

Record of officer decision

Decision title:	Introduction of 40mph Speed Limit on Various Roads at Lawton's Cross Crossroads and Shirl Heath, Herefordshire
Date of decision:	15 October 2020
Decision maker:	Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery
Authority for delegated decision:	<p>Directorate scheme of delegation: updated 15 October 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:	Bircher
Consultation:	<p>As previously eluded to in this report, a pre-scheme assessment meeting was held with the Ward Councillor and Parish Council on 19th December 2019 during which they had the opportunity to discuss the reasoning behind the original request and show the perceived issues in the area under consideration. An initial Consultation was undertaken from 13th January 2020 to 3rd February 2020 for statutory consultees informing them of the proposals, the reasoning behind them and a plan detailing their extents. A consultee response summary is included as Appendix F and are detailed below.</p> <p>Ward Councillor Bowen – Fully supports the proposals.</p> <p>Kingsland Parish Council – Fully support the proposals.</p> <p>Whilst the proposals lie wholly within Bircher ward Arrow ward is only some 600 metres to the east. Consequently, Councillor Phillips was invited to comment and he recorded that he was supportive of the scheme.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals:</p> <p>The TMA advised that they had taken part in numerous meetings with Balfour Beatty to discuss the scheme and planned roundabout and stated: “This location has been a significant RTC cluster site for a number of years and has received a number of different treatments with a varying degree of success. As this planned speed limit reduction will be accompanied by a new roundabout at the junction, I can confirm I have no objections to the proposals”.</p> <p>Appendix F contains a summary of the responses.</p>
Decision made:	Subject to the consideration of the receipt of any objections arising from the formal Notice of Proposal a new Speed Limit Order (SLO) will be introduced under Section 84 of the Road Traffic Regulation Act 1984 the effect of which

	<p>will be:</p> <p>To Introduce a 40mph speed limit (under section 84 of the RTRA 1984) along the following stretches of road;</p> <p>A4110</p> <p>Between a point 300 m north east of its northern most junction with the C1035 and a point 128 m southwest of its southern most junction with the C1035 and the B4529.</p> <p>C1035</p> <p>From its northern most junction with the A4110 for a distance of 145m in a south-westerly direction</p> <p>From its southern most junction with the A4110 and B4529 for a distance of 270m in a westerly direction</p> <p>B4529</p> <p>From its junction with the A4110 and C1035 for a distance of 248m in a north-easterly direction</p>
<p>Reasons for decision:</p>	<p>To consider a recommendation to introduce a new 40mph Speed Limit on various roads at Lawton’s Cross and Shirl Heath.</p> <p>The extents of the proposed speed limit are precisely set out in Recommendation(s) below and shown on drawing 3409 81B in Appendix A.</p> <p>The recommendation is proposed for the following reasons:</p> <ul style="list-style-type: none"> • For avoiding danger to persons or other traffic using the road or any other road or preventing the likelihood of any such danger arising. • For preserving and improving the amenity of the area through which the road runs. • To improve road safety in the vicinity of the Lawton’s Cross crossroads. • Ensure the expeditious, safe and convenient movement of vehicles through Shirl Heath. • Support the upcoming safety scheme to introduce a roundabout at the Lawton’s Cross crossroads.
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Community impact</p> <p>The recommendation to reduce the National Speed Limit at Shirl Heath and Lawton’s Cross to a 40mph limit should improve road safety for road users and encourage vehicles travel at suitable speeds in conjunction with the road environment and geometry. Furthermore, the proposals should preserve and improve the amenity of the area through which the road runs.</p> <p>Overall the recommendation should have a positive impact on the local community in terms of road safety and amenity in accordance with sections 1 and 122 of the Road Traffic Regulation Act 1984.</p> <p>Environmental Impact</p> <p>Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public, and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire’s outstanding natural environment.</p>

The development of this project will seek to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance. Furthermore, the scheme will improve road safety in the locality, this is a site where accidents have been a concern locally for a number of years. The Traffic Regulation Order is part of the new road layout scheme designed to address the situation.

Therefore, the adoption of the proposals will not be detrimental to the council's environmental policy commitments and aligns to the success measures in the County Plan.

Equality duty

The recommendation to progress with the proposed reduction in National Speed Limit is considered to be low impact. The restrictions aim to improve amenity and safety for vehicles and convenience for local residents, thus paying regard to the council's duty according to the Equality Act 2010 as set out below.

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 -

- (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.

Any impact as a result of the scheme will be equal to all parties.

See Appendix E of this report for Equality Impacts and Needs Assessment (EINA).

Resource implications

Budgets are managed by Balfour Beatty Living Places on behalf of Herefordshire County Council. The cost of the implementation of the new speed restrictions on A4110, C1035 and B4529 is estimated to be £8500 excluding dealing with any objections and any sign and road marking works for the new speed limit. This cost has been allocated to Minor Safety Improvements.

Legal implications

The introduction of a new TRO under Section 84 of the Road Traffic Regulation Act 1984 will be required.

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 formal statutory consultation, (which includes advertising in a local newspaper) and a subsequent report will include any such objections or comments, for consideration.

The council has discretion to amend its original proposals if considered desirable, whether or not in the light of any objections or comments

	<p>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>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 should make it less dangerous to navigate this stretch of the road network.</p> <p>It is important for safety, fairness and their effectiveness that speed restrictions are imposed appropriately having regard to the type of factors considered in this report. This is considered to be the case at Shirl Heath and Lawton’s Cross.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to make any changes to the speed limits in the area and leave the prevailing national speed limit in force – However there are safety issues which need to be addressed on the roads under investigation. Additionally, the reduction in speed limit is considered essential to support the upcoming safety scheme to introduce a roundabout at the Lawton’s Cross crossroads.</p> <p>Introduce a 40mph speed limit in the vicinity of Lawton’s Cross crossroads only – Whilst this should go some way to addressing the safety concerns at the crossroads, it would fail to contribute to the safe, convenient and expeditious movement of vehicles through Shirl Heath. In addition, it is considered that Shirl Heath qualifies for a 40mph limit considering existing speeds and the roadside environment.</p> <p>Reasons for not recommending the above alternative options are considered further below.</p>
<p>Details of any declarations of interest made:</p>	

I am an officer delegated to make the decision

Signed:

Print Name: Mairead Lane
 Job Title: Assistant Director Highways & Transport /
 Head of Infrastructure Delivery