approach to Speed Management

4.1 Introduction

Speed management involves using various tools and techniques to help motorists comply with a speed limit or travel at a speed that is suitable for the surrounding environment and prevailing conditions.

In response to community concerns the management of speeds will follow the 3 E's of:

1. Education,
2. Enforcement, and
3. Engineering.

The process of which involves ongoing evaluation and assessment.

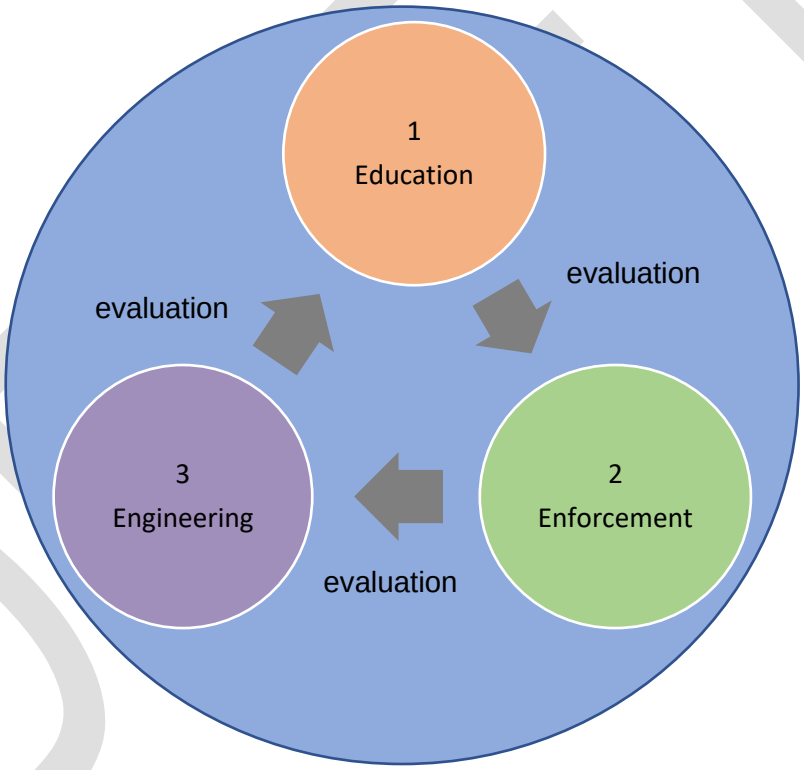


Figure 2 3 E's approach

These steps are gateways for entering into the next stage. This will ensure value for money measures are being explored at the outset rather than assuming more extensive and costly measures are warranted or necessary.

Cheshire East Council
Highways

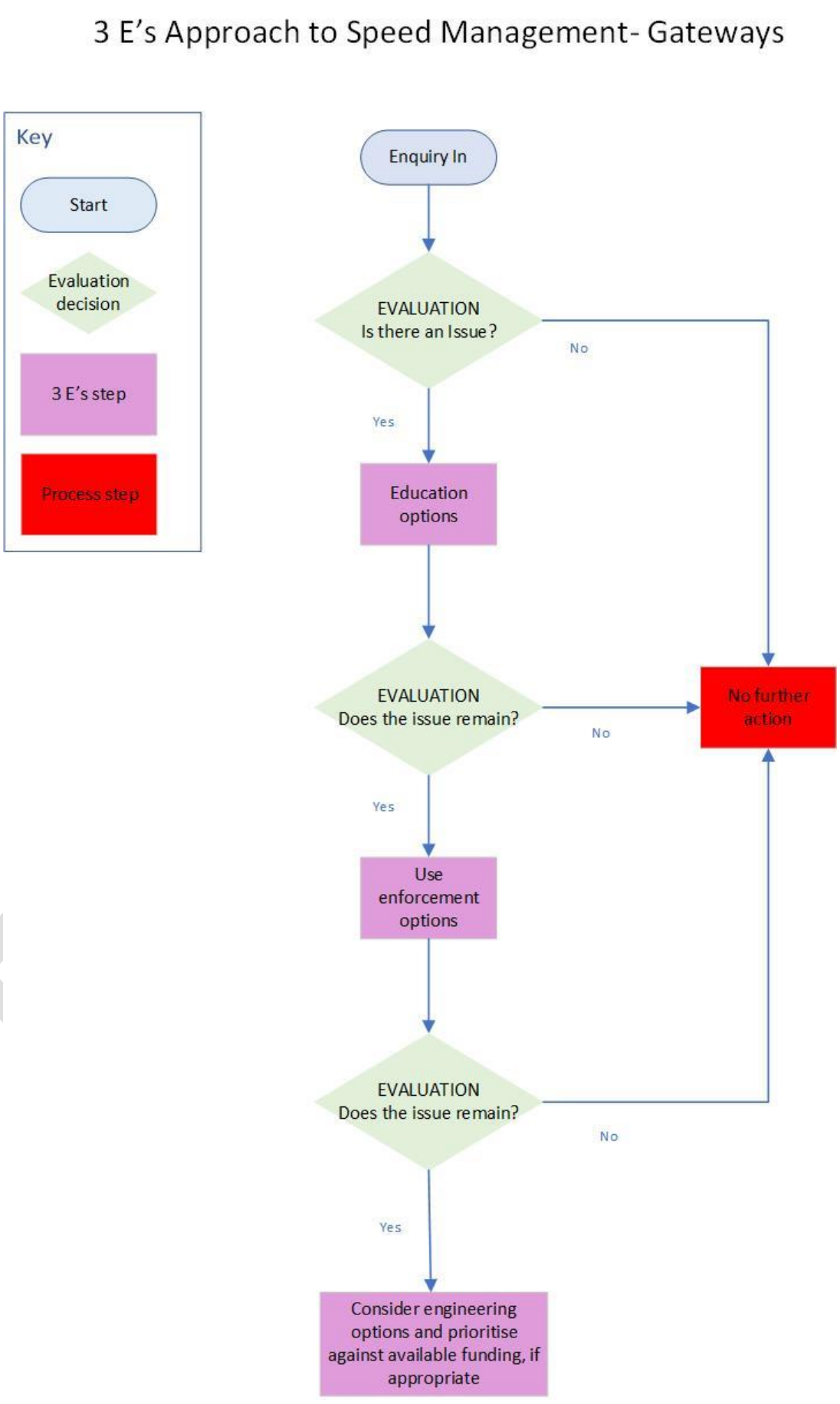


Figure 3 3 E's Approach - Gateways

Cheshire East Council
Highways

4.2 Evaluation

Where each stage has not brought about desired compliance with the posted speed limit the Speed Management Group (SMG) will evaluate the information gathered to inform the next step in the 3 E's process.

The SMG is a policy-led officer group which meets regularly. The group do not propose or authorise engineering measures and has no budget allocation or resourcing. Officers attend the group as a function of their regular duties. Primarily, the SMG ensure that the Strategy has been applied correctly and consistently.

The membership of the SMG is set out in Table 1 below:

Cheshire East Highways Road Safety Team
Cheshire East Council Strategic Infrastructure Team
Cheshire East Council Development Management Team
Cheshire East Council Network Management
Cheshire Police Road Policing Unit (Operations)
Cheshire Police Road Policing Unit (Strategy)
Cheshire Fire and Rescue Service

Table 1 SMG Membership

Other departments or organisations may join the group should a need be identified. Membership of the group will be reviewed frequently to ensure appropriate officers, departments and organisations are present.

The Council will:

- Collate all such location instances and requests for speed limit changes or management measures and prioritise them annually.
- Review any data available from the deployment of Speed Indicator Devices (SIDs), to help quantify the scale and prevalence of speeding.
- Establish the location of latest 5-year injury collision history and contributory factors.
- Consider whether the speed limit meets the criteria set out in the Speed Limit Framework detailed in Section 7.8.
- Establish the movement category for the location as set out in Section 7.5.
- Consult the police and consider the outcomes of any speed enforcement activity they have undertaken.

Cheshire East Council
Highways

5. Education

5.1 Introduction

Education covers local and national road safety campaigns which help raise road safety awareness in the wider population and the targeted education of drivers by various means of encouraging compliance with speed limits.

The Council's road safety objectives are to help:

- Reduce the number of people killed and seriously injured in road traffic collisions, and
- To reduce the number of collisions involving road users of all types.

The Council work in partnership with Cheshire Fire and Rescue Service in delivering road safety education to all primary and secondary schools each year. This helps to build road safety skills at an early stage which stays with individuals as they move into adulthood.

The Council supports and promotes national campaigns on speed awareness and safe driving behaviours using the following forums:

- Press releases
- Social media
- Webpages, and
- Staff and partner organisation activities and events.

We will encourage Town and Parish Councils to raise local concerns regarding speeding in their areas via their own communications channels such as newsletters, notices or websites.

We will support local and national campaigns directed at improving driver behaviour for all forms of vehicles using our roads.

5.2 Driver Education

We will support local communities to encourage motorists to comply with speed limits. These can include:

- Use of Community Speed Watch
- Use of Speed Indicator Devices (SIDs), and
- Support of the local Police Community Support Officer (PCSO).

Parish and Town Councils play an important role in supporting local communities in wanting to address concerns of speeding. Many have access to a portable temporary SIDs and deploy them to help address concerns of speeding. They also regularly liaise with local policing units and are supportive of community-led initiatives such as Community Speed Watch.

Cheshire East Council Highways

Further information on electronic devices which can be used in the highway, such as SIDs, are outlined in Appendix B.

Establishing community support and participation is key in delivering the 3 E's approach.

5.3 Community Speed Watch Campaigns

Community Speed Watch campaigns are a police-led initiative. Such campaigns depend on a number of local residents being willing to run the scheme and use roadside speed monitoring tools.

Community Speed Watch works as a deterrent and helps to get the message across that speeding drivers will not be tolerated in the community. They also remind motorists that speed limits are there for a reason and must be adhered to.

Cheshire local policing units will be able to provide further information on community speed watch https://www.cheshire.police.uk/a/your-area/.

The Council can facilitate the provision of equipment for Community Speed Watch initiatives.

5.4 Use of Speed Indicator Devices

Speed Indicator Devices (SIDs) are a tool to remind drivers of their travelling speed and can be useful when there is a disparity between the posted limit and observed speeds. They are informational temporary signs only, and do not provide any enforcement function. It is recognised nationally that the effectiveness of SIDs reduces substantially after about two weeks and SIDs should be moved to maintain their effectiveness.

The Council do not install portable temporary SIDs. However, we recognise the value that local communities can place on them as a tool to encourage motorists to comply with the posted speed limit. Where communities and the police have access to this equipment the council will work with them to agree how they should be used and where they may be placed to comply with the council's requirements.

These requirements are now set out in the following sections.

5.5 Provision of Portable Speed Indicator Devices

The Council can facilitate the provision of portable SIDs as a service for Town and Parish Councils. The management and maintenance of SIDs will be the responsibility of the Town or Parish Council.

The form, character and presentation of these devices will be:

- Portable.
- Free standing.
- Battery powered.
- Will use only white or yellow LED or fibre optic lighting in the display.

Cheshire East Council
Highways

- Displaying only the approaching vehicle speed and possibly the accompanying wording words, “SLOW DOWN”. No other wording or imagery will be permitted on the front face of the device such as “YOUR SPEED” or display of a happy or sad face.

Should a Town or Parish Council wish to source their own SID, the form, character and presentation of the device will need to meet equal requirements as those supplied by the Council.

The Council will consent to the use of portable SIDs on the highway subject to:

- A yearly deployment programme for the SID has been shared with the Council.
- The locations having been approved by the Council.
- The cost for this approval will be borne by the Town or Parish Council. This will be the authorisation to retain those items on the network for the following 12-month period.
- The posted speed limit where the unit is to be deployed must be 40mph or below.
- The site must be inside the speed limit and the SID unit must not be placed on the entry sign to the speed limit.
- There must be adequate forward visibility of the unit.
- In a 20mph speed limit this is a minimum of 60m.
- in a 30mph speed limit this is a minimum of 90m.
- in a 40mph speed limit this is a minimum of 120m.
- The SID unit must not obscure visibility of another traffic sign.
- The SID unit must not obscure visibility from any access or junction.
- The SID must not be an obstruction or distraction at a critical point i.e. at a pedestrian crossing or junction/bend where it may take the drivers attention off the road ahead.
- The location for the SID must be safely accessible and in a good condition.
- The SID unit must not obstruct a footway, cycle track or verge on which pedestrians walk.
- The SID unit must not be located on central traffic island or on central reservations.
- The SID unit, including its face, must have at least 450mm clearance from the edge of the carriageway.
- SID units can only be secured to the base of traffic signposts or lamp columns. Such fixing locations must not bear the weight of the SID. Cast iron or ornate lamp columns, power supply or telephone poles, and private posts must not be used.
- Portable devices are left in situ facing one direction no longer than three weeks.

Cheshire East Council
Highways

5.6 Existing Equipment

Any device deployed on the highway which does not meet the following requirements or has not been approved to remain on the highway may be removed and the costs for removal and storage charged to the Town or Parish Council responsible for the device.

5.7 Fixed Installation SIDs

The Council have, in the past, installed SIDs as permanent fixtures. The original intention had been to move the SIDs on a regular basis within the Borough but reduced resources and funding has seen these units remain in a limited number of locations. We no longer install these on the network, nor allow others to do so, as they are not authorised for use on the highway by the DfT.

There is a possibility that the DfT request that such signs are removed from the highway in the future.

The devices owned and managed by the Council may be retained while in an operational condition and removed, and not replaced, once they are life expired. The posts on which the signs have been erected may be reused if, or removed when, a suitable opportunity arises.

Existing equipment that is the responsibility of a Town or Parish Council requires written consent from the Council to retain such equipment within the highway. Any devices and posts owned and managed by third parties could be removed from the network where this is not obtained. This will be at the expense of the Town or Parish Council who requested their installation.

Where authorisation has been given such devices and posts will only be removed where the Town or Parish Council cannot provide adequate evidence that:

- The device meets the requirements of form, character and presentation set out in this strategy.
- The device remains effective at managing speeds within the posted speed limit in the locality.
- The device and post is licenced by the Council as Highway Authority.
- The device and post were installed to suitable design standards for sign height clearance and post foundations.
- There is no liability insurance in place for the equipment which indemnifies the Council or of a suitable level.

Regardless of the mechanism of original introduction the Council will not replace, or authorise replacement of, posts for fixed installation SIDs, nor will they approve the installation of new posts for such devices.

5.8 Site Approval

To submit a request for site approval the following information is required for each location:

- Location plan.

Cheshire East Council
Highways

- Image of the location (up to date street-view image or a photograph).
- Site address, including road name and a description of the site.
- The proposed method of mounting the SID unit, and the direction it is proposed to face.
- Parish Council contact details.
- Appropriate current liability insurance which indemnifies Cheshire East Council at a level that is acceptable to the Council.

A deployment at a site constitutes a maximum of three-week presence facing in one direction. Turning the unit to face the opposite direction is considered a separate deployment. Any device not moved within four weeks may be removed from the network by the Council and the associated costs passed to the Town or Parish Council responsible for the device.

Further information on SIDs is outlined in Appendix B.

Cheshire East Council
Highways

6. Enforcement

6.1 Introduction

The enforcement authority is Cheshire Police and they are responsible for all speed enforcement.

The Council, as highway authority, and by extension Cheshire Road Safety Group, have functions and roles that support the police enforcement of speed and red light infringements.

The Council serves as both the Highway and Traffic Authority and is responsible for the introduction of speed management measures and setting of speed limits on all public roads not under the control of National Highways.

6.2 Role of the Police

The police will use their own speed management guide 'Cheshire Police Speed Management Process (see flowchart in Appendix C).

The police have a high demand for officer time countywide, and adherence to the process above will ensure that priorities are balanced accordingly. Each time a road traffic personal injury collision is reported to the police, comprehensive details about the circumstances involved are recorded on the Police incident database. Anonymised data is shared with the Council who use it to identify locations where educational or engineering activity may be used to address a particular problem.

For speed enforcement purposes the Police use this data to identify the locations that most frequently experience speed related collisions so they can be considered for enforcement.

Cheshire Police operate the static safety cameras throughout the Borough for enforcement purposes and they may also use mobile camera technology as a means of enforcement.

The following camera technology is currently used in Cheshire East:

- Rearward facing static cameras.
- Red light / speed on green static cameras.
- Average speed cameras.
- Mobile vans equipped with enforcement technology.
- Temporary Average speed safety cameras for road works enforcement.

Details of current Safety Camera locations can be found on the CRSG website, which is hosted by Warrington Borough Council, at: https://www.warrington.gov.uk/roadsafety.

Cheshire East Council
Highways

7. Engineering

7.1 Introduction

The Council follow national guidance on speed management measures.

A report[1] from the Transport Research Laboratory found that static signs alone had a small impact on measured speeds, with around a 2mph reduction on average. Subsequent research[2] has confirmed these findings and shown that speed limit signs alone are insufficient to significantly alter drive behaviour.

Where measured speeds are above the thresholds for the desired limit (as set out in Table 2), additional measures may need to be considered to encourage compliance and adherence by drivers.

Engineering measures may be proposed in isolation, as part of a wider scheme, or in response to development sites. It is important, given the wide variety of possible sources, for there to be a uniform approach to speed management.

7.2 Implementing Engineering Measures

The first step is to consider whether the speed limit is suitable and appropriate for the environment prior to considering engineering measures. This may include a review of the extent of the existing limit to better match surroundings.

If, after consideration, there remains the need to implement measures those listed below have been identified as having the potential to influence vehicle speeds to varying degrees.

7.3 Engineering Measures

Typical engineering measures that can be considered for existing roads are:

- Roundels, dragons' teeth, SLOW road markings and all other road markings within the TSRGD.
- Warning signs, yellow or grey backed signs, flashing amber warning lights.
- Regulatory signs (One Way, No Entry etc).
- Information signs (e.g. Unsuitable for Heavy Goods Vehicles).
- Use of coloured road surfacing.

[1] (Transport Research Laboratory, 1998) https://trl.co.uk/uploads/trl/documents/TRL363.pdf

[2] (Atkins, Aecom,and Professor Mike Maher (UCL), 2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757302/2 0mph-technical-report.pdf

- Vertical measures (e.g. Tables, rumble strips).
- Horizontal measures (e.g. Priority narrowing's, village gateways and chicanes)
- Road or point closures.
- Mini roundabout(s).
- Road width (including formalised parking).
- Change of speed limit.
- Vehicle Activated Signs.
- Hard standing areas for Police Enforcement.
- Static camera technology.

Typical Engineering measures that can be considered for new roads are:

- Alteration of road width (including formalised parking).
- Enforcement/Technological Measures.
- Alignment.
- New junctions.
- Roundabouts.
- Traffic signals.

Suitability of measures at individual locations will need to be considered and it is outside the scope of this strategy to provide technical design guidance. This may be found through nationally published Local Transport Notes including LTN 1/07 (Traffic Calming).

7.4 Principles of Setting Speed Limits

The Council's approach to the application of speed limits should be consistent across the Borough if it is to be understood and complied with by road users. This should also be the case across the country. It is recognised that where speed limits are inappropriate, they are often ignored and make drivers less willing to comply with the legal limit.

Speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance. Speed limits should be seen by drivers as the maximum rather than a target speed.

The overriding principles for applying speed limits is, as outlined in DfT Circular 01/2013 Setting Local Speed Limits, that they should encourage self-compliance. To achieve this, speed limits must:

- Be appropriate for the physical environment.
- Reflect the level of use by both motor vehicles and vulnerable road users.

Cheshire East Council
Highways

- Take account of the speed vehicles are currently travelling at.
- Account for any speed related injury collision history.
- Reflect the function of the highway corridor and the surrounding environment.

The aim is to ensure the speed limit for any road is appropriate and in keeping with its environment this will mean that, after assessment, we take the following core actions:

- **In some cases, where appropriate, we may lower speed limits.**
- **In some cases, where appropriate, we may raise speed limits.**
- **In some cases, where appropriate, we may not change anything.**
- **In some cases, where appropriate, we may need to change the design of a road to change behaviour.**
- **We will not install speed limit signs alone and expect a significant behaviour change.**
- **We may consider speed limit changes that support active travel (walking and cycling).**

When setting speed limits, appropriate considerations include:

- Road function.
- Existing traffic speeds.
- The personal injury collision history.
- The level of use by vulnerable users such as pedestrians and cyclists.
- The surrounding environment, for example the presence of schools; shops; and places people want to visit.
- The local road environment, including width, visibility, and parking.

The appropriate management of speed limits can assist with managing congestion, increasing journey efficiency across the local and wider network. This complies with statutory duties placed on the traffic authority under the Traffic Management Act (2004). A reduced speed limit may also benefit air quality in Air Quality Management Areas.

The Council's speed limit framework serves to condense these guiding principles into a reference alongside features of the desired speed limit.

This framework is provided in Section 7.8 and is to be used as a starting point for identifying speed limits.

Cheshire East Council
Highways

7.5 Road Function

The local environment and likely users of the road are important considerations when implementing changes, such as alterations to the speed limit. For example – urban residential area, and town centre shopping areas are likely to have a higher number of pedestrians and cyclists, making lower speeds more suitable, whereas sparsely populated roads between destination points, such as, strategic and main distributor routes, with limited non-motorised travel are more suited to higher speeds.

In general, locations or destinations on roads that people want to visit, such as our link or local access roads, have a high person movement value and roads which facilitate traffic are high vehicular movement value. The relationship between these two factors will contribute towards identifying where lower limits may be appropriate and whether changes to the environment need to be considered.

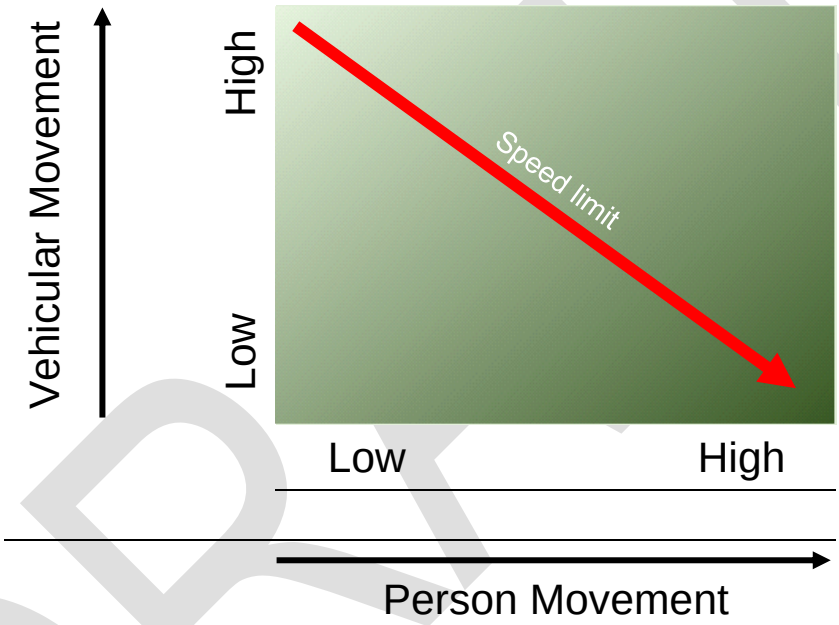


Figure 4 Movement framework

7.6 Existing Speeds

The current guidance DfT Circular 01/13 for setting local speed limits states that traffic authorities should continue to collect and assess both mean and 85th percentile speeds, but that mean speeds should be used as the basis for determining local speed limits.

Mean speeds are the sum of all vehicle's speeds measured over a period of time divided by the total number of vehicles over the same time period. Mean speeds are used for determining local speed limits.

85th percentile speeds are the speeds at or below which 85% of all vehicles are observed to travel under free-flowing conditions. This is a nationally recognised method of assessing traffic speeds.

Where there is not a consistent relationship between the 85th percentile and the mean speed, it will usually indicate that motorists have difficulty in deciding the appropriate speed for the road.

This suggests that a better match between the road design and the speed limit is required. In such situations it may be necessary to consider the appropriateness of the limit or whether there is a need for additional design or enforcement measures.

Table 2 below shows the range of measured speeds that are used when assessing existing speed limits as detailed in the National Police Chiefs Council guidelines, to determine whether compliance of existing speed limits is being adhered to.

On roads where surveys indicate that the measured mean speed and/or 85th percentile speed are beyond these thresholds, the appropriateness of the speed limit without accompanying measures (either existing or proposed) should be reviewed.

Speed Limit	Mean Speeds	85th percentile speeds
20 mph	24mph	28mph
30 mph	30mph	35 mph
40 mph	40mph	46 mph
50mph	50mph	57mph
60 mph	60mph	68mph

Table 2 Speed Limit ranges

If the current measured speeds are higher than these limits, then there are three potential outcomes based on the core principles of the strategy:

- Keep the speed limit as it is.
- Review the rationale for the existing limit – in some cases the environment may mean that a higher speed limit may be more appropriate for the section or part of it to help encourage the correct behaviour in the relevant environment.
- Introduce measures to manage mean speeds within the Posted Speed Limit.

Further technical detail on the collection and application of speed data is included in Appendix D.

It may be necessary to collect speed data from multiple points on a road, route, or area depending on the extent of the scheme and differences in the local environment.

7.7 Safety and Speed Cameras

Fixed camera technology systems are an engineering option that facilitates enforcement by the police. These can be designed and installed in the Borough as a measure of last resort in locations and on routes that have a history of collisions resulting in serious injury or death.

Average speed camera technology works best on roads with large distances between junctions, which enables monitoring over a reasonable distance. In urban areas more junctions require more camera locations to cover a zone and these systems do not allow for instances where, for example, a puffin crossing will stop traffic. This reduces their effectiveness as the approach and exit speeds can be high but, due to the delays during the journey, the average speed technology would not recognise an offence having been committed.

Cheshire East Council
Highways

The criteria for assessing whether speed cameras should be considered are set out by the CRSG to provide a consistent Cheshire wide approach. The use of cameras should always be proportionate, targeted, consistent and transparent in line with current National Police Chiefs Council guidance.

For the Council to consider putting forward locations to be considered for camera technology prioritisation by CRSG they will have determined that:

- The collision analysis indicates that safety camera enforcement would address the collision history at the location.
- There is no other cost-effective engineering solution that is more appropriate to resolve the collision types identified as part of the collision analysis.
- Safety camera enforcement provides a solution.
- The Traffic Regulation Order (where applicable) and road signs and road markings are lawful and correct.
- Where new signage is required, this can be installed safely and in compliance with relevant guidance documents.

The funding for camera technology on the highway can come from a range of sources including Government grants such as the DfT Safer Road Fund Scheme but is subject to available budgets and prioritisation.

CRSG will continue to monitor technology developments for speed management. This includes:

- Safety camera devices linked to Automatic Number Plate Recognition systems.
- Digital and radar sensor technologies.
- In vehicle technology such as intelligent speed assistance systems.

The Council will consider potential opportunities for piloting or trialling new types of system in conjunction with CRSG.

7.8 Speed Limit Framework

The speed limit framework serves as a guide for the identification and selection of speed limits in both urban and rural settings by documenting the traits and features of a suitable environment.

The framework is designed to operate in tandem with the Network Hierarchy. The framework is split into possible speed limits, and is laid out as below:

Type of limit	
Urban	**Rural**
Well Managed Highway Infrastructure Network hierarchy classification	
Key or expected features	Key or expected features
Guidance	Guidance

Cheshire East Council
Highways

The framework is based on guidance from the Department for Transport in Circular 1/2013 Setting Local Speed Limits.

Note that not all features will be present in all cases, nor is there an expectation for all to be present. They are intended to be indicative of environment only.

Cheshire East Council
Highways

20mph Speed Areas (Zones and Limits)
Rural and Urban environments
Well Managed Highway Infrastructure Network Hierarchy classification may be considered on Local Access Roads or link roads
20mph speed limits and zones can be considered in built up areas where there are high concentrations of vulnerable road users where vehicle movement is not the primary function such as in streets that are primarily residential and in other town or city streets where pedestrian and cyclist movements are high, such as around schools, shops, markets, playgrounds and other areas, where motor vehicle movement is not the primary function. Mandatory 20mph speed limits and zones will only be considered in those locations that are generally self-compliant due to the nature of the road layout. 20mph limits can be introduced over an area where mean speeds at or below 24mph are already achieved over a number of roads. 20mph zones without physical measures will only be considered: • Where at least 90% of roads in the proposed zone have existing mean speeds of 24mph or below. • Where 0-10% of roads in the proposed zone have existing mean speeds above 24mph, but below 28mph. If existing speeds do not meet these criteria physical measures will be required. When considering to implement a mandatory 20mph speed limit or zone, Cheshire East will consider the full range of options and their benefits, including road safety, wider community, environmental benefits and costs. Where a 20mph speed limit is desirable outside a school this may be either advisory or mandatory as a variable speed limit.

Cheshire East Council
Highways

30mph Speed Limits	
Urban	**Rural**
Well Managed Highway Infrastructure Network Hierarchy classification may be considered for all hierarchy classifications	
The national speed limit on street lit roads is 30 mph. The standard speed limit in urban areas is 30 mph. In other built-up areas (where motor vehicle movement is deemed more important), with development on both sides of the road.	The standard speed limit in our village areas is 30mph. Settlement has a clearly defined core with shopping area, town\village green, etc. • facilities generating pedestrian/cycle activity - schools, shops, public house, play areas, etc. • Almost continuous frontage development exceeding 600m in length on both sides of the road • Significant development in depth • Significant pedestrian activity throughout the day with provision of footways and or crossings
Village definition • Over 600 metres in length • Have 50 or more houses (on one or both sides of the road) • Have significant depth of development • Will also have a few services, such as a local school, church, public house and small shop/post office.	

Cheshire East Council
Highways

40mph Speed Limits	
Urban	**Rural**
Well Managed Highway Infrastructure Network Hierarchy classification may be considered for main distributor, strategic and resilient network	
On higher quality suburban roads or those on the outskirts of urban areas where there is little development, with few cyclists, pedestrians or equestrians. On roads with good width and layout, parking and waiting restrictions in operation, and buildings set back from the road. On roads that, wherever possible, cater for the needs of non-motorised users through segregation of road space, and have adequate footways and crossing places. Where there are no direct frontages.	Settlement has shop(s), school(s), public house, petrol station etc. • Significant development on both sides of road, but not necessarily continuous, with some development in depth, overall frontage exceeds 400m in length • Some pedestrian/cycle activity throughout the day with possible peaks associated with schools etc. • Some provision for pedestrians/cyclists or acknowledged need and possible warning signs

50mph Speed Limits	
Urban	**Rural**
Well Managed Highway Infrastructure Network Hierarchy classification may be considered for main distributor and strategic network	
On dual carriageway ring or radial routes or bypasses that have become partially built up, with little or no roadside development	Should be considered for lower quality A and B roads that may have a relatively high number of bends, junctions or accesses. Can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow. For C and Unclassified roads with important access and recreational function the speed limit of 50 mph is only appropriate for the lower quality C unclassified roads with a mixed (i.e. partial traffic flow) function with high number of bends, junctions or accesses.

Cheshire East Council
Highways

National Speed Limits
Urban and Rural roads
Well Managed Highway Infrastructure Network hierarchy classification may be considered for all hierarchy classifications
The national speed limit on the rural road network is 60 mph on a single carriageway and 70 mph on dual carriageways. Recommended for most high-quality strategic A and B roads with few bends, junctions or accesses. The default position is the national speed limit applies in areas without street lighting. The rural unclassified road speed limit is 60mph.

7.9 20mph Areas

The introduction of 20mph areas has been shown to encourage the uptake of active travel within an area[3]. Mandatory 20mph speed limits and zones will only be considered in those locations that are generally self-compliant due to the nature of the road layout or the presence of traffic calming features.

Nationally there are two definitions for roads with 20mph speeds, these are:

- 20mph speed limits (indicated by road signage only), and
- 20mph zones (self-enforcing areas with engineering measures and some road signage).

20mph limits can be introduced over an area where mean speeds at or below 24mph are already achieved over a number of roads. However, 20mph zones without physical measures will only be considered:

- Where at least 90% of roads in the proposed zone have existing mean speeds of 24mph or below.
- Where 0-10% of roads in the proposed zone have existing mean speeds above 24mph, but below 28mph.

When collecting speed data for 20mph areas, the following will apply:

- The lead engineer will visit all roads in a proposed area.
- Mean speeds will be collected in all roads where there is a concern that vehicle speeds are high.
- The data collection locations will be agreed with the police traffic management officer.

[3] (Atkins, Aecom,and Professor Mike Maher (UCL), 2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757302/2 0mph-technical-report.pdf

It is recognised that the distinction between the two can create confusion, and they are often used interchangeably. To alleviate this, we will now use the collective term of 20mph areas. Engineers are required to follow national legislation for zones and limits with respect to the signage and measures that can be used.

Further guidance is provided in Appendix F.

The road function, considered through the movement framework, can be used to identify those areas which may be appropriate for lower speeds due to higher pedestrian and cycle movements (due to local land use) and relatively low vehicle movement. Such areas may benefit most from 20mph areas. As a starting point, 20mph areas are potentially appropriate on residential streets and town centres. Some high streets may also be suitable, depending on their character and location.

As noted previously the movement framework is not the sole criteria for determining speed limits, and the specific environment will be considered in all cases. Other roads with a higher movement value frequently connect areas with a high person movement value.

Whilst some locations may be appropriate for 20mph areas, they are also likely to require additional supporting measures to ensure compliance. Whilst the person movement value can provide an indication of suitability for 20mph, other criteria will need to be taken into account as detailed in Section 7.8.

Speed measurements must be undertaken in any area where a 20mph area is proposed in order to support the design of the scheme. As noted in Section 7.9 roads with speeds of 24mph or lower are considered compliant.

Where existing speeds are over 24mph, but below 28 mph, the implementation of a 20mph area will likely require traffic calming and/or technological measures to reduce and control speed to the appropriate levels and ensure self-compliance.

Advisory 20mph speed limits can be introduced outside schools. These advisory provisions are not legally enforceable but are a tool to encourage behaviour change. Any advisory 20mph speed will operate during school start and finish times.

These advisory limits do not preclude formal 20mph areas. Schools contribute to place value and are likely to benefit from 20mph areas should the environment be suitable or adaptable. The default position for the Council is that a 20mph area may be implemented – if the environment allows – when new schools are proposed, or where significant changes are made to existing school facilities.

Where a new housing development has been designed to be 20mph we would not introduce a 20mph speed limit.

7.10 Existing 20mph Areas

It is recognised that there are variances in how 20mph speed limits and zones have been implemented historically across the borough. These schemes were correct at the time of installation, though do not necessarily comply with this revised strategy. All schemes designed and delivered following the adoption of this document shall comply with the new strategy and older schemes do not set precedents nor allow for exemptions.

Cheshire East Council
Highways

7.11 Rural 40mph zones

A process has been developed for the application of zonal 40mph speed limits in rural areas. The criteria applying to this are subject to all the following being met:

- Existing speeds are no greater than 40 mph on roads in the planned zone.
- Mean speeds will be collected in all roads where there is a concern that vehicle speeds are high.
- Mean speeds will be collected in a random sample of other roads within the proposed area.
- The locations of the above will be agreed with the relevant police traffic management officer.
- With the correct judgement and experience this should avoid the need to count every road within a proposed 40mph Area.
- The zone would be self-enforcing. Mean speeds on all roads within the zone will be 40mph or less once implemented.
- The zone will be within a defined geographical area, e.g. bounded by A & B roads or in an Area of Outstanding Natural Beauty, AONB.
- The zone would only be permitted on C and unclassified roads.
- The zone would have a predominantly local, access or recreational function and/or form part of a recommended network of routes for vulnerable road users.
- A recognised or known collision history for the planned zone.
- A tourist attraction is the generator for pedestrian movements being higher.

7.12 Exceptions to setting speed limits

Exceptions to the strict application of the speed limit framework will be limited to the following situations and conditions:

- Addressing Air Quality Management Areas (AQMAs).
- On roads that cross between different Highway Authority boundaries where policies and practices may differ.
- Where a buffer or shoulder zone speed limit between 2 different speed limits is necessary or desirable.
- Accommodation of planned developments.

Cheshire East Council
Highways

7.13 Air Quality Management Areas (AQMAs)

Motor vehicle engines work most efficiently at around 50mph; vehicles driving below 50mph and above 55mph produce more emissions from their exhausts. While traffic is often slower than 50mph at peak times, having a consistently lower speed limit helps to improve journey time reliability by smoothing the traffic flow, because it reduces the number of times vehicles have to stop and start again. This in turn reduces the time traffic is stationary or moving slowly in queues and has an air quality benefit as vehicles' engines emit the most Nitrogen Dioxide emissions when they are switched on but not moving or moving slowly.

Where it is assessed as part of an action plan to address air quality within an AQMA and this is expected to be an appropriate tool we may change a speed limit in an area to a level that does not necessarily satisfy the criteria set out in the speed limit framework outlined in Section 7.8.

7.14 Cross Border Roads

It is important that neighboring traffic authorities work closely together, especially where roads cross boundaries, to ensure speed limits remain consistent.

Where a road crosses our authority boundary we will discuss any proposed speed limit changes with the neighbouring Highway Authority to establish the reasoning for the speed limit change and safety benefits.

Before making any decision on the actions we take we will also consult with, and consider the views of:

- Cheshire Police,
- CEC local Member and,
- Speed Management Group.

.
This may mean we introduce a speed limit that does not satisfy the criteria set out in the speed limit framework outlined in Section 7.8.

7.15 Buffer or Shoulder Zones

Where there are outlying houses beyond a village boundary or there are high approach speeds to a village an intermediate speed limit may be appropriate.

The use of such limits will be restricted to sections where immediate speed reduction causes the driver difficulty or would have minimal effect well into the extent of the lower limit.

In the case of high approach speeds, other speed management within the village limit, such as the use of signing or lining to create a visual impact or other physical measures to change the appearance of the roads, may be more appropriate to encourage compliance with the village.

7.16 Planned Developments

Where land has been approved for housing development in the Council's Local Plan we will consider a speed limit change to accommodate the future development of the site. The speed

limit chosen will be informed by proposals brought forward by a developer and will be aligned to the Speed Limit framework criteria set out in Section 7.8.

The speed limit will only be implemented once 50% of the development frontage has been occupied.

The physical design of new residential roads should encourage motorists to drive at 20mph or less as set out in national guidance, (e.g DfT Manual for Streets). The default speed limit for new residential roads is 30mph.

Cheshire East Council
Highways

Glossary of Terms

20mph Area	A collective term used exclusively in the SPEED MANAGEMENT STRATEGY to discuss matters that affect 20mph Limits or 20mph zones.
20mph Limit	A road or series of roads where the speed limit is 20mph but there are no physical measures to reduce vehicle speeds in the area.
20mph Zone	A series of roads which use traffic calming measures to reduce the adverse impact of motor vehicles on built up areas.
85th Percentile Speed	The speeds at or below which 85% of all vehicles are observed to travel under free-flowing conditions. This is a nationally recognised method of assessing traffic speeds.
Advisory 20mph Limit	A part time 20mph speed limit which does not have a legal order (Traffic Regulation Order). It is therefore not enforceable. To be used outside schools only.
Advertisement	The process where a Speed Limit order is legally advertised. At this point the scheme can only be reduced or withdrawn.
Air Quality Management Area (AQMA)	These are discrete locations across the Cheshire East Borough, where air pollution is either very close to or exceeds a set of health-based objectives for a number of specific air pollutants predominately associated with road traffic emissions. Further details can be found on our website: https://www.cheshireeast.gov.uk/pdf/environment/air-quality/cheshire-east-aqs-2018-review-final-signed-version-2.1amended.pdf.
CIL	The Community Infrastructure Levy is a charge on the internal floor area of new housing and retail developments in certain areas of the Borough.
Consultation	The legal process where opinion is sort and used to influence the scheme outcome. A scheme can be changed at this point.
Free Flowing Traffic	The average speed that a motorist can travel if there was no congestion or other adverse conditions such as bad weather.
Features	Repeater signs and repeater roundels and traffic calming measures.
Cheshire Road Safety Group (CRSG)	The Cheshire Road Safety Group aims to reduce the number of people killed or injured on Cheshire roads by encouraging greater compliance of speed limits through the operation and maintenance of safety cameras.
Local Transport Plan	Statutory document which sets out the overall objectives and targets for improving transport in the County. The current version is Local Transport Plan 4.
Mean Speed	The average speed at which all vehicles travel.
Police and Crime Commissioner (PCC)	Works closely with the Chief Constable to reduce crime, keep communities safe and ensure the criminal justice system works well. The elected PCC has the responsibility to hold the police and the chief constable to account on behalf of the public.
Roundel	In context, a roundel is the circular disc or marking that displays the speed limit applicable to a road. Roundels are placed at appropriate intervals as road markings, normally larger and more conspicuous at the start or change of a limit.
Rural	An area which falls outside of settlements with more than 10,000 resident population. i.e everywhere outside the urban area.

Cheshire East Council
Highways

Section 106 Agreement	Funding obtained from developers when building new housing and other buildings to mitigate the impact that the development has on the transport network.
Section 278 Agreement	An agreement to permit a third party to introduce permanent changes to the highway network, usually used to facilitate or connect to new development sites.
Settlement	Locations where people live.
Speed Management Group (SMG)	A group of CEC and police officers who provide advice to other CEC officers, developers and other bodies on the implementation of the Speed Management Strategy and consider changes to Speed Limits and confirm whether proposed changes are in compliance with the Speed Management Strategy.
STATS 19 Form	The department for transport compiles data on personal injury collisions, resulting casualties, and the vehicles involved. The police fill in this form for each collision occurring on the public highway, and which become known to them within 30 days.
Traffic Calming Measure	Humps in accordance with the Highways (Road Hump) regulations 1999, traffic calming works in accordance with the Highways (traffic calming) regulations 1999, a pedestrian refuge designed to slow traffic, variation in widths of the carriageway for the purpose of slowing traffic constructed after 1999 and a horizontal bend as defined in TRSGD 2016. For avoidance of doubt a traffic calming measures will alter a vehicles speed significantly if designed correctly. The spacing in TSRGD 2016 are the minimum to suffice the legal signing requirements for setting out a zone. It does not guarantee that vehicle that vehicle speeds will reduce. Traffic calming measures should be designed in accordance with LTN 1/07 and at a spacing intended to achieve the required speed reduction for the type of traffic calming measures chosen.
Traffic Regulation Order	A Traffic Regulation Order (TRO) is a legal order, which allows us the regulation of speed, movement, and parking of vehicles. They are enforced by the police, with parking restrictions enforced by the Council.
Urban	The built, up area with populations of over 10,000.
Variable 20mph Limit	A 20mph speed limit that is only operational at certain times of the day. Similar to that used on Smart Motorways (with varying limits).

Cheshire East Council
Highways

Abbreviations and Acronyms

AQMA	Air Quality Management Areas
AONB	Area of Outstanding Natural Beauty
CIL	Community Infrastructure Levy
DfT	Department for Transport
KSI	Killed or Seriously Injured
LTP	Local Transport Plan
NPCC	National Police Chiefs Council
OPCC	Office of Police and Crime Commissioner
PCC	Police and Crime Commissioner
PCSO	Police Community Support Officer
S106 Funding	Negotiated from developers to mitigate the impact of a development
SID	Speed Indicator Device
SMG	Speed Management Group
TAL	Traffic Advisory Leaflet
TM	Traffic Management
TRO	Traffic Regulation Order
TSRGD	Traffic Signs Regulations and General Directions 2016
VAS	Vehicle Activated Sign
VMS	Variable Message Sign

Cheshire East Council
Highways

Appendix A – Prioritisation Matrix

Consideration of engineering measures prioritisation

Please create a COPY of this sheet for each location

Assessment by:		**Ref No:**			
Date of assessment					
Location	Road Classification:	Primary	Traffic Sensitive:	No	Environment: Urban

A - CASUALTY REDUCTION

		Fatal	Serious	Slight	Fatal	Serious	Slight	Score
1	Recorded injury collision occurrence (latest 5 yrs) (Fatal = 50, Serious = 30, Slight = 10)	0	0	0	0	0	0	0
2	Are there speed related injury collisions (latest 5yrs)? (Yes = 70, No = 0)	No	if no collisn history insrt 0 score for Q2					0
3	Are there injury collisions that misjudge speed and distance as a key factor (latest 5yrs)? (Yes = 20, No = 0)	No	if no collisn history insrt 0 score for Q3					0
4	Do any of the collisions involve vulnerable road users? (Yes = 50, No = 0)	No	if no collisn history insrt 0 score for Q4					0
5	Have the police identified enforcement as an issue at this location ? (Yes = 50, No = 0)	No						0

B – CONGESTION

6	Route is traffic sensitive (Yes = 20, No= 0)	No	Taken from header information	0
7	On a bus route? (Yes = 20 , No = 0)	No	No insrts 0 score for Q8	0
8	Bus Frequency? (Houly or more frequent = 5, Less than hourly = 2)	Frequency is less than hourly		0

C - ACCESSIBILTY AND CAPACITY

9	Is the length of concern greater than 1000m? (Yes =10, No = 0)	No		0
10	Are there terraced housing or houses close to the highway? (Yes = 20, No = 0)	No		0
11	Are there amenities that local residents need to walk to? (Yes = 20, No = 0)	No		0
12	Is there a footpath available? (Yes = 0, No = 20)	Yes		0
13	Is the road narrow (less than 7m)? (Yes = 20, No = 0)	No		0
14	Is the location in a rural setting? (Yes = 10, No = 0)	No	Taken from header information	0

D - AMENITY

Cheshire East Council
Highways

	D - AMENITY		Enter information / responses only in the grey boxes. All other cells are protected	
	Function of Road			
15	Vehicle Movement (High = 0, Medium = 15, Low = 30)	High		0
16	Person Movement (High = 30, Medium = 15, Low = 0)	Low		0
17	Is there a 'visitor generator' (*e.g beauty spot , tourist attraction*) in the local area? (Yes = 20, No = 0)	No		0
18	Conservation area? (Yes = 10, No = 0)	No		0
19	AQMA site? (Yes = 20, No = 0)	No		0
	E – NEIGHBOURHOOD ENGAGEMENT			
20	MP Support (Yes = 20, No = 0)	No		0
21	Councillor (local member support) (Yes = 20, No = 0)	No		0
22	Councillor (other members) (Yes = 20, No = 0)	No		0
23	Parish Council support (Yes = 20, No = 0)	No		0
24	Police support (Yes = 20, No = 0)	No		0
25	Other organisations (e.g. resident association) (Yes = 20, No = 0)	No		0
	F - LOCAL CONCERN			
26	High degree of resident and/or stakeholder concern for vulnerable road user safety? (Yes = 20, No = 0)	No		0
27	Is there a high level of concern of traffic speeds causing social issues (severance)? (Yes = 20, No = 0)	No		0
28	Is there a high concern for property damage through speeding collisions (directly or indirectly)? (Yes = 20, No = 0)	No		0

Ref no	Location	Assessed by	Date of assessment	Total Score
0	0	0	00/01/1900	220

Copy and paste the above line as ***VALUES*** *into the Summary sheet*

Cheshire East Council
Highways

Appendix B - SID's

National regulations and guidance

Signs installed on the public highway need to accord with a number of Department for Transport (DfT) published regulations and advisory leaflets.

The current relevant standards (*in September 2021*) are:

- The Road Traffic Regulation Act (RTRA) 1984
- Traffic Signs Regulations and General Directions (TSRGD), 2016
- Traffic Advisory Leaflet, TAL, 1/03 Vehicle Activated Signs, VAS, issued in March 2003
- Traffic Advisory Leaflet, TAL, 1/15 Variable Message Signs, VMS, issued in January 2015

The content of these being:

- The Road Traffic Regulation Act (RTRA) 1984 provides the legislative framework for traffic signs. To be legally placed on the public highway, a traffic sign ('an object or device for conveying, to traffic on roads or any specified class of traffic, warnings, information, requirements, restrictions or prohibitions of any description') must be either (i) specified by Regulations (the TSRGD) or (ii) specially authorised by the Secretary of State.

