

Decision title:	A4103 West of Newtown Cross Speed Limit Extension
Date of decision:	26 July 2023
Decision maker:	Service Director Environment and Highways
Authority for delegated decision:	<p>Economy and Environment Scheme – Highways and Transport 75. To act on behalf of the council in respect of the legislation specified in the Road Traffic Regulation Act 1984. The authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p> <p>Authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
Ward:	Three Crosses
Consultation:	<p>A Formal (Statutory) Consultation process was undertaken from 17th September 2021 to 8th October 2021, whereby a consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised in relation to the recommendations as part of this TRO. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix E.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 28th October 2021 to 19th November 2021. During this process no objections were raised from the Statutory Consultees nor from members of the public. A summary of the responses received during the Notice of Proposal stage is included as Appendix F. The responses from the Statutory Consultees are outlined below.</p> <p>Ward Councillor – Fully supports the proposals.</p> <p>Parish Council – Fully supports the proposals.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals.</p> <p>Hereford and Worcester Fire and Rescue Service – Issued no response to the consultation.</p> <p>Road Haulage Association – Issued no response to the consultation.</p> <p>Freight Transport Association – Issued no response to the consultation.</p> <p>West Midlands Ambulance Service – Issued no response to the consultation.</p>
Decision made:	A4103 Newtown Cross: Extend 40mph speed limit west as set out in the report.
Reasons for decision:	The scheme originated as a result of concerns from the Parish Council regarding the speed of vehicles entering Newtown Cross on the A4103 from the west. A review of the length of the existing 40mph speed limit was requested. This scheme is also partially in corroboration with a wider programme of works to improve the roadside environment on A4103 upon approach to Newtown Cross. This will involve maintenance of the verges to allow drivers to see the settlement well before entering it giving notice of entry to a built-up environment and potential additional chevron signing and road markings. Consequently, a review of the situation on the site was

undertaken by officers and it was decided that details should be entered onto the prioritised Traffic Regulation Order (TRO) Waiting List.

As a result of its entry onto the TRO Waiting List, this scheme was identified for commencement of investigations in the 2021/2022 Annual Plan. Therefore, Balfour Beatty Living Places (BBLP) set about investigating the potential for a new Traffic Regulation Order that would necessitate any changes within the area under investigation.

An on-site assessment and meeting with the Parish Council and Ward Member was undertaken in July 2021. During the meeting, councillors explained that at present vehicle speeds were very high upon entering Newtown Cross on the A4103. This was said to be causing difficulty for residents accessing/egressing their properties and a general lack of confidence when attempting to walk on/cross the road. The councillors highlighted collisions which had taken place on the bend on the A4103 just west of the existing 40mph speed limit terminals. It was also stressed that the current terminal positions were thought to be located too close to the beginning of the settlement and were not visible enough to encourage reduced vehicle speeds and alert drivers that they are entering a built-up environment. Councillors were aware of the wider programme of works to improve road safety at the bend in the road west of the existing speed limit terminals which would complement a potential speed limit extension.

During the site assessment, officers observed the location of the 40mph speed limit terminal signage as being close to the beginning of the settlement of Newtown Cross. It was also observed that vehicles tended to come around the bend in the road west of the terminals and see the signage relatively late. This led to either vehicles breaking heavily leading to increased risk of a rear shunt from a following vehicle, or a failure to reduce speed to an acceptable level upon entering Newtown Cross. The bend was therefore identified as the primary section of the A4103 which was suitable to be included in any potential extension of the 40mph speed limit.

Department for Transport's (DfT) 'Setting Local Speed Limits' document lists key factors for consideration during site assessments regarding local speed limits. One of these is the collision history. Analysis of personal injury collision data for the latest 5-year period from January 2016 to August 2021 shows four personal injury collisions having taken place within the area. The locations and classifications of the collisions are shown as Appendix C.

