

<b>DECISION MAKER:</b>	<b>Acting Assistant Director Highways &amp; Transport</b>
<b>DECISION DATE:</b>	
<b>TITLE OF REPORT:</b>	<b>Proposed new village 30 mph speed limit at Wellington &amp; Auberrow</b>
<b>REPORT BY:</b>	<b>Bruce Evans</b>

## **Classification**

Open

## **Key Decision**

This is not a key decision

## **Wards Affected**

Queenswood

## **Purpose**

To consider the recommendation to rectify the existing unlawful 30mph speed limit in Wellington as well as extending it to cover the outlying settlement of Auberrow.

The extents of the proposed 30 speed limit are shown in **Appendix A**.

## **Recommendation(s)**

**THAT:**

**Subject to the consideration of the receipt of any objections arising from the formal notice of proposal a new order will be introduced the effect of which will be;**

**To introduce a 30mph 'Restricted Road' speed limit on the following stretches of road;**

**C1108 Village Street** from its junction with C1109 The Row to a point 125 metres east of its junction with U72661 Church Close.

**U72628 Bridge Lane** from its junction with C1108 Village Street to a point 98 metres north west of its junction with C1108 Village Street.

**U72645 Queenswood Close** from its junction with C1108 Village Street for its entire length.

**U73632 Auberrow Road** from its junction with C1108 Village Street to a point 42 metres south of its junction with C1108 Village Street.

**U72648 Dernside Close** from its junction with C1108 Village Street for its entire length

**U72629 Brookside** from its junction with C1108 Village Street for its entire length.

**U72651** from its junction with C1108 Village Street for its entire length.

**U72630 Mill Lane** from its junction with C1108 Village Street to a point 32 metres south of its junction with U72631 Millway.

**U72631 Millway** from its junction with U72630 for its entire length.

**C1109 The Row** from its junction with C1108 Village street to a point 48 metres south of its junction with C1108 Village Street.

**To introduce a 30mph speed limit (under section 84 RTRA 1984) on the following stretches of road.**

**U72660** from its junction with C1108 Village street for its entire length.

**U72661 Church Close** from its junction with C1108 Village street for its entire length.

**U72627 Ford Lane** from its junction with C1108 Village Street to a point 75 metres north of its junction with C1108 Village Street.

**U73632 Auberrow Road** from a point 42 metres south of its junction with C1108 Village Street to a point 54 metres north east of its junction with C1109 The Row

**U72633 Auberrow Marsh** from its junction with U72632 Auberrow Road for its entire length.

**U72662 Parsonage Fields** from its junction with U72632 Auberrow Road for its entire length

**U72628 Bridge Lane** from a point 98 metres north of its junction with C1108 Village Street to a point 274 metres north of its junction with C1108 Village Street.

**U72654 Watermill** from its junction with U72630 Mill Lane for its entire length.

**U72630 Mill Lane** from a point 32 metres south of its junction with U72631 Millway to a point 107 metres north of its junction with U72631.

**C1108** from its junction with C1109 The Row to a point 10 metres west of its junction with C1109 The Row.

**C1109 The Row** from a point 48 metres south east of its junction with C1108 Village Street to a point 453 metres south east of its junction with C1108 Village Street.

**The following orders are to be revoked;**

**VARIOUS ROADS WELLINGTON (RESTRICTED ROADS) ORDER 1999**

**U72632 AUBERROW LANE (30 M.P.H. SPEED LIMIT) ORDER 1999**

**THE COUNTY OF HEREFORD AND WORCESTER (RESTRICTED ROADS) (NO. 13)  
ORDER 1982**

## **Alternative Options**

1. That the speed limit remains unlawful and Auberrow is not included within the Proposal.
2. U72632 Auberrow Road should be national speed limit between Wellington and Auberrow settlement boundaries.

## **Reasons for Recommendations**

3. West Mercia Police initially raised concerns about the legality of the existing 30mph speed limit orders in Wellington and after further investigation this was found to be the case. In order for the Police to carry out any further enforcement a new lawful Traffic Regulation Order is required.
4. As part of this new TRO making process Wellington Parish Council have requested that the speed limit is extended to include the hamlet of Auberrow. After some consideration it is felt that Auberrow meets the DFT's Traffic Advisory Leaflet 1/04 guidance on setting 'Village Speed Limits' in terms of size and frontage of development and therefore should be included in the proposed new order.
5. It should also be noted that Auberrow Road has seen considerable development at the Wellington village end which is naturally bringing the village boundary of Wellington closer to the hamlet of Auberrow.
6. The following speed data has been obtained which supports the recommendation to proceed as recommended above;

<b>Location</b>	<b>85%ile</b>	<b>85%ile</b>
<b>Location 1 – C1108 Village Street (Outside the school)</b>	Eastbound – 33.5mph	Westbound 29.4 - mph
<b>Location 2 – U72632 Auberrow Road (between Wellington and Auberrow)</b>	Northbound – 38.2 mph	Southbound – 38.5 mph
<b>Location 3 – U72632 Auberrow Road (In Auberrow hamlet)</b>	Northbound- 31.3mph	Southbound – 33.5mph

See **Appendix B** for Speed reading location plan

7. Speed limits need to be set at realistic levels to the environment in which they stand as well as be within the Association of Chief Police Officers Guidance (ACPO) for speed enforcement intervention level (35mph 85%ile speed in this case). Clearly the speed data gathered suggests that average 85%ile speeds on the majority of roads in question are within the ACPO guidelines for 30mph speed limits.
8. The short section between Wellington and Auberrow however does see slightly higher recorded average 85%ile speeds at 38.2 & 38.5 mph respectively. Although this is higher

than ACPO guidelines this section of road is considered too short to place a national speed limit between both the Wellington and Auberrow settlement boundaries. This would also introduce too many changes of the speed limit over a short distance as well as encourage higher speeds on what is a walking route from Auberrow to Wellington village amenities such as the school and public house etc which is not considered to be acceptable.