- The TSRGD is highly prescriptive and specifies the full details of each type of permitted sign on the highway (i.e. sign face type, shape, size, configuration, etc).

- TAL 1/15 states:

  "Regulation 58 of TSRGD permits a VMS to display most of the fixed signs prescribed in TSRGD as well as legends prescribed in Schedule 15. Special provisions apply to vehicle activated VMS and these are explained in detail in Traffic Advisory Leaflet 1/03, "Vehicle Activated Signs".

- TAL 1/03 states:

  "Signs must not contain non-standard pictograms or messages (i.e. those not prescribed in the Traffic Signs Regulations), to avoid causing ambiguity and confusion to drivers".

  "Diagram 670 when displaying 20, 30, 40 or 50 may also be used with a "SLOW DOWN" plate. The purpose in this case is to remind the driver of the speed limit in force and the VAS should therefore be set to activate as close as possible to the speed limit".

  "Signs other than the above may not be used without special authorisation from the Department for Transport or equivalent devolved administration".

Cheshire East Council
Highways

Difference between a SID, VAS and VMS

Speed Indicator Devices (SIDs) are a temporary portable device which can be securely fixed to a non-moveable structure. They consist of a battery powered display screen on which the indicative speed of a vehicle is displayed. When movement is detected in the field of view, the device triggers and returns a value (speed in mph) that is then displayed on the screen to oncoming vehicles. They can also record the number and speed of vehicles detected which can be downloaded and interrogated to understand their impact on speeds over time.
Relocating SIDs regularly has been demonstrated to have greater influence on traffic speeds, as SIDs become less effective if retained in the same location for longer than 3 weeks.
There is no government legislation or advice covering the use of these devices on the Highway.

Vehicle activated signs (VAS) are permanent LED or fibre optic signs that can be used to complement existing signage in warning motorists of an approaching hazard where speed could be a contributory factor to a serious incident occurring. They are usually blank until triggered by an approaching vehicle travelling at a speed above a pre-set speed. The vehicle then activates the device which displays a speed limit or hazard warning sign e.g. bend in the road. Certain signs may be accompanied by a 'SLOW DOWN' message or flashing lights in the corners of the sign (known as 'wig-wags').

The images displayed on VAS are compliant with national regulations i.e Traffic Signs Regulation and General Directions, TSRGD 2016.

The use of VAS is set out in DfT Traffic Advisory Leaflet 1/03, "Vehicle Activated Signs" and are an engineering tool.

Variable Message Signs (VMS) the Council use VMS to advise motorists of upcoming road hazards. They display either fixed or scrolling text and can be used as a temporary sign in advance of roadworks or as a permanent installation to highlight particular hazards ahead. Special provisions apply to vehicle activated VMS and these are explained in detail in Traffic Advisory Leaflet 1/03, "Vehicle Activated Signs".

Duty of Care

Town and Parish Councils should satisfy themselves that the responsible person or contractor installing or removing the SID at each location:

- Has a safe working environment for them to do so.
- Is competent to undertake the task required.
- A risk assessment for the location has been carried out prior to any site-based work.
- Safe systems of working are followed.
- Suitable Personal Protective Equipment is worn.
- Has considered the site dependent on time of year as vegetation can change visibility during summer and winter periods.
- Has sufficient batteries available for the devices for them to be deployed in line with the agreed installation plan.

Cheshire East Council
Highways

SID Effectiveness

Research undertaken by the Transport Research Laboratory[4] found that SIDs are most effective when moved regularly. It showed that the longer the SID stays in one place, the less drivers slow down when they see it. After about two weeks, the speed of traffic returns to what it was before the sign was erected, therefore, keeping signs up longer has no effect and may bring them into disrepute.

The same research found that, in ideal conditions, SIDs would provide a reduction in mean speeds of around 2mph.

Data Collection and Use

SIDs can store up to 200,000 unique events in their internal memory – this includes information as to the date, time, and speed of traffic recorded. This data can be downloaded by Town or Parish Council operative and subsequently cleared from the device via a mobile application. SIDs collect data as part of routine operation but this is not the primary function of the device. As such, they are not calibrated to serve as traffic counters or speed monitors and there remains concerns over the accuracy and validity of data accessed from SIDs.

However, the data can be used to illustrate the effectiveness of the measure. Any locations which do not achieve a reduction in the mean speeds of vehicles during the period of operation should be reviewed as part of the annual location review. The Town or Parish Council should share such data with the Council, when requested, to inform the annual review of SID locations.

Maintenance

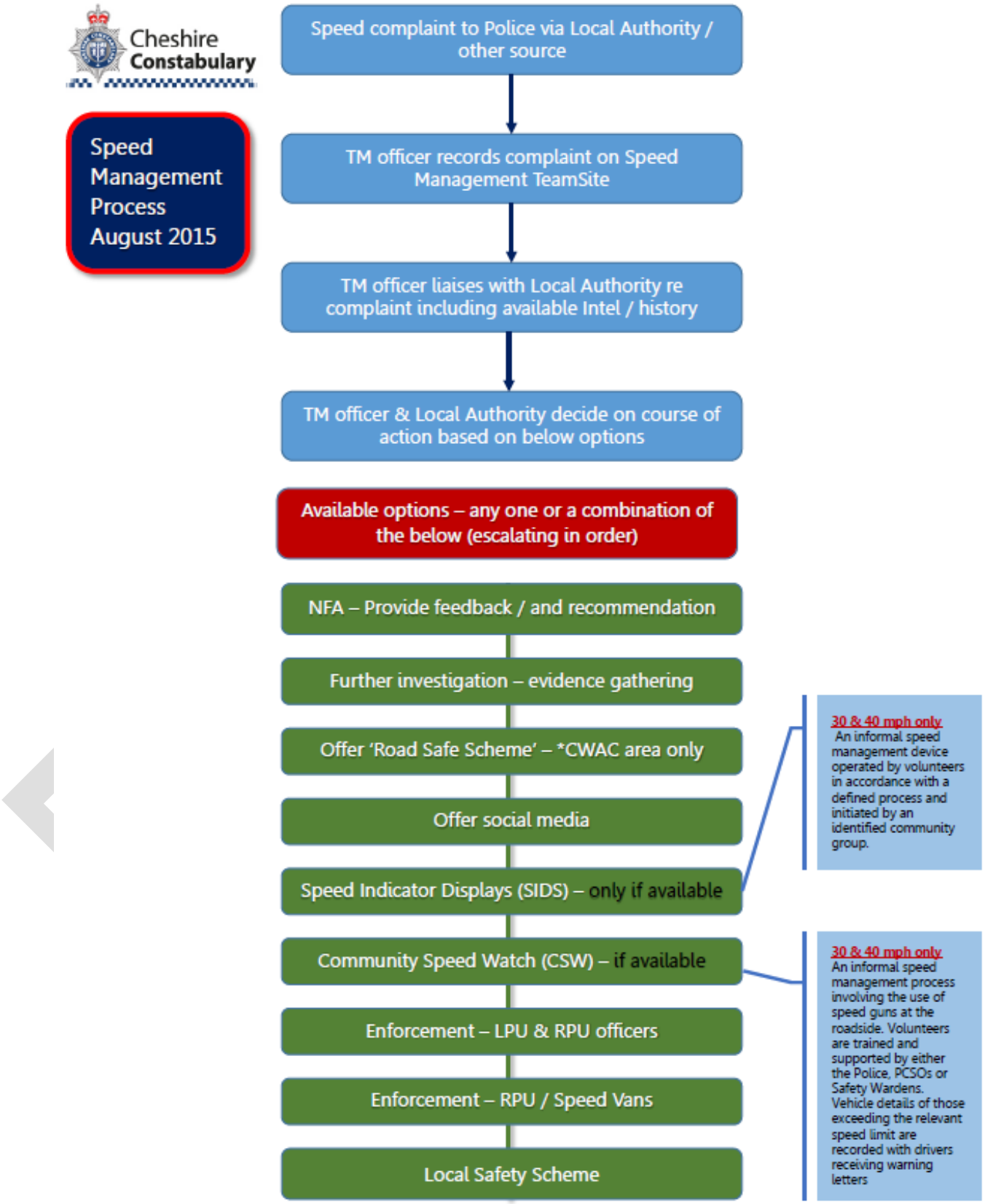
The Council is able to offer a service and maintenance regime to be funded by Town and Parish Councils for SIDs. This regime will include:

- Deployment of the SID on the network in line with the agreed Annual deployment plan and deployment criteria.
- Battery checks prior to installation.
- Removal of the SID within 3 weeks after installation in any one location.

[4] (Transport Research Laboratory, 2008) https://trl.co.uk/uploads/trl/documents/PPR314.pdf

Cheshire East Council
Highways

Appendix C - Cheshire Police Speed Management Process



Cheshire East Council
Highways

Appendix D - Technical Guidance on Collection and Interpretation of Speed Data

When analysing traffic speed data, it is important to look at the speeds that occur under free flow conditions, and therefore the 12 hour or 24 hour average mean and 85th percentile speeds may not be appropriate. It may be necessary to exclude peak hour data as congestion may have a significant effect on the results.

The following steps are taken to identify the roads that require a speed survey within a proposed 20mph area:

- The lead engineer visits all the 30mph roads in the proposed areas.
- Following discussions with the Traffic Management Officer and Cheshire Police roads and locations are identified where there is a concern that the vehicle speeds are high.
- Speed surveys are undertaken on these roads.
- Speed surveys are also undertaken in a random 25% sample of the remaining roads in the proposed area. For example, if there were 30 roads in an area and 13 were identified as being of concern an extra 5 roads would be surveyed (25% of the 17 roads where speed wasn't a problem) and a total of 18 surveys would be required.

The use of local knowledge is important when examining the speed data particularly if events have had an effect on the data.

When assessing speed limit, free- flow conditions during a typical weekday will be used as a baseline. Free-flow conditions are when vehicles are unlikely to be accelerating or braking. Measurements should not be taken near isolated sharp bends, gradients and road narrowing's.

A minimum of one week automated data should be collected. The full week data should be reviewed to establish whether there is consistency or large differences in speeds that may affect the use of mean speeds.

Queueing traffic can be identified by a large spread of speeds across all measured speeds – from 5mph up to the mean speed if it occurs at isolated times of day (i.e. at morning or evening peaks). Free flow traffic would have a smaller range.

Cheshire East Council
Highways

Appendix E - Criteria for Safety Camera Core Site Selection and Implementation

Average Speed camera Assessment Sheet

Location

for Cheshire Road Safety Group

Total Score = #DIV/0! (score of above 350 here is required to consider provision of Average Speed Cameras at this location unless 'Yes' is noted in questions 13, 14,15,16 and 17)

		Individual Score
1	MAST Collision Density Index (Pure Index identified for the whole route)	

Data

		Length (km)	Actual Collisions			Rate per km			Score per km)		
			Fatal	Serious	Slight	Fatal	Serious	Slight	Fatal	Serious	Slight
2	Recorded rate of injury collision occurrence Per km (Score Fatal x50, Serious x30, Slight x10)	#DIV/0!				#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
3	Does injury collision data support concern of speeding? (No = 0, Yes = 30)										
4	Is there recorded 85th Percentile speeds consistently above ACPO enforcement? (No = 0, Yes = 50)										
5	Are there speed related injury collisions (latest 5yrs)? (No = 0, Yes = 70)										
6	Are there injury collisions that misjudge speed and distance was a key factor (latest 5yrs)? (No = 0, Yes = 20)										

Only input details in the grey boxes

Topographical

7	Is the length of concern greater than 1000m? (No = 0, Yes = 20)	
8	Are there terraced housing or houses close to the highway? (No = 0, Yes = 20)	
9	Are there amenities that local residents need to walk to? (No = 0, Yes = 20)	
10	Are the footpaths narrow (less than 1.5m)? (No = 0, Yes = 20)	
11	Is the road narrow (less than 7m)? (No = 0, Yes = 20)	
12	Is the location in a rural setting? (No = 20, Yes = 0)	
13	Are there sufficient alternative routes to allow rat running or average speed camera bypass to occur on parallel roads? (No = 20, Yes = 0)	If yes consider not introducing Average Speed as pressure will be moved on to surrounding networn

Considered Measures

14	Would a static camera deal with the route sufficiently to manage speed? (No = 20, Yes = 0)	If yes to any in this section this provision to be introduced before resorting to Average Speed Cameras
15	Can mobile enforcement take place safely along the route? (No = 20, Yes = 0)	
16	Can traffic calming be used safely? (No = 20, Yes = 0)	
17	Can any other engineering measure be practically introduced to manage speed? (No = 20, yes = 0)	

Concern

18	High degree of resident and/or stakeholder concern for vulnerable road user safety? (No = 0, Yes = 20)	
19	Is there a high level of concern of traffic speeds causing social issues (severance)? (No = 0, Yes = 20)	
20	Is there a high concern for property damage through speeding collisions (directly or indirectly)? (No = 0, Yes = 20)	

Cheshire East Council
Highways

Appendix F – 20mph Additional Guidance

Cheshire East Council is bound by legislative requirements for 20mph Limits and Zones and as such all 20mph Areas will be laid out in accordance with these requirements.

To promote our active travel principles, we will sign both 20mph Areas (consisting of Limits and Zones) consistently so that all are aware they are within them. This additional guidance is to be applied by those considering 20 mph areas.

Just because a particular area may have one or more of these elements it doesn't automatically mean that its suitable for a 20mph area. The whole situation should be reviewed including the guidance of experienced practitioners as appropriate.

20mph Area General Guidelines

Potential for active travel
Research undertaken by the Transport Research Laboratory for the Department for Transport shows a strong correlation between speed of travel and risk of fatality, RoSPA has summarised this in its *Relationship between Speed and Risk of Fatal Injury: Pedestrians and Car Occupants*[5]*.* Therefore, the implementation of 20mph areas is a mechanism for encouraging safe active travel. In line with LTP4 principles we will support 20mph areas where there is potential for active travel. Evidence has shown that persons are more likely to consider active travel with speed limits are low and as such Cheshire East Council will consider funding areas where there are greater chances of active travel. E.g. residential areas surrounding town centres with a high person movement value in the movement framework.

Pedestrians
Where there is evidence of high pedestrian footfall consideration should be given to a lower speed limit to reduce conflict between pedestrians and motor vehicles. This is particularly relevant where pedestrians are close to the road particularly where a footway is very narrow. For example, in historic areas which were not designed for motor traffic.

Buildings
Where buildings are close to the carriageway it creates an effect of visual narrowness which can slow vehicle speeds. The opposite effect occurs where buildings are set back such as when gardens are provided at the front. This phenomenon is discussed in Manual for Streets. The density of buildings also has an effect as high-density housing can generate higher footfall. This can also be thought about in respect to towns versus rural. But on these occasions the road function should be used as an indicator over whether the road is considered residential or not. There are certain buildings by their nature that require special consideration, and these are described in the paragraphs below.

Schools
Schools by their nature and the vulnerability of their users require traffic to be travelling at slower speeds and as such a specific requirement is contained within the strategy for lower speed limits.

[5] DC Richards (2010) Relationship between Speed and Risk of Fatal Injury: Pedestrians and Car Occupants. Transport Research Laboratory. https://nacto.org/docs/usdg/relationship_between_speed_risk_fatal_injury_pedestrians_and_car_occupants_richards.pdf

Cheshire East Council
Highways

Community facilities
The presence of facilities such as community centres, churches or shopping parades. These can be areas which generate higher footfall.

Active Frontage
When buildings and footfall are combined the term active frontage is used. This means that motor traffic can be potentially slowed by interactions with adjacent uses. For example, a parade of shops where vehicles and pedestrians will be calling at could be considered an active frontage.

Environment
The environment or setting of a road can be enough to warrant a 20mph area but to evaluate this the road will need to be examined by any experienced practitioner. For the environment to contribute to slower speeds there is a combination of factors that need to be considered such as width of carriageway, vegetation, available forward visibility and the presence of on street parking.

Motor Vehicle Speed
In Section 7.9 the range of speeds that are required in a 20mph area are set out. The resultant speed is a prime criteria in the consideration of a 20mph area. And while most things are possible in terms of engineering a solution there comes a point where cost outweighs the overall benefit therefore the following is a broad guide to the speeds and the type of 20mph area that will be needed.

If mean speed is 24mph or less than the existing environment is already suitable for a 20mph area and therefore only speed limit signs are required.

If mean speeds are 28 mph or less than the existing environment is likely to be suitable for a 20mph area with traffic calming.

Where 85th percentile speeds exceed 28 mph the existing environment is unlikely to be suitable for a 20mph area.

20mph area additional considerations
The following are additional considerations for 20mph areas but they are not considered criteria as they are factors or symptoms of other problems that could be tackled with different solutions.

Traffic volume
Traffic volume has a significant impact on the speed of traffic if it builds to a point when congestion is created and, in some situations, this can lead to requests for lower speed limits due to the severance issues created by high traffic volumes. Severance is caused by the inability for pedestrians to cross a road for example. Officers receiving requests for lower speed limits should check that traffic volume is not playing a part in local community concerns as lowering the speed limit is unlikely to address those concerns. Providing crossing facilities may be a more appropriate solution depending on the situation experienced.

If traffic volume is the only factor lowering vehicle speeds then outside of times when volume is high then the 20mph area is unlikely to be effective.

Injury Collisions
The presence of injury collisions is not a reason alone to reduce speed limit. Injury collisions within a proposed area should be reviewed as these may indicate where the design of the road needs to be changed.

Cheshire East Council
Highways

20mph Areas specific technical criteria

20mph Zones

The beginning and end of a zone must be indicated by terminal signing. The zone can be implemented with features and/or traffic calming measures. Traffic Regulation Order (TRO) required to be legally enforceable.

In Cheshire East we sign 20mph zone and limits consistently. The minimum signing requirement for a 20mph zone is to have repeaters every 200m.

TRSGD 2016 requires features at smaller interval than this. Therefore, if the proposed zone is made largely of traffic calming measures then additional signs will be required at no less than 200m.

If the proposed zone is largely based on signing due to the environment being largely self-enforcing then designers should either reconsider the design approach and make use of a 20mph limit which would ultimately require less signs than a 20mph zone.

20mph Limits

Signed with terminal signing at entry and exits and repeater signs at intervals only. Traffic Regulation Order (TRO) required to be legally enforceable.

Cheshire East Council
Highways

Advisory Part Time 20mph Limits Outside Schools

An advisory 20mph limit sign can be mounted with the school warning lights and school ahead warning sign. The advisory limit will be active when the lights are flashing during school operating hours. In general, this will be school drop off and pick up times.

Mean speeds must be 30mph or less before implementation. As the limit is advisory it is not required to be self-enforcing whereas other 20mph limit and zones are.

An advisory limit is not enforceable by the police and does not require a traffic regulation order.

Variable 20mph Limits

Traffic authorities have powers to introduce speed limits that apply only at certain times of the day. These are similar in concept to Smart Motorways where variable speed limits apply and are indicated by variable message signing.

Specific signage would need to be authorised by DfT prior to a scheme being implemented. TRO required to be legally enforceable.

Cheshire East Council
Highways

20mph Speed Limit	20mph Zone	
Signed by signs only Terminal Signs S10-2-1 (diag 670) (600mm dia plus) at start/end of limit. Repeater signs S10-2-1 (diag 670) (300mm) dia (every 200m) Repeater signs can be substituted for roundels S10-2-9 (diag 1065) Sign illumination within limits are relaxed (TSRGD 2016) Terminal signs must be lit when with 50m of a Principal Road (A classification Road)	Signed by S10-12-5 (diag 674) on entry and S10-2-6 (diag 675A) on exit. Must have one physical traffic calming measure within the zone. Repeater signs are NOT a physical traffic calming measure. No one part of the zone must be more than 50m from measure as defined by TSRGD 2016. Unless cul de sac 80m or less. Entry signs are not classed as a traffic calming measure so first measure must be at 50m unless entry roundels are used. In practice this allows spacing every 100m. Sign illumination requirements with the zone are relaxed (TSRGD 2016). Road hump lighting requirements are relaxed in 20mph zones at the discretion of CEC Street Lighting. Sign requirements for traffic calming measures, humps, chicanes etc are relaxed and warning signs can be omitted.	National Guidance/Legislation requirements [and interpretations]
In either a limit or a zone the minimum requirement for a repeater signage shall be no less than 200m spacing.	In either a limit or a zone the minimum requirement for a repeater signage shall be no less than 200m spacing.	CEC Policy

Table 3 20mph Areas (Differences between Zones and Limits)

20mph Area Public Consultation requirements

All consultation documents will state that a 20mph limit or zone will generally be self-enforcing with little or no police enforcement. A clear process will be agreed with local Members and stakeholders prior to consultation being undertaken setting out the response rate required and the level of mandated support that needs to be demonstrated for a scheme to progress. This would be clearly set out in any consultation material in order to ensure that people are fully informed and that schemes are appropriate and supported locally.

20mph Area monitoring - before and after studies

A before and after study may be completed within one year of the limit or zone being implemented. This will include comparison of vehicle mean speeds. If maximum mean speed “After” limits do not meet the criteria set out in the Speed Limit Framework, a review of the scheme will be required.

This page is intentionally left blank

APPENDIX B

CHESHIRE EAST COUNCIL – EQUALITY IMPACT ASSESSMENT FORM

EQUALITY IMPACT ASSESSMENT

TITLE: Speed Management Strategy

VERSION CONTROL

Date	Version	Author	Description of Changes
13/9/21	Original	Fay Price	
20/10/21	V2	Fay Price	Revised the brief description of the impact assessment in light of revisions made to the Speed Management Strategy as it has developed Revised information regarding engagement with Stakeholders to reflect initial consultation undertaken to develop the SMS rather than reflect the Public Consultation to be undertaken and given outcome In Stage 2 'who and evidence of affected' updated text to reflect evidence of how speed is calculated to support original text and identify how different groups may be affected by changes in speed limit or management measures Updated outcomes for some groups by adding in text to illustrate that air quality sites may benefit from lower speeds Stage 4 Deleted all text in mitigation as there are no adverse impacts on the protected characteristics groups
28/10/21	V3	Fay Price	Stage 2 Updated impacts for different groups relating to vulnerable road users

CHESHIRE EAST COUNCIL –EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Cheshire East Highways		**Lead officer responsible for assessment**		Fay Price	
Service	Traffic and Road Safety		**Other members of team undertaking assessment**		N/A	
Date	28/10/21		**Version**		V3	
Type of document (mark as appropriate)	**Strategy** X	**Project**	**Function**	**Policy**	**Procedure**	**Service**
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	**New**		**Existing**		**Revision** X	
Title and subject of the impact assessment (include a brief description of the aims, outcomes, operational issues as appropriate and how it fits in with the wider aims of the organisation) **Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service**	**Cheshire East Speed Management Strategy** The overall purpose of the Speed Management Strategy is to set out the consistent approaches for: • Speed management • Setting speed limits based on the function and nature of the route as set out in the Department for Transport (DfT) Guidance Document Circular 01/2013 – Setting Local Speed Limits. The Council and Police receive many requests in relation to speed management and speed limit compliance. The Council will consider these through a 3 E's approach: • EDUCATION • ENFORCEMENT • ENGINEERING The Strategy also outlines the role of Cheshire Road Safety Group and the Police in speed management. The Strategy considers these tools and provides the following:					

	• A consistent approach to setting speed limits based on the function and nature of the route. • A consistent approach to the implementation of speed management traffic calming measures. • Criteria for the selection of safety camera sites. • Clarification of the role of the Cheshire Constabulary, Cheshire Road Safety Group, (CRSG), and Cheshire East Council, (CEC), as Highways Authority in relation to setting speed limits and speed management. The strategy excludes temporary speed limits for traffic management purposes as these are risk assessed for specific circumstances and situations to protect workforce operations and those travelling on the highway.
Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)	Members Town and Parish Councils Emergency Services Cycling Groups Schools Cheshire Road Safety Group Bus Operators Road Haulage Association AA RAC General Public Internal Departments - Planning, Highways Development Management, Passenger Transport, Highways, Environmental Services(air quality) A full external consultation is still to be undertaken; however, the Police, Cheshire Fire and Rescue Services, Planning, Public Health, Environmental Services and internal departments of Highways including Development Management have been consulted during the development of the Strategy. This has resulted in the 'Exceptions to Setting Speed Limits' section being developed in the Strategy. The consultation undertaken as part of the development of the Strategy shown support for the Speed Management Group approach.

Consultation/ involvement carried out.	YES X	NO
What consultation method(s) did you use?	Group face to face meetings with Highways representatives (prior to Covid) and TEAMs calls with highways colleagues (post Covid.) Emails also sent to department leads and technical officers in the development consultation group.	

Stage 2 Initial Screening

Who is affected and what evidence have you considered to arrive at this analysis? **(This may or may not include the stakeholders listed above)**	The Police are responsible for speed enforcement and as such this activity has an impact on their resources. This was established during discussions with the Police. All road users are affected by speed limits. The modes of transport by which they travel will impact upon their relationship with and opinion of speed limits. Those using non motorised forms of travel (pedestrians, Cyclists etc) may be benefited from lower speed limits but motorists may find this more intrusive to their journeys. The Council regularly receives correspondence from a range of stakeholders regarding vehicle speeds.
Who is intended to benefit and how	It is intended that the strategy will be read and used by: • Cheshire East Council officers. • Officers with a professional interest in speed management. • Local Members. • Cheshire Constabulary. • Members of the public. • Other stakeholders such as developers of new roads. The Strategy is intended to ensure a consistent approach to speed management in the Borough. Part of the benefit of the Strategy is the setting out of a clear and consistent approach to speed management.
Could there be a different impact or outcome for some groups?	Yes, potentially for those who walk and cycle i.e. non-motorised forms of transport. Such highway users may benefit from the introduction of 20mph speed limits where a location is identified as being suitable.

	As such this Strategy will be viewed with greater importance by Highway users who are identified to be in the more vulnerable categories. Locations where air quality is a concern may also benefit from lower speed limits as this may help keep traffic moving reducing congestion and improving air quality.
Does it include making decisions based on individual characteristics, needs or circumstances?	Speed limits and management measures are based on the prevailing environment of a location, function of the road and pedestrian movement. They are not based on an individuals characteristics, needs or circumstances.
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)	Speed limits and speed management are not based on an individual's characteristics. However, in some locations the Strategy will favour the non motorised user and in others it will favour the motorised user. This may lead to either group feeling they should have been considered differently.
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?	The overall purpose of the Speed Management Strategy is to set out consistent approaches for: • Speed management • Setting speed limits based on the function and nature of the route as set out in the Department for Transport, DfT Guidance Document Circular 01/2013 – Setting Local Speed Limits.

Is there an actual or potential negative impact on these specific characteristics? (Please tick)

Age	**Y**	**N** ✓	**Marriage & civil partnership**	**Y**	**N** ✓	**Religion & belief**	**Y**	**N** ✓
Disability	**Y**	**N** ✓	**Pregnancy & maternity**	**Y**	**N** ✓	**Sex**	**Y**	**N** ✓
Gender reassignment	**Y**	**N**	**Race**	**Y**	**N**	**Sexual orientation**	**Y**	**N**

		✓			✓			✓

Stage 3 Evidence

What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts		Level of Risk (High, Medium or Low)
Age	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Marriage and Civil Partnership	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Religion	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Disability	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Pregnancy and Maternity	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***

Sex	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Gender Reassignment	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Race	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***
Sexual Orientation	Speed limits and management measures are based on the local environment of an area, function of the road and pedestrian movement. Speed Limits and speed management are not based on an individual's characteristics. However, in some locations the strategy will favour the non motorised user and in others it will favour the motorised user.	***low***

Stage 4 Mitigation

Protected characteristics	**Mitigating action** *Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.*	**How will this be monitored?**	**Officer responsible**	**Target date**

Age	N/A	NA	NA	NA
Marriage and Civil Partnership	N/A	NA	NA	NA
Religion	N/A	NA	NA	NA
Disability	N/A	NA	NA	NA
Pregnancy and Maternity	N/A	NA	NA	NA
Sex	N/A	NA	NA	NA
Gender Reassignment	N/A	NA	NA	NA

Race	N/A	NA	NA	NA
Sexual Orientation	N/A	NA	NA	NA

5. Review and Conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed

Speed limits changes and speed management measures are based on a location rather than characteristics of an individual. However, we acknowledge that in some locations a speed limit change or speed management measure will favour the non-motorised user, in others it will favour motorised transport users. This may lead to either group feeling they should have been considered differently.

Specific actions to be taken to reduce, justify or remove any adverse impacts	**How will this be monitored?**	**Officer responsible**	**Target date**
If a speed limit is to be adjusted a statutory consultation process will be followed.	Any objections received will be considered. This may or may not influence the introduction of the adjusted speed limit. This will be recorded via the Council's ODR process.	Promoting officer	After the statutory consultation period has expired (i.e at least 21 days after advertising the proposed order)
Please provide details and link to full action plan for actions			

When will this assessment be reviewed?	If the Speed Management Strategy is revised again		
Are there any additional assessments that need to be undertaken in relation to this assessment?	N/A		
Lead officer sign off		**Date**	28/10/21
Head of service sign off		**Date**	

Please publish this completed EIA form on the relevant section of the Cheshire East website

This page is intentionally left blank

Agenda Item 6

Cheshire East Council

Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Highways and Transport 2022-23 programme preparation
Report of:	Andrew Ross – Director of Infrastructure and Highways
Report Reference No:	HT/11/21-22
Ward(s) Affected:	All Cheshire East Wards

1. Executive Summary

1.1. This report explains the allocation of highway revenue and capital funding to deliver day to day activities and programmes on the public highway to achieve the Council's Corporate Plan and the Local Transport Plan objectives and priorities.

1.2. The amount of revenue and capital budgets that will be available next year are not yet known, but details of this year's approved budget allocations are included to demonstrate the principles that have been applied and activities that are funded in the current financial year.

1.3. The report outlines the challenging funding position in terms of both capital expenditure (being dependent on Department of Transport grants) and revenue expenditure (due to the Council's position in respect of its Medium Term Financial Strategy (MTFS))

1.4. The committee is invited to consider the activities and programmes that are funded from the highways budget so that members views can be considered when setting the detailed budget and business plan for next year.

1.5. A report recommending the budget allocations to programmes for financial year 2022/23 will be brought to this committee in March 2022.

2. Recommendations

The Committee is recommended to:

2.1. Note the demands made on the Council's revenue budgets from the important highway services outlined in the report.

2.2. Note the impact of the level of Department for Transport grant funding on the council's ability to carry out highway maintenance to a desirable level.

3. Reasons for Recommendations

3.1. To inform the committee of the key objectives of the highway and transport services and how they contribute to the Council's overall objectives and priorities.

3.2. To Inform the committee of the current apportionment of revenue and capital funding to the key elements of highway and transport services to achieve those objectives and to allow members to comment prior to a further report being prepared recommending final allocations of budgets to those programmes.

4. Other Options Considered

4.1. Not applicable.

5. Background

5.1. Policy Context - National

5.1.1. The Council is a 'local highway and transport authority' and in this context it has a number of statutory duties to perform that have an impact on the maintenance of the public highway and the provision of transport in the borough. These include:

- Highways Act 1980 – duty to maintain highway maintainable at public expense
- Traffic Management 2004
- New Roads and Streetworks Act 1991
- Well Managed Highway Infrastructure Code of Practice

5.1.2. Highways are the Council's most valuable asset, and the Council receives capital grants from central government to invest in structural maintenance of that asset. The value of this grant has diminished significantly in real terms in recent years and was reduced by 23% last year in Cheshire East, resulting in a deteriorating highway condition. This is a common position across highway authorities nationally.

5.1.3. The national picture was highlighted by the Local Government Association's transport spokesperson in response to the overall reduction in capital funding allocated to councils for local road

maintenance in 2021/22 by the Department for Transport of £400 million (22 per cent). This said that “Councils are working hard to keep our roads safe and resilient, repairing potholes as quickly as they can. However, it would already take £10 billion and more than a decade to clear the current local roads repair backlog”

5.1.4. It is important that in using the limited resources available that the duties contained in the Highways Act and Traffic Management Act, particularly in maintaining a safe network, are given priority.

5.1.5. Some of the Council’s funding is obtained because of the incentive element of central government capital funding. This is awarded to local highway authorities who can demonstrate good practice in how they invest in the highway asset and provides high value for money in terms of asset life. The Council is in the highest category on this measure and receives the maximum incentive funding.

5.1.6. In 2021/22 and 2022/23 the council has also contributed £3m of its own funds for structural maintenance of the network to help contribute to its priority for a safe and well-maintained network.

5.2. Policy Context - Local

5.2.1. The Council’s Highways and Transport programmes are developed to ensure that the Council’s duties as a local authority are delivered and to contribute to the Corporate Plan outcomes and Local Transport Plan (LTP) objectives.

5.2.2. The Corporate Plan has a priority of providing a transport network that is safe and promotes active travel.

5.2.3. The Council has a suite of highway policies that help to inform delivery of the highway service and prioritise how revenue and capital money is spent. A programme of reviews of these policies will come to this committee for consideration over forthcoming meetings.

5.2.4. The Council’s Local Transport Plan 2019 – 2024 is used to demonstrate how government funding will be used to maintain the public highway network and meet local transport needs.

5.2.5. The Council’s financial position as outlined in its Medium Term Financial Strategy (MTFS) means that the annual funding of important service budgets such as highways is challenging.

5.3. Revenue and Capital Budgets

5.3.1. Revenue funding is allocated from the Council’s general fund as part of its budget setting process. Details of how these were allocated this year is shown in 5.4 below.

5.3.2. Capital budgets are determined by the size of grant from central government in the form of two annual block grants: The Structural Maintenance Block (SMB) and the Integrated Transport Block (ITB). The government can also provide Pothole Funding but not

necessarily on an annual basis. Details of how these were allocated this year is shown in 5.5 below.

5.3.3. An additional £3.0m capital from Council funds was provided in the Medium Term Financial Strategy for each of 2021/22 and 2022/23 for highway structural maintenance.

5.3.4. At this stage in the year the revenue budgets and capital grants available to the highway service for the next financial year are not known. Determination of these budgets' forms part of the Council's corporate budget setting process with formal announcement of the budget provided in February.

5.3.5. To enable the detailed work of planning the investment in highway and transport for next year to proceed, members are invited to consider the allocations for this year so that views can be taken into account, before bringing a final recommendation in March 2022.

5.4. Revenue Service Provision

5.4.1. This table summarises the allocations of revenue budget to highway programmes in 2021/22 and reflect current priorities and those areas that have been impacted as a result. The actual level of budget available are to give context only as the 2022/23 overall available budget is not yet known.

5.4.2. The red and amber coloured activities are to indicate where particular consideration will be needed regarding the level of funding required to meet current challenges. Any increase in funding to these areas of challenge would need to be met either by a growth in overall highway budget, or from a reduction other revenue areas.

Highway Asset	Description	Council Revenue Budget Allocation 2021-22	
		(£)	(%)
Coordinating Roadworks and other Activities on the highway	Managing Council, utility and developer works on the highway.	**£587,030**	**6%**
Handling enquiries from the public	Answering enquiries from the public, councillors, and MPs / Providing information on highway activities	**£179,969**	**2%**
Inspection of the highway	Highway inspections / updating digital records / boundary enquiries	**£465,480**	**5%**
Bridges and Structures	Inspection / routine small maintenance works	**£249,866**	**3%**
Drainage system cleaning and repairs	Gully emptying and drainage system cleansing	**£972,051**	**10%**
Pothole Repairs	Repair of carriageway potholes	**£1,296,192**	**14%**
Other Road Repairs (including road edge failures, damaged paving etc)	Footway repairs and other none carriageway repairs	**£568,167**	**6%**

Highway Asset	Description	Council Revenue Budget Allocation 2021-22	
		(£)	(%)
Responding to Emergencies	Responding to urgent defects and emergency issues on the network	**£508,262**	**5%**
Road Markings Renewals	Replacement of warn and damaged road markings	**£12,707**	**0%**
Hedge and Trees	Responding to urgent tree works / hedge cutting	**£341,965**	**4%**
Grass Cutting and Weed treatment	Cutting of grass verges and weed treatment	**£817,716**	**9%**
Fencing & Wall Repairs	Repair of drystone walls and fences	**£12,707**	**0%**
Road Signs Cleaning and Repairs	Cleansing, straightening and repair of road signs	**£12,707**	**0%**
Winter Service (including gritting and snow clearance)	Gritting of roads and provision of grit bins	**£2,026,694**	**21%**
Street Lighting	Repair of streetlight and cable faults / structural and electrical testing	**£559,757**	**6%**
Traffic Signals	Repair of traffic signals and electronic signs	**£312,156**	**3%**
Traffic and Road Safety (including education to schools)	Design of road safety schemes/provision of road safety education to schools	**£241,674**	**3%**
Managing Flood Risk	Addressing statutory duties as the Lead Local Flood Authority including planning applications and flooding issues.	**£271,216**	**3%**
	Overall Revenue Allocation	**£9,436,312**	**100%**
NOTE: Red highlighted boxes Indicate service areas where there is a high probability that funding additional to that provided in 21/22 will be required. This will reduce the funding available in other areas.			
NOTE: Yellow highlighted boxes indicate service areas where there is a moderate probability that funding additional to that provided in 21/22 will be required. This will reduce the funding available in other areas.			

5.5. Capital programme

5.5.1. Annual Block Grants

5.5.1.1. The table below summarises the allocations of capital budget to highway and transport programmes in 2021/22. The actual level of budget available are to give context only as the 2022/23 overall available budget is not yet known.

5.5.1.2. As described in 5.3.1 capital funding comes from two central government block grants; the Structural Maintenance Block (SMB) intended for capital maintenance of highways and structures and the Integrated Transport Block (ITB) for other capital transport programmes. The table indicates which block grant is used for funds each programme:

Integrated Transport and Highways Maintenance - Core Budget Allocations	**Projects and Programmes**	**How are the Projects and Programmes Determined?**	**LTP Block Grants Funding Allocations 2020-21 (£)**	
			(£)	**(%) of Total Block Grants Funding**
Infrastructure & Transport Policy and Scheme Development	**• Town Studies** **• Transport Strategies** - Crewe Transport Access Study - Macclesfield Transport Access Study **• Infrastructure scheme feasibility and development work** **• Levelling Up fund bid - match funding**	**Application of criteria to best deliver Council policy**	**525,000**	**6%**

Integrated Transport and Highways Maintenance - Core Budget Allocations	Projects and Programmes	How are the Projects and Programmes Determined?	LTP Combined ITB and SMB Grants Funding Allocations 2020-21 (£)	
			(£)	(%) of Total Block Grants Funding
Local Highway Measures	**• Ward Member highway improvement budget** **• Minor Works Programme** - Traffic management measures - Traffic Regulations Orders - Pedestrian access improvements - Vehicles passing bays etc	**Member determined based on ward priorities** **Officer determined based on assessment and prioritisation to deliver policy objectives**	**350,000** **347,000**	**4%** **4%**
Sustainable Transport Enhancement Programme (STEP)	**• Active travel investment** **• Public transport investment** **• Sustainable Modes of Transport to Schools (SMOTs)** **• Public Rights of Way and Countryside Access Improvements** **• Boulderstones Bridge Match funding contribution**	**Schemes are prioritised against the objectives of the Local Transport Plan, Sustainable Modes of Transport to Schools (SMOTS) objectives etc to deliver on policy**	**895,000**	**10%**

Integrated Transport and Highways Maintenance - Core Budget Allocations	Projects and Programmes	How are the Projects and Programmes Determined?	LTP Combined ITB and SMB Grants Funding Allocations 2020-21 (£)	
			(£)	(%) of Total Block Grants Funding
Road Safety Investment	• **Local Safety Schemes** – cluster analysis to target killed/seriously injured traffic collision sites • **Minor Safety Schemes** - proactive programme to developing issues raised by Police • **Vulnerable road user Schemes** – cluster analysis focusing on sites VRU injury collision sites • **Road safety camera site related works**	**Application of analysis of police Stats19 road traffic injury collision data to determine work programme that helps reduce number of killed and seriously injured on the roads in the borough.**	**320,000**	**3%**
Programme Management	• **Highway Client team programme management**	**Amount of work delivered by the highway client team that is chargeable to capital in accordance with local government financial rules.**	**200,000**	**2%**

Integrated Transport and Highways Maintenance - Core Budget Allocations	Projects and Programmes	How are the Projects and Programmes Determined?	LTP Combined ITB and SMB Grants Funding Allocations 2020-21 (£)	
			(£)	(%) of Total Block Grants Funding
Highway Asset Investment	• Carriageway Repairs • Footway Repairs • Drainage Improvements • Bridges & Structures • Street Lighting • Traffic Signals • Road markings • Road Signs • Safety Barriers	Evidence led asset management approach using established scoring matrices to prioritise works.	6,615,000	71%
		Overall LTP ITB and SMB Allocation	9,252,000	100%

5.5.2 Pothole Fund

5.5.2.1 The table below summarises the funding provided by central government to help the council address road condition in 2021/22 and how the highway service is using it to repair roads in the Borough.

5.5.2.2 The actual level of government funding available this year is to give context only as the situation for 2022/23 is not yet known. Unlike the ITB and SMB grants the government's funding for potholes is not an annual grant although the experience in recent years is that the DfT have made a Pothole Fund available each year. The size of the fund varies significantly with Cheshire East allocations ranging from £0.500M to the high in 2020/21 of £5.799M.

DfT Pothole Fund	Programme	How is the Programme Determined?	DfT Pothole Fund Allocation 2021-22	
			(£)	(%)
Highway Asset Investment	**• Road repairs**	**Evidence led asset management approach using established scoring matrices to prioritise works.**	**5,799,000**	**100%**
		Overall Allocation	**5,799,000**	**100%**

5.5.2 The draft capital programme for the £3.0m Council investment funded activities below summarises the percentage allocations:

Council Capital Investment - Budget Allocation	Programmes	How are the Projects and Programmes Determined?	Council Capital Investment Allocation 2021-22	
			(£)	(%)
Highway Asset Investment	**• Drainage Improvements** **• Bridges & Structures** **• Street Lighting**	**Evidence led asset management approach using established scoring matrices to prioritise works.**	**1,200,000** **1,400,000** **400,000**	**40%** **47%** **13%**
		Overall Council Allocation	**3,000,000**	**100%**

5.5.3 Notes on funding Tables:

- Sufficient capital funding for the highway network from all sources is essential to provide a safe and well maintained highway network through long term planned investment. The level of capital funding is not sufficient to maintain steady state and we remain in a situation of managed decline. This has an adverse impact on the revenue funded service as this results in higher number of defects requiring a greater proportion of the available revenue budget to deliver reactive repairs to keep the highway safe, but which score lower in terms of value for money.
- Between 2015-2021 the Government provided a six year funding commitment for the Local transport Plan block grants which resulted in the annual grants received remaining unchanged throughout. When construction inflation was applied this resulted in a £1.6million cut in funding in real terms. Inflationary pressures on budgets remains a significant challenge post Covid with supply issues and staff shortages driving up material prices and employment costs.
- The highway service has submitted high level business cases for growth in both revenue and capital budgets for 2022-23 to address the challenges identified above, including to cover exceptional construction inflation that is currently being experienced which are aimed at providing sufficient investment to meet the Council's corporate objective of safer and well maintained roads.

5.6. Next Steps in Business Planning

5.6.1. The process of highway service business planning for the next financial year began in October

5.6.2. The funding allocations will be shared with the Committee in March along with the detailed programmes to note in readiness for publication and deliver from April 2022.

5.7. Legal

5.7.1. The purpose of the report is to provide an overview of the intended expenditure under various budget lines and to obtain members feedback or suggestions on the allocations in each budget line, that have been used as part of the indicative expenditure for the forth coming financial year. A further report will be considered in March before the contents are reviewed as part of the annual spending review carried out by full Council.

5.7.2. Any financial expenditures should be in compliance with the Budget and Policy Framework, and the Finance Procedure rules as set out in the Constitution Chapter 3 part 3 and part 4.

5.8. Finance

5.8.1. No direct financial implications arise from this report. It is intended to demonstrate the principles and context of budgeting for highway programmes and allow consideration to be given to any changes to allocations between different work streams (within the eventual available budget) that may be desirable when the total highways budgets for next year are known.

5.9. Policy

5.9.1. National and local policy context is covered in section 5.

5.10. Equality

5.10.1. An Equality Impact Assessment is undertaken for the delivery of schemes as part of the process to design and deliver them in line with the Council's current policy and practise and takes account of the needs of all residents and users of the public highway.

5.11. Human Resources

5.11.1. There are no Human Resource implications

5.12. Risk Management

5.12.1. The revenue and capital programmes are always subject to change because of unknown events such as extreme weather and flooding that must be responded and recovered from in year. For example, the 2019 floods resulted in £2.5m of funding being reallocated and many programmes were impacted as a result. Such budget adjustments need to be made immediately and would not form part of any Committee decision process; however, the work and programme consequences would be reported at the next available meeting.

5.12.2. The highway network is the council's largest asset. As such it represents a very large financial and reputational risk if it is not maintained and operated in line with engineering best practice.

5.12.3. The provision of day to day highway service and delivery of highway and transport projects has inherent risks, and these will vary for each scheme. The project team for the schemes deliver it in full compliance with the Construction Design Management (CDM) 2015 Regulations. These seek to address and minimise risk from the early stage of design through to completion of construction on site and subsequent whole life maintenance requirements.

5.12.4. The provision of the highway service and delivery of highway and transport schemes requires good project management which includes the development of a Contract wide and scheme specific risk registers. These are monitored and updated as risks are identified and mitigated to minimise their impact on the safe and efficient delivery of services and schemes. All risks have assigned owners who are responsible for mitigating and managing them.

5.13. Rural Communities

5.13.1. The Draft Programme is designed to provide a consistent level of routine and reactive highway service boroughwide and prioritises capital investment in highway maintenance and transport in line with the asset management strategy and Local Transport for the benefit of all residents.

5.14. Children and Young People/Cared for Children

5.14.1. There are no direct implications for children and young people.

5.15. Public Health

5.15.1. Providing a safe highway network that promotes active travel is a key aim of the Council. Road safety activities that reduce traffic speed and volume can prevent injuries as well as a wider impact on health by encouraging active travel.

5.15.2. Investment in the highway asset to maintain condition, improve access and invest in active travel and public transport helps encourage healthier lifestyles and support modal shift to more sustainable modes of transport.

5.15.3. There is a strong evidence base to support improved wellbeing, and physical health through increased physical activity via improved access to green open spaces. The annual work programme helps deliver the council's Local Transport Plan strategy objectives which support the maintenance and improvement of the Public Rights of Way network and facilitate Countryside Access Improvements where appropriate.

5.15.4. Targeted developments in areas with higher levels of deprivation also aim to reduce health inequalities. For example, improved transport networks, and sustainable travel impacts on ability to access employment, education, training, increased social connectivity and reducing social isolation, supporting the wider determinants of health.

5.15.5. The annual highway capital programme includes funding for works that can help to improve air quality and therefore associated respiratory health improvements.

5.15.6. All of the services and works described within this report are delivered through the council's Highway Service Contract with integrated service provider Ringway Jacobs. This contract includes a number of Social Value outcomes which impact on the wider determinants of health and aim to reduce health inequalities.

5.16. Climate Change

5.16.1. Road safety enhancements help reduce the number of road traffic collisions and minimise disruption and congestion on the highway associated with such events. Road safety improvements can also encourage drivers to travel at lower and more appropriate speeds for

the roads and conditions which can contribute to a reduction in vehicle emissions.

Access to Information	
Contact Officer:	Paul Davies, Contract Operations Manager paul.davies@cheshireeast.gov.uk 07748 650204
Appendices:	None
Background Papers:	N/A

This page is intentionally left blank

Cheshire East Council

Working for a brighter future together

Highways & Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Parking Services Enforcement Policy
Report of:	Andrew Ross – Director of Highways & Infrastructure
Report Reference No:	HT/28/21-22
Ward(s) Affected:	All wards

1. Executive Summary

1.1. The purpose of this report is to seek Committee approval of the Council's updated Parking Services Enforcement Policy. This service-specific policy is prepared in accordance with the over-arching Cheshire East Enforcement Policy, as published on the Council's website (see Background Papers).

