

<b>Decision title:</b>	<b>A417 and A449 Ledbury Bypass: 40mph speed limit extension.</b>
<b>Date of decision:</b>	26 July 2023
<b>Decision maker:</b>	Service Director Environment and Highways.
<b>Authority for delegated decision:</b>	<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 <a href="#">financial procedure rules</a> and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
<b>Ward:</b>	Ledbury South
<b>Consultation:</b>	<p>A Formal (Statutory) Consultation process was undertaken from 20<sup>th</sup> December 2021 to 17<sup>th</sup> January 2022, whereby an initial 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 D.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 16<sup>th</sup> June 2022 to 8<sup>th</sup> July 2022. 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 E. The responses from Statutory Consultees are also summarised 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>
<b>Decision made:</b>	Introduce a new traffic regulation order to implement an extension to the existing 40mph speed limit on the A417 and A449 Ledbury Bypass.
<b>Reasons for decision:</b>	The scheme originated to compliment a new residential development to the south of Ledbury on the A417 Ledbury Bypass along with ongoing road improvement works inclusive of a new roundabout junction. It is being

funded by the developer via a Section 278 agreement. There is a requirement to reduce the existing national speed limit to a 40mph speed limit to accommodate this.

An on-site assessment was undertaken in November 2021. During the assessment, officers considered the extension with particular concern for drivers accessing and egressing the new development and utilising the new roundabout junction. The surrounding environment and road geometry were also considered along with where it was practicable to site new terminal signage and road markings.

Officers identified a suitable location (as shown in Appendix A) at which the 40mph speed limit could be extended to, given the good verge width available to house terminal/repeater signage and forward visibility for approaching vehicles. It was also noted that at the western end of the proposed extension, drivers would be able to see the properties on the southern side of the road which would give the impression of passing through a more built-up environment. The eastern extent of the proposed extension was designed to incorporate the new roundabout adjacent to the development as well as the existing roundabout to the east at the junction between A417 and A449. It was noted that, were a lower speed limit to be extended for a shorter distance to a point east of the new roundabout, this would result in multiple changes in speed limits over a short distance causing confusion for drivers.

The 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 collision data for the latest 5-year period from 2017-2021 (inclusive) showed no personal injury collisions having taken place within the investigation area.

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 within the potential extension area. The speed survey data is included as Appendix C. Speed data comprising 85th percentile vehicle speeds (mph) are summarised in the table below.

	<b>Eastbound</b>	<b>Westbound</b>
<b>ATC 1 (west)</b>	57.8	57.7
<b>ACT 2 (east)</b>	55.7	54.2

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 location of the surveys are within the current national speed limit and are a significant distance from the existing 40mph speed limit, on a section of road that is currently suitable for a national speed limit. The roadside environment in this area will be changing considerably following the completion of the residential development and of the new roundabout junction adjacent to it. Therefore, it is likely that with high profile terminal signage, road

roundels and repeater signage, along with changes to the existing road layout and surrounding environment, vehicles would likely reduce their speed to an acceptable level.

Following the completion of the initial assessment, a Formal (Statutory) Consultation process was undertaken from 20<sup>th</sup> December 2021 to 17<sup>th</sup> January 2022, whereby a consultation letter and proposal plan were 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 D.

As part of this process, the Traffic Management Advisor for West Mercia Police stated that they had no objections to the proposals. It was noted that the existing vehicle speeds were high for a 40mph speed limit, but that the introduction of a new roundabout would act to change driver behaviour and reduce speeds. The Parish Council also offered their support.







The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 16<sup>th</sup> June 2022 to 8<sup>th</sup> July 2022. During this process no objections were raised from the Statutory Consultees nor from members of the public. During this consultation the Ward Councillor confirmed their full support. A summary of the responses received during the Notice of Proposal stage is included as Appendix E.

According to the Road Traffic Regulation Act 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'.

DfT's 'Setting Local Speed Limits' document also issues guidance with regard to the consideration of a 40mph speed limit that it 'should be considered where there are many bends, junctions, or accesses...or where there are considerable numbers of vulnerable road users'. The proposed 40mph speed limit extension would encompass the new development which would be visible from the road, its access directly onto the A417 and the road safety improvement works associated with the development (a new roundabout). There is also an existing roundabout to the east of the proposed development. In light of this, the sections of A417 & A449 in question qualify for a 40mph speed limit according to this guidance.

In conclusion, the proposed extension to the existing 40mph speed limit on the A417 and A449 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 for passing vehicles and local residents of the new development to the south of the A417.

The proposed 40mph speed limit will be supported by high profile terminal signage, repeater signage and road roundels as proposed in Appendix A. Additionally, the roadside environment in this area will also be changing considerably following the completion of the residential development and of the new roundabout junction adjacent to it. The new development would also be visible from the road. Therefore, vehicles would likely

	<p>reduce their speed further given the obvious change in the roadside environment. No objection has been raised by West Mercia Police and 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: flex-start;"> <div style="text-align: center;">         Appendix C.pdf     </div> <div style="text-align: center;">         Appendix B.pdf     </div> <div style="text-align: center;">         Appendix A.pdf     </div> <div style="text-align: center;">         Appendix F.pdf     </div> </div> <div style="display: flex; justify-content: space-around; align-items: flex-start; margin-top: 10px;"> <div style="text-align: center;">         Appendix E.pdf     </div> <div style="text-align: center;">         Appendix D.pdf     </div> </div>
<p><b>Equality Considerations</b></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 style="padding-left: 40px;">Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p style="padding-left: 40px;">A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> <li>eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>Any impact as a result of the scheme will be equal to all parties.</p> <p>See Appendix F of this report for Equality Impacts and Needs Assessment (EINA).</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Community impact</b></p> <p>The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed extension to the existing 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.</p> <p><b>Environmental Impact</b></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</p>

and to protect and enhance Herefordshire's outstanding natural environment.

The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.

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 area.

### **Resource implications**

The cost of the implementation of the proposals is approximately £15,000. This includes costs for statutory consultation, preparing and making the TRO, signage, road markings and advertising. This cost is to be covered by the developer as part of a Section 278 agreement with Herefordshire Council.

### **Legal implications**

The introduction of a new TRO under Section 84 and Part IV of Schedule 9 of the RTRA1984 and the TMA 2004 will be required.

Part 2 of the 1996 Regulations sets 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 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. 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

	<p>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.</p> <p>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 on the A417 and A449 at Ledbury.</p> <p>There is a small risk that the proposals may not achieve routine compliance. However, given that the restrictions will be accompanied by high profile terminal signage, repeater signage and road markings and that the surrounding roadside environment will be changing significantly, the risk of non-compliance is considered negligible.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p><b>Not to make any changes to the current speed limit arrangement</b> – This is not recommended as it would fail to achieve the primary purpose of the proposal – to include the new residential development to the south of the A417 Ledbury Bypass and its associated road improvement works (particularly its access and the new roundabout) within the 40mph speed limit. The access to the new development, and new roundabout are located within the existing national speed limit. It is therefore prudent that the existing national speed limit be reduced to a 40mph speed limit to accommodate the proposed development. It is proposed to extend the 40mph speed limit eastwards to cover the existing A449/A417 roundabout to avoid multiple changes to the speed limit along the road over a short distance. The proposals seek to improve road safety and amenity for vehicles and pedestrians in alignment with Section 122 of the Road Traffic Regulation Act 1984. Furthermore, deciding not to implement the extension of the 40mph speed limit would be in contravention to the wishes of the Parish Council, Local Member, and local residents.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

Signed..... Date:

**Please ensure that signatures are redacted before publishing.**