Two of the collisions took place on A4103 on the bend approaching the existing 40mph speed limit terminals. One of these took place in 2019 and was classified 'serious'. It involved a car coming off the carriageway and colliding into a farmer's hedge and telegraph pole. This was attributed to a loss of control and concentration. The second collision on the bend occurred in 2020 and was classed as 'slight'. This involved a car clipping the nearside kerb and exiting the carriageway colliding with a BT post.

Another key factor in the document for consideration is 'current traffic speeds'. Therefore, as part of the site assessment phase, two Automatic Traffic Count (ATC) Surveys were undertaken in order to ascertain the current vehicle speeds as they passed through the potential extension area. The speed survey data is included as Appendix D. Speed data comprising 85th percentile vehicle speeds (mph) is summarised in the table below.

	Eastbound	Westbound
ATC 1 (Westernmost)	55.9	55.8
ATC 2 (Easternmost)	55.9	48.3

The vehicle speeds collected are above the maximum guideline intervention level for a 40mph speed limit of 46mph as set by Association of Chief Police Officers (ACPO) guidance. However, the proposals shown in Appendix A are for the instalment of high-profile village nameplate signage, new repeater signage and road markings. This is in addition to the ongoing programme of works to improve the road safety at the bend in the road approaching Newtown Cross from the west. These combined measures will likely have an impact on vehicle speeds. At present, the terminal signage is not visible until approximately 90m west on A4103 for vehicles which does not leave sufficient time for the reduction of speed before entering Newtown Cross. The signage itself is also not conspicuous in its design.

Following the completion of the initial assessment, a Formal (Statutory) Consultation process was undertaken from 17th September 2021 to 8th October 2021, whereby a consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised in relation to the recommendations as part of this TRO. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix E.








During this consultation process, the Traffic Management Advisor for West Mercia Police stated that they had reservations as to how well the speed limit would be complied with if implemented in isolation. However, as the limit is being proposed as part of a wider programme of works which would increase the impact of the new speed limit, no objections were raised with regards to this proposal.

The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 28th October 2021 to 19th November 2021. During this process no objections were raised from the Statutory Consultees nor from members of the public. A summary of the responses received during the Notice of Proposal stage is included as Appendix F.

According to the Road Traffic Regulation Act (RTRA) 1984, it is the duty of a highway authority to 'manage their road network' and 'to improve road safety'. Section 122 of the RTRA 1984 states that local authorities must, so far as is practicable, exercise their functions under the RTRA so as to 'secure the expeditious, convenient and safe movement of traffic'.

There is an existing history of recent collisions (in 2019 and 2020) on the section of road where the 40mph speed limit is proposed to be extended, one of which was categorised as serious. It is considered that there is a risk of potential further collisions in future, given the speed at which vehicles are currently travelling on A4103 on approach to Newtown Cross from the west, and the difficulty currently being faced by residents attempting to access/egress their properties. Therefore, it is prudent that the proposals are endorsed in alignment with the highway authorities' duties and given that this scheme aligns with the permitted purposes of a TRO scheme according to section 122 of the Road Traffic Regulation Act 1984.

In conclusion, the proposed 40mph speed limit aligns with guidance set out by Department for Transport's 'Setting Local Speed Limits' document and the duties set out in section 122 of the Road Traffic Regulation Act 1984. The proposed speed limit will act to improve road safety and amenity in the area by encouraging reduced vehicle speeds as they enter the settlement of Newtown Cross. Despite current 85th percentile vehicle speeds being above the guideline maximum intervention level set in the ACPO guidance, the speed readings were undertaken in an area which is currently under national speed limit. Additionally, the 40mph speed limit will be accompanied by high profile yellow backed signage, repeater signage and road roundels. This is as well as a wider programme of works to improve road safety and the roadside environment on the bend in the road west of