1.2. A review of the policy has considered changes in relevant legislation and guidance, with appropriate amendments to the Enforcement Policy used by the Council's Parking Services. Updated statutory guidance was published by the Department for Transport in June 2020.

1.3. Accordingly, the updated policy includes provision that take account of key parking enforcement priorities, how the local authority demonstrates consistency in enforcing parking controls and how we monitor the performance of Civil Enforcement Officers. A full copy of the revised policy is appended to this report (see Appendix 1).

1.4. This policy contributes to the Council's Corporate Plan 2021-25 priority for "*Welcoming, safe and clean neighbourhoods*" which states that the Council will use our full range of education, engagement, and enforcement tools to protect our communities. The proposed service-specific enforcement policy supports this priority by ensuring there is transparency in all aspects of our statutory enforcement of parking provisions. The approaches defined in the policy promote and develop the service through communications and publications targeted at service users, residents, and business.

1.5. Enforcement activities enable the Council to uphold parking restrictions and manage parking places that are provided both on-street and in Council car parks. Civil Enforcement activity aims to achieve as close to 100% compliance with local parking restrictions, as part of our overall transport strategy. The parking enforcement policies of the Council help to ensure that the highway network operates effectively, neighbourhood safety and amenity is protected from inconsiderate parking and alternative transport choices are improved for residents and visitors.

2. Recommendations

2.1. The Committee approve the updated Parking Services Enforcement Policy, as set out in Appendix 1.

3. Reasons for Recommendations

3.1. There is a statutory requirement for the Council to have an appropriate Corporate Enforcement Policy in respect of the regulatory services that it provides.

3.2. The overarching corporate policy identifies the Councils' role as a proactive and enforcing Council. Accordingly, there is a need for all Council services engaged in enforcement roles to be clear about their responsibilities, approaches and powers.

3.3. The Council's parking service is responsible for the civil enforcement of both on and off-street parking provisions in Cheshire East. Adoption of an up-to-date, service-specific Parking Enforcement Policy is necessary to fulfil this requirement.

3.4. The aim of enforcement is to engender compliance with prevailing highway regulations. The ambition is for motorists to be compliant with local parking restrictions. This outcome is supported through the publication and adoption of both clear, legally enforceable parking controls and a local policy to enforce these transparently and consistently.

3.5. Adoption of the policy will ensure that the Council has recourse to a clear statement on the rules applying to parking enforcement practices within the borough. Therefore, people who park in Council car parks have clarity on what is necessary to comply with the regulations and conditions of use applying to parking places provided by the Council. In addition, the Council has a clear reference point for enforcement practice when it receives challenges or disputes relating to enforcement actions.

4. Other Options Considered

4.1. The Council could continue to operate under the provisions of the 2016 Parking Services Enforcement Policy. However, where changes to guidance and legislation have occurred in the intervening period, these may

not be adequately addressed and could leave the authority open to potential criticism and challenge in relation to its enforcement activity.

5. Background

5.1. Following the introduction of Civil Parking Enforcement (CPE) under provisions in the Traffic Management Act (TMA) 2004, the Council took responsibility for enforcing parking restrictions within the borough. This responsibility covers both on-street parking bays and off-street car parks operated by the Council.

5.2. Civil Parking Enforcement empowers the council to take effective action where illegal, inconsiderate, irresponsible, or dangerous parking impacts on the quality of life for our residents and businesses. Should a motorist fail to comply with parking restrictions that are in place, a contravention occurs which may lead to the issue of a Penalty Charge Notice (PCN).

5.3. Through the duties of our Civil Enforcement officers, the Council is able to combat illegal and inconsiderate parking, through education, encouragement and enforcement, in ways that aid the free flow of traffic.

5.4. As part of the government's commitment to reducing regulatory burdens, the Regulators Code (the Code) was developed and came into effect on 6 April 2014. The Code was enacted under the Legislative and Regulatory Reform Act 2006 and provides clear principles on how local authorities should interact with those that they are regulating in order to encourage open and constructive relationships.

5.5. The Code is underpinned by the principles of good regulation, which states that regulatory activity should be carried out in a way that is transparent, accountable, proportionate, consistent, and targeted only at cases where action is needed. It is a statutory requirement that regulators must have regard to the Code when developing policies and procedures that guide their regulatory activities.

5.6. The key principles of the Code are that regulators should:

5.6.1. Carry out their activities in a way that supports those they regulate to comply and grow.

5.6.2. Provide simple and straightforward ways to engage with those they regulate.

5.6.3. Base their regulatory activities on risk.

5.6.4. Share information about compliance and risk.

5.6.5. Ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.

5.6.6. And ensure their approach to their regulatory activities is transparent

5.7. The proposed Parking Services Enforcement Policy contains new and updated guidance which shows how we carry out and review parking enforcement. It attempts to strike the balance between national consistency but also allowing parking policies to suit local circumstances, in accordance with recent guidelines. (June 2020 from Department for Transport).

5.8. The corporate enforcement policy was approved in October 2019 and sets the framework for service-specific policies. As a result of a recent Business Improvement Review of Enforcement, Parking Services undertook an extensive review of its existing policies to inform the proposed update to this report and the attached Parking Enforcement policy.

5.9. A copy of the Cheshire East Enforcement Policy and Service Specific Policies is published on the Cheshire East website.

5.10. The Council is required to publish details of performance against the policy. This includes feedback from customer satisfaction surveys, data relating to complaints and appeals against decisions. For Parking Services, this reporting takes the form of the Annual Parking Services Report. Members may wish to note that the most recent report won the national PATROL's Pacer (Promoting Awareness of Civil Enforcement through Reporting) Award for best annual report 2019/20.

5.11. This policy will be reviewed every three years or more frequently should there be a need to respond to significant changes in legislation or other circumstances.

6. Consultation and Engagement

6.1. Officers responsible for the Corporate Enforcement Policy and other service-specific were consulted as 'critical friends' to inform and align the proposed approach.

7. Implications

7.1. Legal

7.1.1 The objective of the enforcement policy is to support the underlying mechanisms for enforcement set out in legislation and a formal policy is required to ensure that our principles and approach to enforcement are clear and transparent.

7.1.2 The policy provides that there will be a consistent approach across the Service that all officers must follow to ensure that non-compliance with legislation is dealt with fairly and proportionately.

7.1.3 The existence of a policy provides the public with clear guidance as to how we approach enforcement matters with regards to parking restrictions.

7.1.4 Whilst certain enforcement action would not be deemed unlawful without the existence of a formal policy, other enforcement legislation is prescriptive in its expectations of the Council and its policies.

7.1.5 Failure to adopt a Parking Enforcement Policy may leave the Council open to legal challenge and place the Council at risk of reputational damage.

7.2. Finance

7.2.1 Implementing this enforcement policy would incur staff time but no other additional costs. Staffing costs are already covered by base budgets within Parking services.

7.2.2 Penalty Charge Notice levels are set by statute and not by Cheshire East Council. There are currently two levels £70 & £50, both of which are reduced by 50% for payment within 14 days. The levels are dependent upon the type of contravention – higher or lower - which again are set by statute. A full list of the contravention codes can be found on the council's website - https://www.cheshireeast.gov.uk/car_parks_and_parking/parking-regulations-enforcement/parking-contraventions.aspx

7.3. Policy

7.3.1 The Enforcement Policy contributes to the Corporate Plan objectives for Open, Fair & Green governance.

7.3.2 The Service-specific policy relating to car parking is considered to be a supplementary document to the over-arching Corporate Enforcement Policy, making clear any particular enforcement practices and procedures that are defined in relation to the Councils parking service.

7.4. Equality

7.4.1 The Enforcement Policy outlines a transparent and consistent approach to parking enforcement, supporting the Corporate Enforcement Policy. There are no equality implications resulting from its adoption.

7.5. Human Resources

7.5.1 Those services that undertake enforcement activity have an ongoing commitment to ensuring that officers engaged in enforcement are suitably trained and supported. There are therefore no additional implications arising from the adoption of this Policy.

7.6. Risk Management

7.6.1 Failure to adopt the Parking Services Enforcement Policy can increase the risk of legal challenge and adverse scrutiny. Care has been taken to ensure that the Council is not unduly constrained in taking the appropriate enforcement action. If a policy is too restrictive then this could be detrimental to fair and effective enforcement; conversely there is a need to provide detail to enable individuals and businesses to understand what they might expect because of non-compliance.

7.6.2 There is a reputational risk to Council by not having a transparent and robust approach to enforcement.

7.6.3 Once adopted failure to comply with one's own Enforcement Policy is open to legal challenge as an abuse of process.

7.7. Rural Communities

7.7.1 There are no specific implications for rural communities.

7.8. Children and Young People/Cared for Children

7.8.1 There are no direct implications for children and young people.

7.9. Public Health

7.9.1 There are no direct implications for public health although enforcement activity covered by this Policy may have a direct or indirect positive impact upon public health.

7.10. Climate Change

7.10.1 The Council has committed to becoming Carbon neutral by 2025 and to encourage all businesses, residents, and organisations in Cheshire East to reduce their carbon footprint. There are no direct implications for climate change although enforcement activity covered by this policy may have a positive impact upon the carbon emissions arising from traffic in our towns by contributing to the

7.10.2 expedient and efficient movement of vehicles on local roads.

Access to Information	
Contact Officer:	Richard Hibbert Head of Strategic Transport & Parking richard.hibbert@cheshireeeast.gov.uk
Appendices:	Appendix 1 – Parking Services Enforcement Policy 2021
Background Papers:	Corporate Enforcement Policy https://www.cheshireeast.gov.uk/business/enforcement/enforcement-policy.aspx

This page is intentionally left blank

Appendix One

Service Specific Enforcement Policy

Parking Enforcement

November 2021

To be read in conjunction with the Cheshire East Council Corporate Enforcement Policy September 2019

Aims and Objectives

With the introduction of Civil Parking Enforcement (CPE) under the Traffic Management Act (TMA) 2004, Cheshire East Council took responsibility for enforcing parking restrictions. The Council's aim is for 100% compliance with parking restrictions that are in place through clear, well designed, legal, and enforceable parking controls. This policy contributes to the delivery of Cheshire East's Local Transport Plan, thereby supporting our wider aims to improve our economy, protect our environment and to create safer and more attractive places to live, work and play.

A set of key priorities has been defined for Parking Enforcement. These are a key management tool enabling the council to combat obstructive and illegal parking that can lead to traffic congestion, adversely impact road safety and constrain accessibility. The key priorities for parking enforcement are, as follows:

- **Contributing to road safety** – by taking enforcement action when vehicles are parked in a way that requires others to pass dangerously or obstructs other road users
- **Contributing to community safety** – such as dealing with situations where parked vehicles restrict access for emergency vehicles
- **Contributing to greater accessibility for all** – such as dealing with situations where inconsiderate parking blocks pavements
- **Meeting the needs of people with disabilities**, by providing and managing disabled parking spaces for genuine users
- **Promoting Safer Parking** near our schools by prioritising patrols around schools at pick up and drop off times, to educate drivers and reduce obstruction / conflicts at peak times
- **Ensuring efficient use of available spaces** – such as where a vehicle has taken up more than one space in our car parks, which prevents other users from parking or easily accessing their vehicle to a lack of space.
- **Contributing to management the highway network** to ensure a free flow of traffic including pedestrians and cyclists, in accordance with our aspirations to be Carbon Neutral by 2025, and make a positive contribution to address climate change.
- **Contributing to road safety education**, especially in the vicinity of schools,
- **Contributing to making Cheshire East a great place to live**, **work and visit** by delivering a clear, transparent and fair approach to parking enforcement
- **Being an efficient and accountable organisation** by ensuring that Civil Enforcement Officers (CEOs) consistently issue Penalty Charge Notice Notices (PCNs) in accordance with the Traffic Management Act 2004

As well as On-Street parking, the Council's Parking Service is responsible for the control, operation and maintenance of the Council's Pay & Display car parking facilities across the borough. There are over 8,700 off-street parking spaces managed by Cheshire East council. Car parks are checked on a quarterly basis for defects, which are then reported for repair in accordance with our asset management procedures.

Contraventions and Penalties

There is a wide range of ways in which enforcement action can be taken against inconsiderate and illegal parking. A full list of parking contraventions can be found on the Cheshire East website.

The Traffic Management Act 2004 currently allows the PCN rates to be set at £50 (lower rate) and £70 (higher rate). If a PCN is paid within 14 days of issue, a discounted rate of £25 and £35 (50%) respectively will apply.

Fees from on-street parking charges and any penalty charge payments received by the council must be used in accordance with Section 55 (as amended) of the Road Traffic Regulations Act 1984. Cheshire East Council Parking Services account for all income and expenditure and the published accounts can be found on our website. The Council sets no targets for the number of PCNs issued; instead, it responds to events arising on the highway. Civil Enforcement Officers do not receive incentivised payments, nor do they work on commission. The Council's Parking Service is committed to using Civil Enforcement powers to educate and influence motorists, in addition to recourse to enforcement by fines, to achieve 100% compliance with all parking restrictions.

Penalty Charge Notice Notices issued for parking contraventions are a debt owned by the Authority, enforceable through the civil justice system. Following the valid issue of a PCN, the Council will take appropriate action, in accordance with the outcomes of any subsequent appeals process, to recover payments that are outstanding.

Civil Enforcement Officer (CEOs) duties

Cheshire East Council's CEOs are front line ambassadors, representing the Parking Service and the whole Council. They are often the first point of contact for our visitors, shoppers, residents, businesses, workers, and commuters. Their role is vital to the satisfaction of parking customers, ensuring that the service provides a high quality experience for users. The role of the CEO is a vital contribution to the successful delivery of the service objectives.

The main objectives of a CEO are to ensure fair and consistent enforcement of Parking Controls. CEO duties also include monitoring signs, lines and parking equipment and providing witness statements. When exercising their prescribed functions, CEOs must wear a uniform that identifies the officer by number, shows the name of the enforcement authority and confirms that the Officer is engaged in parking enforcement. A PCN is valid when the issuing CEO's uniform confirms that the Officer is engaged in parking enforcement. When other elements of the uniform do this, then it is not a requirement for a CEO to wear headgear that fulfils this role.

Appendix One

Penalty Charge Notices (PCN) issued by CEOs can be affixed to the vehicle, handed to the person who appears to be in charge of that vehicle at the time, or issued by post if the CEO is prevented from issuing the PCN.

To protect CEO's from allegations of inconsistency, favouritism, or suspicion of bribery; they do not have any general power to exercise discretion. One exception to this may be a case where a driver returns to the vehicle before a PCN has been issued. In this case, a verbal warning may be issued rather than the PCN.

CEO's do not have access to Driver and Vehicle Licensing Agency (DVLA) records and so do not know who a vehicle belongs to.

Where the CEO has established that legitimate loading or unloading is taking place and there are no safety issues for pedestrians and other road users, they may leave to carry out other tasks and periodically return to observe and reassess the situation (see section on loading and unloading).

All appeals in relation to the issue of a PCN are dealt with by the Council's Notice Processing Team. This ensures consistency and transparency in the approach to enforcing relevant traffic regulations.

There are three circumstances in which a PCN may be served by post:

i) where the contravention has been detected based on evidence from an approved device e.g. a CCTV camera (this provision is not currently used by Cheshire East Council);

ii) if the CEO has been prevented, for example by force, threats of force, obstruction or violence, from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of that vehicle; and

iii) if the CEO had started to issue the PCN but did not have enough time to complete or serve it before the vehicle was driven away.

In the above circumstances the Notice Processing Team would make enquiries through the DVLA to establish the registered keeper or owner of a vehicle.

Once a PCN has been issued, the Notice can either be paid or disputed by following the appeal process. Details on how to pay a PCN and/or how to appeal its issue are documented on the reverse of the PCN itself and on the Cheshire East Council website.

Payment Details

If payment is made within 14 days of issue of a PCN, then the discounted penalty charge fee will apply. The day of service of the PCN is counted as day 1 of the 14-day period. If payment is not made within the 14-day period, the opportunity to pay at the reduced amount is lost and the full charge becomes due.

Payments can be made by:

- Internet - www.cheshireeast.gov.uk/parking
- Automated payment line 0300 123 5036 - 24 hours a day.
- Cheque/postal orders (payable to Cheshire East Council) and posted to: Parking Services, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Penalty Charge Notice (PCN) process

The Parking Penalty Enforcement Chart can be viewed on the Patrol website.

The Appeals Process

Where a parking contravention occurs, it is the 'owner' of the vehicle involved who is legally obliged to pay the penalty charge. The 'owner' means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c.22) is presumed (unless the contrary is proven) to be the person in whose name the vehicle is registered at the DVLA.

The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had a signed statement of liability in respect of any PCN served in relation to the vehicle during the currency of the agreement. If a PCN has been issued to a company owned vehicle, the Notice to Owner (NtO) will be sent to the company listed as the registered keeper of the vehicle.

Vehicle owners may dispute the issuing of a PCN at three stages:

1. Informal

An informal challenge can be made before the Council issues a NtO. This does not apply in the case of a PCN issued by post, as the postal PCN then also acts as the NtO. As a challenge at this stage will be made by the person who has received the PCN, it may be that the person submitting the challenge was the driver of the vehicle, rather than the vehicle's owner.

Challenges must be made in writing:

- Online through the Cheshire East website
- By post to Cheshire East Council, Parking Services, Municipal Buildings, Earle Street, Crewe CW1 2BJ

The PCN number which starts with GA, should be included in the challenge along with reasons why the Notice has been incorrectly issued or compelling reasons why the PCN should be cancelled. Where applicable, documentary evidence should be included to enable the challenge to be fully considered.

If the challenge is accepted, the case will be closed and payment will not be required. If the challenge is rejected and it was received within 14 days from the issue of the PCN, a further 14 days in which to make payment at the discounted rate will be granted. After the 14 days have expired, the full charge will be applicable. If the challenge is rejected and it was received after the initial 14-day discount period, the full penalty charge will be due.

2. Formal

If payment is not received within 28 days of the date the PCN is issued, the Council will make an enquiry to the DVLA to obtain the vehicle owner details. A NtO will then be served, requesting payment of the PCN. At this stage the owner has 28 days in which to make formal representations to the Council. The NtO sets out specific grounds on which formal representations may be made. However, representations may also be made on the basis that, in the particular circumstances of the case, there are compelling reasons for the cancellation of the penalty charge.

If the formal representation is accepted the case will be closed and payment will not be required. If the representation is rejected, the full charge will be applicable and a 'Notice of Rejection (NoR)' will be sent.

Statutory grounds on which a formal representation may be made to the Council:

- The contravention did not occur.
- The recipient has never owned the vehicle in question.
- The recipient had ceased to be the owner before the contravention date or, became the owner after that date. Proof of sale or purchase will be required. If the vehicle has

been sold, the name and address of the person buying the vehicle must also be supplied in order that the Council can redirect the Notice and serve a NtO to the new owner. It is not acceptable to simply say the vehicle was sold to somebody else without proof. A letter from the DVLA confirming that a person was not the owner at the date of event may assist the Council in making a decision.

- The vehicle was a hire vehicle, on hire under a formal hire agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hire period. (A copy of a signed hire agreement, which includes the start and end dates will be required).
- The vehicle was parked without the owner's consent (this does not cover cases such as lending the vehicle to a friend who then parks illegally; or to a vehicle which is parked illegally whilst in the hands of a vehicle repair or service business). If the vehicle has been stolen, the Council will require details of the crime reference number and the name of the police station to which the crime was reported or a letter from an insurance company.
- The Penalty Charge exceeded the amount properly due (i.e. the amount is more than you are legally liable to pay – not that you feel the charge is too much).
- The traffic order was invalid (i.e. the Council had not followed the proper statutory steps in making the order).
- There has been a procedural impropriety by the enforcement authority
- The NtO should not have been served because the PCN had already been paid

Each case will therefore be considered on its own merits and all relevant mitigating circumstances will be considered.

Mitigating Circumstances which may apply:

- The person became unwell while driving or whilst parked. Evidence of having a medical condition that is consistent with the symptoms described will be required. This evidence should also indicate at the time the PCN was issued that the condition had prevented safe movement of the vehicle.
- The vehicle had broken down. Evidence of breakdown is required such as an authenticated garage repair/ vehicle recovery bill. This evidence should indicate the timing is relevant to the issue of the PCN.
- You were delayed due to unforeseen circumstances and the parking time purchased had expired. Where appropriate evidence is produced to confirm that delay was caused by unforeseen, unavoidable, and exceptional circumstances.
- The Pay and Display machine was faulty. This is subject to another Pay and Display machine not being available and maintenance records supporting the claim.
- The vehicle was on police, fire brigade or ambulance duties. Supporting evidence by a senior office on letter headed paper is required.
- The owner liable for payment of the PCN is said to have died or the motorist claims to have been recently bereaved. The circumstances will be explored by making sensitive enquiries.

The above list is not exhaustive, for full mitigating circumstances – see the Cheshire East Council website.

A PCN is unlikely to be cancelled on the following grounds:

- The parking restrictions are unfair.
- You had not noticed the signs advising of the restrictions
- You displayed the wrong, expired or an invalid permit
- The Blue badge was not on display and/or not properly on display.
- You claim to be unaware of the restriction.
- You had gone to get change for a pay and display machine.
- You had only parked for a few minutes.
- You were not causing an obstruction.
- There was nowhere else to park.
- You ran out of fuel (unless due to a mechanical or electrical fault in which case evidence will be required).
- You are a Council Officer or Elected Member attending Council business.
- You are a Council Officer or Elected Member and the only space available was a disabled parking bay

The above list is by no means exhaustive.

The process of dealing with challenges and representations against the issue of PCN's is well documented and will be carried out in a fair, transparent, unbiased, and consistent manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator – The Traffic Penalty Tribunal.

To preserve the integrity of these procedures, they will be managed and carried out by the staff in the Notice Processing Team within Parking Services. There is a formal process to be followed by **all** recipients of a PCN and Council employees, Members, MP's, friends, family, or acquaintances have no special exceptions nor are favoured over other motorists. Other than the mitigation described on the website, there is no favouritism or special treatment or consideration. The legislative process will not be influenced unless either the PCN was issued unlawfully, the contravention did not occur or there was a procedural impropriety. The team DO consider all valid mitigation.

3. Appeal to the Traffic Penalty Tribunal

Following a 'NoR', the owner (or hirer, if the vehicle was on hire when the PCN was issued) may, within 28 days from the date of issue of the 'Notice of Rejection of Representation' appeal to the Traffic Penalty Tribunal. The form to make the appeal is included with the Council's rejection letter. The adjudicators have a judicial position and are appointed with the agreement of the Lord Chancellor. They are independent of the Council and their decision is final (subject to their own power to review a decision).

The appellant has the choice of a postal decision, a personal hearing at the town or city of his/her choice, from the locations listed on the appeal form, or a telephone hearing. If the appeal is accepted the case will be closed and payment will not be required. If the appeal is dismissed the full penalty charge is payable.

Charge Certificate

If payment is not received, a Charge Certificate will be issued which increases the original charge by 50%. It occurs, not less than 28 days beginning with the date on which:

- the NtO is served and no formal representation has been received.
- a Notice of Rejection of Representation is sent, and no appeal is made to the Traffic Penalty Tribunal.
- the adjudicator's decision to dismiss the appeal is served on the appellant.

Debt Registration

If, after 14 days from the issue of the Charge Certificate, payment is not received, the Council will register the debt at County Court. This could ultimately lead to the issue of a warrant which is recoverable through an independent enforcement agent where their fees will also apply.

Annual parking reports

Our annual parking reports give useful information on our parking services and how we are improving our activities and enforcement across the borough for the benefit of the community. The reports also include statistics relating to parking income and expenditure and PCN reasons and numbers. The annual parking report is located on the Cheshire East website.

Bank Holiday and Sunday parking

Parking restrictions apply on Bank Holidays, unless there are traffic signs/time plates that specifically state otherwise. It is the responsibility of the motorist to ensure they park in compliance with the restrictions in place. Certain parking restrictions apply on Sunday's. You cannot park on double yellow lines, No loading areas, Restricted parking zones, Pedestrian Zones, Taxi bays, Disabled Bays, Bus stops, Ambulance bays, or certain loading bays. These areas of enforcement are 24/7 no parking.

Carbon neutral council – by 2025

Car share – All CEO's are expected to car share if travelling to the same location. We recycle our office waste and from 2020, PCN envelopes are now recyclable. Reports, TRO's, Newsletters are sent out by email which eliminates the need to print. Some of our uniform clothing is made from recycled plastic. LED lighting has been installed on our multi-storey car parks (MSCPs), which reduces our carbon footprint and reduces energy usage. Lights within the MSCPs are all on a timer too.

CEO's encourage vehicles not to idle – particularly outside schools. This supports the Council's aims on air quality. More information on air quality awareness can be found on the Cheshire East website.

Appendix One

CEO performance monitoring

The Parking Enforcement Supervisor/Seniors undertake regular performance monitoring of the civil enforcement team. Their yearly objectives are set around improving the quality of PCN's issued and reducing those that may have been issued in error. This includes the quality of PCN evidence, which reviews photographs and notes. CEOs performance is also measured on their behaviours when carrying out their duties linked to the Council's Vision, Outcomes, and workplace culture alongside details in complaints, compliments, and service suggestions.

Complaints

The Council's complaints procedure does not apply to challenges or representations against PCNs. The driver or the registered keeper of the vehicle can appeal the PCN. See Appealing parking Penalty Charge Notice (PCN) section for further information

Allegations that a CEO has made an error while issuing a PCN will be investigated under the standard challenge/representation procedure, and a written response will be sent.

However, any allegation of misconduct or rudeness by enforcement staff against a member of the public or specific complaints around processes will be logged, investigated and responded to by Parking Services. Details can be found on the Cheshire East website.

Enforcement requests

Customers are advised to notify Parking Services of any parking issues they are experiencing using the dedicated mailbox parking.enforcement@cheshireeast.gov.uk. However, we can only enforce if there are parking restrictions in place. If obstruction or dangerous parking is taking place and there are no parking restrictions, this is the responsibility of the police, and they should be contacted on their non-emergency line 101.

How to report illegal parking issues

Illegal parking issues can be reported to the Council using the online reporting form located on the Cheshire East website or by telephoning the Councils Contact Centre on 0300 123 5020. For the team to deal with these issues effectively we ask for as much information as can be provided, including contact details in case we require additional information.

Key Performance Indicators (KPI)

Parking Services has two key performance indicators whereby the statistical information is extracted from the Taranto System and reported quarterly.

1. The number of PCN's cancelled due to CEO error (this must be below 2% with intervention starting if they reach 1.5%)

2. 100% of correspondence is allocated within 14 days of receipt

Legislation

Appendix One

The legal provisions governing parking enforcement include:

- Traffic Management Act 2004
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
- The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
- The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007
- The Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007
- The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007
- The Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) Order 2007
- The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2008
- The Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) (Amendment) Order 2008
- The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2009
- The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015
- The Civil Enforcement of Parking Contraventions (England) General (Amendment No.2) Regulations 2015
- The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2020

If the keeper is querying the authority behind a specific restriction, reference should be made to the relevant Traffic Regulation Order (TRO), held by the Council.

Obstruction

Within current civil enforcement legislation, the offence of obstruction cannot be enforced through the process of civil parking enforcement. CEO's can only enforce parking 'contraventions' where there are yellow lines associated with a TRO. Without such restriction's, enforcement associated with vehicles parked in an obstructive manner can only be undertaken by the police (Section 137 of the Highways Act 1980).

Loading and Unloading

"Loading and Unloading" means the transference from (or to) a vehicle to (or from) premises adjacent to where the vehicle is parked, of heavy or unmanageable Goods that are not designed to be carried by hand other than over a very short distance. Regulations permit a vehicle to be parked on a single/double yellow line whilst loading and/or unloading is taking place. An observation period is permitted to confirm such action, since the activity of loading and/or unloading must be continuous whilst the vehicle is parked on the waiting restriction.

Observation Period

The observation period is the time, prior to issue of a PCN, during which a CEO will visually determine whether a specific contravention has occurred or not. The details of the vehicle would be entered into the CEOs handheld device, when first observed, and the device will subsequently prevent the issuance of a PCN until the relevant observation period for the contravention has elapsed. Observation periods can vary. PCN's for some contravention codes can be issued instantly, without any extended observation period being required, however many contraventions do require an observation period.

Proactive joint working

Where resources permit, the CEO's will undertake several joint enforcement activities throughout the year. These may include but are not limited to: -

- Late night enforcement of parking restrictions in areas where the night-time economy is prevalent but adherence to parking restrictions is low – this may be done alongside our Licencing enforcement teams and Cheshire Constabulary
- Marshalling of visitor hotspots – providing an enhanced and concentrated presence alongside United Utilities and Cheshire Constabulary
- Undertaking presentations in school assemblies with Cheshire Fire and Rescue Services and Cheshire Constabulary promoting our Safer Parking around school's education package.

Professional memberships

We are a member of two parking associations that provide good practice advice and guidance:

PATROL - the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee.

BPA - the British Parking Association.

MISG - Midland Improvement Service Group (Civil Parking Enforcement Task Group)

Restrictions

For rules on waiting and parking, please refer to the Highway Code.

Training and qualifications

All CEOs undertake the City and Guilds level 2 in Parking Enforcement qualification once they have been confirmed in post, following any probation period.

Background information

Guidance for Local Authorities on enforcing parking restrictions

Appendix One

This page is intentionally left blank

Cheshire East Council

Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Local Cycling and Walking Infrastructure Plan (LCWIP) - Implementation Report
Report of:	Andrew Ross, Director of Highways and Infrastructure
Report Reference No:	HT/10/21-22
Ward(s) Affected:	All wards in Crewe, Macclesfield, Congleton and Wilmslow

1. Executive Summary

1.1. The Council has clear ambitions for delivering sustainable and inclusive economic growth and environmental improvement. A key requirement to achieve these ambitions is investment in the infrastructure that supports and enables cycling and walking. Local Cycling and Walking Infrastructure Plans (LCWIPs) have been developed for Crewe, Congleton, Macclesfield and Wilmslow, setting out ambitious programmes to create high quality walking and cycling networks. These four towns were selected for the development of an LCWIP following an evidence-based review, in accordance with guidelines from the Department for Transport, which identified them having high potential to increase levels of walking and cycling.

1.2. The purpose of this report is to provide the Committee with an update on implementation of the LCWIPs. The report contributes to the following priority outcomes identified in the Corporate Plan:

1.2.1. **GREEN** – through delivering improved routes, the Council will encourage increases in the number of people walking and cycling. This will positively contribute both to our response to the climate emergency and also to reducing the incidence of air quality problems, especially in urban areas.

1.2.2. **FAIR** – through delivering improved walking and cycling networks the Council will provide low cost travel options for all residents and visitors to work, school, and other everyday destinations. By improving the network in line with high quality and accessibility guidance this will improve access on to routes for people with mobility aids and adapted cycles.

1.3. Department for Transport has provided technical support to develop LCWIPs, stating that 'whilst the preparation of LCWIPs is non-mandatory, local authorities who have plans will be well placed to make the case for future investment'. Following the Comprehensive Spending Review in November 2020, this continues to be the approach. There are clear indications that authorities with complete and adopted LCWIPs are more likely to receive DfT funding in future years, as part of national funding programmes such as "Gear Change".

1.4. The LCWIPs prepared for Cheshire East have identified a sequenced programme of potential routes and infrastructure improvements for future investment. It is important to note that the published plans are not fully funded, rather they are a mechanism that helps to Council seek future funding for walking and cycling from a range of funding organisations. These improvements take account of the volume of cycling and pedestrian movements in Cheshire East, and the potential to increase these to achieve wider strategic outcomes. All schemes identified in LCWIPs are subject to further detailed development and design work, with extensive public consultation necessary before schemes are implemented.

1.5. Following Cabinet approval of the LCWIPs in March 2021, further technical work has been completed to develop an outline multi-year implementation plan and to begin delivery of several schemes. The draft implementation plan is included in Appendix 1, which identifies schemes to be brought forward, timescales, and anticipated funding sources.

1.6. The LCWIP implementation plan sets out an indicative funding requirement of £65m to deliver the schemes. It is important to recognise that the LCWIPs are not fully funded at this stage. Appendix 1 summarises the funding that is currently committed to delivery of LCWIP schemes. The LCWIP's establish a plan for improvements that can help in securing future funding from external sources. One funding source that is anticipated to be key is the DfT's Active Travel Fund, that can only be deployed on walking and cycling improvements in line with Local Transport Note 01/20 design guidance. This LCWIP implementation plan is intended to form the basis of future funding submissions to the Active Travel Fund.

1.7. Funding to deliver schemes will also be drawn from either existing budgets, such as the Council's Local Transport Plan, or developer contributions. Delivery of projects is being embedded into the annual

capital programmes and is responsive to take maximum advantage of available funding opportunities as they arise.

2. Recommendations

2.1. The Highways and Transport Committee is recommended to:

2.1.1. Approve the draft LCWIP implement plan in Appendix 1 as a basis for future development and delivery of schemes.

2.1.2. Note that individual schemes will be embedded within the annual capital programmes and subject to scheme design and development including consultation with stakeholders.

3. Reasons for Recommendations

3.1. The LCWIPs are evidence-based plans that have identified an integrated and high quality walking and cycling network necessary to achieve the Council's wider environmental, economic and community objectives.

3.2. Approval of the draft implementation plan will enable the Council to proactively develop schemes and seek external funding from central government and other sources.

4. Other Options Considered

4.1. The DfT has noted that LCWIPs are not mandatory documents but that local authorities who have plans will be well placed to make the case for future investment. Therefore, not developing an implementation plan for the LCWIPs would likely result in avoidable constraints for securing external funding. Additionally, failure to develop a strategic network plan may lead to future investment being uncoordinated and poorly integrated.

5. Background

5.1. It is the Council's ambition to improve walking and cycling facilities within the Borough. Investing in good quality cycling and walking infrastructure to give people safe and attractive routes is an important factor in encouraging the uptake of walking and cycling for commuting and leisure.

5.2. The Cheshire East Cycling Strategy, adopted in 2017, outlines the target to double the number of people cycling once per week for any journey purpose in Cheshire East by 2027, which also aligns to the Government's ambition.

5.3. Following the publication of the Cycling and Walking Investment Strategy (CWIS) by the DfT in 2017, LAs have been encouraged to develop LCWIPs to provide a strategic approach to identify walking and cycling improvements which are required at a local level.

5.4. Local Authorities (LAs) have been advised by the Department for Transport (DfT) to develop Local Cycling and Walking Infrastructure Plans (LCWIPs); which should provide a strategic approach to identify walking and cycling

improvements needed at a local level to increase the number of people cycling and walking for journeys to employment, education, and other everyday purposes.

5.5. Local Cycling and Walking Infrastructure Plans (LCWIPs) have been developed for Crewe, Congleton, Macclesfield and Wilmslow, setting out ambitious programmes to create high quality walking and cycling networks. The scope of these plans reflects the potential for walking and cycling to be a viable travel choice for many shorter trips (up to 5 miles). Emerging networks for walking and cycling cover the wider area around each of the named towns. In addition, the Local Transport Delivery Plans that are being prepared for the 11 principal towns and key service centres in Cheshire East, provide an opportunity to embed a greater range of walking and cycling projects into the Council's integrated transport delivery programmes.

6. Consultation and Engagement

6.1. The Council's Cycling Champion – Cllr Suzie Akers-Smith – is closely engaged in the development and delivery of projects arising from the LCWIP's. Through on-going engagement and liaison with local community representatives, the Cycling Champion is able to guide the technical development of projects to reflect local circumstances and better meet users' needs and expectations.

6.2. From 1st May to 25th June 2018, the LTP went through a public consultation. Representatives from local walking and cycling user groups in Congleton, Macclesfield and Wilmslow were invited to attend their local LTP consultation drop-in sessions to specifically help inform development of the LCWIPs covering those areas.

6.3. A workshop was held with local user groups in April 2020 to inform development of the Crewe LCWIP.

6.4. Workshops were held in January 2021 with representatives from local community user groups (including Active Travel Crewe, Active Travel Congleton, Macctastic, Cycle Wilmslow) to gain feedback on the proposed LCWIP to inform the final documents.

6.5. Proposals from the LCWIPs have been discussed with Town Councils as part of wider transport discussions, including during the preparation of Neighbourhood Plans.

6.6. Specific engagement and consultation will be conducted on each scheme as it moves forward to the development and delivery phases.

7. Implications

7.1. Legal

7.1.1. As the local transport authority, Cheshire East Council has a legal duty to maintain a safe and efficient highway network. Developing a coordinated, high quality walking and cycling network will contribute to fulfilling this legal duty.

7.1.2. In developing future schemes, the appropriate legal processes will need to be followed for the implementation of schemes e.g. Traffic Regulation Orders. This will be completed for specific schemes as they come forward for development and implementation.

7.1.3. In developing and implementing electric vehicle charging infrastructure, the Council must have regard to the transport needs of disabled persons and of persons who are elderly or have mobility problems. Development of plans will need to be in accordance with statutory and legal requirements for Community Engagement and Equalities Impact Assessment.

7.1.4. Members must be fully aware of the equalities implications of the decisions they are taking. This will ensure that there is proper appreciation of any potential impact of any decision on the Council's statutory obligations under the Public Sector Equality Duty. As a minimum, this requires decision makers to carefully consider the content of any Equality Impact Assessments produced by officers.

7.1.5. There is no statutory duty to consult on proposals to change the way in which a local authority carries out its duties but there is an expectation enshrined in case law that any local authority making decisions affecting the public will do so fairly and in a way that cannot be said to be an abuse of power.

7.2. Finance

7.2.1. There are no direct finance implications from the adoption of the LCWIPs implementation plan, however, adoption will put the Council in a stronger position to gain external funding.

7.2.2. Upon adoption by the Council, the LCWIPs implementation plan will provide a framework of prioritised schemes that could be become part of the approved Capital Programme for Transport and Highways once a funding stream has been formally agreed, the schemes are deemed affordable and the necessary financial approvals are in place.

7.2.3. Schemes are anticipated to be funded from a range of sources including: Local Transport Plan Integrated Transport Block; developer funding such as Community Infrastructure Levy, Section 106 & 278 Agreements; the Council's own funds if resources are available, and any other external funding that the Council can secure.

7.2.4. The DfT has noted in the 'Gear Change' strategy that an 'Active Travel England' inspectorate is being established. A responsibility of this inspectorate will be to 'publish annual reports on highway authorities, whether or not they have received funding from us, grading them on their performance on active travel and identifying particularly dangerous failings in their highways for cyclists and pedestrians'[1]. The strategy also notes that 'Active Travel England's assessment of an authority's performance with respect to sustainable travel outcomes, particularly cycling and walking, will be taken into account when considering funding allocations for local transport schemes'.

7.3. Policy

7.3.1. Adopting the LCWIPs implementation plan will assist in the delivery of the Local Transport Plan (LTP) and routes identified in the LCWIPs have been included in the Local Transport Delivery Plans options lists for the respective towns.

7.4. Equality

7.4.1. An Equality Impact Assessment has been developed for the LCWIPs programme

7.4.2. Audits of routes were completed as part of the development of the LCWIPs including the consideration of accessibility issues for a range of users. The Council's Equality, Diversity and Inclusion Officer was involved in this process.

7.4.3. The EIA has identified that:

- Residents should benefit from schemes that will be delivered, helping to improve levels of physical activity, with benefits to physical and mental health.
- Research has shown that a higher proportion of men than women cycle in the UK. It is anticipated the delivery of higher quality and safer infrastructure would help to address this imbalance.
- People with disabilities, such as sight loss and physical mobility impairments, can be negatively affected by some highways and transport schemes. Appropriate mitigation measures will be put in place when individual schemes are brought forward for further design, development and implementation. Consideration will be given as part of scheme development to understand any

[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf

potential negative impacts and seeking early and proactive engagement with these groups to understand their needs.

7.4.4. Specific EIAs will be developed as appropriate for schemes as they come forward for development and delivery.

7.5. Human Resources

7.5.1. There are no direct implications for Human Resources.

7.6. Risk Management

7.6.1. Development and delivery of specific schemes are governed by Project Boards chaired by the Head of Strategic Transport. Officers from finance, legal, research and consultation, estates, and highways will be invited to attend to ensure appropriate project governance and strategic direction. Project risk registers are maintained detailing mitigation measures.

7.7. Rural Communities

7.7.1. The routes proposed in the LCWIPs have been fed into the Local Transport Delivery Plan process to ensure that routes are co-ordinated with other transport improvements connecting into rural areas.

7.8. Children and Young People/Cared for Children

7.8.1. No direct implications for children and young people have been identified.

7.9. Public Health

7.9.1. The public health benefits of active travel are well established. Travelling actively helps people meet the recommended physical activity targets, improves physical and mental health, whilst reducing the risks of poor health and premature death.

7.10. Climate Change

7.10.1. The Council has committed to becoming carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint. The LCWIPs have been aligned with the LTP and therefore wider Council strategies. The LCWIPs set out measures to improve walking and cycling infrastructure, which will enable more sustainable travel.

Access to Information	
Contact Officer:	Richard Hibbert, Head of Strategic Transport Richard.hibbert@cheshireeast.gov.uk 07866 157324
Appendices:	Appendix 1: LCWIPs Implementation Plan (draft)

Background Papers:	None

Town	Route	2021-2022	2022-2025	2025-2031	Scheme Type	Delivery Timescale	Prioritised in LCWIP?	Anticipated Funding Source(s)	Funded
Congleton	Lower Heath to Town Centre		Complementing the congleton link road by reallocating road space on Clayton bypass to create route to link between Barn Road roundabout and West Street roundabout	Constructing remainder of route towards Lower Heath further route north of Clayton bypass	Segregated cycle tracks	2022-2025	Y	Active Travel Fund, Developer Funding and Local Transport Plan Integrated Block	Part
Congleton	Rail Station to Town Centre	Improving station gateway at Ayrshire Way/Park Road		Remaining route	Improved crossing points	2021-2022	Y	Local Transport Plan Integrated Block	Part
Congleton	West Heath to Town Centre			West Road, West Road and Holmes Chapel Road	Segregated cycle tracks	2025-2031	Y	Active Travel Fund, Local Transport Plan Integrated Block	Part
Congleton	Congleton East-West Greenway		East-West Greenway including new bridge structure across River Dane		Bridge structure and Greenway	2022-2025	Y	Developer Funding and Active Travel Fund	No
Congleton	Core Walking Zone		CWZ improvements		Public realm improvements, informal streets, wayfinding signage	2022-2025	Y	Local Transport Plan Integrated Block	No
Crewe	Town Centre Loop		Nantwich Road, Mill Street corridor, and Southern Gateway	Remaining route	Bridge structures, segregated cycle tracks and informal streets	2022 - 2031	Y	Towns Fund, Levelling Up Fund, Future High Streets Fund, Active Travel Fund (including Mini Holland)	No
Crewe	Leighton Hospital to Crewe Town Centre		Links to NW Crewe Package	Remaining route	Greenway	2025-2031	Y	Developer Funding, Local Transport Plan Integrated Block, Active Travel Fund	No
Crewe	Crewe Station to Nantwich Town Centre		Nantwich Road and improving Peacock Roundabout	Remaining route	Segregated cycle tracks, mixed strategic cycle route and crossing improvement	2022 - 2031	Y	Developer Funding, Local Transport Plan Integrated Block, Active Travel Fund	Part
Crewe	Leighton Hospital to Nantwich	Delivery of A530 route between Copenhall Lane and NW Crewe Package	Improving section between Copenhall Lane and Rising Sun	Remaining route	Greenway and improved crossing points	2021-2022	Y	Local Growth Fund, Homes Infrastructure Fund, Developer Funding and Active Travel Fund	Yes

Crewe	Crewe Station to Shavington			Improvements to route from Crewe Station to Shavington, linked with Basford West development	Segregated cycle tracks, mixed cycle route, crossing improvements, traffic calming, speed reduction, lighting, signage	2025-2031	Y	Towns Fund, Levelling Up Fund, Future High Streets Fund, Active Travel Fund (including Mini Holland)	No
Crewe	Wistaston to Crewe Town Centre			Improving route from Connect 2 segregated route towards Crewe town centre	Mixed strategic cycle route, streetscape improvements, traffic calming, speed reduction, junction improvements	2025-2031	Y	Local Transport Plan Integrated Block	No
Crewe	Crewe Station to Haslington		Improve section from Crewe Station towards Crewe Arms roundabout	Improvements to existing routes	Segregated cycle tracks, traffic calming, speed reduction, junction improvements, route signage	2025-2031	Y	Towns Fund, Levelling Up Fund, Future High Streets Fund, Active Travel Fund (including Mini Holland), Local Transport Integrated Block	No
Crewe	Grand Junction Retail Park to Sydney			Improvements to Manchester Road Bridge, segregated cycle route	Segregated cycle tracks, junction improvements, crossing improvements, lighting, surfacing	2025-2031	Y	Towns Fund, Levelling Up Fund, Future High Streets Fund, Active Travel Fund (including Mini Holland)	No
Crewe	Low Traffic Neighbourhoods		Phased delivery of improvements		Low Traffic Neighbourhoods	2022-2025	Y	Active Travel Fund (including Mini Holland Fund), Local Transport Plan Integrated Block	No
Crewe	Weston Road		Weston Road improvements to link into Nantwich Road scheme and Weston		Segregated cycle tracks	2022-2025	Y	Developer Funding, Active Travel Fund (including Mini Holland Fund), Local Transport Plan Integrated Block	No
Crewe	Core Walking Zone		Linked to town centre redevelopment		Public realm improvements, crossings, signed routes, lighting and surfacing	2022-2025	Y	Towns Fund, Levelling Up Fund, Future High Streets Fund, Active Travel Fund (including Mini Holland)	No
Macclesfield	Town Centre to Hurdsfield Industrial Estate and Tytherington	Delivery of Black Lane / Hurdsfield scheme Delivery of Manchester Road scheme in Tytherington	Remaining route		Light segregation, mixed strategic cycle route, and improved crossing points	2021 - 2025	Y	Active Travel Fund (including NCN improvement funding), Local Transport Plan Integrated Block	Part

Macclesfield	Town Centre to South Macclesfield Development Area			Improvements to the south of town centre and quietway links to South Macclesfield Development Area	Mixed strategic cycle route	2025-2031	Y	Developer Funding, Active Travel Fund, Local Transport Plan Integrated Block	No
Macclesfield	Macclesfield Town Centre to District General Hospital			Route improvements including better crossing points of Cumberland Street	Mixed strategic cycle route	2025-2031	Y	Developer Funding, Active Travel Fund, Local Transport Plan Integrated Block	No
Macclesfield	Core Walking Zone		CWZ improvements linked to town centre regeneration		Public realm improvements, wayfinding signage, surfacing	2022-2025	Y	Developer Funding, Active Travel Fund, Local Transport Plan Integrated Block	No
Wilmslow	Town Centre towards Handforth	Delivery of Manchester Road scheme		Replacing steps with ramp on route adjacent to MacLean Way	Light segregation and mixed strategic cycle route	2021 - 2025	Y	Active Travel Fund, Developer Funding, Local Transport Plan Integrated Block	Part
Wilmslow	Town Centre towards Waters Employment Area	Delivery of shared path alongside A538 near Waters	Remaining route		Mixed strategic cycle route	2021 - 2025	Y	Active Travel Fund and Local Transport Plan Integrated Block	Part
Wilmslow	Core Walking Zone		Crossing improvements on key routes		Crossing improvements	2025-2031	Y	Active Travel Fund and Local Transport Plan Integrated Block	No

This page is intentionally left blank

Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	16 November 2021
Report Title:	HS2 Update
Report of:	Andrew Ross, Director of Highways and Infrastructure
Report Reference No:	HT/07/21-22
Ward(s) Affected:	All Wards

1. Executive Summary

1.1. Having an efficient and integrated transport network in Crewe is critical to supporting the continued regeneration of the town and preparing for the arrival of HS2.

1.2. This report outlines the next steps to develop a refreshed transport plan and priorities for central Crewe following the decisions taken by Corporate Policy Committee at its meeting on the 4 November 2021.

