

Record of officer decision

Decision title:	Brierley Village 30mph Speed Limit
Date of decision:	22 July 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:	Leominster South
Consultation:	<p>Throughout the consultation process, we strive to gain the support of the Ward Councillor, Parish Council and the Police. This ensures that the scheme is both endorsed by those representing the general public and is enforceable by the local Police Force.</p> <p>An initial consultation letter was sent out to all statutory consultees on the 18th December 2019 that invited consultees to comment on the proposals. A summary of the responses collected during the initial consultation is provided as Appendix B. Due to the Christmas period the consultation period was extended beyond the statutory period of 21 days.</p> <p>Leominster Town Council met on the 13th January 2020. The Council considered the proposals and agreed to fully support the scheme.</p> <p>The initial consultation letter was sent to Ward Cllr Marsh on the 18th December 2019. A second email was sent to Ward Cllr Marsh requesting a response on the 17th January 2020. On the 13 May 2020 Cllr Marsh recorded her support for the 30 mph limit and her full response is set out in Appendix B.</p> <p>Statutory consultees are able to contact the Lead Officer and their team through the TRO process in order to allow them to convey any concerns, questions or feedback which may require attention.</p>
Decision made:	<p>That:</p> <p>Subject to the consideration of the receipt of any objections arising from the formal notice of the proposal, a new Order will be introduced under Section 84 of the Road Traffic Regulation Act 1984, the effect of which will be:</p> <p>No vehicle shall travel greater than 30mph on the U93600 through Brierley Village from a point 595 metres southwest of the junction with the B4361 Hereford Road to a point 1125 metres southwest of the junction with the B4361 Hereford Road</p>
Reasons for decision:	To consider a recommendation that the existing national speed limit be

	<p>reduced and a new 30mph speed limit introduced through Brierley Village. The extents of the proposed speed limit are precisely set out in Recommendation(s) below and shown on drawing 3409 Brierley in Appendix A.</p> <p>The recommendations are proposed for the following reasons:</p> <p>For avoiding danger to persons or other traffic using the highway network, and for preventing the likelihood of any such danger arising.</p> <p>To allow for safe pedestrian and vehicular movement associated with the proposed residential development.</p> <p>For preserving or improving the amenity of the area concerned.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Community Impact</p> <p>Any impact that may occur will likely be positive to the existing local community in terms of road safety and amenity. The reduction in speed limit will also ensure safe movement of vehicles and pedestrians associated with the existing village and residential development.</p> <p>Equality Duty</p> <p>The recommendation to introduce a 30mph speed limit through Brierley Village is considered to be low impact. Any impact that occurs will be equal to all those concerned.</p> <p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:</p> <p>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>See Appendix C attached to this report for the Equality Impacts and Needs Assessment (EINA).</p> <p>Resource Implications</p> <p>Budgets are managed by Balfour Beatty Living Places on behalf of Herefordshire County Council. The cost of the implementation of the proposed speed limit is approximately £8500. This includes costs for statutory consultation, advertising preparing and making the TRO, but excludes signage, road markings and dealing with any objections. The full cost of the order and associated signs and road markings will be met by the developer through the Community Commissioning Model</p> <p>Legal Implications</p> <p>The introduction of a new TRO under Part 1, Section 84 of the Road Traffic Regulation Act 1984 will be 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 during the formal statutory consultation process, (which includes advertising in local</p>

	<p>newspapers). A subsequent report will include any objections or comments for consideration.</p> <p>The Council has the right to amend the original proposals at their discretion, with or without consideration of any objections or comments received during the statutory consultation process. If any objections are accepted, in part or as a whole, and/or a decision is made to modify the proposals, then steps must be taken to further consult those affected by the proposed modifications.</p> <p>Risk Management</p> <p>The Local Transport Plan sets out the objective 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 the Local Transport Plan and details a locally set target for a reduction in people who are killed or seriously injured on the highway network. The adoption of the recommendations in this report would therefore contribute to the objectives set out in the Local Transport Plan.</p> <p>It is important for safety, fairness and their effectiveness that speed restrictions are imposed appropriately and consider the issues set out in this report. Speed restrictions should only be considered where speeding is causing a safety concern. It is considered that the proposal carries largely reputational risks and if the scheme be accepted these risks will be mitigated.</p>
Details of any alternative options considered and rejected:	<p>Not to introduce a 30mph speed limit through Brierley Village – There may be doubts regarding whether Brierley qualifies as a village based upon the guidelines set out in DfT’s document, ‘Village Speed Limits.’ However, the proposed housing development would likely have a significant impact on the roadside environment and would likely mean Brierley would meet the requirements to be considered a village and therefore would qualify for the implementation of a 30mph speed limit.</p> <p>Vehicle speeds are already low here so a new 30mph speed limit is unlikely to have much effect in terms of lowering vehicle speeds. However as local stakeholders all agreed that they would prefer a signed speed limit in the village, therefore it is felt that as the village does qualify for a “village speed limit” according to DFT guidance (as discussed above) this alternative option not to introduce a 30 mph speed limit is not recommended.</p>
Details of any declarations of interest made:	<p>If any officers or members involved or consulted in the decision-making have declared an interest you should include the declaration here.</p>

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