	<p>the existing speed limit terminals where two collisions have taken place in the last 3 years. No objection has been raised by West Mercia Police. Finally, the proposals are fully supported by the Parish Council, Local Member, and local residents.</p> <p>It is, therefore, advised to progress with the recommendations outlined in this report for the reasons set out above.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Appendix B.pdf </div> <div style="text-align: center;">  Appendix A.pdf </div> <div style="text-align: center;">  Appendix G.pdf </div> <div style="text-align: center;">  Appendix F.pdf </div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 10px;"> <div style="text-align: center;">  Appendix E.pdf </div> <div style="text-align: center;">  Appendix D.pdf </div> <div style="text-align: center;">  Appendix C.pdf </div> </div>
<p>Equality Considerations</p>	<p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.</p> <p>The recommendations set out in this report are considered to be low impact with regards to equality. The proposals aim to improve road amenity and safety, thus paying 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:</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"> eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; 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 G of this report for Equality Impacts and Needs Assessment (EINA).</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Resource implications</p> <p>The cost of the implementation of the proposals is approximately £11,500. This includes costs for statutory consultation, preparing and making the TRO, signage, road markings and advertising. This cost has been identified from this year’s existing budgets in the current Annual Plan.</p> <p>Legal implications</p> <p>The introduction of a new TRO under Section 84 of the Road Traffic Regulation Act 1984 will be required.</p> <p>Part 2 of the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (‘the 1996 Regulations’) lays out the procedure prior to making an order. Regulations 6 and 7 require the Council as Highway Authority to undertake a formal consultation on the TRO and publish the proposals. Regulation 8 allows for any person or persons to make objections and requires that the Council, as Highway Authority, consider any objections received after the formal statutory consultation</p>

process, (which includes advertising in a local newspaper). 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 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 in accordance with Regulation 14 of the 1996 Regulations. Following consideration of the consultation responses the Council has decided not to modify the proposals.

The Council has received no Objections to the proposals. If the Council proceeds to make an Order, it will be necessary within 14 days of the order being made, in accordance with regulation 17 of the 1996 Regulations to publish a notice of making in a newspaper circulating in the area in which any road or place to which the Order relates is situated.

The Order cannot come into force before the Order has been publicised in accordance with these requirements.

Risk management

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.

It is important for safety, and their effectiveness that speed limits are imposed appropriately having regard to the type of factors considered in this report. This is the case at Newtown Cross.

There is a small risk that the proposals may not achieve routine compliance in which case additional enforcement from the police may be required and/or additional engineering measures installed. However, the restrictions will be accompanied by high profile terminal signage, repeater signage and road markings. A wider programme of works is also planned to be undertaken which will improve road safety and the roadside environment by making the settlement of Newtown Cross visible for approaching drivers on A4103 from the west at the bend in the road. These works will also include additional safety measures such as chevrons and other signage. The risk of non-compliance with the new speed limit is therefore considered to be negligible.

Community impact

The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed 40mph speed limit will seek to improve road safety and amenity. The proposals are, therefore, in alignment with section 122 of the Road Traffic Regulation Act 1984.

Environmental Impact

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 has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.</p> <p>The implementation of the proposals should result in improved road safety and amenity and provide an environment where people feel it is safer to walk, cycle or ride throughout the entire settlement of Newtown Cross.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to make any changes to the current speed limit extents– This is not recommended as it would fail to address the concerns raised by the Parish Council which centre on vehicles approaching the settlement of Newtown Cross at high speeds from the west. It would also fail to achieve the primary purpose of the proposals - to improve safety on the A4103 west of Newtown Cross and for residents residing in properties fronting it. The current 40mph speed limit terminals are located in extremely close proximity to properties on the western extent of the settlement. The current visibility to the 40mph speed limit terminals on the A4103 (northern side) for vehicles approaching from the west is approximately 90m which is not considered to be sufficient to allow vehicles ample time to reduce speed upon entering Newtown Cross. Additionally, the existing 40mph speed limit terminals are not high profile in their design, so the proposals are also an opportunity to improve the existing signage and general visibility of the speed limit. The proposals seek to improve road safety in alignment with section 122 of the Road Traffic Regulation Act 1984. Further, not to implement the 40mph speed limit would be in direct contravention to the desires of the Parish Council, Local Member, and local residents.</p>
<p>Details of any declarations of interest made:</p>	<p>None</p>

Signed..... Date:

Please ensure that signatures are redacted before publishing.