9. Accident statistics over the past 5 years show no evidence of any recorded accidents over the past 5 years within the proposed speed limit area for Wellington and Auberrow
10. All local stakeholders have indicated their support for the proposals. **See Appendix C**

## **Key Considerations**

11. West Mercia Police initially raised concerns about the legality of the existing 30mph speed limit orders in Wellington and their inability to carry out enforcement there. At the same time a request was therefore submitted by Wellington Parish Council to extend the village speed limit to incorporate the hamlet of Auberrow.
12. As a consequence of its entry into the prioritised traffic regulation order waiting list, this scheme was identified for commencement of investigations in the 2018 / 2019 Annual Plan. Consequently, ADL Traffic & Highways were commissioned by Balfour Beatty Living Places to instigate a new lawful Traffic Regulation Order that will allow enforcement to be carried out within the village as well as assessing whether it would be possible to extend the new order to incorporate the hamlet of Auberrow.
13. A site visit was carried out to measure the existing speed limit extents noting the presence of any systems of street lighting on the roads within the 30mph speed limit. **Appendix D** highlights where street lighting is present within the proposed 30mph limit and has informed which section of the Road Traffic Regulation Act 1984 (82 or 84) is referred to in the schedule outlined above in the recommendations section of this report.
14. A speed survey was commissioned over 7 days from Friday 21<sup>st</sup> June 2019 to assist with the assessment of whether Auberrow should be included in the new 30mph speed limit order. See Appendix B for speed survey results and locations.
15. Once the new 30mph speed limit schedule was completed (using enabling powers under both section 82 and section 84 of the Road Traffic Regulation Act 1984 due to the presence of street lighting within the village) as well as deciding that Auberrow should be included within any new order the initial consultation phase of the TRO process was instigated.
16. An informal consultation letter was sent to the statutory consultees on 7<sup>th</sup> June 2019 informing them of the proposals. A list of all of the responses received are detailed in **Appendix C** as well as in the 'Consultees' section of this report.

## **Community Impact**

17. The recommendation to consolidate the 30mph speed limit in the village of Wellington (in turn making it lawful) as well as extend it to include the Hamlet of Auberrow will have a positive impact on the local community in terms of road safety and amenity.

## **Equality Duty**

18. The recommendation to consolidate the 30mph speed limit in the village of Wellington (in turn making it lawful) as well as extend it to include the Hamlet of Auberrow is considered to be low impact.
19. See **Appendix E** of this report for Equality Impacts and Needs Assessment (EINA).

## Financial Implications

20. Budgets for changes to speed limits are managed by Balfour Beatty Living Places on behalf of Herefordshire Council. The cost for the implementation of the new 30mph speed limit in Wellington and Auberrow is £0. This includes costs for statutory consultation, preparing and making new a TRO, signage and advertising. This cost has been identified from the existing TRO budget.

## Legal Implications

21. The introduction of a new TRO under Section 82 & 84 of the Road Traffic Regulation Act 1984 will be required.
22. The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation, (which includes advertising in a local newspaper) and a subsequent report will include any such objections or comments, for consideration
23. 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.

## Risk Management

24. 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 taking into account national guidelines. A Key Performance Indicator is contained in this 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 contribute to these objectives in the Local Transport Plan.
25. 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.

## Consultees

26. Item 21 (3) of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 – Part II Procedure Before Making an Order i.e. consultation and publication of Notice of Proposals shall not apply to a consolidation order & Part III Making an Order i.e. publication of Notice of Making and deposition of documents shall not apply to a consolidation order.

However 21 (4) (a) does require us to publish a notice in the newspaper containing:

- (a) name of order making authority,
- (b) title of the order,
- (c) a list of orders consolidated

(d) where documents giving more details of the order are available for inspection

AND

21 (4) (b) requires the deposition of documents in accordance with schedule 2:

- (a) Notice of Making
- (b) Order as made
- (c) Plan
- (d) Statement of Reasons
- (e) Revoked Order (in this case the 2020 Order)

27. As previously stated in this report an initial consultation letter was sent to all statutory consultees on 7<sup>th</sup> June inviting comments to the proposal. A summary of the responses received are as follows and detailed in **Appendix C**;
28. Ian Connelly West Mercia Police – would offer no objection or comment relating to the parts of the proposal covering Wellington as this part is to correct the TRO for the existing limit.

With regards to the proposed extension of the limit through Auberrow, again has no objection, but due to the nature of the road and the limited verge/off road capacity, would not be able to enforce here, so will have to rely on drivers routinely complying with the limit. If subsequent complaints of speeding are received in the area Police will be recommending further engineering to achieve compliance with the limit.

29. Wellington Parish Council - fully supports the proposals outlined in letter dated 7th June along with the accompanying map and are anxious that a fully enforceable speed limit can be put in place to cover the relevant roads in and around Wellington and Auberrow as soon as possible.
30. Cllr Pauline Crockett (Ward Cllr) - would like to add her support to the proposals outlined that this should be handled in accordance with policies asap.

## **Appendices**

Appendix A – Speed limit proposal

Appendix B – Speed Survey location plan

Appendix C – Consultation Response

Appendix D – Road Traffic Regulation Act 1984 sections that order is to be made under

Appendix E - Equality Impacts and Needs Assessment