1.3. The report highlights some of the Council's recent successful investments in Crewe and sets out how these along with other planned projects will be considered in shaping the next set of transport priorities.

1.4. The report also identifies the work required to support the Council's Levelling Up Fund transport bid to Government for Crewe to accelerate the delivery of key transport priorities.

1.5. The work outlined in this report on transport for Crewe will support sustainable economic growth and health equalities and contribute to the delivery of the Council's Corporate Plan, Local Plan and Local Transport Plan policies and objectives.

2. Recommendations

2.1. That Committee:

2.1.1. Note the decisions of the Corporate Policy Committee on 04 November 2021;

2.1.2. Note the work requirements for the refresh of the transport plan s for Crewe, including:

2.1.2.1. Updating the Crewe Transport Model to provide an up-to-date baseline of the local transport network and priorities;

2.1.2.2. Developing a revised transport strategy for central Crewe area (Appendix 1) that both can capture the short-term Government investment priorities and support the long-term HS2 ambition;

2.1.2.3. Prioritising transport interventions identified in the transport strategy into short, medium and long-term priorities;

2.1.2.4. Preparing a Local Transport Authority Levelling Up Fund bid for Crewe, to seek up to £50m of funding to enable the delivery of package of short-term transport priorities in line with the revised transport strategy; and

2.1.2.5. Undertaking community and stakeholder engagement and consultation, as required, to support a Local Transport Authority Levelling Up Fund bid for Crewe.

2.1.3. Note that a further report will be presented to a future meeting of this Committee on the transport plan for Crewe and the local transport authority Levelling Up Fund bid

3. Reasons for Recommendations

3.1. The Council remains committed to supporting the long-term regeneration of Crewe, to enable economic development and promote it as a place to live, work and visit.

3.2. The future arrival of HS2 will give a further boost to the town's connectivity and open further opportunities for growth in high quality jobs and homes.

3.3. Owing to the economic impacts rising from the Covid-19 pandemic the scale of the opportunity for Crewe is now likely to take longer to realise and the Council's plans need to reflect this.

3.4. Recent funding successes through the Future High Streets Fund and Towns Fund and new Government investment priorities, such as the Levelling Up Fund, clearly show significant short term regeneration opportunities for Crewe in advance of the arrival of HS2.

3.5. An efficient and effective transport network is an essential component to unlocking the full benefits of these investments in Crewe. Developing an updated Crewe Transport Model will enable the Council to understand what transport schemes support both the short-term regeneration plans and the

ambition for HS2. The transport model and plan that it supports are essential for preparing transport funding bids and scheme business cases.

3.6. A Local Transport Authority bid for a package of investments in Crewe, underpinned by the outputs of the updated transport model and transport strategy, and currently provides the best opportunity to secure up to £50m of Government funding.

4. Other Options Considered

4.1. The Crewe Transport Model and revised transport strategy work for the central Crewe area be paused. This would mean that transport priorities, funding bids and investments would not support the update of planning policy, regeneration plans and developments for the town. Consequently, the transport networks could in fact end up acting as a constraint to growth and regeneration across the town, rather than an enabler.

4.2. The Council could not prepare a Local Transport Authority bid into the Levelling Up Fund. Given the limited funding opportunities available or expected in the coming years, this would be a significant lost opportunity to deliver critical transport investments to benefit the borough.

4.3. The Council is limited to a single Levelling Up Fund bid as the Local Transport Authority and engagement with the borough's MPs has supported the decision to select Crewe as proposed the location for any bid. Based on the Government's bid criteria, Crewe is the likely to be the only location in the borough where the Council can demonstrate that the schemes are deliverable by 2025 and be in line with the wider Levelling Up Fund guidance.

5. Background

5.1. The arrival of HS2 and a Crewe hub station provides a significant opportunity to deliver social, economic and environmental wellbeing for the residents of Crewe and the Borough. The Council is passionate about enhancing what the town already has to offer and enabling more opportunities to people who live in, work in, or visit Crewe.

5.2. As a result of these impacts on the HS2 programme and the deliverability of the Crewe Hub Area Action Plan (CHAAP), the following decisions were made by the Council's Corporate Policy Committee on 04 November 2021:

5.2.1. Withdraw the CHAAP; and

5.2.2. Revoke the Crewe Southern Link Road Bridge preferred route decision

5.3. These decisions enable the Council to refresh both the planning policy and transport priorities for Crewe to ensure its continued regeneration and success, linked to emerging Government priorities, and in preparation for the arrival of HS2.

5.4. Earlier this year, the Council secured £14.1m of Government funding from the Future High Street Fund. This will support the delivery of several cultural, community, regeneration and transport projects within the town centre, including:

5.4.1. Southern Gateway

5.4.2. Flag Lane link

5.4.3. Adaptive signals

5.4.4. In town living projects

5.4.5. Earle St link

5.4.6. Christ Church Digital Innovation Centre

5.4.7. Sustainable Energy Network

5.5. In addition, Crewe recently secured a 'Town Deal' and a separate allocation of funding from government of up to £22.9m. This funding, subject to business case approval, is allocated to deliver an additional set of projects to support the ongoing regeneration of the town, including:

5.5.1. Mill Street Linear Park and Corridor Improvements

5.5.2. Green corridor and Green open space investments

5.5.3. New community and sports hubs

5.5.4. Inner Crewe Warm & Healthy Homes Programme

5.5.5. Public realm improvements

5.6. The schemes to be funded from the Future High Streets Fund and Towns Fund are partly within the defined boundaries of the CHAAP and represent an opportunity to better connect the station and town centre through investment in key corridors.

5.7. In addition, the Council is working closely with Network Rail and Cheshire and Warrington LEP to refine proposals for the redevelopment of Crewe hub station and its immediate environs as well as assessing the potential for improving the existing rail crossings where they interface with the local transport network within central Crewe.

5.8. This includes proposals for new pedestrian/cycle decks alongside Nantwich Road Bridge that will improve links between the station and town centre, support the regeneration of the Mill Street corridor, promote active travel and support the wider HS2 potential.

5.9. It will also include phase 1 proposals for the redevelopment of the Weston Road car park that can capitalise on investment opportunities coming forward in advance of HS2's arrival.

5.10. Breaking these down into deliverable, Local Plan compliant chunks will provide the necessary flexibility to accelerate the delivery of such interventions as funding opportunities become available.

5.11. To ensure effective delivery of these projects, and to plan for Crewe's regeneration going forward, an efficient transport network is critical. To do this, a refresh of the transport plans and priorities is needed now to capture both current and future funding opportunities. This will provide confidence that the local transport network will effectively serve this future growth and travel demands.

5.12. The current Transport Model for Crewe does not reflect the recent changes to travel behaviours or the changes to demand arising from the Future High Street Fund and Towns Fund investments and therefore, would not allow the Council to accurately assess these emerging proposals.

5.13. An update of the Crewe Transport model that focuses on the central area encompassing the Town Centre, railway station and Grand Junction retail park as highlighted in Appendix 1 will provide an up-to-date picture of the local transport network and transport needs for the town.

5.14. The initial phase of the update will provide an up-to-date baseline for the central Crewe area that will incorporate:

5.14.1. Recently delivered and funded schemes (Future High Street Fund, Towns Fund etc.)

5.14.2. Realistic traffic growth assumptions that reflect the disruption and change in transport mode use caused by the Covid-19 pandemic;

5.14.3. The Council's carbon agenda; including the promotion of active travel and public transport schemes

5.15. Once the revised baseline model is updated, it can be used to test various transport interventions and scenarios to identify and validate the priority schemes for the area. This will include the emerging Crewe hub proposals and future infrastructure solutions to support an effective surface access strategy to the station.

5.16. These updated model outputs are critical to the Council in preparing a revised multi-modal transport strategy for Crewe that best capture both the short-term opportunities in and around the town centre as well as the longer-term potential on the back of HS2.

5.17. A revised transport strategy for Crewe will be developed in collaboration with key local stakeholder and community groups including:

5.17.1. Crewe Local Ward Members

5.17.2. Crewe Town Board

5.17.3. Transportation, Blue and Green Infrastructure Forum

5.17.4. Crewe Advisory Group

5.17.5. Crewe Town Council

5.17.6. Network Rail / Great British Railways

5.17.7. Cheshire and Warrington LEP

5.18. This strategy will identify and prioritise the key transport interventions needed to support a prosperous, vibrant and sustainable town that can attract new and high value investment, jobs and homes to Crewe and surrounding areas.

5.19. The refreshed transport strategy and updated Transport Model is critical to supporting the preparation of funding bids and business cases for future transport projects.

5.20. As part of the 2020 Autumn Statement, Government launched the first of three rounds of the Levelling Up Fund. The fund is part of the wider levelling-up agenda that aims to rebalance the UK economy and see more investment in the north.

5.21. The Levelling Up Fund is open to all areas of the country to apply and each Member of Parliament can support a bid of up to £20m to support regeneration, transport and culture projects within their constituency that can support the objectives of levelling-up with projects to be delivered by 2024.

5.22. In addition to the MP bids, each Local Transport Authority (LTA) is eligible to submit a bid for a single, or package of closely linked projects, of up to £50m to be delivered by 2025. The LTA bid can be for a town or village that is also subject to an MP bid. However, the MP for that area can only formally support one of the bids.

5.23. Cheshire East has been categorised as a Priority 3 area by Government for Levelling Up funding, which is considered the least in need of Levelling Up Funding. The Council's experience with an unsuccessful Round one bid for Macclesfield suggests that the priority area will have a significant weighting on any bid.

5.24. The prioritisation areas/ towns into three broad local authority categories was crude and ignored the normal index of deprivation methods used by the government for demonstrating need. If this traditional method was used both Crewe and central Macclesfield would have demonstrated a need.

5.25. A levelling up fund transport package bid for Crewe will unlock benefits to Crewe and the Borough and align to the Council's Corporate Plan, Local Plan, Local Transport Plan and carbon agenda. There is also a strong

rationale and evidence base to enable the Council to present a robust case that Crewe is in fact a Priority 1 town within a Priority 3 borough to address the challenges faced with the Round one bid for Macclesfield.

5.26. The transport model update can provide the evidence to support an LTA bid for Crewe, with the work already undertaken providing a strong strategic case for the town and confidence in the ability to deliver the projects by 2025.

5.27. The Levelling Up Fund guidance identifies the need for stakeholder and public engagement as part of a bid. The Council will engage with key stakeholders and the public on its draft Levelling Up Fund plans to seek views and comments to support its bid. A summary of the engagement feedback will be briefed to a future committee.

6. Consultation and Engagement

6.1. A revised transport strategy for Crewe will be developed in collaboration with local stakeholder and community groups including:

6.1.1. Crewe Local Ward Members

6.1.2. Crewe Town Board

6.1.3. Transportation, Blue and Green Infrastructure Forum

6.1.4. Crewe Advisory Group

6.1.5. Crewe Town Council

6.1.6. Network Rail / Great British Railways

6.1.7. Cheshire and Warrington LEP

6.2. The Council will engage with key stakeholders in the development of a revised transport strategy for Crewe. These will include:

6.2.1. HS2 Ltd

6.2.2. Transport for the North

6.2.3. Avanti West Coast Partnerships

6.2.4. Other Train and Freight Operating Companies at Crewe

6.2.5. Local Bus Network Providers

6.2.6. Active Travel Groups

6.3. A Local Transport Authority bid to the Levelling Up Fund will need to demonstrate engagement with the local community. The HS2 team will engage with the public, consistent with the Levelling Up Fund guidance, on any schemes forming part of a Levelling Up Fund bid in advance of submission.

7. Implications

7.1. Legal

7.2. The report refers to engagement with local stakeholders in relation to the development of a revised transport strategy for Crewe and engagement with the local stakeholders and the local community in relation to the Levelling Up Fund bid in accordance with the Levelling Up Fund guidance. There is an expectation enshrined in case law that any local authority making decisions affecting the public will do so fairly and in a way that cannot be said to be an abuse of power.

7.3. It is therefore important to test the fairness of the Council's proposed transport strategy by way of consultation on any changes which potentially have the effect of withdrawing existing benefits or advantages or impacting on the community. Such consultation should involve those directly affected by such changes as well as any relevant representative groups. Similarly, the guidance relating to the Levelling Up Fund refers to engagement with local stakeholders and the local community and the need for the local transport authorities to meet their Public Sector Equality Duty. The responses to the consultation will need to be conscientiously considered when Council decision makers make any future decision in adopting the strategy or on the Levelling Up Fund bid.

7.4. Consultation must be conducted with adherence to the following :-

7.4.1. the consultation must take place at a time when the proposals are still at a formative stage;

7.4.2. the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;

7.4.3. adequate time must be given for consideration and response; and

7.4.4. the product of the consultation must be conscientiously considered in finalising the proposals.

7.5. It should be noted that failure to meet the Public Sector Equality Duty or breach of a duty to consult would risk the Council being subjected to legal challenge by way of judicial review.

7.6. Finance

7.6.1. The recommendations in this report will be funded from the HS2 earmarked reserves and existing HS2 base budget with possible contribution from the Future High Street Fund budget depending on the preferred bid package.

7.7. Policy

7.7.1. The development of a revised transport strategy for Crewe and any Levelling Up Fund bid will comply with the Council's Local Plan, Local Transport Plan and Corporate Plan.

7.8. Equality

7.8.1. The update of the Crewe Transport Model will assess all relevant transport modes including walking, cycling, public transport and private vehicles.

7.8.2. Equality Impact Assessments will be undertaken, where appropriate.

7.9. Human Resources

7.9.1. There are no direct HR implications, existing staff in the Highways and Infrastructure Teams will be used to undertake the identified next steps**.**

7.10. Risk Management

7.10.1. There is a risk that a Levelling Up Fund bid is not successful. However, this is the case with any competitive funding bid. By updating the Crewe Transport Model in advance of the bid will provide the strongest evidence base to support the bid.

7.11. Rural Communities

7.11.1. Crewe and Crewe station serves a wide area, including several rural communities, within the Borough. It is therefore important that that the Transport Strategy recognises the town's strategic importance to these communities.

7.12. Children and Young People/Cared for Children

7.12.1. The future growth and prosperity of Crewe on the back of HS2 can provide significant future employment opportunities for young people.

7.13. Public Health

7.13.1. Transport infrastructure can have a significant impact on population health and wellbeing, via its influence on road safety, access to services, employment and social connections, air quality, biodiversity and climate change, and opportunities for active travel

7.13.2. Providing a safe highway network that promotes active travel in is a key aim of the Council

7.13.3. The Transport Strategy will have a strong focus on the environment, Quality of Place and sustainable travel. These will help to develop a place and communities where people want to live and work. This will in turn deliver public health benefits.

7.14. Climate Change

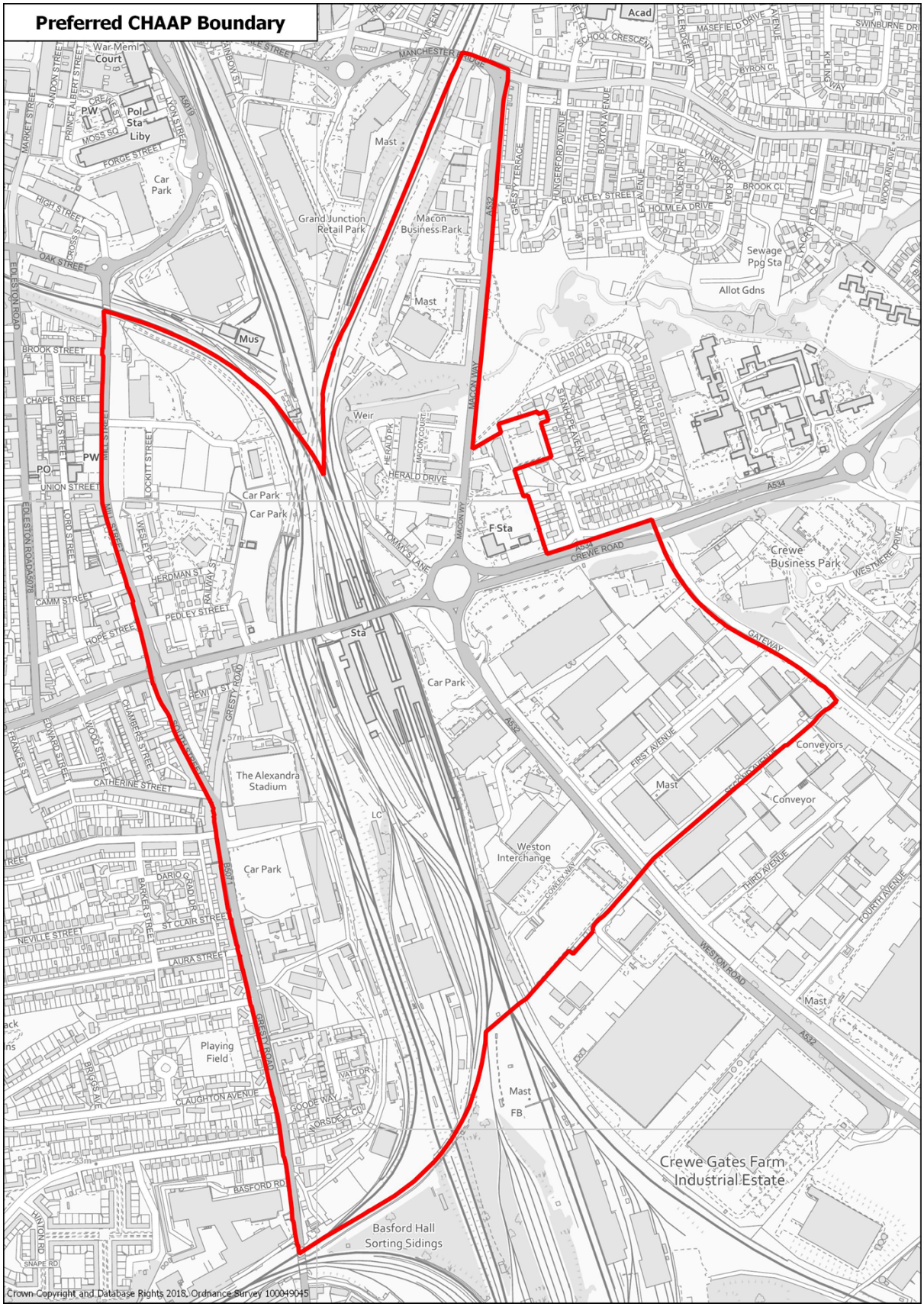
7.14.1. The update of the Crewe Transport Model is considering all modes of transport. The resulting Transport Strategy will have a high focus on walking, cycling and public transport in line with the Council's Carbon Agenda.

7.14.2. Proposals within the transport strategy will help to encourage more sustainable travel to, from and around Crewe which will also help to promote healthy lifestyles.

Access to Information	
Contact Officer:	Hayley Kirkham, HS2 Programme Director hayley.kirkham@cheshireeast.gov.uk 07811677352
Appendices:	Appendix 1: Central Crewe area of focus Appendix 2: CHAAP Boundary
Background Papers:	**Reference Documents** Levelling Up Fund Prospectus, March 2021 (Levelling_Up_prospectus.pdf (publishing.service.gov.uk)) Levelling Up Fund Technical Note, May 2021 (Levelling Up Fund - Technical note - UK wide (publishing.service.gov.uk)) **Linked Reports** HS2 Update – Corporate Policy Committee, 04 November 2021 (moderngov.cheshireeast.gov.uk/ecminutes/documents/s89712/HS2 Update - report final.pdf) Crewe Hub Station Update – Cabinet, 10 March 2020 (Decision report template (cheshireeast.gov.uk)) Crewe Hub Area Action Plan Report – Publication Draft Plan – Cabinet, 10 March 2020 (Crewe Hub Area Action Plan - report final.pdf (cheshireeast.gov.uk))

Appendix 1: Central Crewe area of focus

Appendix 2: CHAAP Boundary



Cheshire East Council

Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Closure of Mill Lane Level Crossing, Barthomley
Report of:	Andrew Ross, Director of Highways and Infrastructure
Report Reference No:	HT/37/21-22
Ward(s) Affected:	Haslington

1. Executive Summary

1.1. Network Rail are promoting the downgrade of Barthomley Level Crossing following a programme to review and improve the operational safety of the railway. To legally stop up the section of road to vehicle users, it has been agreed through discussions between the Council and Network Rail that a Section 249 is the most appropriate mechanism.

1.2. The purpose of this report is to confirm the changes proposed to Barthomley Level Crossing (Mill Lane, Crewe) and seek a resolution from the Council for an application to the Department for Transport to make a Section 249 Town and Country Planning Act 1990 Order on behalf of Network Rail to remove vehicular access and restrict the crossing to bridleway rights (for pedestrians, cyclists and horse riders).

1.3. The effect of the Order will be to improve the amenity of the area whilst only having minimal impact on local road traffic. Network Rail has carried out consultation on the proposal and to date hasn't received any objections. In applying to the Secretary of State for Transport to confirm the order further statutory consultation will be carried out by the Department for Transport.

1.4. By removing vehicular access at this crossing, it will contribute to the Council's aims in its Corporate Plan by providing a transport network that is safe, and supports active travel.

2. Recommendations

2.1. The Committee is recommended to:

2.1.1. Authorise the Director for Infrastructure and Highways to make an application to the Department for Transport that a Section 249 Town and Country Planning Act 1990 Order be made on behalf of Network Rail to remove vehicular access and reserve bridleway and pedestrian rights at Barthomley Level Crossing, Mill Lane, Crewe.

2.1.2. That the application for the Order is not made until an indemnity or suitable undertaking is received from Network Rail to cover off any potential compensation costs related to Section 250 of the Town Country Planning Act 1990 and that Network Rail will install the turning head before the closure of the crossing to vehicular traffic.

3. Reasons for Recommendations

3.1. The proposal will remove an existing less safe through-route with a manually operated level crossing over a railway line, preventing misuse by vehicular traffic whilst reserving bridleway and pedestrian rights. This will also improve the amenity of the area by enhancing the route for pedestrians and horse riders by making a safer more desirable route.

3.2. The removal of vehicular rights from the crossing will reduce the through traffic on to Mill Lane Crewe whilst maintaining access to all properties and land. This will further add to the amenity for the landowners who will benefit from reduced traffic volumes.

3.3. Consultation undertaken by Network Rail has demonstrated that there are no significant concerns from the local community.

4. Other Options Considered

4.1. Network Rail have undertaken a full option assessment report to review the safety of the crossing and the methods of improving safety. It has concluded that the only cost-effective solution is the closure of the crossing to vehicles.

4.2. Other routes to apply for the closure of the crossing have been explored, including Section 116 and Section 247 of the Highways Act. Advice has been received that these routes would take longer and delay the ability of Network Rail to implement the works at the same time as other planned works on the line.

5. Background

5.1. Barthomley Level Crossing is a user operated crossing on Mill Lane, CW1 5NX. This crossing is subject to frequent incidents of misuse where vehicle users leave the gates open after traversing the crossing. Refer to Appendix A for a record of safety incidents.

5.2. Due to misuse by vehicle users, Network Rail has undertaken a feasibility study and looked at several solutions to improve safety at Barthomley Level Crossing. The preferred option is to permanently close the level crossing to vehicles, but retain access for pedestrians, cyclists, and horse riders.

5.3. The level crossing will be downgraded to a bridleway crossing. This will require the removal of the existing gates and replace with self-closing gates of 1.5m in width. Mounting blocks will be provided either side of the crossing on the highway as horse riders will be required to dismount before traversing the crossing. Refer to Appendix B for the ground plan.

5.4. Road Safety Audits will be undertaken upon completion of detailed design and commissioning of the crossing works.

5.5. Road signage will be required to indicate that the road is closed to vehicles. Locations and type are shown on the ground plan, Appendix B.

5.6. A vehicle diversionary route has been proposed and is attached as Appendix C. This route makes use of existing roads, starting the route from south of the crossing, Mill Lane joins onto Barthomley Road, then onto Butterton lane (B5077) then joining back onto Mill Lane from the north approach. The diversion makes use of the Barthomley Road overbridge to cross the railway line. The vehicle diversionary route is approximately 5.4km assuming start and end destinations is the level crossing i.e., worst case travel, with average travel time of 8 minutes.

5.7. The average usage per day of the crossing based on a weeklong survey in June 2018 was:

11 vehicles
1 horse rider
9 pedestrians
26 cyclists

5.8. It is proposed to provide a turning head on Mill Lane which will become adopted public highway under a separate S278 agreement with Network Rail. The delivery of this proposal is dependent on Network Rail acquiring land from the Duchy of Lancaster. The application for the Order will not be made until this facility is provided by Network Rail.

6. Consultation and Engagement

6.1. The following consultation has taken place by Network Rail:

6.1.1. Cheshire East Council:

Consultation began with Cheshire East Highways and the Public Rights of Way Unit in 2018. Cheshire East advised that Mill Lane was a popular walking and cycling route and therefore full closure with diversions would not be supported. Cheshire East Highways Council's Corporate Plan 2021-25 provides policy support for the retention of a bridleway crossing, providing access for pedestrians, cyclists, and horse riders.

This support was conditional that a turning head was provided to the north of the crossing to enable refuse vehicles to service Lower Crossing Cottage, located next to the crossing. The land required for the turning head is owned by the Duchy of Lancaster. The Duchy of Lancaster are supportive of our works to the crossing and are working with Network Rail to enter into an agreement. The Duchy of Lancaster have confirmed the location of the turning head and a draft general arrangement drawing is attached as Appendix D.

A pre-planning application has been submitted and comments made by Cheshire East Planning. A full planning application for the turning head will be made on completion of final drawings.

6.1.2. Duchy of Lancaster (including their tenant at Walnut Tree Farm):

Consultation has been ongoing since 2019. Draft Heads of Terms are in place and under review. Once completed this would enable Network Rail to acquire the land required for the turning head.

6.1.3. Local residents in the immediate vicinity of the crossing:

Face to face discussions taken place during 2019 and 2020 with:

- Lower Crossing Cottage
- Mill Cottage
- Mill Lane Cottage
- Mill Farm
- Daisy Cottage

6.1.4. Virtual Public Consultation:

Event held 25th February 2021 – no significant issues raised by those who attended or submitted email comments. Attendance by Mary Addison as Ward Councillor. Follow up call with Councillor Stephen Edgar. Further details were provided to Alsager Town Council but no response was received.

6.1.5. Barthomley Parish Council & Ward Councillor:

Last meeting held with the Parish on the 06th January 2021 with Network Rail. Councillor Stephen Edgar also attended. No issues were raised.

6.1.6. Ansa:

Ansa have been consulted with to discuss the change in routes required and the options considered for the location of the turning head.

6.1.7. Smiths Green Livery:

Confirmed as regular users of the crossing and provided advice on crossing times, width of gates.

6.1.8. Oakhanger Riding Club:

They advised that they didn't use Mill Lane for hacking.

6.1.9. Sustrans:

No issues raised and support that the crossing will be retained for cyclists.

7. Implications

7.1. Legal

7.1.1. A Section 278 Highways Act 1980 will be entered into with Network Rail to provide a legal agreement to make permanent alterations to the public highway, Mill Lane.

7.1.2. A Section 249 Order Town and Country Planning Act 1990 will be applied for by the Council to remove vehicular access and maintain bridleway rights at Barthomley Level Crossing.

7.1.3. Under Section 250 Town and Country Planning Act 1990 any person's interest that is devalued because of the making of the Order shall be entitled to seek compensation if the devaluation is attributable to the Order. Necessary indemnities need to be received in respect of any compensation claims from Network Rail before the application is made to the Department for Transport.

7.1.4. Planning permission will be required to enable a turning head to be provided to the north of Barthomley Level Crossing. A pre-planning application has already been submitted and commented on, reference PRE/1049/20.

7.1.5. If the application is submitted to the Department for Transport they will contact the following bodies for further representations before granting the Order:

The Local Parish Council;

the Emergency Services; and

Statutory Undertakers.

7.2. Finance

7.2.1. All costs incurred by Cheshire East will be reimbursed by Network Rail. An abortive costs letter has been signed by Network Rail. This means that if the proposal does not proceed, or the Order is not confirmed for any reason, any costs incurred by the Council will be recoverable.

7.3. Policy

7.3.1. This proposal aligns with Network Rail's 'Enhancing Level Crossing Strategy 2019-2029' and the Office of Rail & Road (ORR) Principles for managing level crossing safety.

7.4. Equality

7.4.1. An Impact Assessment has been completed and is attached as Appendix E. This is a live document and will be updated as the project moves through the remaining project lifecycle.

7.5. Human Resources

7.5.1. Cheshire East Highways, Legal, Planning and Rights of Way resource will be required to input into the proposals to downgrade the crossings.

7.6. Risk Management

7.6.1. Level crossings are assessed using the All Level Crossing Risk Model (ALCRM) which is the industry accepted risk modelling support tool. The ALCRM for Barthomley is recorded as very high for the vehicular element of the crossing.

7.6.2. The risk at this crossing is because vehicle users fail to use the crossing correctly. They leave the gates open after driving over the crossing.

7.6.3. The risk score for pedestrians / cyclists / horse riders is much lower. These users will have miniature stop lights to provide a visual indication of whether it is safe to cross or not. There will also be an audible warning when the lights turn red and a train approaching. The gates will be self-closing so there is no risk of these being left open. As part of the engineering design work, assessments have been made as to the appropriate crossing times for either a pedestrian, cyclist and horse rider.

7.6.4. The ability to deliver the turning head as part of the proposed S278 Agreement with Network Rail is dependent upon Network Rail and the Duchy of Lancaster agreeing the land acquisition. However, Network Rail will provide an Undertaking that these works will be completed before works to close the crossing to vehicular traffic are implemented.

7.7. Rural Communities

7.7.1. The census data, as shown in Appendix G, shows the crossing has a high usage from cyclist and pedestrians. This access will remain by creating bridleway rights over the crossing.

Network Rail is also working with the Duchy of Lancaster and their tenant about the renewal of the accommodation bridge to enable movement between fields without using the roads.

7.8. Children and Young People/Cared for Children

7.8.1. No impacts

7.9. Public Health

7.9.1. The proposal supports walking and cycling and as such helps to meet the Council's public health objectives by enabling more active life styles for our local communities.

7.10. Climate Change

7.10.1. The proposals have the potential to encourage a small number of slightly longer vehicle trips for residents living on Mill Lane for some journeys. However, this will be offset by the improvements to amenity and travel by sustainable modes.

Access to Information	
Contact Officer:	Paul Griffiths paul.griffiths@cheshireeast.gov.uk 01270 686353
Appendices:	Appendix A – Record of Safety Incidents Appendix B – Draft Level Crossing Ground Plan Appendix C – Draft vehicle diversionary route Appendix D – Draft turning head general arrangement Appendix E – Diversity Impact Assessment Appendix F – Narrative Risk Assessment Appendix G – Census data
Background Papers:	None

This page is intentionally left blank

APPENDIX A

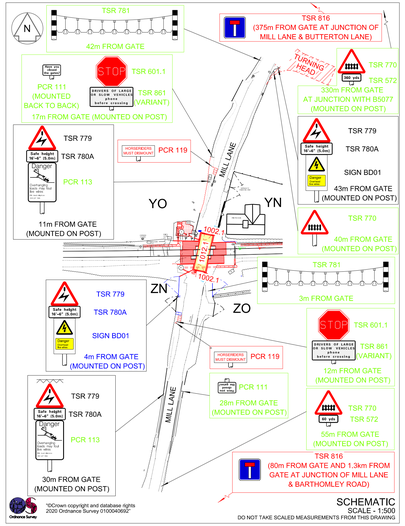
Barthomley Level Crossing

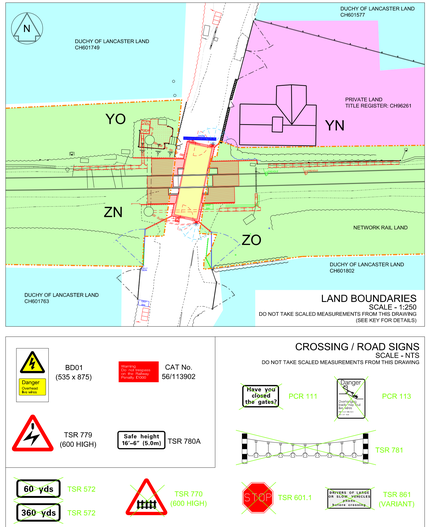
Safety Records

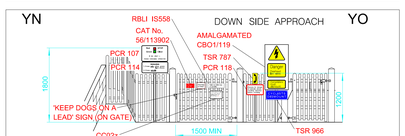
A summary of incidents / near misses from 2012

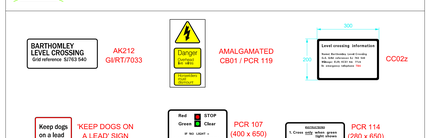
Year	Incident	Quantity
2009	Gates Open	10
	Not phoning clear	1
2010	Gates Open	31
2011	Gates Open	32
	Not phoning clear	1
2012	Gates Open	5
	Gates being opened as train approached	1
	Cattle on railway	2
2013	Gates Open	9
	Telephone fault	3
2014	Gates Open	17
	Near Miss	1
	Not phoning clear	5
2015	Gates Open	16
	Not phoning clear	4
2016	Gates Open	15
	Not phoning clear	3
2017	Gates Open	20
	Not phoning clear	3
	Near Miss	4
2018	Gates Open	15
2019	Gates Open	11
	Near Miss	2
2020	Gates Open	10
	Not phoning clear	1
	Telephone fault	1

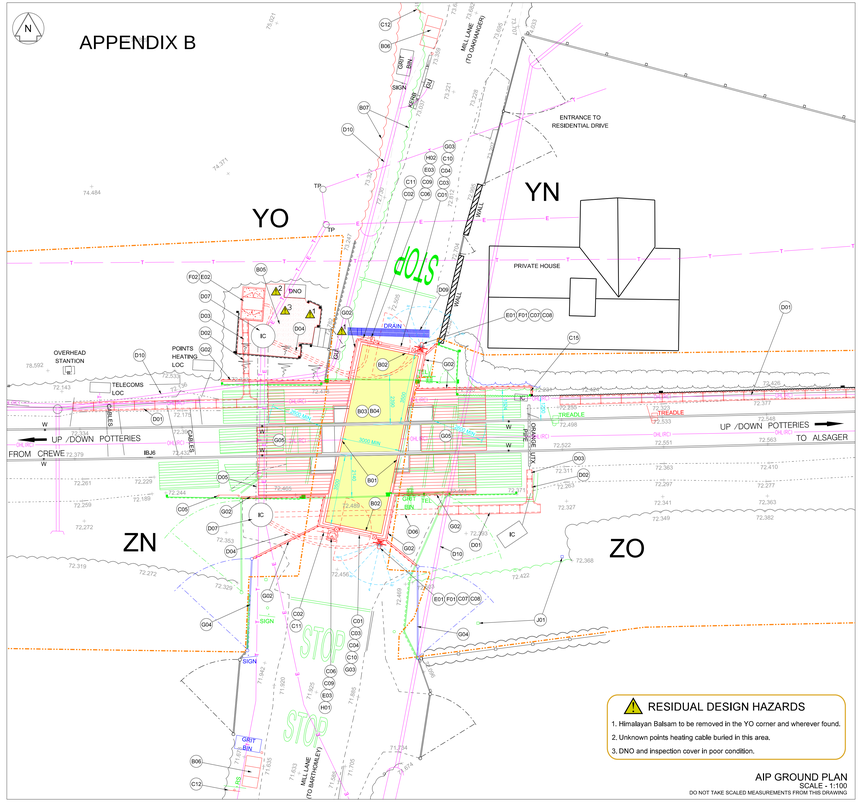
This page is intentionally left blank











NOTES

GENERAL INFORMATION

01. LEVEL CROSSING IS SITUATED AT ENGINEERING LINE REFERENCE KC51 AT LINE MILEAGE 4 MILES 77 CHAINS WHERE THE ROAD KNOWN AS MILL LANE IS CROSSED BY THE RAILWAY AT ORDNANCE SURVEY GRID REFERENCE SJ763 540 AND POSTCODE CW2 5NX.
02. GROUND PLAN PROPOSALS AND ENGINEERING DETAILS BASED ON LEVEL CROSSINGS: A GUIDE FOR MANAGERS, DESIGNERS AND OPERATORS RAILWAY SAFETY PUBLICATION 7 DECEMBER 2011' (RSP-7), NR/L2/SIG/30015 - SPECIFICATION FOR STATION, FOOTPATH, BRIDLEWAY AND USER/WORKED LEVEL CROSSING, THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS (TSRGD) 2016, NETWORK RAIL COMPANY STANDARDS, RAILWAY GROUP STANDARDS AND DEPARTMENT FOR TRANSPORT (DfT) INDUSTRY STANDARDS.
03. GROUND PLAN DESIGN BASED ON GEORINM SKETCH, SITE WALKOVER SURVEY AND TOPOGRAPHICAL SITE SURVEY UNDERTAKEN BY BRIDGEWAY CONSULTING LTD, THESE DRAWINGS ARE PROOF OF CONCEPT ONLY AND DETAILED DESIGN ARE REQUIRED.
04. GROUND PLAN HAS BEEN SUPERIMPOSED WITH SERVICES AND UTILITIES INFORMATION SUPPLIED BY THE NETWORK RAIL BURIED SERVICES TEAM' IN DECEMBER 2019. POSITIONS AND TYPES OF BURIED SERVICE ARE APPROXIMATE ONLY AND WHERE NO SERVICE IS INDICATED IT IS NOT TO BE ASSUMED THAT NO SERVICE IS PRESENT. BURIED SERVICES MAY BE UNKNOWN, ARE APPROXIMATE ONLY, EXACT POSITIONS AND DEPTHS OF ALL SERVICES SHOULD BE CHECKED IN ACCORDANCE WITH HEALTH AND SAFETY EXECUTIVE PUBLICATIONS AND NETWORK RAIL COMPANY STANDARDS.
05. RAILWAY BOUNDARY INFORMATION TAKEN FROM NETWORK RAIL GEO-RINM DATA AND LAND REGISTRY INFORMATION IN SEPTEMBER 2019.
06. LEVEL CROSSING TRAFFIC CENSUS FOR ROAD, RAIL AND PEDESTRIAN USERS COMPLETED OVER A 9 DAY PERIOD FROM 23/06/18 TO 01/07/18 WHICH IDENTIFIES:
- LEVEL CROSSING IS PEDESTRIAN CATEGORY C IN ACCORDANCE WITH RSP-7 TABLE 2 (BASED ON CURRENT CENSUS VALUES).
- TPV VALUE OF 19.
- MAXIMUM DAILY PEDESTRIAN USAGE OF 61.
07. DRAWINGS TO BE READ IN CONJUNCTION WITH DESIGN LOG DOCUMENT NUMBER 167735-NWRN-LOG-ESG-000001.
08. ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE,
09. ALL RAIL DIMENSIONS ARE TO THE RUNNING EDGE.
10. CROSSING LENGTH = 9000mm MEASURED FROM DECISION POINT LINE TO DECISION POINT LINE.
11. BARTHOMLEY LEVEL CROSSING = TRACK CATEGORY 3.
12. OVERHEAD LINES = 16' 6" (5m HIGH) - HEIGHT TAKEN FROM SIGNAGE ON SITE. HEIGHTS AND STAGGERS SURVEY MEASURED HEIGHT AS 5.7m.

B. SURFACES

ALL EXISTING WHITE LINES TO BE REMOVED.
01. EDGE OF BRIDLEWAY WHITE LINING TO TSRGD, 1012.1 (100mm WIDE).
02. TRANSVERSE STOP LINE TO TSRGD. 1002.1 (100mm WIDE).
03. LEVEL CROSSING CONCRETE DECKING PANELS WITH NON SLIP SURFACE COMPLETE WITH DEFLECTOR PLATES TO NETWORK RAIL LINE SPECIFICATION NR/L2/TRK/4049.
04. SURFACE AREA BETWEEN DECISION POINTS (TRANSVERSE STOP LINES) TO BE YELLOW IN COLOUR TO INDICATE DANGER AREA.
05. EXISTING HARDSTANDING AROUND EXISTING DNO AND PROPOSED LOCATION CASE TO BE MADE GOOD, INCLUDING HANDRAILING AND ACCESS STEPS.
06. EQUESTRIAN MOUNTING BLOCK AND HITCHING POST TO BE BASED ON REQUIREMENTS PROVIDED BY THE BRITISH HORSE SOCIETY,
07. WHERE EXISTING VEGETATION ENCROACHES ONTO NEW WORKS, ALL VEGETATION MUST BE CUT BACK AND CLEARED, MIN. OF 1m, AND SUITABLY TREATED. TO NETWORK RAIL STANDARD NR/L1/TRK/03220.

C. SIGNAGE

NETWORK RAIL SIGNS TO GIRT7033, ISSUE 2
01. SIGN - 'PENALTY FOR TRESPASS', CAT NO. 56/113902. (SEE KEY TO CROSSING SIGNS).
02. AMALGAMATED SIGN No. CB01 / PCR 119, 'DANGER OVERHEAD LIVE WIRES' & 'HORSERIDERS MUST DISMOUNT', (SEE KEY TO CROSSING SIGNS).
03. SIGN - 'KEEP DOGS ON A LEAD', (SEE KEY TO CROSSING SIGNS).
04. SIGN NO. CO02 - 'SUPPLEMENTARY SIGN FOR LEVEL CROSSINGS' MOUNTED ON FENCING. EMERGENCY PHONE NUMBER TO NETWORK RAIL HELPLINE (SEE KEY TO CROSSING SIGNS). - 2 OFF.
05. SIGN NO. AK212 - 'LEVEL CROSSING IDENTIFICATION NAME BOARD' (SEE KEY TO CROSSING SIGNS).
06. TSRGD 787 - PUBLIC TELEPHONE SIGN, (SEE KEY TO CROSSING SIGNS). - 2 OFF.
07. PCR 107 - MINIATURE STOP LIGHT SIGN - 2 OFF.
08. PCR 114 - PEDESTRIAN INSTRUCTION SIGN. (SEE KEY TO CROSSING SIGNS). - 2 OFF.
09. PCR 118 - 'PERSONS IN CHARGE OF ANIMALS..' SIGN - 2 OFF.
10. RBLI IS558 - 'TRAINS RUN EITHER WAY ON EACH LINE' SIGN, SINGLE LINE VARIANT REQUIRED - 2 OFF.
11. TSR 966 - 'CYCLISTS DISMOUNT' SIGN - 2 OFF.
12. PCR 119 - 'HORSERIDERS MUST DISMOUNT' SIGN - 2 OFF, LOCATED AT EQUESTRIAN MOUNTING BLOCK & HITCHING POST.
13. TSR 790 - NEW LEVEL CROSSING CONTROL AHEAD' SIGN. TO BE DISPLAYED FOR NOT LONGER THAN 3 MONTHS - 2 OFF.
14. TSR 816 - 'NO THROUGH ROAD' SIGN - 3 OFF.
15. RBLI BA04 - WARNING LIMITED CLEARANCE SIGN.
16. ALL REDUNDANT SIGNS TO BE RECOVERED.

D. CABLE ROUTES / TURNING CHAMBERS

01. CONCRETE SURFACE TROUGHING, CI143, 350mm WIDE x 300mm DEEP (INTERNAL) TO BE SET AT GROUND HEIGHT IN AREAS OF SITE ACCESS, OPERATING AND MAINTENANCE, TO BR SPEC 1612 (NETWORK RAIL DRG. BRS-SC 11).
02. CONCRETE SURFACE TROUGHING FOR TRANSVERSE CI125, 280-340mm WIDE (EXTERNAL) x 150mm DEEP (INTERNAL) TO BE SET AT GROUND HEIGHT IN AREAS OF SITE ACCESS, OPERATING AND MAINTENANCE, TO BR SPEC 1612 (NETWORK RAIL DRG. BRS-SC 13).
03. CONCRETE SURFACE TROUGHING, CI 13, 160mm WIDE x 150mm DEEP (INTERNAL) TO BE SET AT GROUND HEIGHT IN AREAS OF SITE ACCESS, OPERATING AND MAINTENANCE, TO BR SPEC 1612 (NETWORK RAIL DRG. BRS-SC 11).
04. ROUTES TO EQUIPMENT - 150mm INTERNAL DIA. uPVC DUCT TO BR, SPEC 1612, BS 3506.
05. EXISTING 9 WAY UNDER TRACK CROSSING (UTX) - 6 x 170mm & 3 x 110mm PLASTIC DUCTS (USABLE).
06. NEW UNDER ROAD CROSSING (URX) - 6 x 150mm DIA. DUCTS TO BE INSTALLED GENERALLY IN ACCORDANCE WITH NETWORK RAIL FORM A DRAWING IPS&E/EEPP/BCIVIL/0100, MAY BE SHALLOW BURIED URX DUE TO NO VEHICULAR ACCESS.
07. EXISTING TURNING CHAMBER TO BE PROVIDED WITH NON-SLIP FABRICATED STEEL SAFETY COVER AND FRAME INSTALLED TO NETWORK RAIL TEMPLATE DRAWING IPS&E/EEPP/BCIVIL/0100 & NETWORK RAIL SPECIFICATION NR/SP/CIV/044.
08. ALL EXISTING CABLE ROUTES TO BE PROTECTED DURING INSTALLATION WORKS.
09. DRAIN COVER TO BE REPAIRED AND CLEANED TO ENSURE IT DOES NOT PRESENT A TRIPPING HAZARD OR IMPAIRS THE MOVEMENT OF THE GATE.
10. EXISTING DRAIN TO REMAIN - TO BE CLEANED OUT IF NECESSARY.

E. FOUNDATIONS

CONCRETE FOUNDATIONS IN ACCORDANCE WITH NETWORK RAIL COMPANY STANDARD NR/L3/CIV/146, AND SPECIFICALLY APPROVED SCHEME FORM 1 DRAWINGS AND SUBJECT TO SOIL SAMPLES, AS LISTED BELOW;
01. MINIATURE STOP LIGHT FOUNDATION IN ACCORDANCE WITH CIVIL ENGINEERING DRAWING - 1 OFF.
02. MINIATURE STOP LIGHT CONTROL LOCATION CASE FOUNDATION IN ACCORDANCE WITH CIVIL ENGINEERING DRAWING. - 1 OFF.
03. SIGNAL PHONE POST BASE FOR MOUNTING PUBLIC USE TELEPHONES - PADS No. 004/012658 - 2 OFF.

F. SIGNALLING ENGINEERING

01. MINIATURE STOP LIGHT UNIT WITH YODALARM AUDIBLE WARNING DEVICE.
02. MINIATURE STOP LIGHT CONTROL LOCATION CASE.

G. FENCING / ACCESS

01. REFER TO KEY FOR TYPES OF FENCING.
02. GRP PALISADE FENCING TO NETWORK RAIL STANDARD NR/L3/CIV/140/240H, MODIFIED AS REQUIRED. HEIGHT TO BE 1200mm. MINIMUM DISTANCE OF ANY NEW FENCE POST TO RUNNING EDGE TO BE 1624mm.
03. DOUBLE-OPENING, SELF-CLOSING BRIDLEWAY WICKET GATE FITTED WITH PRODAFE 2-WAY HYDRAULIC HINGE OR SIMILAR - TO BE 1500mm WIDE - 2 OFF, SEE REPORT - A TRIAL OF SELF-CLOSING BRIDLEGATES 2015, A NATURAL ENGLAND JOINT PUBLICATION JP018.
04. ZN AND ZO VEHICULAR LINESIDE ACCESS GATES TO BE MOVED TO NEW POSITIONS AS SHOWN.
05. CATTLE-CUM-TRESPASS GUARDS (WOODEN / GRP TYPE) - INSTALLED TO NETWORK RAIL STANDARD TEMPLATE NO. IPS&E/EEPP/BCIVIL/S/0101/-
- NEW CATTLE-CUM-TRESPASS GUARDS TO EXTEND FOR A MINIMUM OF 2600mm STEP-OVER DISTANCE MEASURED FROM ANY EDGE OF THE RAILWAY BOUNDARY.

