

Record of officer decision

Decision title:	A4137 and B4521 St Owens Cross Speed Limit Review
Date of decision:	4 May 2020
Decision maker:	Acting Assistant Director Highways & Transport / Head of Infrastructure Delivery
Authority for delegated decision:	<p>Directorate scheme of delegation: updated 20 March 2020 Directorate: Economy and Place, section 75.</p> <p>To act on behalf of the council in respect of the legislation specified in the foregoing:</p> <p>Traffic Management Act 2004, Road Traffic Act 1988, Cycle Tracks Act 1984, Highways Act 1980, National Parks and Access to the Countryside Act 1948, New Roads and Street Works Act 1991 Road Traffic Regulation Act 1984, Town and Country Planning Act 1990, Town Police Clauses Act 1847, Traffic Calming Act 1992 Wildlife and Countryside Act 1981</p>
Ward:	Dinedor Hill
Consultation:	<p>As previously stated in this report a pre-scheme assessment meeting was held with the Parish Council and Ward Councillor Summers on 5th July 2019 to understand the concerns of the local community and to share with them how the site would be assessed for a possible reduced speed limit.</p> <p>The PC and Ward Councillor Summers have been made aware of the recommendations in this report and Ward Councillor Summers has stated he would like to discuss this further with the relevant Council department.</p>
Decision made:	<p>That:</p> <p>No changes are made to the existing 40mph speed limits on A4137 or B4521 at St Owens Cross Herefordshire.</p> <p>A wider Road Safety Review is carried out on the A4137 and B4521 at St Owens Cross considering the accident history and existing recorded speeds.</p> <p>Recorded traffic speeds are reported to the Police requesting further enforcement of the speed limit on the A4137 & B4521 at St Owens Cross.</p>
Reasons for decision:	<p>To recommend that the Acting Assistant Director of Highways and Transportation endorses a proposal not to change the speed limit on either the A4137 or B4521 at St Owens Cross, Herefordshire.</p> <p>The extents of the study area are shown in Appendix A.</p> <p>The recommendation is proposed for the following reasons:</p> <ul style="list-style-type: none"> • The A4137 through St Owens Cross does not meet the minimum density required to be considered for a 30mph village speed limit, as set out in the Department for Transport (DFT) Traffic Advisory Leaflet Circular 1/04 "Village Speed Limits". • The surveyed speeds are too high for the enforcement of a 30mph limit according to Association of Chief Police Officers Guidance.

	<ul style="list-style-type: none"> • There is no practical or prominent location for any new speed limit terminal signage at the crossroads. • It would be more prudent for the undertaking of further safety investigations by Hereford Council's Accident Investigation and Prevention team.
Highlight any associated risks/finance/legal/equality considerations:	<p>Community impact</p> <p>The recommendation not to proceed with the speed limit reduction proposals from 40mph to 30mph on the A4137 & B4521 at St Owens Cross would have no further impact (positive or negative) on the local community in terms of road safety. The cross roads already has a clear accident history however it is not felt that lowering the speed limit on either of the roads through St Owens Cross would have any further benefit in terms of road safety. It could even make things worse due to the possible confusion caused by too many signs being placed at the junction giving a mixed message to drivers approaching the crossroads.</p> <p>Equality duty</p> <p>The recommendation not to introduce a 30mph speed restriction Traffic Regulation Order on A4137 & B4521 at St Owens Cross is considered to be low impact. Thus, this pays regard to the council's duty according to the Equality Act 2010 as set out below.</p> <p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>Any impact as a result of the scheme will be equal to all parties.</p> <p>See Appendix D of this report for Equality Impacts and Needs Assessment (EINA).</p> <p>Resource implications</p> <p>Budgets for changes to speed limits are managed by Balfour Beatty Living Places on behalf of Herefordshire Council. Due to the recommendation not to proceed there will be no further financial implications with regards to this project.</p> <p>Legal implications</p> <p>The introduction of a Traffic Regulation under Section 84 of the Road Traffic Regulation Act 1984 would normally be required if the recommendation was to proceed with its making. However, the recommendation is that no TRO is required.</p> <p>Section 9 of Part 2 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 states that The Council, as Highway Authority, is required to consider any objections received after</p>

	<p>formal statutory consultation, (which includes advertising in a local newspaper) and a subsequent report will include any such objections or comments, for consideration.</p> <p>The council has discretion to amend its original proposals if considered desirable, whether or not in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.</p> <p>There are no further legal implications in not making the TRO, even if objections are made. It is at the discretion of the Council as the Highway Authority whether to make a TRO dependant on the justification for doing so.</p> <p>Risk management</p> <p>The Local Transport Plan sets out to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway network that is safe and efficient. A Key Performance Indicator is contained in this Local Transport Plan and details a locally set target for a reduction in fatal or serious injuries on the highway network. The adoption of the recommendations in this report would contribute to these objectives in the Local Transport Plan as they would not make it any more dangerous to navigate the crossroads and have highlighted an issue that Herefordshire Councils Accident Investigation & Prevention (AIP) Team can investigate further.</p> <p>It is important for safety and their effectiveness that speed restrictions are imposed appropriately having regard to the type of factors considered in this report. Imposing speed restrictions inappropriately could result in frequent contraventions to the signed limit that would not be enforced regularly enough by the Police to prevent them from being of benefit and in extreme circumstances make the road more dangerous as drivers become frustrated and take more risks. This is particularly relevant in this situation and a wider road safety review of the junction would be more appropriate and effective.</p> <p>The accident history at the junction will be raised with Herefordshire Council's Accident Investigation and Prevention (AIP) team for further investigation.</p>
Details of any alternative options considered and rejected:	<p>A 30mph speed limit is proposed only on the B4521 at St Owens Cross– Whilst this stretch of highway does meet the minimum density criteria set out by the Department for Transport, the recorded current vehicle speeds are above the enforcement limit figure of 34mph as set out by the Association of Chief Police Officer Enforcement Guideline document. In addition, there is no practical place to situate new speed limit terminals at the crossroads. Given the significant accident history over the last 10 years, despite safety improvements, it would be more prudent for a Road Safety Investigation to be undertaken by Hereford Council's Accident Investigation and Prevention team.</p>
Details of any declarations of interest made:	

I am an officer delegated to make the decision

Signed:

Print Name: Mairead Lane

Job Title: Acting Assistant Director Highways & Transport /
Head of Infrastructure Delivery