H. TELECOMMUNICATIONS ENGINEERING

01. NEW PUBLIC EMERGENCY TELEPHONE (PETS) - FITTED TO POST (DOWN SIDE APPROACH),
02. NEW PUBLIC EMERGENCY TELEPHONE (PETS) - FITTED TO BURIED TYPE POST (UP SIDE APPROACH).

J. SYSTEMS ENGINEERING

01. EXISTING CCTV POST AND CAMERA - MOVED TO SUITABLE POSITION TO MAINTAIN VISIBILITY OF CROSSING AREA.

RESIDUAL DESIGN HAZARDS

1. Himalayan Balsam to be removed in the YO corner and wherever found.
2. Unknown points heating cable buried in this area.
3. DNO and inspection cover in poor condition.

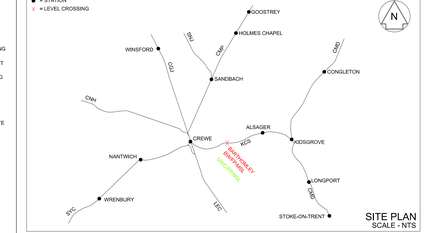
VERSION	Description of Amendment	Source Record Amended		
		Date	Prod.	Check
A	Initial issue.	27/09/2019	KE	CW
B	Updated to DRN comments.	10/12/2019	KE	CW
C	Updated to AIP.	22/01/2020	KE	NCS
D	Updated to IDC meeting comments / RAM e-mail dated 11-02-2020 (see page log item 39)	18/02/2020	SB	KE
E	Updated to DRN comments / LXRP meeting comments	09/03/2020	KE	CW
F	Updated to DRN comments	07/05/2020	KE	CW

ABBREVIATIONS

DNO - DISTRIBUTION NETWORK OPERATOR'S CUBICLE
GU - DRAINAGE GULLEY
IC - INSPECTION CHAMBER
IBJ - INSULATED BOND JOINT
LOC - LOCATION CASE
MSTL - MINIATURE STOP LIGHT
OP - ORANGE POST
TEL - TELEPHONE
URX - UNDER ROAD CROSSING
UTX - UNDER TRACK CROSSING
W - TRACK WELD
YN - UP NEARSIDE
YO - UP OFFSIDE
ZN - DOWN NEARSIDE
ZO - DOWN OFFSIDE

KEY

EXISTING — PROPOSED — REMOVED — MODIFIED — DIMENSIONS — BOUNDARY
BURIED SERVICES — DRAIN — OVERHEAD LINE RETURN CONDUCTOR — (HLR) — HAZARD
FENCING
GRP PALISADE
WELDMESH
WOODEN PALISADE
WOODEN PICKET
PRIVATE LAND TITLE REGISTER: CH96261
DUCHY OF LANCASTER LAND TITLE REGISTER: CH601749 (NW CORNER) CH601577 (NE CORNER) CH601783 (SW CORNER) CH601802 (SE CORNER)
NETWORK RAIL LAND
● = STATION
x = LEVEL CROSSING



This copy is only plotted at correct scale if this line is 100mm long

DESIGN DELIVERY | NetworkRail | National Rewards Group

Produced	KE	07/05/2020	
Checked	CW	07/05/2020	
Issued			

CREWE SIGNAL BOX
ELR: KCS1 - KIDSGROVE JN. TO CREWE SOUTH JN.
MILEAGE: 4m 77ch GRID REF.: SJ763 540
BARTHOMLEY LEVEL CROSSING
PROPOSED CONVERSION OF USER WORKED CROSSING WITH TELEPHONE AND FOOTPATH WITH MINIATURE STOP LIGHTS TO BRIDLEWAY CROSSING AND FOOTPATH WITH MINIATURE STOP LIGHTS

Drawing Title
APPROVAL IN PRINCIPLE

Drawing Number
19-NW-0007-I-X

Last Full Correlation	Date	
	Ver.	
Current Version		F

This page is intentionally left blank

APPENDIX C

Barthomley Level Crossing

- **Site Location**

Images showing location of Barthomley Level Crossing

- **Summary**

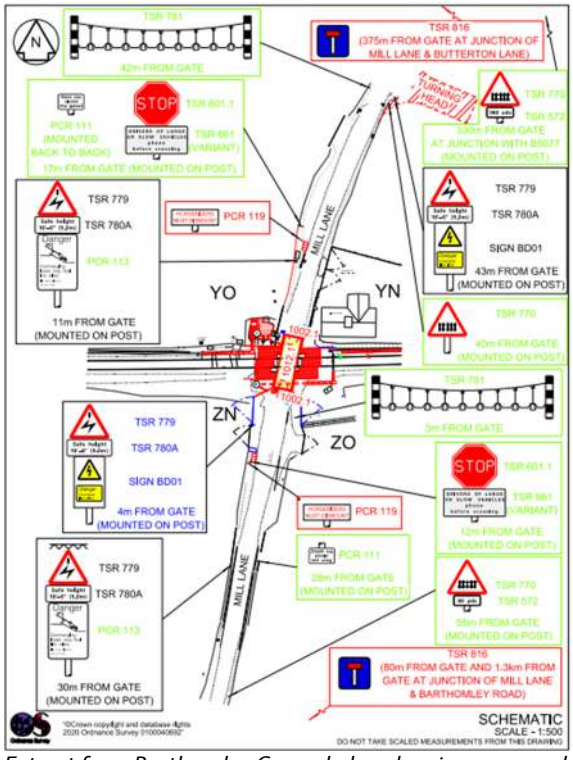
Due to misuse by vehicle users, Network Rail has undertaken a feasibility study and looked at several solutions to improve safety at Barthomley Level Crossing. The preferred option is to permanently close the level crossing to vehicles, but retain access for pedestrians, cyclists and horse riders.

- **Level Crossing Works**

The level crossing will be downgraded to a bridleway crossing. This will require the removal of the existing gates and replace with self-closing gates of 1.5m in width. The provision of mounting blocks will be required either side of the crossing on the highway as horse riders will be required to dismount before traversing the crossing.

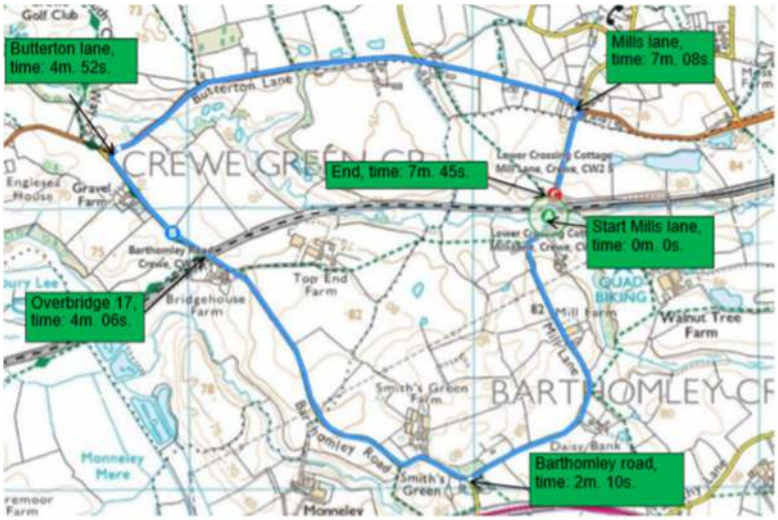
Road Safety Audits will be undertaken upon completion of detailed design and commissioning of the crossing works.

Road signage will be required to indicate that the road is closed to vehicles. Locations and type have been shown on the attached ground plan design for the level crossing – an extract shown below.



Extract from Barthomley Ground plan showing proposed road traffic signs.

The vehicle diversionary route makes use of existing roads, starting the route from south of the crossing, Mill Lane joins onto Barthomley Road, then onto Butterton Lane (B5077) then joining back onto Mill Lane from the north approach. The diversion makes use of the Barthomey Road Overbridge to cross the track.
The vehicle diversionary route is approximately 5.4km assuming start and end destinations is the level crossing i.e. worst case travel, with average travel time of 8 minutes.



Proposed vehicle diversion

- **Turning Head**

Through consultation with Cheshire East Council, it was noted that there is a requirement for a turning head to the north of the crossing for refuse vehicles to service Lower Crossing Cottage that is located adjacent to the crossing.

The land required for the turning head is owned by the Duchy of Lancaster. The Duchy of Lancaster are supportive of our works to the crossing and are working with Network Rail to enter into a formal

agreement. The Duchy of Lancaster have confirmed the location of the turning head and this is shown in the attached general arrangement drawing.

- **Planning**

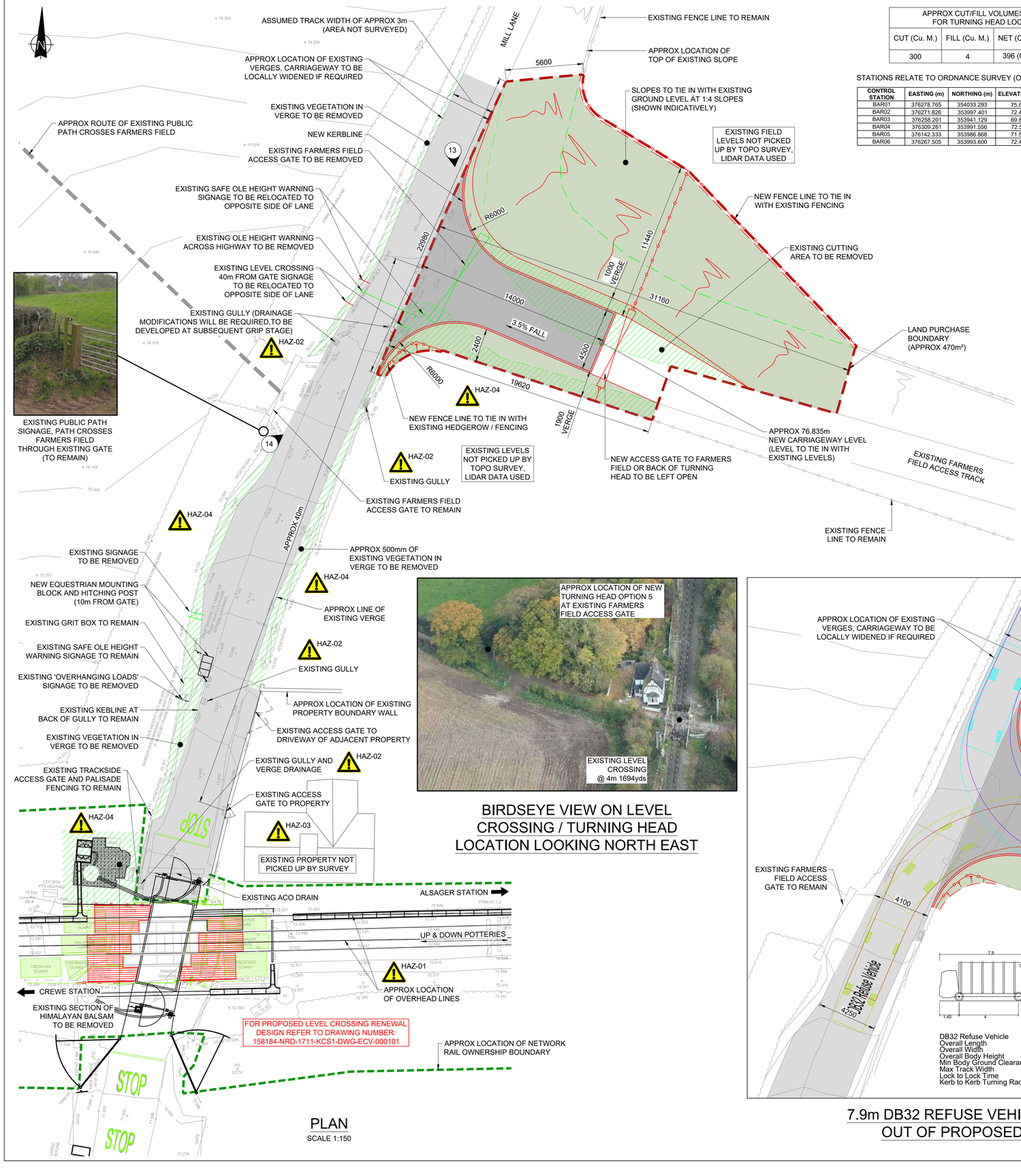
A pre-planning application for the turning head has been submitted and responded to – reference. PRE/1049/20. A full planning application will be submitted in the summer of 2021.

- **Consultation**

The following consultation has taken place:

- Duchy of Lancaster (includes their tenant at Walnut Tree Farm) – ongoing since 2019
- Local residents in the immediate vicinity of the crossing – during 2019 and 2020.
    - Lower Crossing Cottage
    - Mill Cottage
    - Mill Lane Cottage
    - Mill Farm
    - Daisy Cottage
- Virtual Public Consultation event held 25th February 2021. No significant issues raised by those who attended or submitted email comments. Further details had to be provided to Alsager Town Council but no further response received.
- Barthomley Parish Council & Ward Councillor – last meeting held 06th January 2021
- Ansa – discussed the various location options for the proposed turning head.
- Smiths Green Livery – confirmed as regular users of the crossing and provided advice on crossing times, width of gates.
- Oakhanger Riding Club – advised that they didn't use Mill Lane for hacking.
- Cheshire East Council – Highways
- Cheshire East Council – Rights of Way Officer
- Sustrans – to confirm crossing will be retained for cyclists and width of gates.

This page is intentionally left blank



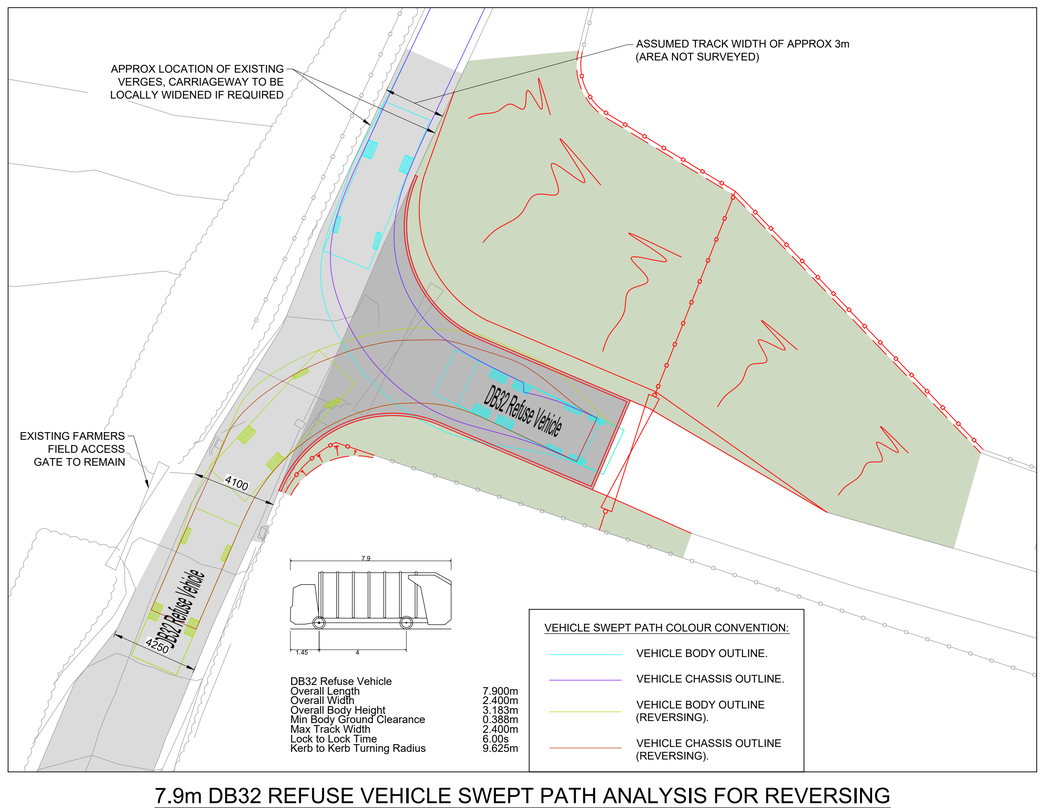
PLAN
SCALE 1:150

APPROX CUT/FILL VOLUMES / AREAS FOR TURNING HEAD LOCATION			
CUT (Cu. M.)	FILL (Cu. M.)	NET (Cu. M.)	2D AREA (Sq.m)
300	4	396 (CUT)	460

STATIONS RELATE TO ORDNANCE SURVEY (OS) GRID.

CONTROL STATION	EASTING (m)	NORTHING (m)	ELEVATION (m)	COMMENTS
BAR01	376278.765	354033.293	75.695	ROAD NAIL
BAR02	376271.826	353997.401	72.495	ROAD NAIL
BAR03	376258.201	353941.129	69.886	ROAD NAIL
BAR04	376309.261	353991.556	72.511	PEG
BAR05	376142.333	353986.868	71.572	PEG
BAR06	376267.505	353993.600	72.420	PEG

BIRDSEYE VIEW ON LEVEL CROSSING / TURNING HEAD LOCATION LOOKING NORTH EAST



DB32 Refuse Vehicle	
Overall Length	7.900m
Overall Width	2.400m
Overall Body Height	3.183m
Min Body Ground Clearance	0.388m
Max Track Width	2.400m
Lock to Lock Time	6.00s
Kerb to Kerb Turning Radius	9.625m

VEHICLE SWEPT PATH COLOUR CONVENTION:
- VEHICLE BODY OUTLINE.
- VEHICLE CHASSIS OUTLINE.
- VEHICLE BODY OUTLINE (REVERSING).
- VEHICLE CHASSIS OUTLINE (REVERSING).

7.9m DB32 REFUSE VEHICLE SWEPT PATH ANALYSIS FOR REVERSING OUT OF PROPOSED TURNING AREA ON EXISTING MILL LANE

PHOTO 13 - LOOKING SOUTH DOWN MILL LANE AT EXISTING FARMERS FIELD ACCESS FOR OPTION 5 LOCATION

PHOTO 14 - LOOKING NORTH UP MILL LANE AT EXISTING FARMERS FIELD ACCESS FOR OPTION 5 LOCATION

Legend/Notes

1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
2. DO NOT SCALE FROM THIS DRAWING.
3. THIS DRAWING IS TO BE PRINTED IN COLOUR.
4. THIS DRAWING IS BASED GEORINM SKETCH AND TOPOGRAPHICAL SITE SURVEY UNDERTAKEN BY BRIDGEWAY CONSULTING LTD. THESE DRAWINGS ARE PROOF OF CONCEPT ONLY AND DETAILED DESIGN ARE REQUIRED. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION.
5. RAILWAY BOUNDARY INFORMATION TAKEN FROM NETWORK RAIL GEO-RINM AND LAND REGISTRY INFORMATION.
6. HIGHWAYS LINE MARKING AND SIGNAGE TO BE DEVELOPED AT DETAILED DESIGN STAGE.
7. ALL HIGHWAYS WORKS IN ACCORDANCE WITH SPECIFICATION FOR HIGHWAY WORKS AND DESIGN MANUAL FOR ROADS AND BRIDGES.
8. DESIGN ORIGINALLY DEVELOPED ON THE BASIS OF TOPOGRAPHIC SURVEY TO HS2 LOCAL SURVEY GRID. DESIGN TRANSFORMED TO OS COORDINATES ON 11/03/2021 USING THE FOLLOWING TRANSFORMATION: RELOCATION FROM X: 143344.601, Y: 463665.161 TO X: 376271.826, Y: 353997.401 AND ANTI-CLOCKWISE ROTATION BY 1.59388082° AT POINT X: 376271.826, Y: 353997.401°

NETWORK RAIL STANDARD COLOUR CONVENSION:

BLACK = EXISTING WORKS TO BE RETAINED
RED = PROPOSED WORKS
GREEN = EXISTING WORKS TO BE REMOVED

KEY:
- VEGETATION TO BE REMOVED
- NEW CARRIAGEWAY CONSTRUCTION
- NEW FENCE LINE
- NEW EMBANKMENTS / VERGES
- EXISTING CARRIAGEWAY RESURFACED
- NETWORK RAIL OWNERSHIP BOUNDARY
- LAND PURCHASE BOUNDARY

IMPORTANT CDM / H&S NOTE

THE DESIGNERS WOULD DRAW THE READER'S ATTENTION TO THE KEY RESIDUAL HEALTH AND SAFETY RISKS THAT HAVE NOT BEEN ELIMINATED FROM THE DESIGN, SHOWN ON THIS DRAWING, BY THE DESIGN PROCESS.

DRA REF:	SIGNIFICANT DESIGNERS IDENTIFIED HAZARDS
HAZ-01	OVERHEAD ELECTRIFIED LINES
HAZ-02	EXISTING BURIED SERVICES
HAZ-03	CLOSE PROXIMITY OF EXISTING PROPERTIES
HAZ-04	DENSE VEGETATION AND TREES

FOR MORE DETAILS ON THE HIGHLIGHTED HAZARDS REFER TO THE DESIGN RISK ASSESSMENT FOR THIS PROJECT
"EVERYDAY" LOW RISK HAZARDS AND THOSE HAZARDS WHICH SHOULD BE OBVIOUS TO A COMPETENT CONTRACTOR HAVE NOT BEEN INDICATED ON THIS DRAWING. SHOULD ANY ADDITIONAL HAZARDS BE IDENTIFIED DURING THE COURSE OF THE WORKS THE CONTRACTOR SHALL NOTIFY ALL RELEVANT MEMBERS OF THE PROJECT TEAM.

REV	DATE	DESCRIPTION OF REVISIONS	DRAWN	CHK'D	APPR'D
A02	12/03/21	RED LINE BOUNDARY ADDED AND CO-ORDINATES AMENDED	RD	HD	RH
A01	09/04/20	FIRST ISSUE	RD	HD	RH

STATUS: F001 - APPROVAL IN PRINCIPLE

DESIGNERS

DESIGN DELIVERY | NetworkRail

Manchester Square One, 4 Travis Street, Manchester, M1 2NY
Tel: 0161 880 3936 Web: www.networkrail.co.uk

PROJECT:
BARTHOMLEY LEVEL CROSSING RENEWAL

DRAWING TITLE:
PROPOSED TURNING HEAD OPTION 5 GENERAL ARRANGEMENT

DESIGNED	R. REGAN	SIGNED	Date 09/04/2020
DRAWN	R. DIVILLY	SIGNED	Date 09/04/2020
CHECKED	H. DAS	SIGNED	Date 09/04/2020
APPROVED	R. HOWE	SIGNED	Date 09/04/2020

SCALE (@ A1 SHEET SIZE = 841 x 594): AS SHOWN
ELR: KCS1
MILEAGE: 4 miles 1694 yards

DRAWING NUMBER: 158184-NRD-1711-KCS1-DWG-EHW-000003
REVISION: A02

This page is intentionally left blank

APPENDIX E

Diversity Impact Assessment (DIA)

Project: Barthomley Level Crossing Renewal

Document No.	158184-NRD-1711-KCS1-REP-EHF-000001
Route/Function	Infrastructure Projects, Network Rail
Issue Date	13/03/2020
Suitability Code (IP Only)	S3 – Suitable for Review and Comment
Security Classification	Public

Document History

Version No.	Date	Reason for Issue
001	14/01/2019	Internal during project development
002	13/03/2020	Update to GRIP 3 level crossing design and update to current DIA template

Document Approval and Sign-off

	Name and position	Signed	Date
DIA Owner	Lena Howells, Scheme Project Manager, Infrastructure Projects	samantha.basford@networkrail.co.uk Digitally signed by samantha.basford@networkrail.co.uk DN: cn=samantha.basford@networkrail.co.uk Date: 2020.04.14 16:28:27 +01'00'	13/03/2020
Prepared by	Rebecca Howe, Design Engineer, Network Rail Design Delivery	Digitally signed by rebecca.howe@networkrail.co.uk Date: 2020.03.12 14:54:08 Z	13/03/2020
Superuser	Richard Brindley, Senior Design Engineer, Network Rail Design Delivery		13/03/2020
Senior Manager	Rob Grey, Project Manager, Infrastructure Projects	Digitally signed by Rob Grey DN: cn=Rob Grey gn=Rob Grey c=GB United Kingdom l=GB United Kingdom o=ONW ou=LNW&C CD e=robert.grey@networkrail.co.uk Reason: I am approving this document Location: Date: 2020-04-14 12:02+01:00	13/03/2020

Project-related Documents

Document No.	Document Title	Relevant Section(s)
19-NW-9007-LX	Level Crossing Ground Plan	Plan layout
158184-NRD-1711-KCS1-F01-EHW-000001	Crewe Hub - Barthomley Level Crossing Renewal – Proposed Turning Head Form 001	Part 1

Overview: what's in this document

Document History 1
Document Approval and Sign-off 2

Diversity Impact Assessment (DIA) Types 5

Step 1: Clarifying Aims 6
Q1. What are the aims of this project/piece of work? 6
Q2. Could this work impact on people? 7
Q3. Decide if a DIA is required 12

Step 2: The Evidence Base 13
Q4. Record the data you have gathered about the diversity of the people potentially impacted by this work 13

Step 3: Impact 19
Q5. Given the evidence listed at 'Step 2: The Evidence Base', what potentially negative impacts could this work have on people with protected characteristics? 19
Q5a. Please select all the protected characteristics your work could potentially have a negative impact on 19
Q5b. Explain the potential negative impact 19
Q6. What could you do to ensure your work has a positive impact on diversity and inclusion including supporting delivery of the Diversity and Inclusion strategy? 21

Step 4: Consultation 22
Q7. How has consultation with those who share a protected characteristic informed your work? 22
Q8. Record any consultation you have had with Network Rail teams who are delivering work that might overlap with yours. 23

Step 5: Informed Decision-Making 24
Q9. After completing Steps 1–4, what is your decision? 24

Step 6: Action Planning 25
Q10. What specific actions will be taken to deliver positive impacts and address any potentially negative impacts identified at 'Step 3: Impact' or through consultation? 25

Step 7: Publication 26

Appendix: continuation sheets 27

Diversity Impact Assessment (DIA) Types

☒ **1 The Built Environment**, or the procurement of works e.g. crossings & bridges, including maintenance, stations, offices/depots and other staffed buildings

☐ ~~**2 Events**, including conferences, training courses and public consultations~~

☐ ~~**3 Policies & Standards**, development, revision and withdrawal of standards, policies and associated guidance including for design.~~

☐ ~~**4 Information Technology (IT)**, IT design, development and enhancement projects~~

☐ ~~**5 Change Programmes** – Better Everyday~~

☐ ~~**6 Procurement of goods and/or services**~~

Step 1: Clarifying Aims

Q1. What are the aims of this project/piece of work?

Barthomley Level Crossing renewal is part of the Crewe Hub programme of works which will generate significant opportunities – not only for Crewe itself but also for the surrounding sub-region. The Northern Gateway Partnership – a collaboration between seven local authorities and two Local Enterprise Partnerships (LEPs) – positions Crewe at the heart of a locally driven programme of investment to bring jobs, housing, growth and regeneration to Cheshire and North Staffordshire. Network Rail are working closely with Cheshire East Council, HS2 Ltd. and the Department for Transport to develop a proposal which aims to provide more capacity, better connectivity, more resilience, improved access and improved facilities in the Crewe area. The benefit could be felt far beyond Crewe to all the connecting routes and locations served. This will facilitate future passenger growth by enabling more national and regional rail services at Crewe.

Barthomley Level Crossing is located between Crewe and Alsager, within Cheshire East Council constituency. The crossing lies on Mill Lane, a narrow public road linking the villages of Oakhanger and Barthomley. Mill Lane has a 7.5 tonne weight restriction and the national speed limit for single carriageways applies, i.e. 60mph for cars. Mill Lane is also part of Route 70 of the National Cycle Network. There is a single bi-directional railway line at the crossing. The railway line is electrified with overhead lines.

Barthomley Level Crossing has a history of misuse, with the most common act being motorists failing to close the gates behind them. Despite the presence of the camera, mis-use has continued with over 75 mis-use incidents recorded since the beginning of 2012.

The primary project objective is to reduce the risk at the Barthomley Level Crossing, whilst providing a safe route for people to cross the railway. The project aims to achieve a solution through collaborative relationships with community-based groups and key local stakeholders so that Network Rail is better able to meet their needs.

The selected option for the crossing is to downgrade the crossing to bridleway gates only, with Miniature stop lights. This will close the crossing to vehicles, while keeping access for pedestrians. In addition, a turning head will be provided to the north to facilitate the turning around of refuse vehicles.

Q2. Could this work impact on people?

☐ **No (Please go to Q3)**

☒ **Yes**

If yes, briefly explain how this work could affect people (considering our duty to promote equality, tackle discrimination and foster good relations between groups)

Under the proposed option, the level crossing will be closed to vehicular users. A location map and photographs of the crossing are shown in Figures 1 to 4.

Crewe ← → Alsager

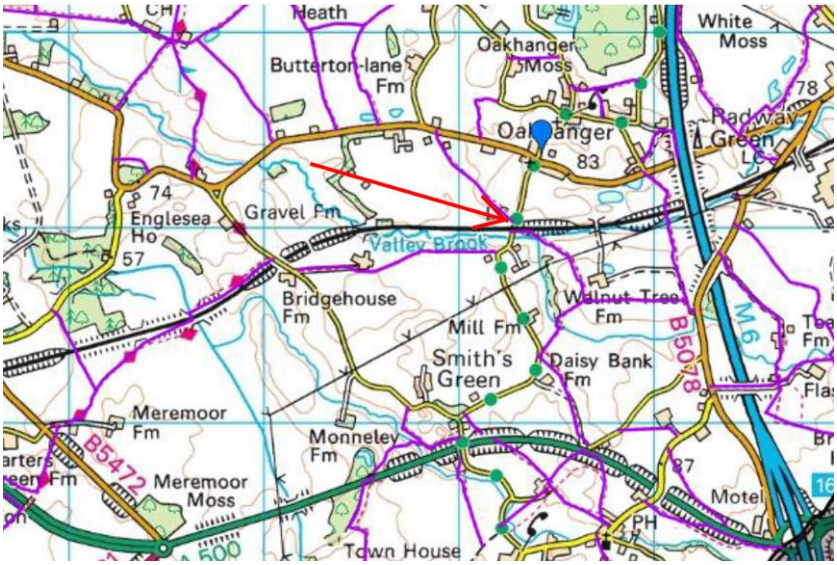


Figure 1 - Cheshire East Council road and footpath map with arrow to level crossing

Figure 2 – Aerial photograph of the crossing (1)

Figure 3 – Aerial photograph of the crossing (2)

Figure 4 – View of the crossing from the road looking north

The map shown in Figure 1 indicates that Mill Lane is not the principal link between the road network, with several roads providing direct access and connectivity to Crewe and Alsager. The B5077 and A500, located to the north and south of the crossing, run approximately parallel to the railway line and Motorway 6 (M6) junction 16 is located to the west. To the east of Mill Lane is Barthomley Road, and to the west is Radway Green Road which both join onto the B5077 and A500.

Land surrounding the level crossing is predominately agricultural land, with approximately seven farms in the wider area. To the south of the crossing, there are approximately six residential properties and farms located along Mill Lane; to the north there is a cottage located directly adjacent to the cottage and there are approximately ten residential properties located at the intersection between Mill Lane and the B5077. It is believed that most of the vehicular crossing users are 'cut through' users and irregular in nature and that local residents tend to use the vehicular crossing infrequently. This is based on observation during both site visits and local knowledge provided by the level crossing manager.

The cycle route over the level crossing is a part of the National Cycle Network (Regional route 70) and actively promoted by SUSTRANS.

The footpath network is well connected to the east of the level crossing, however there is little in terms of connectivity to the west. The public footpaths that run in the vicinity of Barthomley level crossing are over agricultural land and are not currently suitable for cyclists or some users with limited mobility. There are no footpaths present on Mill Lane to the north or south of the crossing.

The selected option will not cut off parts of the community such as housing, hospitals, schools or bus routes. The need for farm owners to find alternative routes to their land was investigated and resolved during the selection of the proposed option.

Connectivity for pedestrian, cycle and equestrian users will remain as per the existing arrangement.

The following modifications are proposed to the level crossing which may affect pedestrian, cycle and equestrian users:

- Yellow surfacing will be provided over the crossing
- Bridleway access gates will be re-positioned to the centre of the road
- New sprung gates will be provided
- Equestrian mounting blocks and hitching posts will be provided to the north and south of the crossing
- An audible warning device will be provided
- Whistle boards will be removed
- Signs will direct users in charge of animals to telephone the signaller before crossing
- New/amended signage provided at the entrances to Mill Lane

The following items will remain as per the existing arrangement:

- Users are to observe miniature stop lights to identify when it is safe to cross
- Gradient over the crossing and at the crossing-road interface will remain as per existing
- Public emergency telephone will remain to be used to contact the signaller in an emergency
- Equestrian and bicycle users are instructed to dismount
- The crossing will be closed to vehicles. Figure 5 shows the diversionary route vehicular users will be required to follow. The route is 5.4km long, with an average travel time of 8 minutes (from the level crossing gate to gate). There are no weight restrictions along the route and the route is wider than the existing route along Mill Lane.

Figure 5 – Vehicular diversionary route

Q3. Decide if a DIA is required

After completing questions Q1 and Q2, decide if you need to complete the rest of this DIA.

If there are no impacts on people (employees, contractors, lineside neighbours or passengers) the remainder of the DIA is not required.

Decision	Author	Superuser	Date
☐ **No, DIA not required (End here)** N.B. Retain in Project file			
☒ **Yes, DIA required** Proceed to Step 2: The Evidence Base	Rebecca Howe, Design Engineer, Network Rail Design Delivery	Richard Brindley, Senior Design Engineer, Network Rail Design Delivery	05/02/2020

Step 2: The Evidence Base

Q4. Record the data you have gathered about the diversity of the people potentially impacted by this work

e.g. from the 2011 national census or from HR Shared Service.

You should also include any research on the issues affecting inclusion in relation to your work.

Consider the following protected characteristics:

- **Disability** (including those with physical, mental and hidden impairments as well as **carers** who provide unpaid care for a friend or family member who due to illness, disability, or a mental health issue cannot cope without their support)
- **Age**
- **Pregnancy/maternity**
- **Race**
- **Religion or belief**
- **Gender**
- **Sexual orientation**
- **Marriage/Civil Partnership**
- **Gender reassignment**

Q4. Data you have gathered about the diversity of the people potentially impacted by this work

Evidence has been considered from the following sources:

1. Level Crossing Traffic Census
2. Census data (2011) https://www.nomisweb.co.uk/reports/localarea?compare=1170220014
3. Cheshire East Council Local Plan 2010 – 2030 https://www.cheshireeast.gov.uk/pdf/planning/local-plan/local-plan-strategy-web-version-1.pdf
4. National Travel Survey (2014)
5. Acts and Figures (2014)
6. Cheshire East Council Equality Impact Assessment (EqIA) for Adult Services Transport Policy
7. European Railways Association Mental Health Statistics
8. Network Rail's Diversity and Inclusion Strategy (2014)
9. Spaces and Places for Everyone (Inclusive Design Strategy (2015-2019)

Level Crossing Traffic Census

A 9-day census was carried out in accordance with NR specification GRD 007 in 2016 and updated in 2018 to ensure the data reflects recent trends. The 2018 census recorded that a total of 99 vehicles, 82 pedestrians, 235 cyclists and 4 equestrians used the crossing in this period, of which two were elderly and three were pushchair users. The table below summarises the average level crossing usage.

User Type	October 2016 9-day census daily average	June 2018 9-Day census daily average
Vehicles	24	11
Pedestrians	29	9
Cyclists	Not separated from pedestrians	26
Horses	2	1
Trains	63	60

Summary of Incidents/Near misses over last 5 years

YEAR	INCIDENT	QUANTITY
2012	Gates open	5
2013	Gates open	9
	Telephone fault	3
	Trespasser	1
2014	Gates open	17
	Near Miss	1
	Not phoning clear	5
2015	Gates open	16
	Not phoning clear	4
2016	Gates open	15
	Not phoning clear	3

Direction of travel for users of the crossing within a 9-day period

		Direction 1 - Northbound												
		P/C	UNMOUNTED CYCLES	Total P/C	M/C	Cars	LGV	MGV/HGV	Bus/Coach	Equestrians	Herded Animals	Tractors Farm Vehicles	Total Motorised Vehicles	
Saturday	23/06/2018	3	7	10	0	3	0	0	0	2	0	0	5	
Sunday	24/06/2018	1	15	16	0	3	1	0	0	0	0	0	4	
Monday	25/06/2018	0	7	7	0	3	3	0	0	0	0	0	6	
Tuesday	26/06/2018	1	7	8	0	1	4	0	0	0	0	0	5	
Wednesday	27/06/2018	4	10	14	0	4	3	0	0	0	0	0	7	
Thursday	28/06/2018	0	11	11	0	2	0	0	0	0	0	1	3	
Friday	29/06/2018	2	4	6	0	4	2	0	0	0	0	7	13	Highest recorded of Vehicles
Saturday	30/06/2018	3	5	8	0	7	1	0	0	0	0	0	8	
Sunday	01/07/2018	3	18	21	0	3	1	0	0	0	0	0	4	
		17	84	101	0	30	15	0	0	2	0	8	55	

		Direction 2 - Southbound												
		P/C	UNMOUNTED CYCLES	Total P/C	M/C	Cars	LGV	MGV/HGV	Bus/Coach	Equestrians	Herded Animals	Tractors Farm Vehicles	Total Motorised Vehicles	
Saturday	23/06/2018	4	8	12	0	1	4	0	0	2	0	0	7	
Sunday	24/06/2018	4	14	18	0	4	0	0	0	0	0	0	4	
Monday	25/06/2018	0	5	5	0	2	0	1	0	0	0	0	3	
Tuesday	26/06/2018	1	7	8	0	2	4	0	0	0	0	0	6	
Wednesday	27/06/2018	9	8	17	1	3	2	0	0	0	0	0	6	
Thursday	28/06/2018	1	14	15	0	1	1	0	0	0	0	0	2	
Friday	29/06/2018	4	6	10	0	4	5	0	0	0	0	1	10	Highest recorded of Vehicles
Saturday	30/06/2018	7	9	16	0	3	1	0	0	0	0	0	4	
Sunday	01/07/2018	8	25	33	0	5	1	0	0	0	0	0	6	
		38	96	134	1	25	18	1	0	2	0	1	48	

The data above shows that the vehicular use is low with 55 movements by cars, and that not all users are using the crossing to go back the way that they came. Of the 8 farm vehicles that used the level crossing, only 1 went back using the crossing. This shows that the road link is not vital to the network because users are going back using alternative routes.

Census information for Barthomley Parish

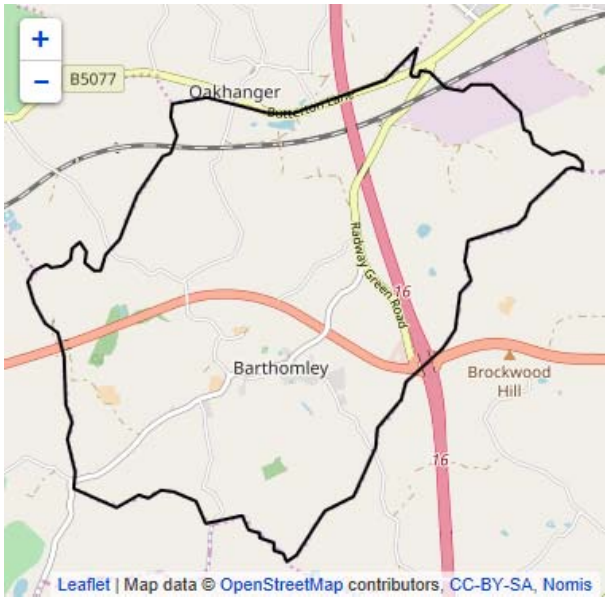


Figure 3 - Barthomley arish area

Usual resident population

	Persons	
	Barthomley Parish	
	count	%
All usual residents	202	100.0
Males	104	51.5
Females	98	48.5
Lives in a household	202	100.0
Lives in a communal establishment	0	0.0
Schoolchild or full-time student aged 4 and over at their non term-time address	4	-
Area (Hectares)	791.85	-
Density (number of persons per hectare)	0.3	-

- These figures are missing.

Source: ONS - 2011 Census (KS101EW)

In order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, particularly small counts at the lowest geographies

Adults not in employment and dependent children and persons with long-term health problems or disability for all households

Households

	Barthomley Parish	
	count	%
All households	82	100.0
No adults in employment in household	14	17.1
With dependent children	1	1.2
No dependent children	13	15.9
Dependent children in household: All ages	25	30.5
Age 0 to 4	5	6.1
One person in household with a long-term health problem or disability	17	20.7
With dependent children	4	4.9
No dependent children	13	15.9

In order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, particularly small counts at the lowest geographies

Source: ONS - 2011 Census (KS106EW)

Car or van availability

Households

	Barthomley Parish	
	count	%
All households	82	100.0
No cars or vans in household	3	3.7
1 car or van in household	22	26.8
2 cars or vans in household	39	47.6
3 cars or vans in household	9	11.0
4 or more cars or vans in household	9	11.0
sum of all cars or vans in the area	167	-

- These figures are missing.

Source: ONS - 2011 Census (KS404EW)

In order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, particularly small counts at the lowest geographies

Age structure

	Persons	
	Barthomley Parish	
	count	%
All usual residents	202	100.0
Age 0 to 4	7	3.5
Age 5 to 7	6	3.0
Age 8 to 9	4	2.0
Age 10 to 14	13	6.4
Age 15	1	0.5
Age 16 to 17	8	4.0
Age 18 to 19	5	2.5
Age 20 to 24	4	2.0
Age 25 to 29	9	4.5
Age 30 to 44	41	20.3
Age 45 to 59	50	24.8
Age 60 to 64	20	9.9
Age 65 to 74	25	12.4
Age 75 to 84	8	4.0
Age 85 to 89	0	0.0
Age 90 and over	1	0.5
Mean Age	42.4	-
Median Age	45	-

- These figures are missing. Source: ONS - 2011 Census (KS102EW)

In order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, particularly small counts at the lowest geographies

Data Analysis

The census data has revealed that the total amount of people resident in Barthomley Parish is low with approx. 202 people, of which approximately half are aged 30 – 59. There are 82 households in Barthomley of which 17 have one person with a long-term health problem or disability. All households have access to a car, with almost half owning two cars.

Cheshire East Council (CEC) Local Plan 2010 – 2030

This plan sets out the overall vision and planning strategy for development in the borough and contains planning policies to ensure that new development addresses the economic, environmental and social needs of the area. It also identifies strategic sites and locations that will accommodate most of the new development needed.

The plan details the issues surrounding the wider population in the Crewe area with an increasingly ageing population as young people leave and an absolute reduction in the number of people of working age. This is one of the reasons that CEC are planning a number of new developments on green belt areas. The plan confirmed that there is a development planned (LPS 20 Land at and adjacent to, White Moss Quarry, Butterton Lane, Barthomley, Crewe) with 350 units which have outline consent. However, this is not close enough to be impacted if the level crossing were to be changed or closed. There are no other facilities planned for development near to Barthomley Level Crossing.

Step 3: Impact

Q5. Given the evidence listed at 'Step 2: The Evidence Base', what potentially negative impacts could this work have on people with protected characteristics?

Q5a. Please select all the protected characteristics your work could potentially have a negative impact on

- ☒ **Disability**
- ☐ **Age**
- ☐ **Pregnancy/maternity**
- ☐ **Race**
- ☐ **Religion or belief**
- ☐ **Gender**
- ☐ **Sexual orientation**
- ☐ **Marriage/civil partnership**
- ☐ **Gender reassignment**

Q5b. Explain the potential negative impact

Please state the characteristic and give an explanation

Closure of the crossing to vehicles

The existing user-worked-gates arrangement at the crossing requires vehicle users to traverse the crossing five times (of which, four are on foot) to open the gates, drive across the crossing and re-close the gates. This is likely to be challenging for users with limited mobility.

Closure of the crossing to vehicles is not deemed to have an adverse effect on any of the groups with protected characteristics. The existing road network around Mill Lane is considered more accessible with better lighting and less prone to flooding. The provision of a turning head to the north of the existing crossing is not deemed to have any adverse effect on any of the groups with protected characteristics.

Impact on hearing impaired users

Under the new level crossing arrangement, users in charge of animals will be required to telephone the signaller before crossing. Equestrian users/other users in charge of animals who are hearing impaired may find it difficult to communicate by telephone with the signaller to confirm it is safe to cross. Therefore, they will not be able to use the crossing safely. Although there is a riding school in the vicinity of the crossing, the 9-day census indicates low use of the crossing by equestrian users, with a total of four equestrian users recorded. It is not known if any of these were hearing impaired.

As per the existing arrangement, all users will be required to telephone the signaller in an emergency or if the miniature stop lights are not working/in dark mode. Users who are hearing impaired may find it difficult to comminute by telephone with the signaller. Therefore, in emergency conditions they may not be able to use the crossing safely.

Q6. What could you do to ensure your work has a positive impact on diversity and inclusion including supporting delivery of the Diversity and Inclusion strategy?

New crossing will be surfaced with yellow anti-slip material. This will improve underfoot conditions which may benefit pedestrian users with limited mobility and improve visibility which may benefit visually impaired users.

Mounting and dismounting blocks provided for equestrian users.

Investigate the possibility of implementing a solution for communicating with the signaller that will be suitable for hearing impaired users.

Step 4: Consultation

Q7. How has consultation with those who share a protected characteristic informed your work?

Groups consulted	What issues were raised in relation to one or many of the protected characteristics (Q5)?
List the groups you have consulted or reference previous relevant consultation (This could include our staff networks, the Built Environment Access Panel, local faith leaders etc)	
	Consultation to be undertaken at subsequent design stages

Q8. Record any consultation you have had with Network Rail teams who are delivering work that might overlap with yours.

This will ensure that our solutions are joined up.

Level Crossing Manager, Level Crossing RAM, Alsager Re-signalling, Fords Overbridge Project Team, Crewe Hub project team and local maintenance teams have been consulted.

Step 5: Informed Decision-Making

Q9. After completing Steps 1–4, what is your decision?

Please select one of the following (for most DIAs this will be option 1) and provide a rationale.

☒ **1 Change the work** to mitigate against potential negative impacts found

☐ **2 Continue the work** because no potential negative impacts found

☐ **3 Justify and continue the work** despite negative impacts (please provide justification)

☐ **4 Stop the work** because discrimination is unjustifiable and there are no obvious ways to mitigate

Q9b. Rationale for decision

Under certain conditions (in an emergency, if the miniature stop lights are not working or if an equestrian user wishes to cross) signage will direct users to contact the signaller. Hearing impaired users may struggle to communicate with the signaller by telephone and therefore may not be able to use the crossing safely.

Consider the practicability of a solution which enables hearing impaired users to contact the signaller during future design development, e.g. inclusion of hearing induction loop, text telephone.

Step 6: Action Planning

Q10. What specific actions will be taken to deliver positive impacts and address any potentially negative impacts identified at 'Step 3: Impact' or through consultation?

Action	By when?	By whom?
Consider need for and practicality of providing solution for hearing impaired user to contact signaller, eg inclusion of a hearing induction loop or text telephone	GRIP 5	Project team
Review this DIA	GRIP 4	Project team

Step 7: Publication

- Please retain copies of this and all completed DIAs in a suitable shared repository.
    - This DIA will be retained on eB.
- Customer-related DIAs may be published on our website.

Appendix: continuation sheets

Question number:

Additional/continued response

North West & Central (NW&C) Region
Level Crossing Risk Assessment

Barthomley
Footpath Crossing with Miniature Stop Lights and Gated Vehicular Crossing with Miniature Stop Lights
25/07/2020

CONTENTS

1 INTRODUCTION....1
2 DESCRIPTION OF THE SITE....1
3 HAZARDS....6
4 SAFETY MANAGEMENT INFORMATION SYSTEM....122
5 OTHER FACTORS AFFECTING THE CROSSING....122
6 OPTIONS EVALUATED....133
7 CONCLUSIONS AND RECOMMENDATIONS....14
8 APPROVAL....18
9 APPENDIX A....19
10 APPENDIX B....21
11 APPENDIX C 22

1 INTRODUCTION

1.1 Reason for the risk assessment

Network Rail has a responsibility and legal duty under the Health and Safety at Work Act 1974 for the health, safety and welfare of its employees and for protecting others against risk.

Network Rail also has a legal responsibility under the Management of Health and Safety at Work Regulations 1999. Section 3 focuses on the requirement for suitable and sufficient assessments of risk to health and safety of employees and others in connection with their undertaking.

Network Rail is committed to reducing the risk on the railway and has identified that one of its greatest public risks is at level crossings. This is where the railway has a direct interface with other elements e.g. vehicles and/or pedestrians. Network Rail is working to reduce this risk to as low as is reasonably practicable.

2 DESCRIPTION OF THE SITE

2.1 Level crossing details

Name of crossing	Barthomley
Type	Footpath Crossing with Miniature Stop Lights and Gated Vehicular Crossing with Miniature Stop Lights
Engineers Line Reference (ELR)	KCS1
Mileage	04miles 77chains
OS grid reference	SJ762539
Number of lines crossed	1
Line speed (mph)	70mph
Electrification	Electrified – 25kv OLE
Signal box	Crewe PSB
Risk assessment next due date: FPWM	25/06/2022
Risk assessment next due date: MWLG	25/09/2021

As part of a level crossing risk assessment, data is entered into the industry accepted risk modelling support tool (All Level Crossing Risk Model) which enables Network Rail to compare risk at all level crossings throughout the network. Results for this level crossing are provided below; see Appendix A for further details on how this is calculated.

ALCRM Risk Details		
	MWLG	**FPWM**
Risk Score	B2	D5
FWI	0.029046922	0.00073690081

Barthomley is known as a hybrid level crossing as there are two elements to the crossing; a gated vehicular element which forms part of a public highway and a footpath element, which forms part of a public right of way over the level crossing.

Barthomley level crossing is an unprotected crossing. This means the crossing is not protected from train movements and the crossing is not protected by the signalling system. Although Miniature Stop Lights (MSL) are installed, these do not protect the level crossing from approaching trains and solely rely on users obeying the system.

The crossing is also known as an active level crossing as there is an active method of warning provided to warn users of an approaching train. In this instance, the active method of warning is the Miniature Stop Light system. Miniature Stop Lights provide a visual indication of a train approach via a red or green light. There is no audible warning at the crossing, however whistle boards are in situ for any users wishing to traverse with limited visibility.

At present, there are 712 level crossings on the LNW route. Out of this figure the vehicular element of Barthomley is ranked number 9. However, if you compare this to other user worked level crossings on LNW route, it is ranked 1 out of 3.

For the footpath element of the crossing, Barthomley is ranked number 209. If you compare this to other footpath level crossings on LNW route, it is ranked 5 out of 6.

2.2 Crossing imagery

Aerial view of Barthomley Level Crossing

Ordnance Survey Map view of Barthomley Level Crossing

Up side approach of Barthomley Crossing

Down side approach of Barthomley Crossing

Additional photographs of the surrounding environment are provided in Appendix B.

2.3 Crossing environment

Barthomley is a hybrid level crossing located in a rural area between the town of Crewe, which has an approximate population of 71,800 (based on 2011 census) and the town of Alsager, which has an approximate population of 11,800 (based on 2011 census). The crossing is situated along Mill Lane which is a public highway leading from Butterton Lane (B5077) and Barthomley Road which leads toward Radway Green Road (nearby to the village or Barthomley). There are a small number of dwellings and farms located along Mill Lane however the route appears to be used sporadically as a 'cut-through' route between Butterton Lane and Radway Green Road.

To the north of the crossing, the area is rural with vast open fields and pockets of woodland in proximity to the crossing. Leading further north along Mill Lane the road reaches Butterton Lane which is a main road located approximately 370m to the north; at this point, there are also a number of dwellings at the junction. Leading further north, the village of Oakhanger is situated approximately 700m to the north and whilst there are a number of dwellings in this area, the surrounding area remains rural.

To the east of the crossing the railway leads east toward Alsager station. Again, the area is rural with vast open fields and pockets of woodland nearby. Directly to the north-east of the crossing, there is a single dwelling adjacent to the crossing. A vehicular over bridge is located approximately 420m to the east of the crossing and this can be seen from Barthomley level crossing. Leading further east, a footpath crossing known as Oakhanger is situated 800m away and then the M6 at 970m to the east.

To the south of the crossing, the area is again rural with areas of woodland and agricultural land nearby. There is a small watercourse known as Valley brook situated approximately 45m to the south of the crossing which passes under Mill Lane. Leading further south there is a single dwelling situated at the fork of the road and then two more dwellings from here at 200m and 180m respectively. Mill Lane continues south for approximately 1.30km before reaching Barthomley Road which leads to the village of Barthomley.

Finally, to the west of the crossing the railway leads west toward Crewe. The area is again highly rural with vast open agricultural land and woodland nearby. There are no outstanding features to the west of the crossing, as the area is purely rural and appears to be utilised for arable and pastoral farming.

2.4 Approach to crossing

This crossing is located between Alsager and Crewe station. At this location the crossing spans one line with a maximum line speed of 70 mph. The railway is orientated from east to west.

Approaching the crossing from the south the first side met is the down side. Users approaching from the south access via Barthomley Road and enter onto Mill Lane; from here, users continue along Mill Lane for approximately 1.30km toward the crossing. Once at the crossing, users operate the gates (either vehicular if traversing in a vehicle, or pedestrian wicket gates if traversing on foot) and if safe to do so, users then traverse the

crossing. Once over the crossing users must close the gates and then continue north along Mill Lane and then onto Butterton Lane.

Approaching the crossing from the north the first side met is the up side. Users approaching from the north access via Butterton Lane and enter onto Mill Lane; from here, users continue south along Mill Lane for approximately 370m toward the crossing. Once at the crossing, users operate the gates (either vehicular if traversing in a vehicle, or pedestrian wicket gates if traversing on foot) and if safe to do so, users then traverse the crossing. Once over the crossing users must close the gates and then continue south along Mill Lane toward Barthomley Road.

At this location the road speed is designated as a national speed limit single carriageway however due to the layout of the highway it is estimated that vehicles will be traveling at lesser speeds (closer to 30mph or less). Additionally, users are required to exit their vehicles to open and close the gates and therefore vehicles travelling over the crossing are likely to be traversing the crossing at a speed of approximately 15mph or less.

The crossing surface at this location is known as Metal Framed Concrete and is of concrete construction. There is a decline in gradient when approaching from the north, however once at the crossing the surface is level and once over the crossing the gradient remains level leading south along Mill Lane. Signage is located on both crossing approaches and is clearly visible when approaching the crossing.

Telephones are installed at this crossing and the system in place is known as a Direct Connect system; the system is simple in operation and users simply pick up the handset which automatically connects to the controlling signal box, in this instance Crewe PSB. Any users traversing with large or slow vehicles must contact the signaller and gain permission to traverse the crossing before doing so.

2.5 Crossing usage

Normal passenger services run between the hours of 05:00 and 23:59 with approximately 69 services per day. Freight services also traverse this line with approximately 2 services running through the full 24 hours. The number and frequency of services can fluctuate depending on operational requirements, engineering works or during times of disruption.

At some level crossings, there is a chance that a second train may pass the crossing within 20 seconds of the first train. At this location, there is no chance this will happen as the crossing is located on a single line. Additionally, the chance that a second approaching train may not be seen until the first train has passed is impossible, again as this is a single-track location.

For the vehicular element of the level crossing, a full 9-day census has been completed between 23/06/2018 and 01/07/2018 (dates inclusive) to make note of the number and type of users using the level crossing. During this period there were 55 cars, 33 vans/small lorries, 1 HGV, 4 equestrian users, 9 tractors and 1 motorcycle. For the purposes of ALCRM, this has been averaged over the 9-day period to give an average daily usage of 6 cars, 4 vans/small lorries and 1 tractor per day.

For the footpath element of the crossing, a full 9-day census has been completed between 23/06/2018 and 01/07/2018 (dates inclusive) to make note of the number and type of users using the level crossing. During this period, there were 53 adult pedestrians, 3 users with prams, 7 accompanied children, 2 elderly users and 235 cyclists (180 dismounted cyclists and 55 mounted cyclists). For the purposes of ALCRM, this has been averaged over the 9-day period to give an average daily usage of 8 pedestrians per day and 26 cyclists per day.

User Type	Number
Cars	6
Vans / Small Lorries	4
Pedal / Motor Cycles	26
Pedestrians	8
Tractors / Farm Vehicles	1

During the census there was no evidence to suggest that a high number of vulnerable users were using the crossing. One unaccompanied child utilised the crossing during the 9-day census. However, it must be noted that a visual census does not fully identify all users with protected characteristics.

During the census there was no evidence to suggest that a high number of irregular users were utilising the level crossing. There are no attractions nearby which would likely lead to an increase in irregular users.

Finally, during the census there was no evidence to suggest a high number of users were utilising the crossing during hours of darkness. Due to the rural location, users are required to use their own personal light source at the crossing. However, the Miniature Stop Lights operate as usual during hours of darkness and therefore users are still able to determine if a train is approaching or not.

3 HAZARDS

3.1 Sighting and traverse

A decision point is a position where an individual would reasonably make a decision to cross the railway.

Sighting is the distance that can be seen in both directions for approaching trains. At this crossing, the sighting is greater than required for the time needed to allow an able-bodied person to traverse the crossing.

The length of the crossing from a safe place on one side of the railway to a safe place on the other side of the crossing is 6 metres when traversing from either the up side or the down side. Additionally, the time required to traverse the crossing from either the up side or the down side is 5.05 seconds for a pedestrian and 26.56 seconds for a vehicle (based a

tractor with trailer or HGV). These times have been calculated using the Network Rail sighting calculation tool.

Miniature Stop Lights are installed at the level crossing which provides visual warning to both vehicular and pedestrian users in the form of a red and green light system. Direct connect telephones are also installed at the crossing and any vehicles which are large or slow must telephone and gain permission from the signaller to traverse the crossing. Additionally, whistle boards are installed on both crossing approaches to provide an audible warning of train approach.

However, whistle boards place the onus onto the train driver to sound a warning which can lead to either no warning being sounded or inconsistent warning times (based on whether the train driver sounds the horn on approach to the board, at the board or beyond the board). Furthermore, since December 2016, train horns are not used between the hours of 00:00hrs and 06:00hrs – the night time quiet period (NTQP).

In addition, telephones are dependent on users reliably using the telephones and on the controlling signaller being able to know the location of any trains in relation to the crossing in order to advise the users. This is not possible on lines with long signal sections where long waiting times can lead to users failing to use the telephones.

The signal section is 1105 metres, which is approximately 0.3 minutes for a non-stopping train to traverse.

		Decision point (m)	Traverse length (m)	Measured from
Vehicle element	**Up side**	2m	6m	2m from nearest running rail
	Down side	2m	6m	2m from nearest running rail

		Decision point (m)	Traverse length (m)	Measured from
Pedestrian element	**Up side**	2m	6m	2m from nearest running rail
	Down side	2m	6m	2m from nearest running rail

	Traverse Time Up Side (seconds)	Traverse Time Down Side (seconds)
Pedestrians	5.05 seconds	5.05 seconds
Single car / tractor / van	10.05 seconds	10.05 seconds
Tractor with Trailer / HGV	26.56 seconds	26.56 seconds

Sighting Information for Pedestrian Users

	Minimum sighting distance required (m)	Available sighting distance (m)	Comments	Warning time provided by sighting distance (seconds)
Upside looking towards up train approach	158m	176m	Measured to vegetation.	5.62 seconds
Upside looking towards down train approach	158m	212m	Measured to track curve.	6.77 seconds
Down side looking towards up train approach	158m	360m	Measured to track curve.	11.5 seconds
Down side looking towards down train approach	158m	279m	Measured to vegetation.	8.91 seconds

Sighting Information for Vehicular Users				
	Minimum sighting distance required (m)	**Available sighting distance (m)**	**Comments**	**Warning time provided by sighting distance (seconds)**
Upside looking towards up train approach	158m	176m	Measured to vegetation.	5.62 seconds
Upside looking towards down train approach	158m	212m	Measured to track curve.	6.77 seconds
Down side looking towards up train approach	158m	360m	Measured to track curve.	11.5 seconds
Down side looking towards down train approach	158m	279m	Measured to vegetation.	8.91 seconds

3.2 Identified hazards and risks

Hazard	Potential impact	Mitigations

Trains	Fatality or serious injury	• Greater than minimum required sighting for pedestrian users. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle. • Appropriate crossing decking for crossing type and location. • Whistle boards provided for audible warning of train approach. • Level crossing signage is provided.
Slip, trip, falls	Fatality or serious injury	• Appropriate crossing decking for crossing type and location. • Regular crossing inspections and maintenance regime in place. • Highlighted pedestrian walking route over the crossing surface.
Difficulty on hearing approaching trains due to inclement weather	Fatality or serious injury	• Level crossing signage. • Vegetation management plan in place. • Greater than minimum required sighting for pedestrian users. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle. • Whistle boards provided for audible warning of train approach.
Darkness	Fatality or serious injury	• Review of night time usage completed – no known issues with users during hours of darkness. • Users required to carry their own personal light source. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle.
Increased usage due to future developments	Fatality or serious injury	• Review and update this risk assessment appropriately – no known developments in the area at time of assessment.

Vegetation growth between visits reducing the ability to see trains approaching crossing	Fatality or serious injury	• Vegetation management plan in place. • Regular inspection and maintenance regime in place. • Greater than minimum required sighting for pedestrian users. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle. • Whistle boards provided for audible warning of train approach.
Unfamiliar users	Fatality or serious injury	• Standard crossing layout, compliant with Office of Rail and Road guidance. • Instructional signage at crossing. • Greater than minimum required sighting for pedestrian users. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle. • Whistle boards provided for audible warning of train approach. • Level crossing awareness days.
High number of misuse incidents at this location	Fatality or serious injury	• Standard crossing layout, compliant with Office of Rail and Road guidance. • Instructional signage at crossing. • Greater than minimum required sighting for pedestrian users. • Miniature Stop Lights installed to give visual warning of train approach. • Telephones provided for users traversing with a large of slow vehicle. • Whistle boards provided for audible warning of train approach. • Level crossing awareness days. • Media campaigns have been published to raise local awareness.

The risk assessment is based on data collected at the crossing and entered into ALCRM. This is a computer-based application used by Network Rail to assist in the risk management of level crossings. The risk result consists of a 'letter' and 'number' classification of safety risk, giving the 'letter' (A-M for individual risk) or 'number' (1-13 for collective risk) band. These rankings represent the range of risk across all types of crossings where A and 1 are the highest and M and 13 are the lowest.

Footpath Element of Barthomley Level Crossing

Safety Risk

	Individual Risk	Collective Risk	Risk Group	Risk Category
Compared to other Crossings the safety risk for this crossing is:	D	5	Z08	Double Yellow

	Individual Risk (Fraction)	Individual Risk (Numeric)	Collective Risk
Cyclist / Motorcyclist	1 in 33884	2.9512E-5	5.60131E-4
Pedestrian	1 in 33884	2.9512E-5	1.72348E-4
Passengers			0.0
Staff			4.422E-6
Total			**7.36901E-4**

Collision Frequencies

	Train / User	User Equipment	Other
Pedestrian:	8.84353E-4	1.91358E-4	5.1468E-4

Collision Risk

	Train / User	User Equipment	Other
Pedestrian:	7.18094E-4	3.062E-6	1.1323E-5

Vehicular Element of Barthomley Level Crossing

Safety Risk

	Individual Risk	Collective Risk	Risk Group	Risk Category
Compared to other Crossings the safety risk for this crossing is:	B	2	Z03	Red

	Individual Risk (Fraction)	Individual Risk (Numeric)	Collective Risk
Car	1 in 2356	4.24351E-4	0.013125037
Van / Small Lorries	1 in 1140	8.76695E-4	0.007875022
HGV	1 in 105	0.009497883	7.861E-5
Bus	0	0.0	0.0
Tractor / Farm Vehicle	1 in 946	0.001056123	7.07489E-4
Cyclist / Motorcyclist	1 in 124921	8.005E-6	5.844E-6
Pedestrian	0	0.0	0.001145401

			Derailment Contribution
Passengers		9.36055E-4	86.941166371
Staff		0.005173464	1.791091145
Total		**0.029046922**	3.120740343

Collision Frequencies

	Train / User	User Equipment	Other
Vehicle:	0.039463731	0.068965517	0.0
Pedestrian:	0.001301681	0.0	0.004285473

Collision Risk

	Train / User	User Equipment	Other
Vehicle:	0.021786157	0.0	0.0
Pedestrian:	0.001056965	0.0	9.428E-5

4 SAFETY MANAGEMENT INFORMATION SYSTEM

4.1 Network Rails internal safety management information systems have been interrogated and revealed that during the previous 5 years there have been 87 reported incidents at the crossing. Due to the high number of incidents at this location, details of these have been provide as an appendix; please see Appendix C.

5 OTHER FACTORS AFFECTING THE CROSSING

5.1 At the time of this assessment Barthomley Level Crossing was being assessed by Crewe Hub Project as the project is likely to impact on the level crossing and as such, options are being discussed for this location.

At present, it appears the local Council are unsupportive of total closure however the Council do seem supportive of closure of the vehicular element of the crossing. The Level Crossing Manager is encouraging closure of the vehicular element of the crossing as this is the element which holds most risk at this location.

Whilst discussions are far from over, the current outlook is to close the vehicular element of the crossing and downgrade to a footpath/ bridleway element. Whilst the LCM would encourage closure of the footpath element too, it appears the closure of this element is not feasible.

There is also currently a proposal A500 Dualling (20/1709N). Although we currently have no objection to the proposal in principle, there is concern that this could inflict more usage at the crossing by those with local knowledge of the area, therefore increasing the risk.

The risk has been calculated by increasing the usage by 25 %, 50 %, 75 % and 100 %.

Option	*Current Wisk Score and FWI*	*New Risk Score and FWI*	*Increased %*
Increase by 25 %	B2 - 0.029046922	B2 – 0.035888943	23 %
Increase by 50 %	B2 - 0.029046922	B2 – 0.043963955	51 %
Increase by 75 %	B2 - 0.029046922	B1 – 0.051141744	76 %
Increase by 100 %	B2 - 0.029046922	B1 – 0.058618607	101 %

6 OPTIONS EVALUATED

6.1 Detailed below are a number of options that have been considered to reduce the risk at the crossing.

Element of Crossing	Option	Original ALCRM risk score	New ALCRM risk score	New ALCRM FWI	Safety benefit %	Cost	Benefit cost ratio
Footpath Element	Closure by Pedestrian Over Bridge	D5	M13	0.00	100 %	£1,100,000	**0.04**
Footpath Element	Closure by Pedestrian Underpass	D5	M13	0.00	100 %	£4,000,000	**0.01**
Footpath Element	Closure by Diversion of Public Footpath	D5	M13	0.00	100 %	Unknown	**Unknown**
Vehicular Element	Closure by Vehicular Over Bridge	B2	M13	0.00	100 %	£8,000,000	**0.14**
Vehicular Element	Closure by Vehicular Underpass	B2	M13	0.00	100 %	£8,000,000	**0.14**
Vehicular Element	Closure by Diversion of Public Highway	B2	M13	0.00	100 %	Unknown	**Unknown**
Vehicular Element	Upgrade to MCB with Obstacle Detection	B2	J9	0.000008133	99 %	£3,500,000	**0.17**
Vehicular Element	Upgrade to MCB with CCTV	B2	J9	0.000008133	99 %	£2,800,000	**0.21**

NOTES
The following CBA criteria are used as a support to decision making:

a. benefit to cost ratio is ≥ 1: positive safety and business benefit established;
b. benefit to cost ratio is between 0.99 and 0.5: reasonable safety and business benefit established where costs are not grossly disproportionate against the safety benefit; and
c. benefit to cost ratio is between 0.49 and 0.0: weak safety and business benefit established.

7 CONCLUSIONS AND RECOMMENDATIONS

7.1 Footpath: Closure by *pedestrian stepped or ramped over bridge*

The first option for the footpath element of the crossing would be to close the crossing and install a pedestrian over-bridge. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing.

Installation of an over-bridge is a costly option and may involve land purchase due to the footprint required to construct a footbridge. Additionally, due to the proximity to the adjacent dwelling, a bridge may be unfeasible as there may not be room to construct a bridge without demolishing the dwelling. Due to the environmental constraints at this location and the complexity of the development, the cost significantly outweighs the safety benefit at this location.

Footpath: Closure by *pedestrian stepped or ramped underpass*

The next option for the footpath element of the crossing would be to close the crossing and construct a pedestrian underpass. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing.

Installation of an underpass is a costly option and may involve land purchase due to the footprint required to correctly gradient the underpass. Additionally, due to the proximity to the adjacent dwelling, an underpass may be unfeasible as there may not be room to construct this without demolishing the dwelling. Furthermore, underpasses often introduce new risks such as anti-social behaviour and flooding, the latter is considered to be a significant issue due to the nearby watercourse. Due to the environmental constraints at this location and the complexity of the development, the cost significantly outweighs the safety benefit at this location.

Footpath: Closure by diversion of Public Fotpath

Another option for the crossing would be to close the crossing and divert the public right of way utilising existing infrastructure. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing.

From desktop studies and site visits, it appears that there is a potential diversionary route nearby to the level crossing. The route (shown in orange below) is approximately 900m in length and utilises an existing overbridge located nearby to the crossing. The route would allow users to reach either side of the railway without having to traverse the crossing and would still allow access to other public rights of way within the area.

However, a right of way does not currently exist along the proposed route and the bridge is currently not a right of way. As such, a new path would be required along the route and this would require land purchase on either side of the railway.

As this diversion requires land to be purchased to allow the paths to the bridge to be constructed it is not possible at this time to complete on the Cost Benefit Analysis. Furthermore, as the option appears to be excessive and requires Network Rail to purchase a significant amount of land on either side of the railway, this option has been discounted.

Vehicular Element: **Closure by *over bridge***

The first option for the vehicular element of the crossing would be to close the crossing and install a vehicular over-bridge. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing. Additionally, this option would also allow pedestrian users to reach either side of the station without needing to traverse the level crossing.

Installation of a vehicular over-bridge is a costly option and will involve land purchase due to the footprint required to construct a vehicular over bridge. Additionally, due to the proximity to the adjacent dwelling, a bridge may be unfeasible as there may not be room to construct a bridge without demolishing the dwelling. Furthermore, due to the OLE equipment at this location the bridge would need to be significantly larger to accommodate the OLE clearance requirements.

As such, due to the environmental constraints at this location and the complexity of the development, the cost significantly outweighs the safety benefit at this location.

Vehicular Element: **Closure by *underpass***

The next option for the vehicular element of the crossing would be to close the crossing and construct a vehicular underpass. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing. Additionally, this option would also allow pedestrian users to reach either side of the station without needing to traverse the level crossing.

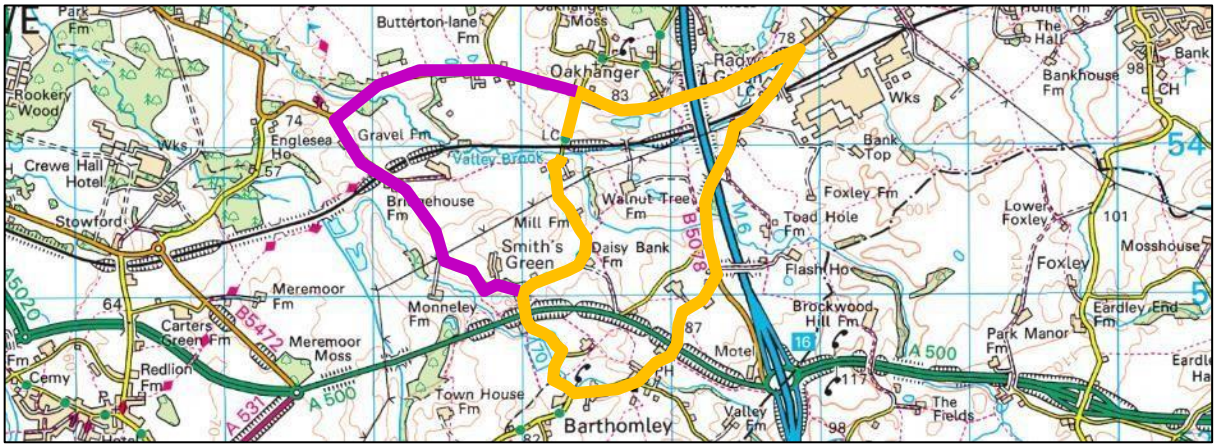
Construction of a vehicular underpass is a costly option and will involve land purchase due to the footprint required to correctly gradient the underpass. Additionally, due to the proximity to the adjacent dwelling, an underpass may be unfeasible as there may not be room to construct the underpass without demolishing the dwelling. Furthermore, underpasses often introduce new risks such as anti-social behaviour and flooding, the latter is considered to be a significant issue due to the nearby watercourse. Due to the

environmental constraints at this location and the complexity of the development, the cost significantly outweighs the safety benefit at this location.

Vehicular Element: Closure by diversion of Public Highway

Another option for the vehicular element of the crossing would be to close the crossing and divert the public highway utilising existing infrastructure. This option would completely remove risk at the crossing and would allow users to traverse from one side of the railway to the other without having to use the level crossing.

From desktop studies and site visits, it appears that there are two potential diversionary routes nearby to the level crossing. The first route (shown in orange below) is approximately 6.90km in length and utilises existing highway routes and would allow users to reach either side of the railway without having to traverse the crossing. The second route (shown in purple below) is approximately 5.25km in length and utilises existing highway routes and would allow users to reach either side of the railway without having to traverse the crossing.



As this diversion requires land to be purchased to allow the paths to the bridge to be constructed it is not possible at this time to complete on the Cost Benefit Analysis. However, despite the lack of Cost Benefit Analysis data, this option should be explored further as it appears the Council would support this, and this would close the vehicular element of the crossing which currently holds the most risk.

Vehicular Element: Upgrade to MCB with Obstacle Detection

The next option at this location would be to convert the hybrid crossing to create one MCBOD level crossing. At present, there are two level crossings listed at this location, the footpath element and the vehicular element; conversion of the vehicular element to MCBOD would allow for removal of the footpath element and would facilitate significant risk reduction for the vehicular element.

MCBOD is seen to be the most sophisticated level crossing safety system and is unlikely to increase signaller workload as the system uses a radar system to check the crossing is clear. The system removes the human element of operation at the crossing but still has full barriers and warning lights to prevent access as trains approach.

Conversion to MCBOD is a costly option, although this would reduce the risk by 97 % it may require land purchase from the nearby farm land, furthermore the single dwelling on the upside of the crossing would need to be demolished. Due to the environmental constraints and the cost of the project, this option has been discounted.

Vehicular Element: Upgrade to MCB with CCTV

The final option at this location would be to convert the hybrid crossing to create one MCB-CCTV crossing. At present, there are two level crossings listed at this location, the footpath element and the vehicular element; conversion of the vehicular element to MCB-CCTV would allow for removal of the footpath element and would facilitate significant risk reduction for the vehicular element.

Conversion to MCB-CCTV could also be considered, however this would have to be explored in more detail as this would increase signaller workload; this is because the crossing would be operated by the signaller. This system would fully prevent access to the railway as trains approach and is deemed one of the most effective protection methods for level crossing.

Conversion to MCB-CCTV is a costly option, although this would reduce the risk by 97 % it may require land purchase from the nearby farm land, furthermore the single dwelling on the upside of the crossing would need to be demolished. Due to the environmental constraints and the cost of the project, this option has been discounted.

7.2 Network Rail is subject to the requirements of the Health and Safety at Work Act etc. 1974 to reduce risk 'so far as is reasonably practicable'. In simple terms this means that the cost, time and effort required in providing a specific risk reduction measure needs to be commensurate with the safety benefit that will be obtained as a result of its implementation.

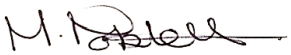
Following the completion of the risk assessment and having reviewed all relevant information and options, the assessor recommends that closure of the vehicular element is the most suitable option at this location. The vehicular element of this crossing holds the most risk and is the element of the crossing which experiences most user misuse. As such, it appears to be most feasible to close this element of the crossing. Furthermore, closure appears to be supported by the Council and therefore should be pursued further.

Closure of the footpath element would be preferred however the local Council has indicated this would not be accepted and other closure options appear unfeasible. As such, it seems that the best option at this location would be to retain the footpath element of the crossing and remove the vehicular element.

The LCM understands this crossing is covered by the Crewe Hub Project and the aspiration is to take on the above recommendation to mitigate against the increased risk of the Crew Hub works.

In the interim, the Level Crossing Manager will continue to monitor the level crossing and undertake safety awareness where possible to remind users of the safe use of the crossing in an attempt to reduce the deliberate user misuse at this crossing.

8 APPROVAL

Prepared by: Megan Noblett	Signature: 
Job Title:	Network Rail Level Crossing Manager
Date:	23/10/2020
Approved by:	Signature: 
Job Title:	Network Rail Route Level Crossing Manager
Date:	11th November 2020

9 APPENDIX A

ALCRM provides an estimate of both the individual and collective risks at a level crossing.

The individual and collective risk is expressed in Fatalities and Weighted Injuries (FWI). The following values help to explain this:

- **1** = 1 fatality per year or 10 major injuries or 200 minor RIDDOR events or 1000 minor non-RIDDOR events
- **0.1** = 20 minor RIDDOR events or 100 minor non-RIDDOR events
- **0.005** = 5 minor non-RIDDOR events

INDIVIDUAL RISK

This is the annualised probability of fatality to a 'regular user'. *NOTE: A regular user is taken as a person making a daily return trip over the crossing; assumed 500 traverses per year.*

Individual risk:

- Applies only to crossing users. It is not used for train staff and passengers
- Does not increase with the number of users.
- Is presented as a simplified ranking:
  - Allocates individual risk into rankings A to M
    (A is highest, L is lowest, and M is 'zero risk' e.g. temporary closed, dormant or crossings on mothballed lines)
  - Allows comparison of individual risk to average users across any crossings on the network

Individual Risk Ranking	Upper Value (Probability)	Lower Value (Probability)	Upper Value (FWI)	Lower Value (FW)
A	1 in 1	Greater than 1 in 1,000	1	0.001000000
B	1 in 1,000	1 in 5,000	0.001000000	0.000200000
C	1 in 5,000	1 in 25,000	0.000200000	0.000040000
D	1 in 25,000	1 in 125,000	0.000040000	0.000008000
E	1 in 125,000	1 in 250,000	0.000008000	0.000004000
F	1 in 250,000	1 in 500,000	0.000004000	0.000002000
G	1 in 500,000	1 in 1,000,000	0.000002000	0.000001000
H	1 in 1,000,000	1 in 2,000,000	0.000001000	0.000000500
I	1 in 2,000,000	1 in 4,000,000	0.000000500	0.000000250
J	1 in 4,000,000	1 in 10,000,000	0.000000250	0.000000100
K	1 in 10,000,000	1 in 20,000,000	0.000000100	0.000000050
L	Less than 1 in 20,000,000	Greater than 0	0.000000050	Greater than 0
M	0	0	0	0

COLLECTIVE RISK
This is the total risk for the crossing and includes the risk to users (pedestrian and vehicle), train staff and passengers.

Collective risk:

- Is presented as a simplified ranking:
  - Allocates collective risk into rankings 1 to 13
    (1 is highest, 12 is lowest, and 13 is 'zero risk' e.g. temporary closed, dormant or crossings on mothballed lines)
  - Can easily compare collective risk between any two crossings on the network

Collective Risk Ranking	Upper Value (FWI)	Lower Value (FW)
1	Theoretically infinite	Greater than 5.00E-02
2	0.050000000	0.010000000
3	0.010000000	0.005000000
4	0.005000000	0.001000000
5	0.001000000	0.000500000
6	0.000500000	0.000100000
7	0.000100000	0.000050000
8	0.000050000	0.000010000
9	0.000010000	0.000005000
10	0.000005000	0.000001000
11	0.000001000	0.000000500
12	0.0000005	0
13	0.00E+00	0.00E+00

10 APPENDIX B

Additional photographs of crossing environment.

Up side across crossing

Down side across crossing

Up side looking up

Down side looking up

Up side looking down

Down side looking down

11 APPENDIX C

Details of all 87 reported incidents at this location over the past 5 years; data has been obtained from Network Rail Safety Management Information System (SMIS).

Event date	Description
28/10/2015	LC Misuse: LM 1U32 1302 Crewe to London Euston reported gates left open at Barthomley LC. BTP ref 266
04/01/2016	LC Misuse: LM 1U29 0946 London Euston - Crewe reported gates at Barthomley Level Crossing had been left open. BTP Ref N°180
04/01/2016	LC misuse at Barthomley LC: Permission was given for a user to cross however they had not reported when clear.
05/01/2016	LC Misuse at Barthomley LC: gates were left open as reported by EMT 1K14 1307 Crewe - Derby
29/02/2016	LC Misuse - Crewe North Signaller reported a person with a van failed to call back after using the crossing at Barthomley. BTP Ref: 266
05/03/2016	LC Misuse: LM 1U18 0700 Crewe-Euston reported gates open at Barthomley LC
12/03/2016	LC Misuse: LMT 1U28 1102 Crewe-Euston reported gates open at Barthomley LC. BTP Ref 182
14/03/2016	LC Misuse: person with horses asked to use Barthomley LC and failed to call back in when clear. BTP ref: 376
30/03/2016	LC misuse - LM 1U28 1302 Crewe - Euston reported crossing gates left open at Barthomley LC. BTP Ref: 252.
10/04/2016	LC misuse: EM 1K10 19:08 Crewe-Derby reported Barthomley crossing gate was open. BTP Ref: 419
11/04/2016	LC Misuse: LM 1U32 1302 Crewe-Euston reported crossing gates were open at Barthomley level crossing.
20/04/2016	LC Misuse - LMT 2U19 0545 Northampton - Crewe reported the gate left open at Barthomley LC. BTP Ref: 88
20/04/2016	LC Misuse - EMT 1U30 1202 Crewe - London Euston reported gates left open at Barthomley LC. BTP Ref: 200
23/04/2016	LC Misuse: LM 1U28 1102 Crewe to Euston reported gates had been left open at Barthomley LC. BTP ref 175
28/04/2016	LC Misuse - LM 1U20 0622 Crewe to London Euston reported a gate left open at Barthomley LC. BTP Ref: 71
07/05/2016	LC Misuse: LM 1U16 0601 Crewe-London Euston reported gates open at Barthomley UWC (R/G) BT Ref 90
25/05/2016	LC misuse: LM 1U34 14:02 Crewe to Euston reported crossing gates at Barthomley [MWLG] LC had been left open. BTP Ref 317
27/05/2016	Level crossing misuse: EMT 1K27 1942 Derby - Crewe reported Barthomley level crossing gates had been left open.
02/06/2016	LC Misuse - LMT 2U21 0635 Northampton - Crewe reported Barthomley LC gates had been left open.
05/06/2016	LC misuse: LM 1U36 14:32 Crewe-Euston reported gates at Barthomley had been left open. BTP Ref 229
15/06/2016	Level Crossing Misuse: LM 2U21 0635 Northampton - Crewe service reported gates were open on Barthomley LC
20/06/2016	LC Misuse - LMT 1U30 1202 Crewe - Euston reported the gate at Barthomley LC was left open. BTP Ref: 209
21/06/2016	Level crossing misuse; gates open at Barthomley LC as reported by LMT 1U32 1302 Crewe - London Euston
03/07/2016	LC Misuse: LM 1U42 1737 Crewe to Euston reported gates left open at Barthomley LC. BTP ref 345
03/08/2016	LC misuse: LM 1U34 1402 Crewe to London Euston reported both gates open at Barthomley LC.
06/08/2016	LC misuse: EMT 1K99 1042 Derby-Crewe reported gates open at Barthomley Level Crossing.
24/08/2016	LC Misuse: Horse riders failed to call back have been given permission to cross at Barthomley LC. BTP ref 148
14/09/2016	LC misuse at Barthomley LC; gates open as reported by LM 1U26 1002 Crewe-London Euston. BTP Ref N°152
21/09/2016	LC Misuse: LM 1U31 1046 Euston to Crewe reported car cross Barthomley LC whilst the red road lights were flashing. BTP ref 242
04/10/2016	LC Misuse: gates reported open at Barthomley LC as reported by LMT 1U32 1302 Crewe - London Euston. BTP Ref N°251.
14/10/2016	LC misuse: LMT 1U41 1546 Euston-Crewe reported Up side gate open at Barthomley. BTP Ref N°459

24/10/2016	LC Misuse: LM 1U40 1702 Crewe-Euston reported 2 girls playing chicken at a foot crossing on approach to Alsager
24/10/2016	LC misuse: LM 2U21 0635 Northampton to Crewe reported gate open at Barthomley Level Crossing
28/10/2016	Crossing misuse
08/12/2016	LC Misuse: LM 1U30 1202 Crewe to Euston reported gates left open at Barthomley LC.
31/12/2016	LC Misuse: LM 1U28 1102 Crewe-Euston reported the gates at Barthomley MWLG Crossing were open
09/01/2017	LC Misuse - 1U34 1402 Crewe - Euston reported gates open at Barthomley Level Crossing.
29/01/2017	LC misuse: LM 1U26 1237 Crewe - Euston reported gates were open at Barthomley. BTP Ref N°191.
25/02/2017	LC Misuse - 5K00 (1725 Derby Etches Park to Crewe CS) reported the crossing gates open at Barthomley LC.
08/03/2017	LC Misuse: 1K06 0907 Crewe-Derby reported that the gates at Barthomley LC had been left open.
09/03/2017	LC Misuse - 1U37 (1346 London Euston - Crewe) reported Barthomley crossing gate open. BTP:459
25/03/2017	LC Misuse: 1702 Crewe to Euston reported gates left open at Barthomley LC. BTP ref 439
24/05/2017	LC Misuse: LM 1U30 1202 Crewe-London Euston reported level crossing gates were open at Barthomley LC. BTP Ref unknown
25/05/2017	LC Misuse -User failed to report clear of Barthomley Level Crossing. BTP:626
29/06/2017	LC Misuse: EMT 1K22 1707 Crewe to Derby reported a white van crossed Barthomley LC as the train approached. Not classed as near miss. BTP ref 405
31/07/2017	LC Misuse - the gates of Barthomley Crossing were left open
01/08/2017	LC Misuse - the gates of Barthomley Crossing were left open
12/08/2017	LC Misuse - at Barthomley Crossing a user failed to call the signaller back when safely across,
18/08/2017	LC Misuse - the gates of Barthomley Crossing were left open
21/08/2017	LC Misuse - the gates of Barthomley Crossing had been left open
28/08/2017	LC Misuse - at Barthomley Crossing the gates had been left open
04/09/2017	LC Misuse at Barthomley LC; Crossing gates reported open by driver
11/09/2017	LC misuse: LM 2U23 0624 Euston - Crewe reported gates open at Barthomley Level Crossing
01/10/2017	LC Misuse - the gates of Barthomley Crossing had been left open
03/10/2017	LC Misuse - one of the gates of Barthomley Crossing had been left open
20/10/2017	Misuse LC – 2U23 (0624 Euston to Crewe) reported the gates been left open at Barthomley LC.
30/10/2017	LC Misuse – Signaller reported a user failed to report clear after crossing with horses at Barthomley LC.
14/11/2017	LC Misuse - the gates of Barthomley Crossing were left open
20/11/2017	Alleged WSF/LC near miss/Misuse: LM 1U27 0846 Euston to Crewe reported a near miss with a white van at Barthomley LC, MWL lights alleged to be green
23/11/2017	LC Misuse: EMT 1K16 1407 Crewe - Derby reported a coal wagon crossed over Barthomley LC in front of his train
19/12/2017	LC Misuse - at Barthomley Crossing a person with a vehicle used the crossing while trains were passing through
29/12/2017	LC Misuse - the gates to Barthomley Crossing had been left open
30/12/2017	LC Misuse - the gates to Barthomley Crossing had been left open
25/01/2018	LC Misuse – 1U41 (1546 London Euston to Crewe) reported a crossing gate was open at Barthomley LC.
09/02/2018	LC Misuse - the driver of 1K19 (1542 Derby - Crewe) reported the gates to Barthomley Crossing were open
19/02/2018	LC Misuse – 1U24 (0902 Crewe to London Euston) reported gates had been left open at Barthomley.
04/04/2018	LC Misuse: WMT Crewe to Euston reported crossing gates left open at Barthomley LC
08/05/2018	LC Misuse: 2U23 0624 Euston to Crewe reported the gates were left open at Barthomley LC

09/05/2018	LC Misuse: LNWR 1U32 1302 Crewe to Euston reported gates left open at Barthomley LC
21/05/2018	LC misuse: 2U21 06:35 Northampton to Crewe reported that the gates were open at Barthomley Level Crossing.
23/05/2018	LC misuse: 1U24 09:02 Crewe to Euston reported the crossing gates at Barthomley level crossing had been left open by a road user.
03/06/2018	LC Misuse: LNWR 1U34 1337 Crewe to Northampton reported gates left open at Barthomley LC
13/07/2018	LC Misuse: 1U20 0652 Crewe to Euston reported gates left open at Barthomley LC
14/08/2018	LC Misuse - Gates found to be open on two occasions within the same day at Barthomley Level Crossing.
24/08/2018	LC Misuse - 2G05 (Crewe - Birmingham New Street) reported both gates open at Barthomley LC.
13/12/2018	LC Misuse: 1U24 0902 Crewe - London Euston reported the gates left open at Barthomley LC.
19/12/2018	LC Misuse: Derby-Crewe reported the gates were left open at Barthomley (MWLG) LC.
01/01/2019	LC Misuse: WMT 1U32 1233 Crewe - London Euston reported gates left open at Barthomley LC
19/01/2019	LC Misuse - 1U37 (1346 London Euston - Crewe) reported the gates open at Barthomley [MWLG] Level Crossing.
26/01/2019	LC Near Miss/LC Misuse: 1K99 1042 Derby-Crewe reported a near miss with a pedestrian at Barthomley UW LC.
31/01/2019	LC Misuse - 1U32 (1302 Crewe - London Euston) reported the crossing gates open at Barthomley LC.
11/03/2019	LC Misuse: 1K06 (0907 Crewe to Derby) reported UWC gates open at Barthomley UWC.
12/03/2019	LC Misuse: 1K03 0741 Derby to Crewe reported a person crossing the railway in front of train at Barthomley LC, leaving crossing gates open.
18/04/2019	LC Misuse: 1K18 1507 Crewe-Derby reported that the gates at Barthomley LC had been left open
02/05/2019	LC Misuse: 1K24 1807 Crewe - Derby reported gates left open at Barthomley
27/05/2019	LC Misuse: 9K22 (10:47 London Euston - Crewe) reported LC gates left open at Barthomley LC, woman seen walking across in front of train.
31/05/2019	LC Misuse: EMT 1K12 1207 Crewe – Derby reported gates left open at Barthomley LC

APPENDIX G

Barthomley Level Crossing, Mill Lane, Crewe

Census Data

- 01/10/16 – 09/10/16

Total users

112 cars
29 LGV's
11 HGV's
2 tractors
18 horse riders
304 pedestrians / cyclists

For the purposes of ALCRM (All Level Crossing Risk Model) this is averaged over the 9 day period to give an average daily use of:

13 cars
4 vans / small lorries
2 HGV's
2 horse riders
1 tractor
35 pedestrians / cyclists

- 23/06/18 – 01/07/18

Total users

55 cars
33 LGV's
1 HGV
1 motorcyclist
9 tractors
4 horse riders
82 pedestrians
235 cyclists

For the purposes of ALCM (All Level Crossing Risk Model) this is averaged over the 9 day period to give an average daily use of:

11 vehicles
1 horse rider
9 pedestrians
26 cyclists

This page is intentionally left blank

Working for a brighter future together

Highways & Transport Committee

Date of Meeting:	16 November 2021
Report Title:	Infrastructure & Highways Department – Mid-year Performance Review
Report of:	Andrew Ross, Director of Infrastructure & Highways Services
Report Reference No:	HT/29/21-22
Ward(s) Affected:	All wards

1. Executive Summary

1.1. This report gives an update on performance across Infrastructure and Highways services for the first half of 2021-22.

2. Recommendations

2.1. That the Committee note and comment on the performance of these services

2.2. That the Committee note the on-going work of the Highways Service to support delivering the Council's Brighter Futures customer strategy.

3. Reasons for Recommendations

3.1. The Highways and Transport Committee is responsible for reviewing and scrutinising the performance of the Infrastructure and Highways Department's services.

4. Other Options Considered

4.1. Not applicable.

5. Background

5.1. The Infrastructure and Highways Department is responsible for advising the Council on key policy areas, notably the Local Transport Plan and Local Plan, and is responsible for delivering front line customer facing services, related statutory functions and major projects and programmes. These include all highway services, strategic transport, parking, active travel, public transport, HS2 and major transport projects.

5.2. The Cheshire East Council Corporate Plan 2021-25 sets out our vision for an open, fairer, greener Cheshire East with three broad aims to be an open and enabling organisation; a council which empowers and cares about people, and a thriving and sustainable place. The Infrastructure and Highways Department contributes to several the priorities under the theme of "A thriving and sustainable place":

- A great place for people to live, work and visit
- A transport network that is safe and promotes active travel
- To be carbon neutral by 2025

5.3. Highway Services

Corporate Plan 2021-25: Key priorities	
Priority	Aim
A transport network that is safe and promotes active travel	Safer and well-maintained roads

5.3.1. **Appendices 1 and 2** contain information on service performance to date with the delivery of revenue and capital funded activities and projects for 2021/22 and on the Performance Management Framework which measures key outputs of the Highways Service Contract with Ringway Jacobs.

The information is presented in dashboard format, with key budgetary and progress information presented in each case, with any issues of note highlighted by exception on each sheet.

These reports are a key part of the monthly contract monitoring processes undertaken by the Council's client team and Cheshire East Highways, the service delivery partner.

Given the high profile of this service area it is intended that information is presented to the committee in this format at each committee as a standing item on each agenda.

5.3.2. The service is continuing to work within the additional constraints and challenges of the pandemic which has in some instances, impacted significantly on normal working practices. The effect has been to increase the financial pressures on the service whilst striving to meet the service and performance standards required.

5.3.3. The highway service is working on the recommendations from the Service Improvement Plan reported to this Committee at its last meeting in September 2022. This includes delivering the changes identified to improve the customer experience as part of the Council's Brighter Futures Transformation Programme and work to improve service quality

assurance and demonstrating value for money. The Council's client team capacity is under consideration to ensure delivery of the plan. An update report on this work was presented to this committee in September and subsequent reports will follow (Agenda item 17).

5.3.4. Delivery of the capital maintenance programme of schemes has progressed well during the summer months. Two of the largest schemes, the A536 north of Congleton and the A34 near Monks Heath used a method of surface dressing "lockchip" that increases durability of the road surface, reduces volume of loose chippings and the need for follow up sweeping and has seen a significant reduction in complaints associated with standard surface dressing.

5.3.5. The A51 drainage and carriageway reconstruction project to address embankment stability alongside the canal at Wardle is progressing well and due for completion to programme in December.

5.3.6. In terms of challenges, an increasing number of category 1 defects (pothole) are occurring on the network where safety repairs are required. This is an expected outcome from reducing capital investment in highway maintenance. This pressure will need to be considered in future business planning and budget setting.

5.3.7. There is increasing pressure around general tree maintenance works. The Council recently developed a new policy covering all its tree stock and this included trees on the highway. A pilot on the implementation of the policy is currently being delivered with a specific budget allocation. Once the outcome of this pilot has been fully assessed the budget implications will need considered in the overall highways budget and work programmes.

5.3.8. Castle Street public realm enhancement in Macclesfield was formally opened on 8th October 2021. The project was delivered to programme and budget through the highway service contract, with good feedback from the public and businesses on how the scheme was built while still accommodating access.

5.3.9. The winter maintenance season commenced on 1 October 2021 and is implementing a revised gritting network following the Council decisions made in February and May 2020 on its Well Managed Highway Infrastructure policy and additional consultations agreed by the then Overview and Scrutiny Committee. A notable achievement this year is that the new salt barn at Wardle depot has been commissioned and is in use for the new season. The pandemic has meant that working practices have needed to be modified in line with the Business Continuity Plan to ensure service resilience. A review of the impact of the new winter gritting network will be reported to this Committee at its March 2022 meeting.

5.4. Infrastructure Services

Corporate Plan 2021-25: Key priorities	
Priority	Aim

A transport network that is safe and promotes active travel	Successful delivery of the major infrastructure programme

5.4.1. **Appendix 3** contains information on service performance on the delivery of the major transport scheme capital programme.

The information is presented in dashboard format, with key budgetary and progress information presented in each case, with any issues of note highlighted by exception on each sheet.

These reports are a key part of the monthly monitoring processes undertaken by the project teams. The information is the latest available prior to agenda publication. It is intended that information is presented to the committee in this format to each committee as a standing item on each agenda.

5.4.2. All projects are continuing to work within the additional constraints and challenges of the pandemic which has impacted on working practices for each scheme and is therefore continues to cause significant financial pressures on budgets.

5.4.3. Congleton Link Road was opened in April this year. It is the largest project ever delivered by the Council. Although delivered through the period of the pandemic, construction was complete on budget, with only a minimal delay.

5.4.4. The construction of Poynton Relief Road has continued throughout the period and remains on its original programme for opening in mid-2022.

5.4.5. Work has continued to progress major schemes at North West Crewe to support housing development, on the Middlewich Eastern Bypass to support a strategic employment site and A500 Dualling schemes to deliver housing and strategic access to Crewe and the HS2 Hub Station, all in line with the Local Plan objectives and site allocations.

5.5. HS2 Programme

Corporate Plan 2021-25: Key priorities	
Priority	Aim
Thriving urban and rural economies with opportunities for all A transport network that is safe and promotes active travel	Successful delivery of the Crewe HS2 Programme. To protect residents and minimise the impacts of the HS2 line of route on our environment

5.5.1. This service is responsible for the Council's response to the national High Speed Rail 2 project in accordance with the Council's priorities. This includes leading the Council's response to the line of route proposals for

HS2 Phases 2a and 2b by responding to HS2 and DfT consultations and the petitioning process to ensure they deliver the maximum levels of environmental mitigation and compensation in accordance with Government policy. Once the phases become Acts of Parliament the service manages the Council's relationship with HS2 Ltd, and its contractors, as the scheme is constructed to ensure that HS2 undertake delivery of the scheme in accordance with the hybrid Bill and related undertaking and assurances.

5.5.2. The service is also responsible for maximising the local benefits of the delivery of this national project within the towns of Crewe and Macclesfield by developing and delivering complementary packages of access improvements for all modes of transport, including active and public transport options and supporting more sustainable end-to-end travel. In addition, the service works to secure key HS2 commitments from Government to achieve a better Crewe hub solution.

5.5.3. The HS2 service also manages the Council's key relationships with wider strategic rail partners in addition to HS2 Ltd including Network Rail, Transport for the North, North Midlands Growth Corridor and Growth Track 360 to ensure that plans and strategies that impact the borough are aligned.

5.5.4. In February 2021, the HS2 Phase 2a hybrid bill received Royal Assent, and so became an Act of Parliament. This was a key milestone on the Council's HS2 programme as it granted HS2 Ltd the necessary powers and consents to bring HS2 to Crewe. As the project now moves into implementation the Council is managing its statutory roles for highways and planning consents and approvals within the Act.

5.5.5. Following Royal Assent of the Phase 2a hybrid bill, the Council was allocated a £724,000 Road Safety Fund from HS2 Ltd to support road safety schemes in local authority areas across the phase 2a line of route. The Council is engaging with local communities and parish councils to implement the Fund.

5.5.6. As a result of the Council's petition against the hybrid bill through Parliament, the Council secured an Assurance for the provision, by HS2 Ltd, of a £700,000 Environment and Landscape Enhancement Fund, to the Cheshire East Council for the provision of additional mitigation against the environmental and ecological impacts of the scheme. In addition, Cheshire Wildlife Trust also secured an Assurance for an additional £150,000 into this Fund.

5.5.7. The service is now prepared to develop the Council's response to HS2's deposit of the Phase 2b hybrid bill within Parliament, which is expected at the end of 2021/early 2022. Subject to a Full Council resolution, the service will to lead on the petitioning process of the hybrid Bill for the Council, engaging with other services across the Council.

5.5.8. The service is refreshing its plans for regeneration and access around the Crewe hub station to reflect the impacts of the Covid-19 pandemic and recent successes across the central Crewe area including the Future High Streets Fund and Towns Fund as well as emerging priorities including Town Investment Plan, prepared by Crewe Town Board, and levelling up agenda. This will allow the Council to realise current investment opportunities arising from Government's levelling up agenda and to protect the longer term growth potential that is anticipated with the delivery of both HS2 Phase 2a and 2b and the unrivalled connectivity this can bring to Crewe and the borough.

5.6. Parking Services

Corporate Plan 2021-25: Key priorities	
Priority	Aims
To increase parking provision close to local transport hubs	• Broadway Meadow multi-storey car park (MSCP) • Complete Local Transport Plan parking reviews

5.6.1. Business case work for Broadway Meadow MSCP is under review and will be reported shortly to identify the next steps for this project. Parking needs have been impacted by the pandemic and the business case is being assessed to reflect this.

5.6.2. A borough-wide review of parking provision has been undertaken, which will be used to inform further assessments across the borough, including the car park charging strategy.

5.6.3. Local Transport Delivery Plans are being developed for all Principal Towns and Key Service Centres. These will be reported to Highways and Transport Committee in Spring 2022.

5.6.4. The Civil Enforcement Teams has seen a considerable increase in reported incidents of anti-social behaviour since the lifting of lockdown restrictions earlier in the year. The team continues to work closely with the police in responding to reports.

5.6.5. New enforcement polices for the Parking Service – Civil Enforcement officers have been prepared for consideration by the Highways and Transport Committee.

5.6.6. The Council's Annual Monitoring Report 2019/20 was the overall national winner of this year's national Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards.

5.6.7. The use of the Council's car parks has increased steadily through the year during the different levels of restrictions through the pandemic. Since the removal of restrictions levels of demand has levelled off at around 80% of pre-pandemic levels, with revenues slightly lower. The service is constantly monitoring usage and revenue to determine what impact this could have on income and budget setting next financial year. At current levels of use a covid-related impact could be around £1.4million.

5.7. Strategic Transport

Corporate Plan 2021-25: Key priorities	
Priority	Aims
Investment in electric vehicle infrastructure in our key service centres	Secure supplier and install charging points in Cheshire East car parks

5.7.1. The Borough-wide Electric Vehicle Charging Infrastructure Strategy was approved at Highways Committee in July 2021.

5.7.2. Work to identify a partner to supply and install infrastructure is on-going and will be the subject of a further Committee report.

5.8. Walking and Cycling

Corporate Plan 2021-25: Key priorities	
Priority	Aims
To promote uptake of cycling in our local service centres	• Installation of cycle storage facilities in Cheshire East car parks • Invest in new cycle routes and improve existing ones • Prohibit parking in existing cycle lanes
More residents to use walking routes	• Promote existing routes and nature trails • Create new walking routes between service centres

5.8.1. New cycle facilities have been trialled through deployment of Covid Emergency Active Travel funding in 8 locations. Community views have

been mixed and these schemes are being evaluated and reviewed. 1 scheme in Alsager has concluded its review and was withdrawn.

5.8.2. Cycling infrastructure schemes are being implemented in accordance with the Councils adopted Local Cycling & Walking Improvement Plans. The Wilmslow Station – Royal London scheme was completed and is now open. Work continues on the Crewe – Leighton – Nantwich Greenway scheme.

5.8.3. Government announced additional funding through the Active Travel Programme which is being used to develop schemes at Manchester Rd, Wilmslow and Manchester Road, Tytherington. These schemes will be developed and put out to public consultation later this year.

5.8.4. Sustrans awarded funding to support improvement of the Middlewood Way scheme at Black Lane, Maccclesfield, which is part of the National Cycle Network linking Macclesfield to Bollington.

5.8.5. The Council has been invited to bid to Government on a Social Prescribing initiative with Public Health to promote cycling in Crewe. Work is proceeding with colleagues from Public Health and the NHS to prepare a strong bid for these funding, with any funding award known later this year.

5.8.6. Walking infrastructure schemes are being implemented in accordance with the Councils adopted Local Cycling & Walking Improvement Plans. The Wilmslow Station – Royal London scheme was completed and is now open. Work continues on the Crewe – Leighton – Nantwich Greenway scheme.

5.8.7. Council has engaged and promoted Bike and Walk to School Days, through liaison with local schools. Engagement with promotional events and training sessions has been positive as people are seeking opportunities to improve health and well-being post-pandemic.

5.9. Public Transport

Corporate Plan 2021-25: Key priorities	
Priority	Aims
To improve the speed and efficiency of public transport and encourage more residents to make fewer car journeys	• Feasibility studies into the creation of rapid transit routes connecting existing infrastructure with key employment site
To reduce areas of the borough not served by public transport	• Submit proposals to Rural Transport Fund

	• Quality bus partnerships with operators and town councils
To encourage an increase in the use of public transport (especially buses)	• Operators work together to share real time information • Bus routes planned to provide multi-modal connectivity • Cheshire East bus app developed

5.9.1. The pandemic has significantly reduced the use of local public transport and this has affected the ability to develop plans for rapid transit initiatives.

5.9.2. Throughout the pandemic, most if not all the local public transport network has been heavily impacted by social distancing and changes in travel behaviour. The Council and local operators have relied on Covid Bus Service Support Grant and latterly Covid Bus Recovery Grant to maintain services.

5.9.3. Work programmes have been incorporated in the preparation of the Council's first Bus Service Improvement Plan (BSIP), which is a requirement of the new National Bus Strategy.

5.9.4. Our first BSIP has been produced in consultation with operators and stakeholders.

5.9.5. The BSIP was submitted to Department for Transport on 31 October 2021 in accordance with the Government's programme.

5.9.6. Following a successful funding bid to Government, the new Rural Mobility Fund service "Go Too" commenced operations on 4th October 2021, serving the rural areas to the south and west of Nantwich. This initiative has been reflected in the preparation of the BSIP.

5.9.7. The critical next step under National Bus Strategy "Bus Back Better" provisions will be to develop an Enhanced Quality Partnership with the bus industry. This partnership is expected to be how improvements to bus provision are delivered. A Partnership Agreement is expected to be in place by 1st April 2020.

6. Implications

6.1. Legal

6.1.1. There are no legal implications arising from this report.

6.2. Finance

6.2.1. The financial implications of changes in performance requirements or responding to current performance levels will be included in the Mid Year Finance Review provided in a separate report to this Committee.

6.3. Policy

6.3.1. The report sets out how the department is contributing to the Cheshire East Council Corporate Plan 2021-25.

6.4. Equality

6.4.1. There are no equalities implications arising from this report.

6.5. Human Resources

6.5.1. There are no human resources implications arising from this report.

6.6. Risk Management

6.6.1. The performance reporting process provides opportunities for the Council to identify and focus on areas for improvement to support achievement of its strategic ambitions. Timely performance reporting mitigates risk of the Council not achieving its outcomes by providing the opportunity to review outputs, identify trends and areas for improvement, and introduce corrective and/or preventative actions wherever necessary to address areas of poor - or under – performance.

6.7. Rural Communities

6.7.1. There are no implications for rural communities arising from this report.

6.8. Children and Young People/Cared for Children

6.8.1. There are no implications for children and young people arising from this report.

6.9. Public Health

6.9.1. There are no implications for public health arising from this report.

6.10. Climate Change

6.10.1. An update on delivery of the Carbon Neutral Action Plan will be provided in a separate report to the Committee in January 2022.

Access to Information	
Contact Officer:	Andrew Ross, Director of Infrastructure & Highways Services andrew.ross@cheshireeast.gov.uk
Appendices:	Appendix 1 - Contract Performance Highway Service Contract Appendix 2 - Highways Contract – Revenue and Capital Programmes Appendix 3 - Infrastructure Service – Capital Programme
Background Papers:	None

Appendix 1 – Highway Service

Contract Performance

Highways service contract

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Council Priorities										
1.1	Social Value	Service Indicator	Quarterly	This indicator measures the Social Value of the Ringway Jacobs contract by using the 'Social Profit Calculator', a useful tool for cross-industry benchmarking. The monetary value can be compared against other Ringway Jacobs contacts and is also of interest by Cheshire East Council when the Council are is reporting on their levels of Social Value.	N/A				£15,336,561	This performance indicator is reported quarterly. The Social Profit Calculator is used by Ringway Jacobs to reporting a social value for Cheshire East Highways. The calculator has approximately 60 categories of data that can be input to generate the overall social value (monetary) score. These categories are wide ranging from information about apprenticeships, training and jobs created to KSI reduction and health / safety / wellbeing to community events etc. System issues are currently being analysed by provider before measure is verified.
1.2	Recycling (Landfill)	Strategic Performance Indicator	Quarterly	This indicator measures the percentage of waste which is diverted from landfill. A 'Carbon Calculator' allows comparisons against other Ringway Jacobs contracts and could also be of interest to the Council in line with the 2025 carbon neutral aspirations	95%			100%	100%	Within Q2 7,314.73 tonnes of waste was either recycled or diverted from landfill. Zero tonnes have been sent to landfill.
1.3	Carbon Reduction within Highways Service Depots	Strategic Performance Indicator	Quarterly	This indicator measures the energy usage (diesel usage for vehicles (Fleet) / electricity for depots and offices / waste data) within the Highway Service. The target is to reduce carbon output to less than or equal to 434.44 tonnes.	< / = 434.44 tonnes			151.4 tonnes	240.8 tonnes	In Q2 there was a total of 151.4 tonnes of carbon produced this breaks down to 64.15 from Brunswick Depot and 87.2 from Wardle Depot.
1.4	Carbon Reduction Programme - Traffic Signs and Bollards (over 2 years)	Strategic Performance Indicator	Monthly	This indicator measures the number of traffic signs and bollards replaced with either LED or solar as part of the Carbon Reduction Programme. This is year 1 of a 2 year programme. Within year one, the target is to replace 2,050 signs and bollards.	2,050 signs and bollards	0	0	0	0	In April to September the team have been scoping the work. This programme is due to commence in November when it is expected that materials will be delivered. Materials were ordered at the end of September, although there is nationally a long lead in time for material deliveries. Providing there are no additional delays in materials arriving, then it is expected that this programme will still be completed within this financial year.

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Asset Management										
2.1	Condition of Principal Roads	Strategic Performance Indicator	Annual	This indicator identifies the percentage of principal roads (A road carriageways) where maintenance should be considered	4%					This performance indicator is reported annually so the data will be verified in February / March 2022 and will be available for the following Highway and Transport Committee
2.2	Condition of Non-Principal Roads	Strategic Performance Indicator	Annual	This indicator identifies the percentage of non-principal roads (B & C road carriageways) where maintenance should be considered	5%					This performance indicator is reported annually so the data will be verified in February / March 2022 and will be available for the following Highway and Transport Committee
2.3	Condition of Unclassified Roads	Strategic Performance Indicator	Annual	This indicator identifies the percentage of unclassified roads where maintenance should be considered	12%					This performance indicator is reported annually so the data will be verified in February / March 2022 and will be available for the following Highway and Transport Committee
2.4	Condition of Footways	Strategic Performance Indicator	Annual	This measure identifies the percentage of footways where maintenance should be considered	32%					This performance indicator is reported annually so the data will be verified in January / February 2022 and will be available for the following Highway and Transport Committee
2.5	Safety Inspections	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the distance (in kilometres) of safety inspections carried out to timetable	11,213 km	1,034.68	862.68	836.81	5,506.72	In September 100% of the 836.81 km of network were inspected. Year to date, a total of 5,506.72km of the network has been inspected, 49.16% of the annual target. This measure is currently on track. It must be noted that the end of years figures for the overall length of network to be inspected may fluctuate this year. This is due to the transition of the current inspection frequencies to be in line with the new risk based approach code of practice for safety inspections.
2.6	Category 'Emergency' Defects	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the restoration of the highway network to a safe condition within timeframe (1 hour between the hours of 7am and 5pm and 1.5 hours outside those working hours) following on from any non-traffic-signal emergencies. Due to the nature of the activity, this measure is reported as a percentage successfully attended and made safe within timeframe. This activity is in line with Well Managed Highway Infrastructure Code of Practice.	100% cumulative	96.72%	93.04%	94.12%	96%	In September there were 102 non traffic-signal-emergency calls, of which 96 were attended and made safe within the timeframe. So far within year, a total of 659 non-traffic-signal emergencies were reported of which 633 (96.1%) were attended and made safe within timeframe.

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Asset Management										
2.7	Category 1-2H defects (2 - 5 working day)	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the repair of any Category 1 and 2H defects within timeframe (Cat 1 Defects made safe by the end of the second full working day and Cat 2H Defects made safe by the end of the fifth full working day). This indicator measures maintaining the highway network in a safe condition for all users and to reduce the potential for successful claims against the authority for non-compliance with statutory obligations. Due to the nature of the activity, this measure is reported as a percentage successfully attended and made safe within timeframe. This activity is in line with Well Managed Highway Infrastructure Code of Practice.	100% cumulative	99.0%	96.76%	96.79%	97%	In September 2,527 Category 1 - 2H defects were identified, of which 2,446 defects were attended and repaired within timeframe. So far within year, a total of 15,434 Category 1 - 2H defects were identified, of which 14,881 (96.6%) were attended and made safe within timeframe.
2.8	Category 2M defects (20 working day)	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the repair of any Category 2M defects within timeframe (20 working days). This indicator measures maintaining the highway network in a safe condition for all users and to reduce the potential for successful claims against the authority for non-compliance with statutory obligations. Due to the nature of this activity, this measure is reported as a percentage successfully attended and made safe within timeframe.	100% cumulative	99.8%	93.6%	88.9%	96%	In September 18 Category 2M defects were identified, of which 16 defects were attended and repaired within timeframe. So far within year, a total of 846 Category 2M defects were identified, of which 815 (96.3%) were attended and made safe within timeframe.
2.9	Number of annual sample inspections of utility works successfully completed	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the number of sample inspections of utility works completed in year. The target is based on 30% of the number of inspections completed in the previous three financial years. The 30% is broken down into 10% of inspections whilst works are in progress, 10% of inspections within 6 months of reinstatement and 10% inspections within 3 months preceding the end of the guarantee period. This approach is in line with national guidance and ensures compliance with the requirements of New Roads and Street Works Act (NRSWA).	2236	251	223	292	1,390	In year a total of 1,390 utility work inspections have been completed. By the end of September, 1,201 inspections were due to be completed so this activity is ahead of schedule (57.9% complete).

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Asset Management										
2.10	Condition of Structures - Average	Strategic Performance Indicator	Annual	This indicator measures the average condition ration for Cheshire East Highways structural assets. The target of 89% is considered as good to very good in accordance with Chartered Institute of Public Finance and Accountancy (CIPFA)	89%					This performance indicator is reported annually so the data will be verified at the end of the 2021/22 financial year and will be available for the following Highway and Transport Committee
2.11	Structures - Principal Inspections	Service Indicator	Monthly	This indicator measures the number of structures principal inspections undertaken this year in line with the 2021 Business Plan.	100%	0	0	0	0	Site visits have been undertaken and works programmed through the start of October and will be completed within this financial year.
2.12	Structures - General Inspections	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the number of general inspections undertaken for all highway structures within the prescribed frequencies. 360 general inspections are due to be completed within the 2021/22 financial year.	360	30	30	30	181	In year a total of 181 general inspections were completed within the prescribed frequencies. 180 inspections were due to be completed by this same point so this activity is ahead to meet its annual target.
2.13	Condition of Street Lighting - Structural	Strategic Performance Indicator	Quarterly	This indicator measures the percentage of the street lighting columns which are identified as in a good electrical condition from inspections undertaken as part of a six yearly cycle. Inspections are carried out as part of Highway Infrastructure Asset Management Plan. There are 4 levels of structural condition with levels 1 & 2 deemed as 'good/low risk', so no further action required at the time of inspection; and levels 3 & 4 identifying actions are needed to achieve the required standard.	95% of all street lighting columns inspected within year will be assessed as in a good condition			98.11%	96.79%	In Q2, 1,909 structural inspections were completed, of which 1,873 assets were assessed as in good structural condition. In year, a total of 2,617 street lighting columns were structurally inspected, of which 2,533 (96.79%) were assessed to be structurally in good condition. Remedial works have been taking place on the assets which have not been marked as in good condition.

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Asset Management										
2.14	Condition of Street Lighting - Electrical	Strategic Performance Indicator	Quarterly	This indicator measures the percentage of the street lighting columns which are identified as in a good electrical condition from inspections undertaken as part of a six yearly cycle. Inspections are carried out as part of Highway Infrastructure Asset Management Plan. There are 4 levels of electrical condition, namely electrically sound; improvement recommended; urgent remedial action required; and immediate action required.	95% of all street lighting columns inspected within year will be assessed as in a good condition			94.3%	91.58%	For Q2 1,885 electrical inspections were completed, of which 1,777 were assessed as in good electrical condition. This gives a total of 2,437 out of 2,661 street lighting columns were deemed to be in good electrical condition.
2.15	Condition of Traffic Signals - Average	Service Indicator	Quarterly	This is a new measure. This measure does not have a target as the focus this year is to understand the actual condition of the traffic signal asset.	100%			83.21%	83%	This is a new measure and this year data will be gathered to establish the actual condition of the traffic signals asset. The data collected this financial year will allow for this measure to be considered as a Strategic Performance Indicator in the next financial year, like all of 'Condition of' performance indicators. £500k of additional DfT funding is to be used to target recognised obsolete systems and as part os next year's Business Planning stage a focussed programme of repairs will be developed based on findings from this year's testing programme.
2.16	Emergency Response - Traffic signal emergencies	Operational Performance Indicator (Fee related)	Monthly	This indicator measures the response time to attend to any traffic signal related emergencies within 2 hours of logging onto the Traffic Signal system. Due to the nature of the activity, this measure is reported as a percentage successfully attended within timeframe.	100%	100%	100%	100%	100%	In September 12 emergency responses were attended within timeframe. So far within year, a total of 99 traffic-signal emergencies were reported, of which 99 (100%) were attended to within timeframe.

Q2 Contract Performance

Cheshire East Highways 2021/22 Performance Management Framework

Indicator Reference	Indicator Name	Indicator Type	Reporting Frequency	Description of Indicator	Target	Jul-21	Aug-21	Sep-21	Cumulative Result	Commentary
Verification Stage						**Verified**	**Verified**			
Customer										
3.1	Customer Satisfaction with Highways Service	Strategic Performance Indicator	Annual	This indicator monitors the customer satisfaction within the Highway services by utilising the national NHT survey	46%					The results from the NHT survey are due to be received at the end of October. The results will require analysing so the data will be verified and should be available by the end of December 2021.
3.2	Customer Journey Analysis	Service Indicator	Monthly	This indicator measures the quality of customer service demonstrated by the highway service and is based on 10 randomly selected enquiries each month. Each individual audit can score a maximum of 200 points - the higher the score the better the customer experience offered.	75%	69.8%	50.3%	46.0%	52%	In line with the Council's Brighter Future Together Customer Experience Workstream, 10 customer journeys (enquiries) are randomly selected and are audited as a way to understand and improve on the service's customer experience. Each individual audit is scored out of 200, equating to a monthly cumulative score out of 2,000. The findings from these audits have been a valuable in identifying areas for improvement. Work to improve customer satisfaction within the service is ongoing and it is expected that the scores from the audits will improve as further changes are made.

Definitions:

- **Strategic Performance Indicator (SPI)**
  Strategic indicators monitor the health and direction of the Highways Service Contract and inform decisions relating to the Service Period. Achievement / non-achievement of these indicators have contractual implications.

- **Operational Performance Indicator (OPI)**
  Operational indicators measure the effective delivery of the Highways Service Contract and determine the Performance Element of the Fee

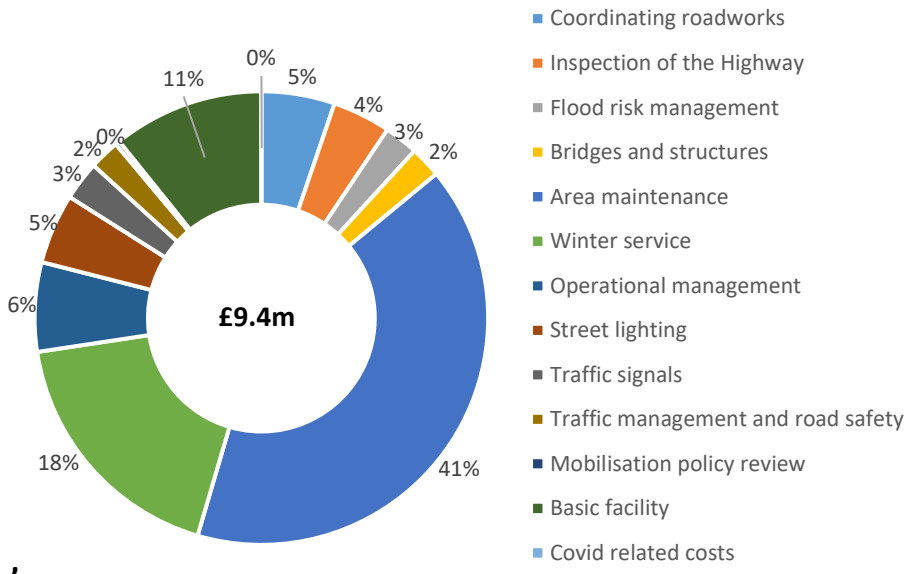
- **Service Indicator (SI)**
  Service indicators are used to monitor performance and provide useful management information. They may be used to agreeing future amendments to the Performance Indicators

Appendix 2 - Highway Service

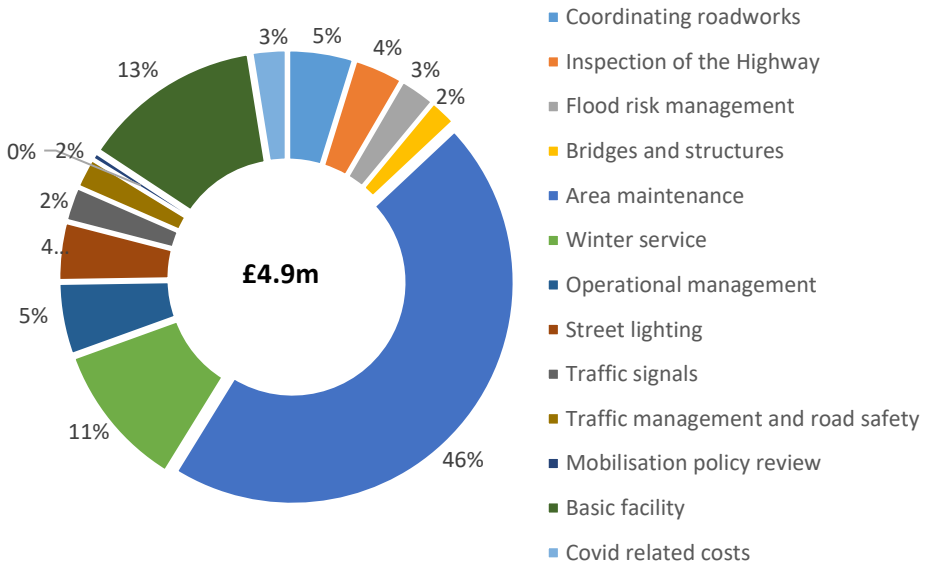
Delivery of Contract Revenue and Capital Programmes

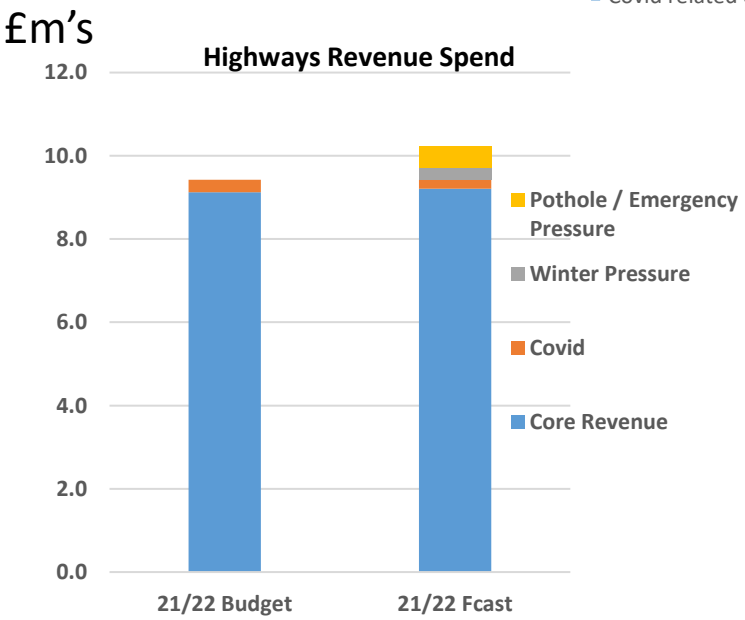
Highways Revenue Works

Highways Core Revenue budget by spend category



Highways revenue actual spend to date





Quarter 2 milestones (July - September)

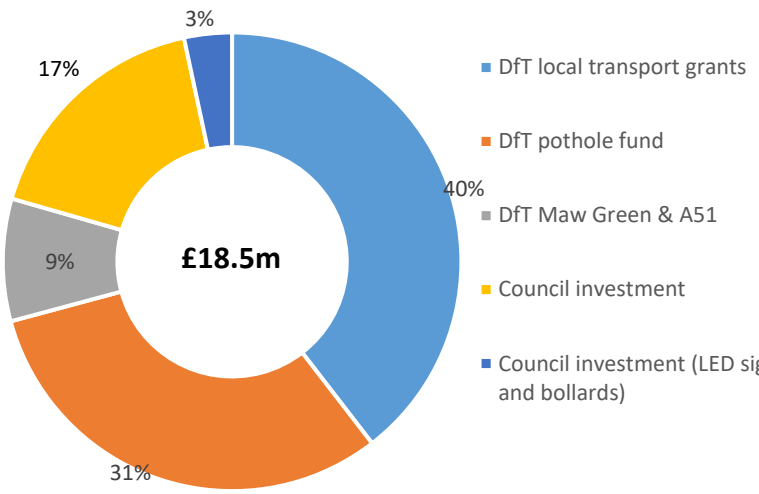
- Winter route optimisation completed - Sept
- Extension of tree inspection pilot – Sept to March 2022
- Continuation of 18 month programme to empty all gullies
- Weed spraying programme completed - Sept

Quarter 2 issues (July - September)

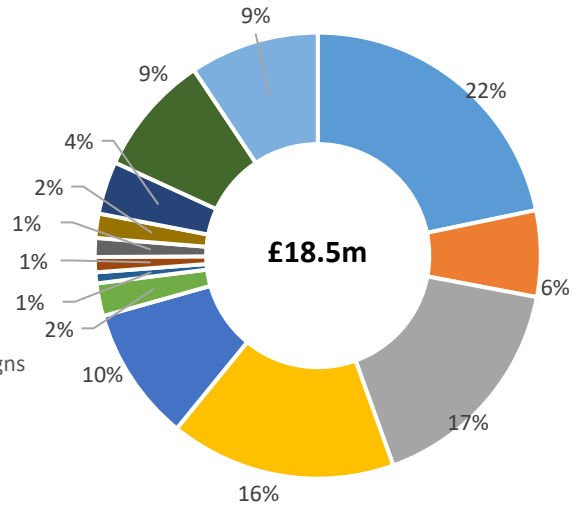
- Continued impact of introduction of new Highway Safety Inspection Code of Practice – increased defect numbers combined with the deteriorating condition of road surfaces. Ongoing significant funding pressure may require reduction in other activities
- Availability, delivery time and cost of materials
- Behind gully emptying schedule by 11%. Resource increased to reduce the backlog
- Covid costs covered by winter provision

Highways Capital Works

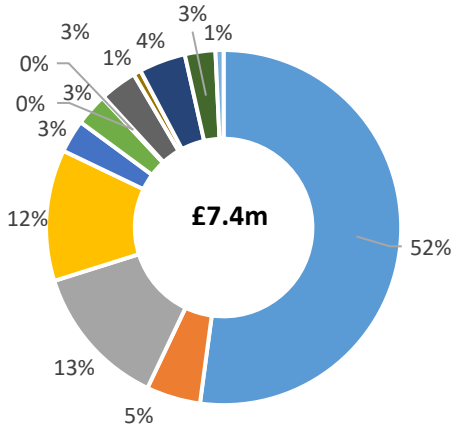
Highways capital funding by funding source



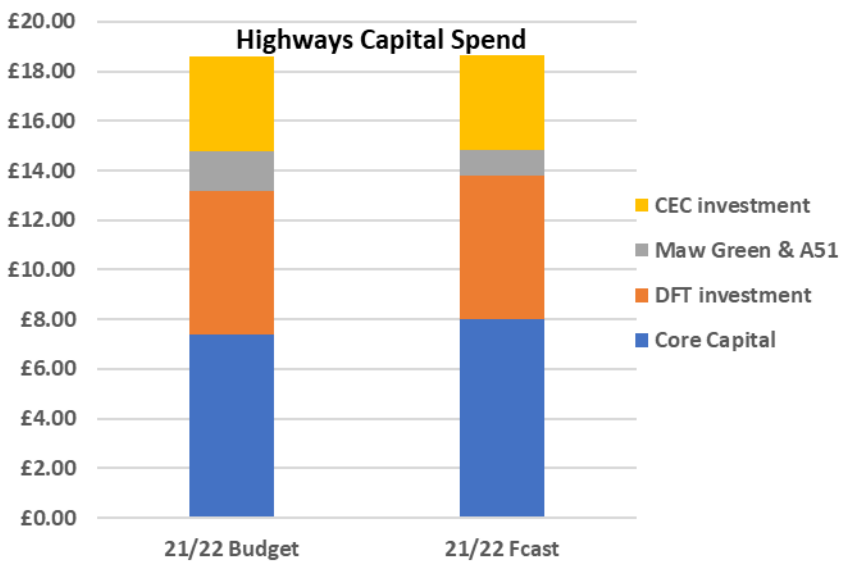
Highways capital works - budget



Highways capital works - actual spend to date



£m's



Quarter 2 milestones (July - September)

- Delivery of all major capital programmes continued
- Surface dressing programme concluded and resurfacing commenced
- Scoping of street lighting high level business case works started (replacement of illuminated bollards and signs)
- A51 slope stabilisation scheme started – 31 August

Quarter 2 issues (July – September)

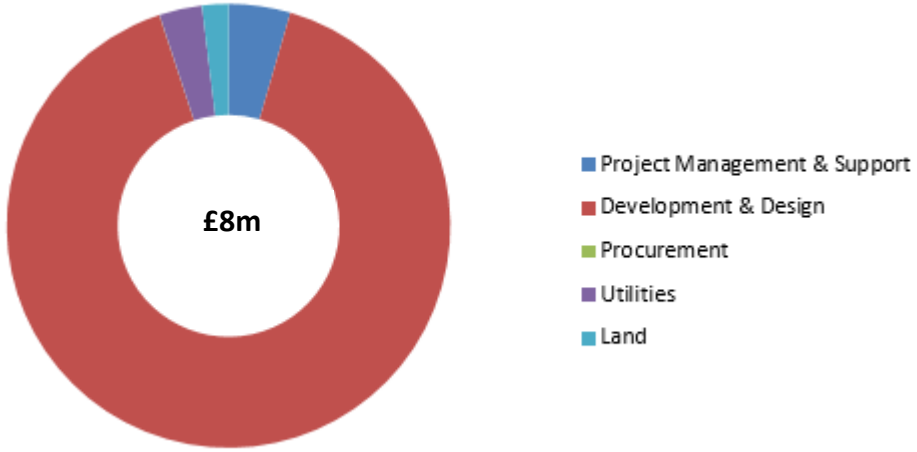
- Materials cost increases (industry wide issue). Tracked closely during the quarter - delivery of all areas of the programme remained on track despite this.

Appendix 3 - Infrastructure

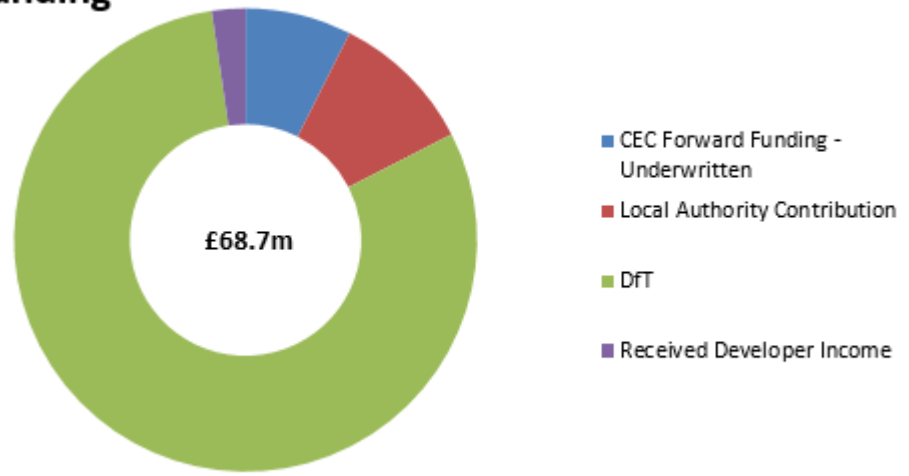
Delivery of major capital projects and smaller scale schemes

A500 Dualling

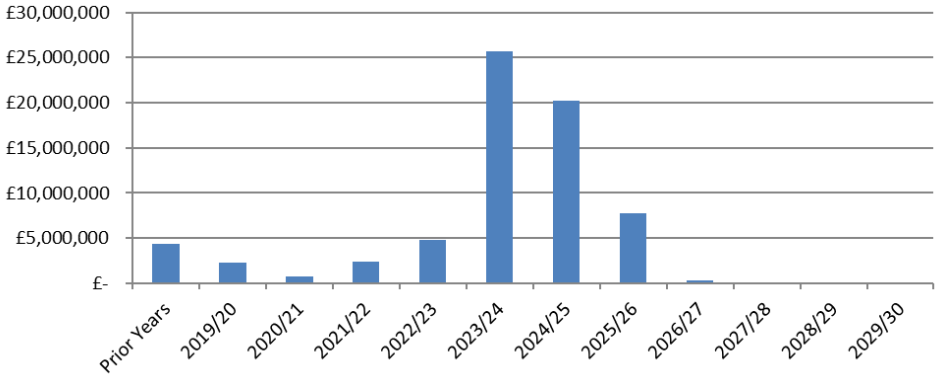
Actual Spend



Funding



Forecast spend



Milestones

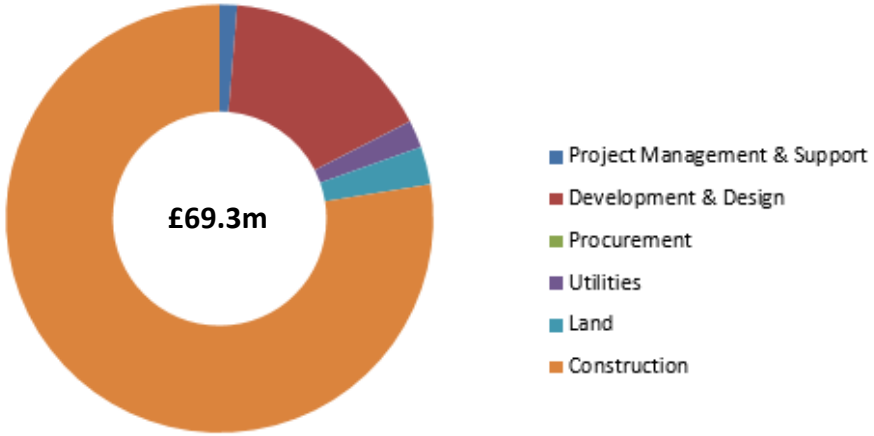
- Submit Planning Application- July '18
- Planning Approval - Dec '18
- Public Inquiry into CPO - July '22
- Submission of Full Approval Application to DfT - August '22
- Secretary of State Decision on CPO orders - October '22
- Final Draft Funding Approval - November '22
- Start of Works - February '23
- Completion of Works - May '25

Issues

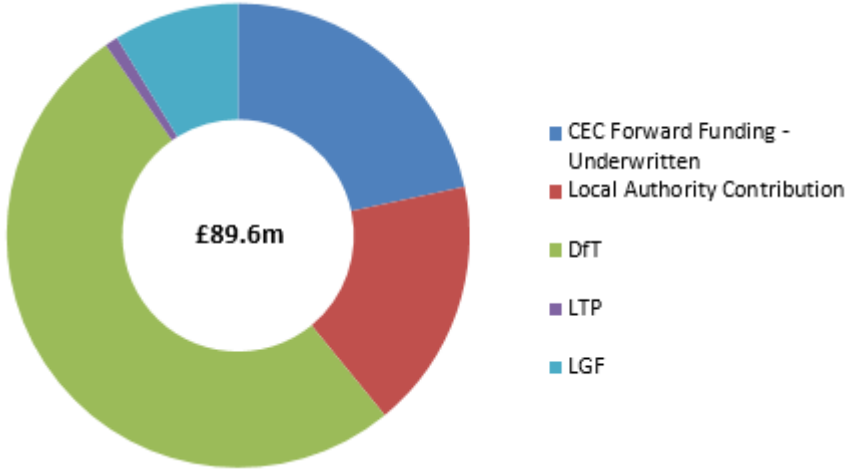
- CPO & SRO delayed pending the outstanding agreement of land acquisition Heads of Terms
- Mainline Pipelines
  - Temporary Works procurement
  - MLP/CEC rights and obligations
- EA Planning Objection
- CPO/SRO documentation confidence

Congleton Link Road

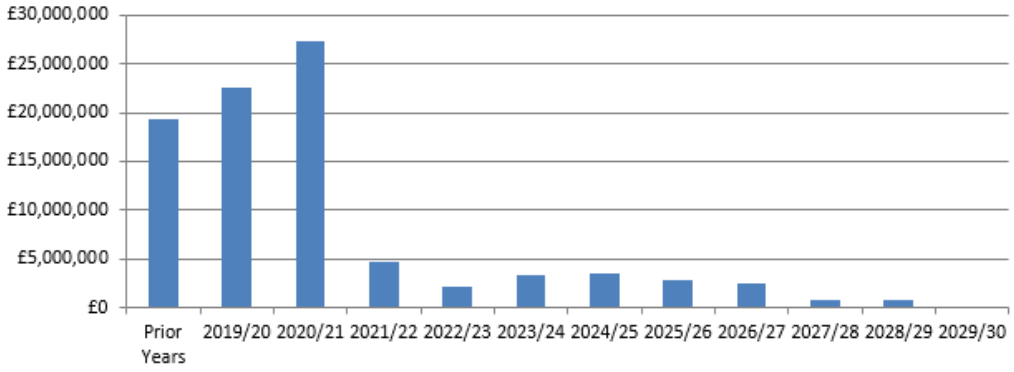
Actual Spend



Funding



Forecast Spend



Milestones

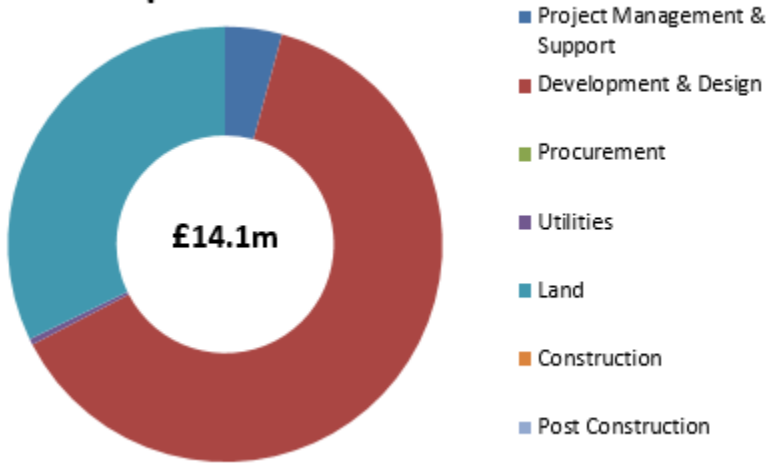
- Preliminary Investigation and Scoping - February '13
- Planning Approval - July '16
- Public Inquiry into CPO - May '17
- Secretary of State Decision on CPO orders - February '18
- Submission of Full Approval Application to DfT - June '18
- Final Draft Funding Approval - August '18
- Start of Works - October '18
- Completion of Works - April '21
- Scheme Brought into Public Use - April'21

Issues

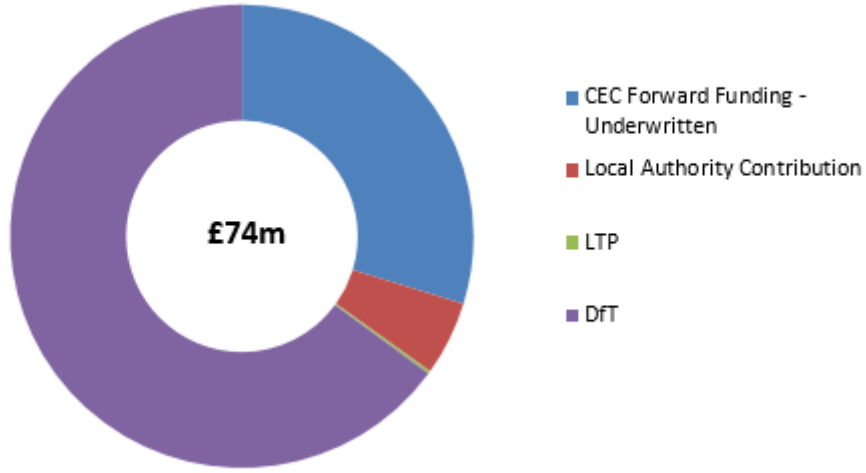
- Snagging works to be finalised

Middlewich Eastern Bypass

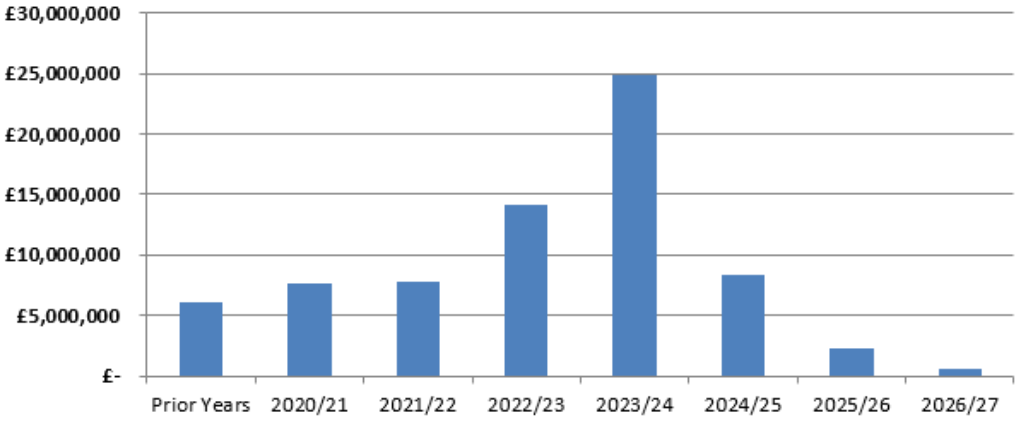
Actual Spend



Funding



Forecast spend



Milestones

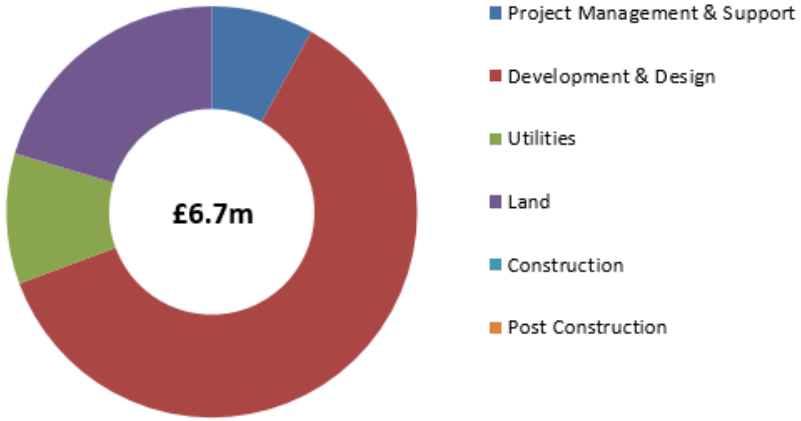
- Feasibility Stage – May '16
- Informal Consultation – Sep '16
- Preferred Route Selection – Nov '16
- Production of the OBC – March '17
- Planning Application Made – Nov '18
- Planning Permission Granted – July '19
- Procurement – tender returns – Jan '19
- Submission of Full Approval Application (FBC) to DfT – March '23
- Approval of FBC from DfT – June '23
- Start of Works – October '23
- Road Open to Public – Feb '26
- Completion of Works – Autumn '26
- Note: Dates **with** Public Inquiry – Dates Subject to change due to Inquiry timescales

Issues

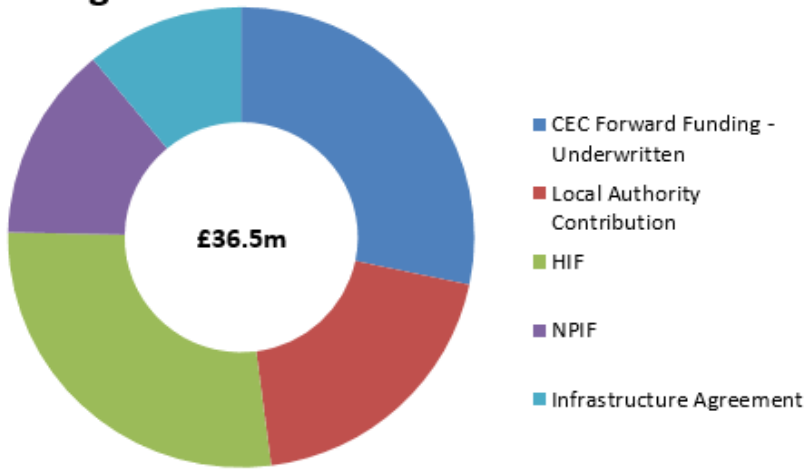
- Land acquisition progressing
- Scheme costs and available budget – regular finance reviews and value engineering to ensure scheme affordability

North West Crewe Package

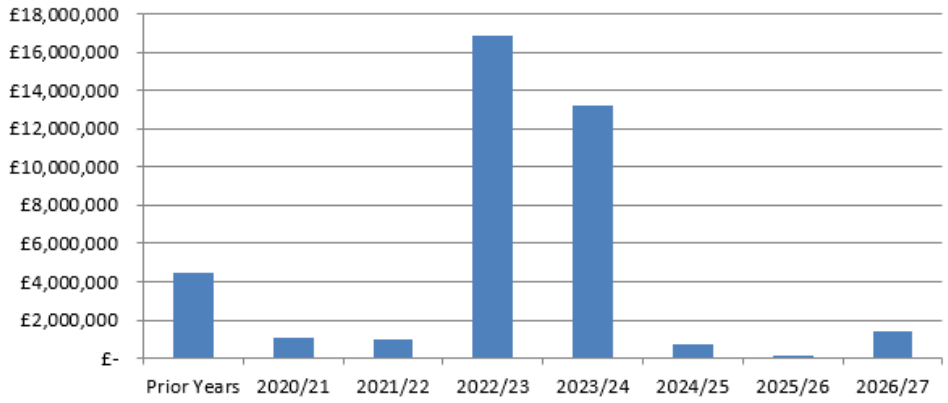
Actual Spend



Funding



Forecast spend



Milestones

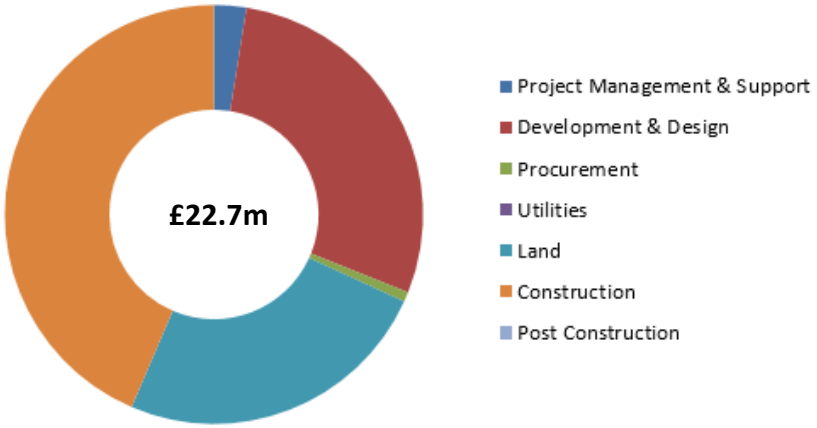
- Public Consultation – Mar ‘18
- Planning Application Submitted – Dec ‘18
- Planning Application Approved – Mar ‘19
- Construction starts – April ‘22 (subject to possession of land by agreement)
- Road opening – April ’24

Issues

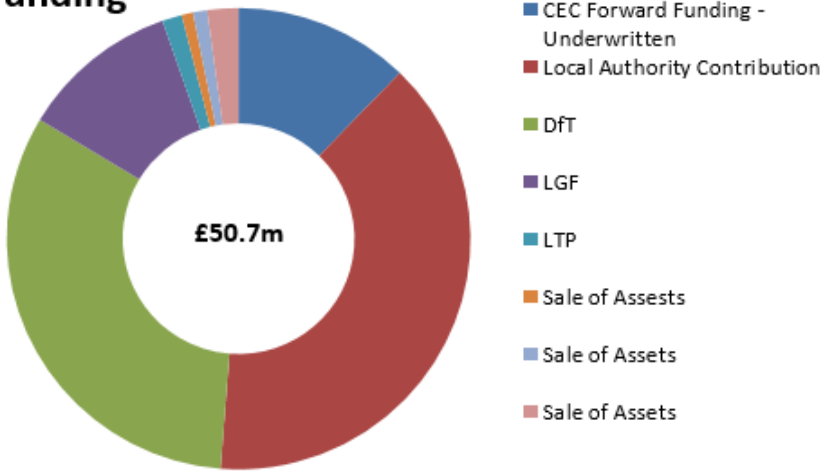
- Delayed developer planning approvals has impacted the construction programme.
- Overall budget being monitored carefully due to construction inflation.

Poynton Relief Road

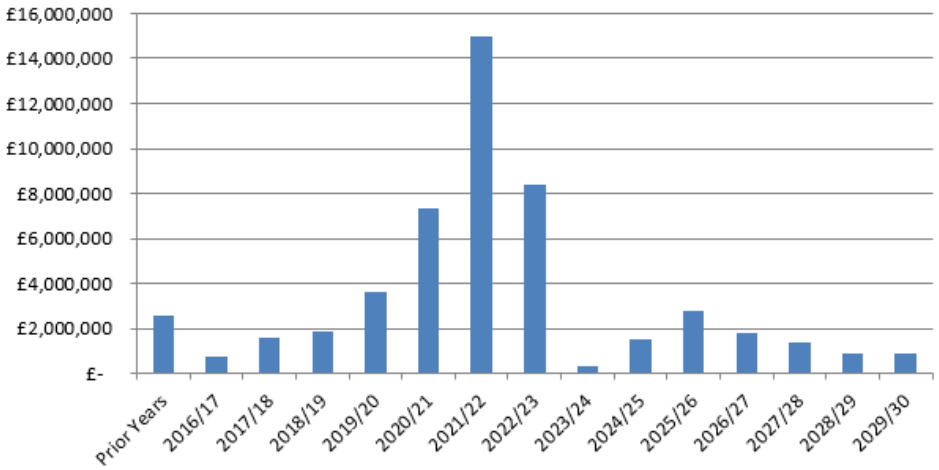
Actual Spend



Funding



Forecast spend



Milestones

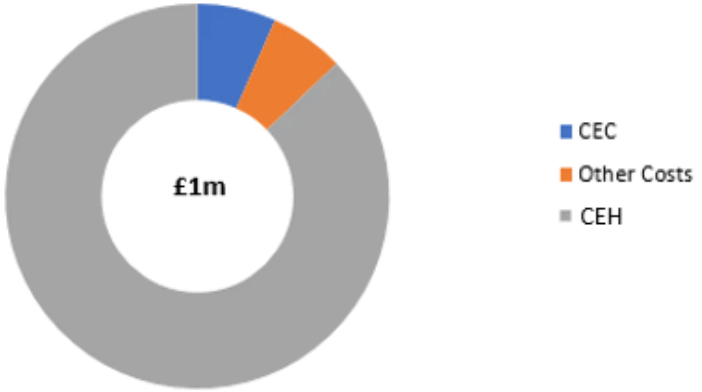
- Preliminary Investigation and Scoping - September '13
- Planning Approval - July '16
- Public Inquiry into CPO - November '18
- Secretary of State Decision on CPO orders - February '19
- Submission of Full Approval Application to DfT - October '19
- Final Draft Funding Approval - March '20
- Start of Works - July '20
- Completion of Works - October '22

Issues

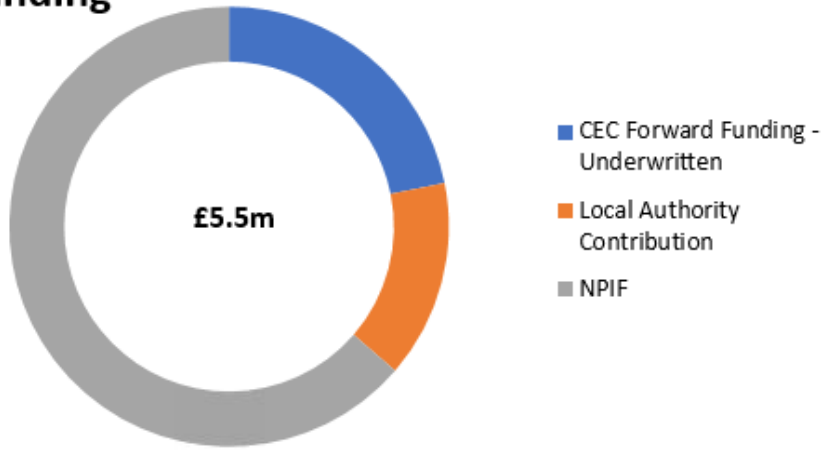
- Liaisons with key landowners

Flowerpot Junction inc. Mill Lane and Silk Road

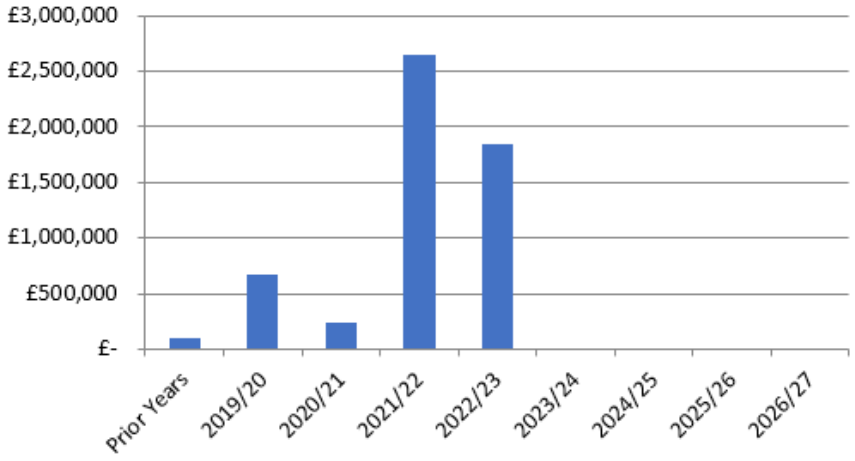
Actual Spend



Funding



Forecast Spend



Milestones

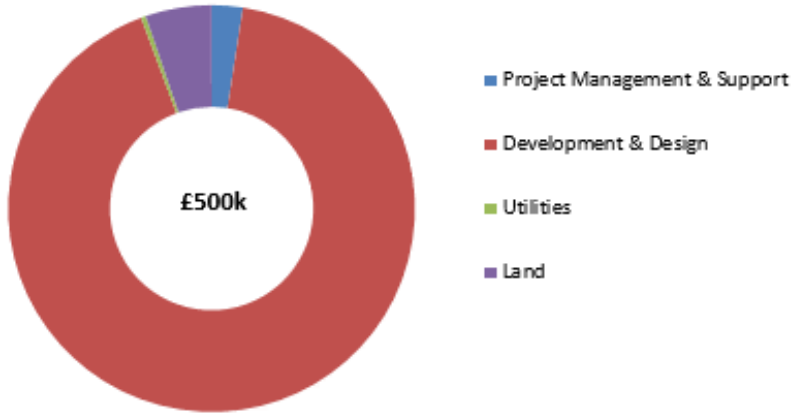
- Prelim design/assessment – Apr '19
- Detailed design – Aug '20
- Construction start – Jan '23
- Construction complete – June '23
- Note: Dates **without** Public Inquiry – Dates subject to change with PI

Issues

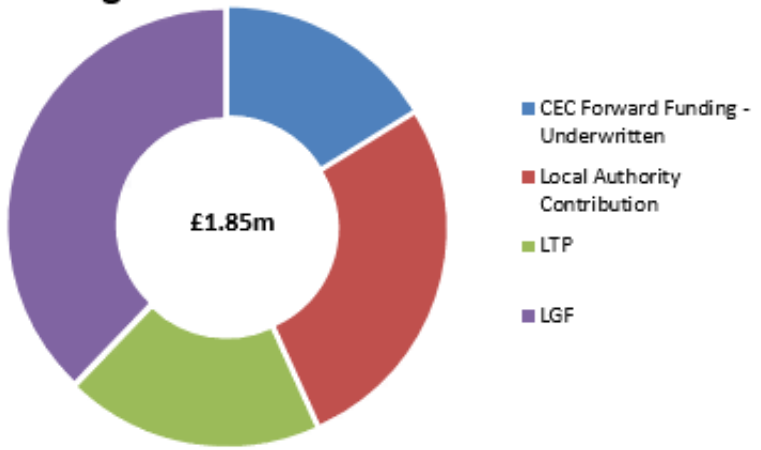
- Stats diversions – risk of delays to programme and increased cost due to uncertainty in the diversions required.
- Delays in programme due to COVID-19 delaying scheme progression, particularly statutory undertakers diversion designs.

Crewe Walking and Cycling Scheme

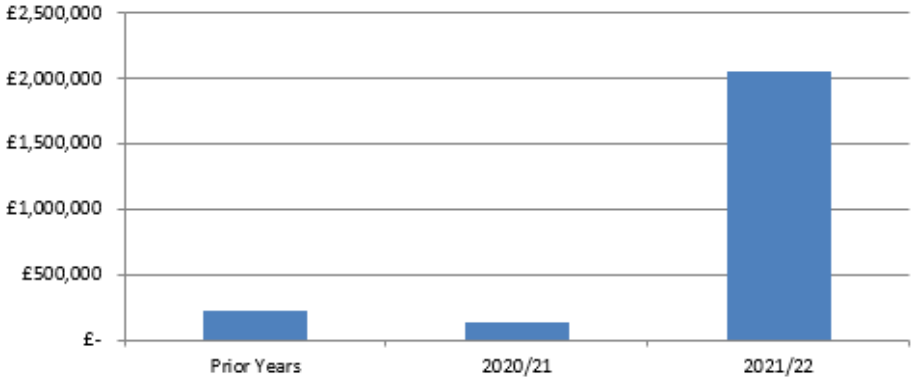
Actual Spend



Funding



Forecast spend



Milestones

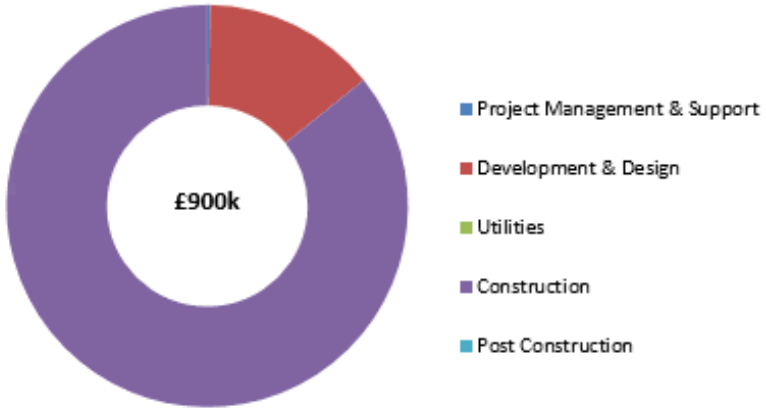
- Prelim design/assessment - Sept ‘19
- Detailed design - Dec ‘21
- Construction start - Feb ‘22 (subject to additional Funding package)
- Construction complete - Sept ‘22

Issues

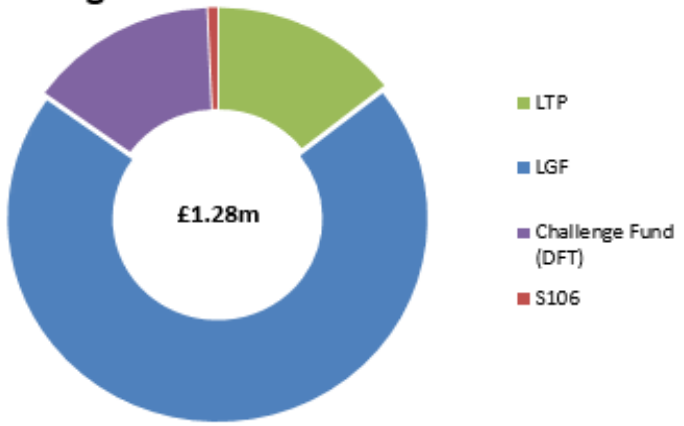
- None to report

Wilmslow Walking and Cycling Scheme

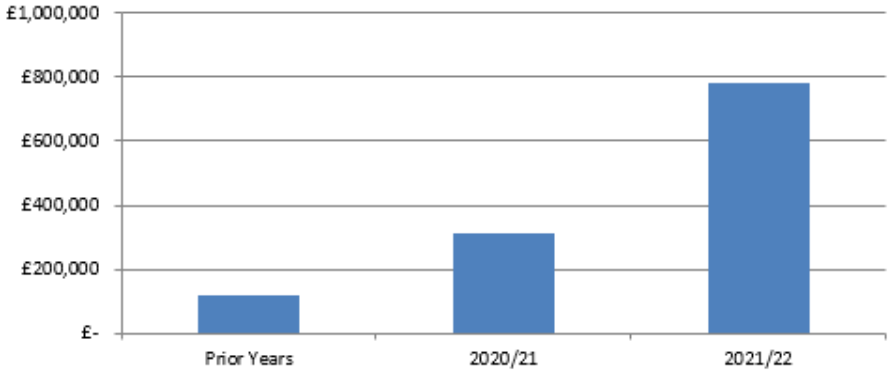
Actual Spend



Funding



Forecast spend



Milestones

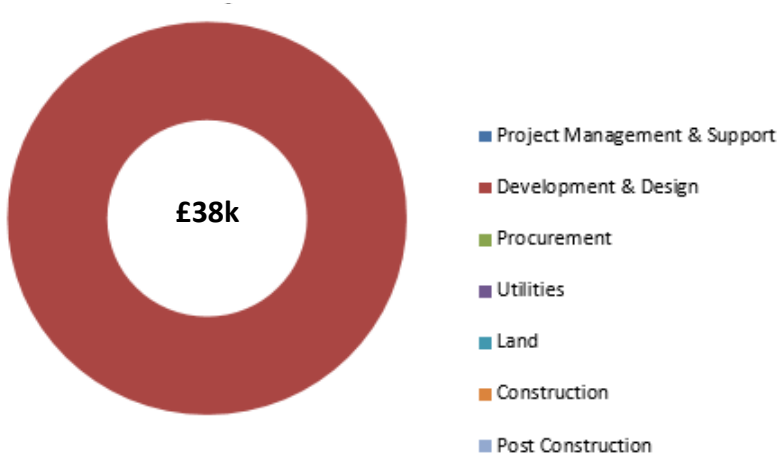
- Prelim design/assessment - Sept ‘19
- Detailed design - Nov ‘20
- Construction start - Jan ‘21
- Construction complete - April ‘21

Issues

- Scheme constructed and now open to the public.
- Snagging works to be finalised.

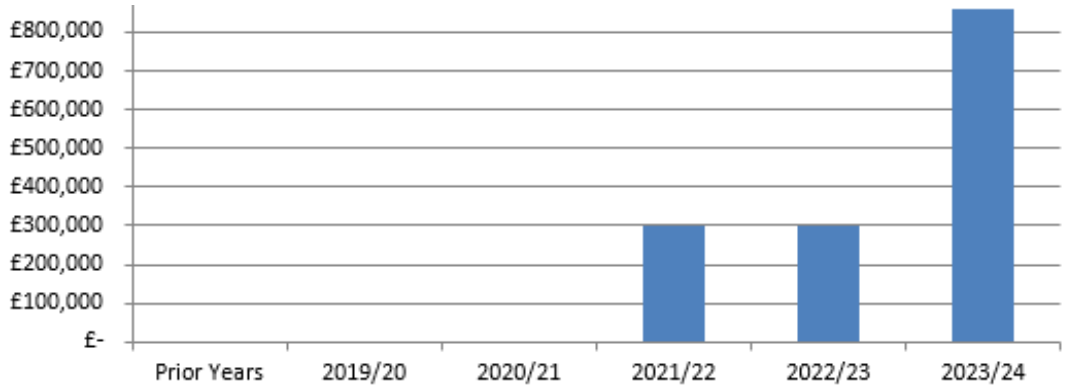
Future High Street Fund – Flag Lane Link

Actual spend



Funding

Forecast spend



Milestones

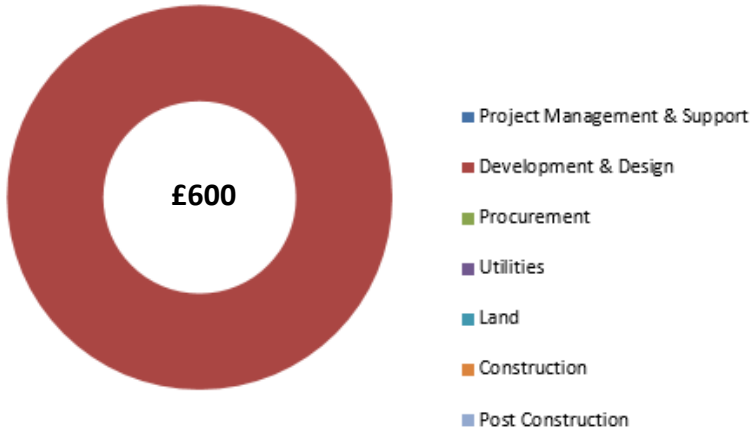
- Public Engagement complete Nov 21
- Construction late Spring ‘22
- Phase 2 (Construction of upgraded Cycle link target date Summer ’23)

Issues

- None to report

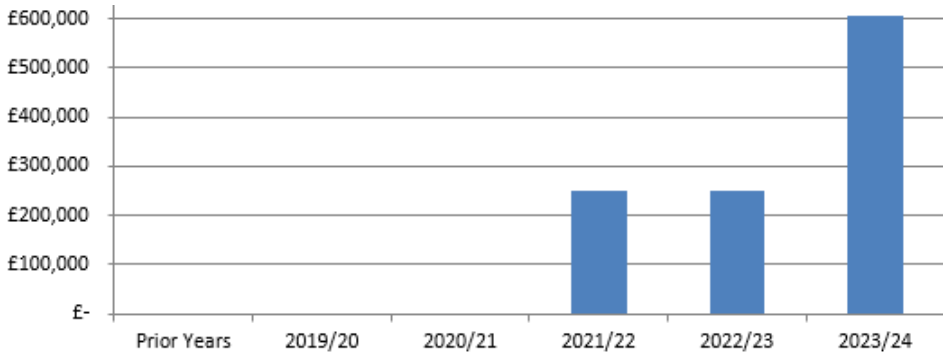
Future High Street Fund - Earle Street Link enabling works

Actual spend



Funding

Forecast spend



Milestones

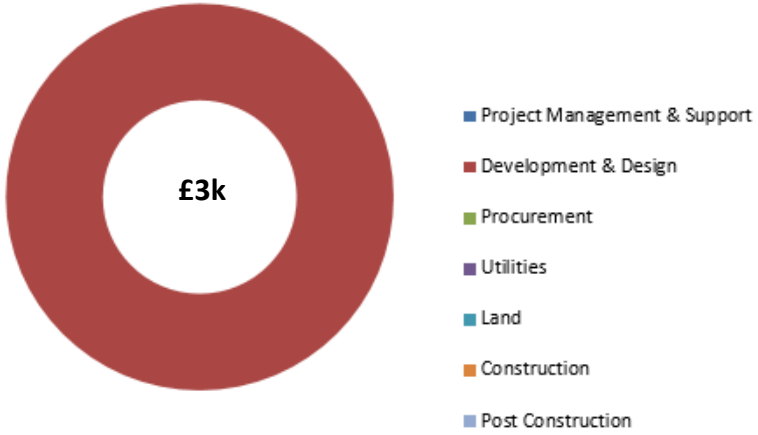
- Work underway to ensure Network Rail Gantries are future-proofed (as part of Crewe re-signalling project) to allow future installation of a bridge.
- Land negotiations ongoing

Issues

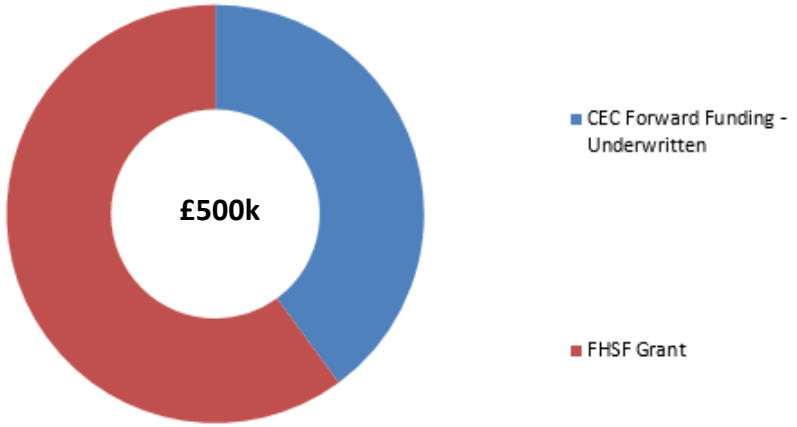
- None to report

Future High Street Fund - Adaptive Signals & South Street Widening

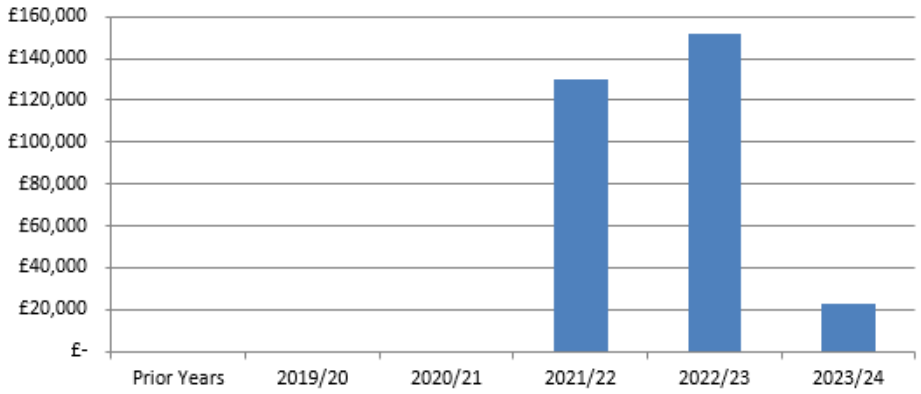
Actual spend



Funding



Forecast spend



Milestones

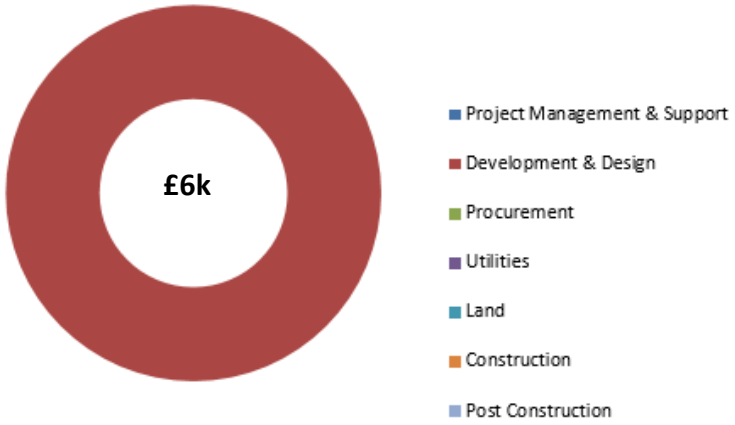
- Eddleston Road /Dunwoody Way to be installed - Spring ‘22
- South Street/ Mill Street installed and widened - Autumn ‘22

Issues

- None to report

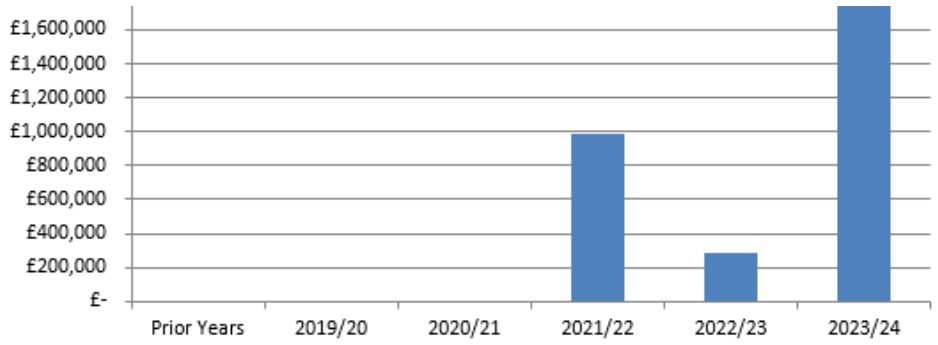
Future High Street Fund - Southern Gateway

Actual spend



Funding

Forecast spend



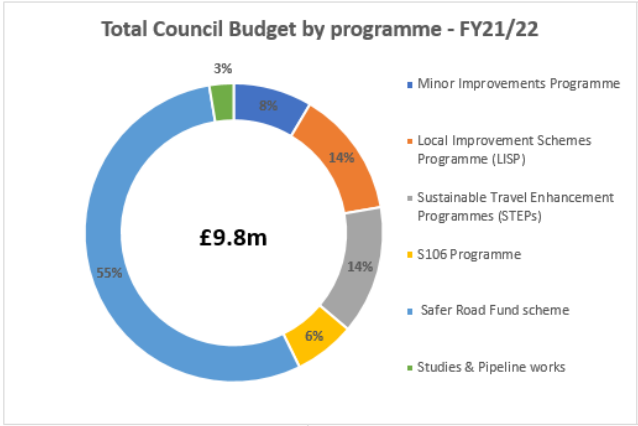
Milestones

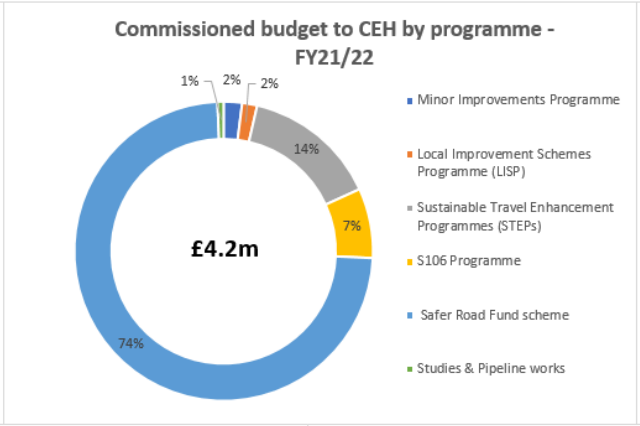
- Planning Application submission - October ‘22
- Land Acquisition - March ‘23
- Construction start dependent on Land – Target date October ’23

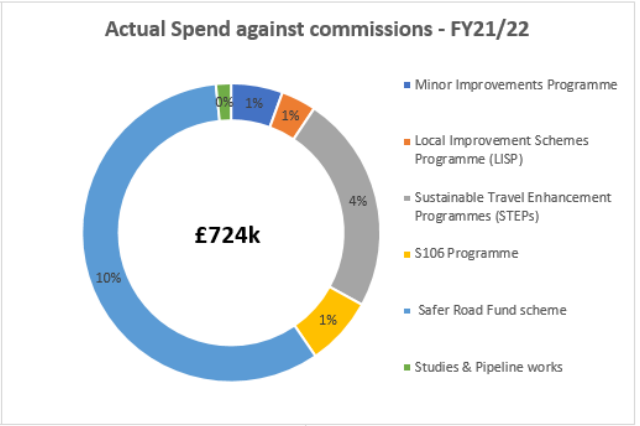
Issues

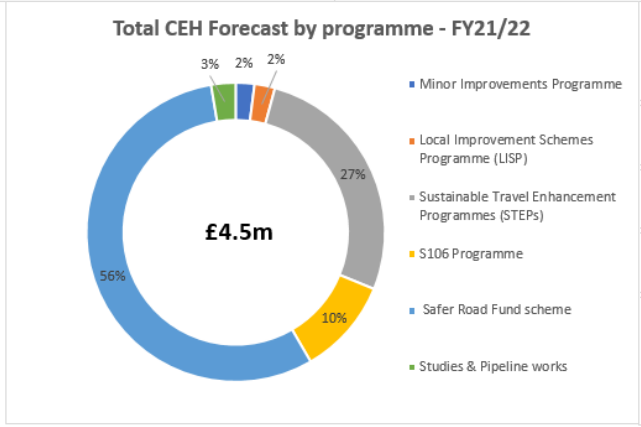
- None to report

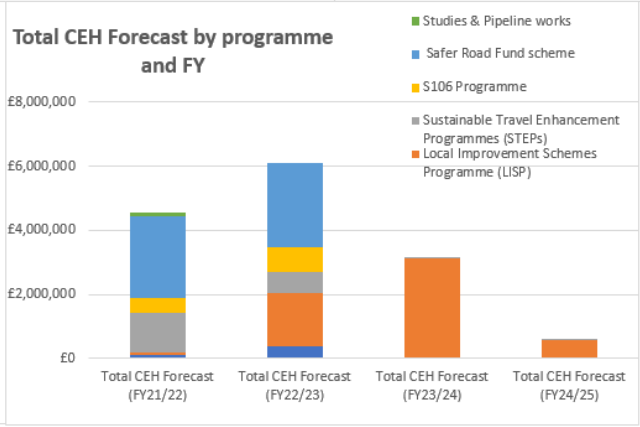
Smaller Scale Schemes











- Total Council Budget values are subject to change once a re profile exercise has been completed against the most recent programme information
- Commissioned budget included in the centre graph is as it stands at this time and will change as schemes progress and further commissions are place later in the year

Highways and Transport Committee Work Programme

Committee Date	Report title	Purpose of Report	Report Author/ Senior Officer	Consultation and Engagement Process and Timeline	Equality Impact Assessment Required and Published (Y/N)	Part of Budget and Policy Framework (Y/N)	Corporate Plan Priority	Exempt Item and Paragraph Number (Y/N)	Ref No
9 Dec 2021	Middlewich Eastern Bypass Scheme and Associated Orders	To authorise the making of a Bridge Scheme, a Compulsory Purchase Order and Side Roads Order	Chris Hindle/ Andrew Ross	Y	Y	Y	A thriving and sustainable Place	Partly public and partly confidential Para No TBC	HT/38/21-22
13 Jan 2022	Sustainable Transport – 2021/22 Programme Update	To provide an update on the programme of Sustainable Transport initiatives and improvements across the borough.	Richard Hibbert/ Andrew Ross	tbc	tbc	Y	A thriving and sustainable Place	N	HT/18/21-22
13 Jan 2022	Update on the Local Ward budgets and 'Top Up' service pilot scheme	To update Committee on the pilot scheme for Ward Councillors and Parish and Town Councillors.	Chris Hindle/ Richard Hibbert	tbc	tbc	Y	A thriving and sustainable Place	N	HT/27/21-22

Highways and Transport Committee Work Programme

13 Jan 2022	2021/22 Financial Year Review	To receive an update on the financial position for 2021/22 To note or approve virements and supplementary estimates as required.	Alex Thompson/ Jo Wilcox	N	N	Y	An open and enabling organisation	N	HT/20/21-22
13 Jan 2022	MTFS	Respond to Budget consultation (Highways & Transport).	Jo Wilcox/ Alex Thompson	Y	Y	Y	Open and Enabling Organisation	N	HT/21/21-22
13 Jan 2022	A500 Dualling – to authorise the making of the Compulsory Purchase Order and the Side Roads Order	To approve the compulsory Purchase Order and the Side Roads Order for the delivery of the A500 Dualling Scheme	Chris Hindle/ Andrew Ross	tbc	tbc	Y	A thriving and sustainable Place	N	HT/13/21-22

Highways and Transport Committee Work Programme

2 March 2022	Flowerpot Junction Improvement Scheme	Authorise to make Compulsory Purchase Orders and Side Roads Orders for the delivery of the Flowerpot Junction Improvement Scheme. Approve the forward funding of the additional developer contributions in accordance with the capital programme.	Chris Hindle/ Andrew Ross	Y	Y	Y	A thriving and sustainable Place	N	HT/26/21-22
2 March 2022	Highways and Transport 2022/23 Programme approval	To approve the programme of activities for Highways and Transport services in the forthcoming year.	Andrew Ross	tbc	tbc	Y	A thriving and sustainable Place	N	HT/22/21-22
2 March 2022	Pavement Parking Policy Update	To approve the proposed pavement parking policy for the borough.	Richard Hibbert/Andrew Ross	tbc	tbc	Y	A thriving and sustainable Place	N	HT/23/21-22

Highways and Transport Committee Work Programme

2 March 2022	Local Transport Delivery Plans	To approve the remaining Local Transport Delivery Plans.	Richard Hibbert/Andrew Ross	tbc	tbc	tbc	A thriving and sustainable Place	N	HT/33/21-22
2 March 2022	Review of Winter Service Changes	To inform the Committee of the outcomes from implementing the new policy and the basis of the review.	Chris/Hindle Andrew Ross	N	Y	N	A thriving and sustainable Place	N	HT/34/21-22
2 March 2022	Middlewich Eastern Bypass – Final Business Case approvals	To approve the final business case for submission to DfT of the Middlewich Eastern Bypass scheme.	Chris Hindle/ Andrew Ross	Y	Y	Y	A thriving and sustainable Place	N	HT/12/21-22

Highways and Transport Committee Work Programme

2 March 2022	HS2 Programme Update	To seek approval for the Local Transport Authority bid for Levelling Up Funding and the preferred solution for the Crewe Hub Project and provide any further updates on the HS2 programme including Phases 2a and 2b line of routes and Crewe Hub station.	Hayley Kirkham/ Andrew Ross	tbc	tbc	Y	A thriving and sustainable Place	N	HT/15/21-22
2 March 2022	Service Performance Review	To inform Committee of Service Performance.	All	N/A	N/A	N/A	All	N	HT/32/21-22

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Public Rights of Way Sub Committee**
held on Monday, 13th September, 2021 at Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor S Edgar (Chair)

Councillors S Akers Smith, H Faddes, L Gilbert, R Moreton, D Stockton and N Mannion

OFFICERS IN ATTENDANCE

Richard Doran, Countryside Service Development Manager
Jennifer Ingram, Definitive Map Officer
Marianne Nixon, Public Path Orders Officer
Andrew Poynton, Planning and Highways Lawyer
Karen Shuker, Democratic Services Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor L Crane.

2 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

3 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 8 March 2021 be confirmed as a correct record.

4 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no public speakers.

5 **WILDLIFE & COUNTRYSIDE ACT 1981 - PART III, SECTION 53 APPLICATION NO. MA/5/249, FOR THE ADDITION OF A PUBLIC FOOTPATH BETWEEN FP13 LYME HANDLEY ON THE MACCLESFIELD CANAL TO FP13 LYME HANDLEY TO THE SOUTH EAST OF THROSTLENEST FARM, AND ALSO A LINK FOOTPATH FROM FP13 TO FP8 LYME HANDLEY**

Councillor Stockton joined the meeting during this item.

The Committee considered a report which detailed the investigation of an application made to amend the Definitive Map and Statement for the Parish of Lyme Handley by adding a footpath.

Under Section 53(2)(b) of the Wildlife and Countryside Act 1981, the Council had a duty to keep the Definitive Map and Statement under continuous review. Section 53 (c) allowed the Authority to act on the discovery of evidence that suggested that the Definitive Map and Statement needed to be amended. The Authority must investigate and determine the evidence and decide whether to make a Definitive Map Modification Order or not.

One such event under section 53(3)(c)(i) was where

"(c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:-

> *(i) That a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway, or subject to section 54A, a byway open to all traffic".*

The evidence could consist of documentary/historical evidence or user evidence or a mixture of both. Where the evidence in support of the application was user evidence, section 31(1) of the Highways Act 1980 applied:- *"Where a way ……. has been actually enjoyed by the public as of right and without interruption for a full period of twenty years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."*

The application had been submitted in March 2015 by Mr David Kitching. The application was supported by user evidence from sixteen witnesses; with a further witness, the spouse of one witness, who had not previously completed a user evidence form, who gave evidence to Officers during an interview.

The report before Committee detailed the investigation carried out into the application. Documentary evidence from Ordnance Survey Maps and the Lyme Handley Tithe Map supported evidence that public rights existed along the definitive route of Footpath No.13 and part of the claimed footpath.

Fourteen of the sixteen witnesses had claimed use of the route on foot for the whole 20 year period, and all had completed standard user evidence forms. The relevant 20 year period was 1994 to 2014. The route had been used for a variety of recreational purposes; dog walking; visiting friends

and leisure/exercise. The witnesses stated that they had not been challenged and there was no evidence of any challenge to the public during the relevant period. All the witnesses who had been interviewed had used the route A-B-C-D; most had used D-E, but not many had mentioned the link to Footpath No.8 Lyme Handley (between point C-H on Plan No. WCA/022).

The Committee considered the user evidence submitted and the Definitive Map Officer's conclusion and considered that there was sufficient user evidence to support the existence of footpath rights. The Committee considered that on the balance of probabilities, the requirements of Section 53(3)(C)(i) had been met and the Definitive Map and Statement should be modified to add the claimed route between points A-B-C-D-E on Plan No. WCA/022 as a Public Footpath.

The Sub Committee by majority

RESOLVED: That

1 An Order be made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by adding as a Public Footpath, the route as shown between points A-B-C-D-E on Plan No. WCA/022;

2 The application to modify the Definitive Map and Statement to record public footpath rights between points C and H as illustrated on Plan No. WCA/022 be refused on the grounds that there is insufficient evidence of use of that section.

3 Public notice of the making of the Order be given and, in the event of there being no objections within the specified period, or any objections received being withdrawn, the Order be confirmed in exercise of the power conferred on the Council by the said Act.

4 In the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

6 INFORMATIVE REPORT - DIVERSION OF HENHULL FP4 (HA80 S119) PPO

The Committee received an information report which detailed why an unopposed Order made to divert part of Henhull Public Footpath No.4 under section 257 of the Town and Country Planning Act (TCPA 90 s257) had to be abandoned and that the same diversion of the footpath was progressing under section 119 of the Highways Act 1980 (HA80 s119).

An application had been made in 2017 requesting the Council make an Order under section 257 of the Town and Country Planning Act 1990 which would divert parts of Public Footpath No.4 in the Parish of Henhull. The proposal was approved by the Public Rights of Way Committee on 12th March 2018 and the subsequent Order remained unopposed following

formal advertising and the Council had been awaiting contact from the developers regarding the installation of the new diversion routes.

In December 2020, a site visit had revealed that a house, part of a garage and garden, had been built on the one of the footpath sections proposed for diversion, and residents had moved in. The development had gone ahead prior to the conclusion of the legal process for the footpath diversion meaning that the legal test of the TCPA 90 s257 legislation had not been met and the diversion was voided.

The developers had abandoned the diversion of parts of Henhull Footpath No.4 under TCPA 90 s257 and had re-applied for the same diversion to be progressed under the HA80 s119.

Following the conclusion of the pre-Order consultation stage, the diversion would be decided accordingly through the PROW Sub Committee or via delegated decision.

RESOLVED

That the report be noted.

7 **INFORMATIVE REPORT - PUBLIC RIGHTS OF WAY ANNUAL REPORT 2020/21 AND WORK PROGRAMME 2021/22**

The Committee considered a report which detailed the achievements of the Public Rights of Way team during 2020-21 and set out the proposed work programme for the year 2021-22.

The Countryside Service Development Manager reported on the work carried out during 2020-21 by the Network Management and Enforcement Officers, Technical Administration Officer, Public Path Orders Officers and Definitive Map Officers. Specific performance was detailed in the Appendices to the report.

The budget for Public Rights of Way during the 2020-21 financial year had remained as forecast throughout the year which had allowed the Team to plan spending efficiently throughout the year. However, budgets over recent years had remained static in contrast to increased costs from suppliers such as timber and metal path furniture. A business case had been successful in securing a small amount of additional revenue for 2021-22.

It was also noted that extreme weather events, specifically the rainfall experienced in January 2021, coupled with the increased usage during the Covid-19 lockdowns had put path surfaces under pressure.

It was noted that during 2020-21 the team assessed 349 planning applications which was a 10% increase on the previous year. There had

been 195 temporary closures processed an increase from the 135 of the previous year.

The Public Rights of Way Team had continued to deliver an excellent service across all functions despite a number of long term absences in the team and challenges caused by the Covid-19 pandemic. Office based tasks had been relocated to home-based remote working which had its own challenges such as working space, broadband, home schooling and access to historic documents, files and office functions. The good condition of the network was highly regarded by user groups, the processing of legal orders continued to serve both users and landowners, and the high standard of response and service from the team as a whole was widely recognised.

Future working arrangements would be likely to involve a form of hybrid office/home working and although the longer-term implications of Covid-19 would become clearer with time, it would certainly involve a continued reduction in income.

The implementation of the Deregulation Act 2015 represented a risk to the capability of the team to meet their duties of the Highway Authority with regards to Public Rights of Way. The effect of the Act once implemented would require an appraisal of processes and policies for dealing with Definitive Map Modification Orders and Public Path Orders. Tight timescales would be introduced by the legislation requiring application processing within specified time limits and additionally the processing of Public Path Orders would become a duty rather than a discretionary service.

Additional resources would be required to continue maintaining the PROW network and services going forward. The increased use of the network and demand for legal process, together with increased supplies and service costs meant that a growth bid had been submitted through the medium-term financial strategy budget setting process to seek additional resources.

RESOLVED

That the report be noted.

8 **INFORMATIVE REPORT - UNCONTESTED PUBLIC PATH ORDERS DETERMINED UNDER DELEGATED DECISION**

The Committee received an information report on the uncontested Public Path Order cases that had been determined under delegate decision.

One decision had been taken under delegation which related to Town and Country Planning Act 1990 Section 257 for the Proposed Diversion of Public Footpath No.9 in the Parish of High Legh (Part).

AGREED

That the uncontested Public Path Order case determined under delegated decision be noted.

The meeting commenced at 2.00 pm and concluded at 2.50 pm

Councillor S Edgar (Chair)