

Record of operational decision

Decision title:	Decision to introduce 50MPH speed limit on the A44 at Drum Crossroads, Herefordshire.
Date of decision:	2 nd February 2024
Decision maker:	Service Director for Highways, Environment and Waste
Authority for delegated decision:	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.
Ward:	Hampton, Leominster East
Consultation:	<p>A Formal (Statutory) Consultation process was undertaken from 13th March 2023 to 3rd April 2023, 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 E.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 10th August 2023 to 1st September 2023. 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 Statutory Consultees are also summarised below.</p> <p>Ward Councillor – Fully supports the proposals.. Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals. Humber, Ford & Stoke Prior Group Parish Council – Issued no response to the consultation. Hereford and Worcester Fire and Rescue Service – Issued no response to the consultation. Road Haulage Association – Issued no response to the consultation. Freight Transport Association – Issued no response to the consultation. West Midlands Ambulance Service – Issued no response to the consultation.</p>
Decision made:	<p>Considering no objections have been made as part of the Formal (Statutory) Consultation and Notice of Proposal stages, a new Traffic Regulation Order (TRO) be introduced under Section 84 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 the effect of which will be to implement an extension to the existing 50mph speed limit to cover the A44 at Drum Crossroads.</p> <p>A full schedule of the proposals is included as Appendix B.</p>
Reasons for decision:	<p>This scheme originated as a result of a request from the Local Member and Parish Council to include Drum Crossroads as part of another 50mph scheme at Steens Bridge. Whilst it was too late to include Drum Crossroads in the other scheme, it was decided that details should be entered separately onto the prioritised Traffic Regulation Order (TRO) Waiting List.</p> <p>As a result of its entry onto the TRO Waiting List, this scheme was identified for commencement of investigations in the 2022/2023 Annual Plan. Therefore, Herefordshire Council set about investigating the potential for a</p>

new Traffic Regulation Order that would necessitate any changes within the area under investigation.

An on-site assessment and meeting with the Ward Councillor (at the time) and Humber, Ford & Stoke Prior Group Parish Council was undertaken in November 2022. During the meeting, it was agreed that the existing national speed limit is not appropriate due to the poor visibility when pulling onto the A44 from the side roads at Drum Crossroads. It was agreed that a new 50mph speed limit would offer more protection to vehicles using this junction, and give drivers more time to react when entering the A44. The surrounding environment and road geometry was also considered with where it was practicable to site new repeater signage (shown in Appendix A).

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 2017-2022 (inclusive) showed five personal injury collisions having taken place within the investigation areas. Accident data is shown in Appendix C.

Another key factor in the document for consideration is 'current traffic speeds'. Therefore, as part of the assessment phase, two Automatic Traffic Count (ATC) Surveys were undertaken in order to ascertain the current vehicle speeds along the sections of the proposed speed limit. The speed survey data and locations are included in Appendix D. Speed data comprising 85th percentile vehicle speeds (mph) are summarised in the table below.

	Eastbound	Westbound
A44 (Western)	55.1	52.4
A44 (Eastern)	55.3	56.0

The vehicle speeds collected by both ATCs are within the maximum guideline intervention level for a 50mph speed limit of 57mph, as set by Association of Chief Police Officers (ACPO) guidance, despite currently being signed as a national speed limit. The addition of 50mph terminal signs west of Drum Crossroads, as well as repeater signs within the new section of 50mph speed limit is also likely to lead to vehicles reducing their speed further. As a result, there are no concerns regarding compliance with the 50mph speed limit.

Following the completion of the initial assessment, a Formal (Statutory) Consultation process was undertaken from 13th March 2023 to 3rd April 2023, 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. The Traffic Management Advisor for West Mercia Police stated that they had no objections. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix E.

The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 10th August 2023 to 1st September 2023. 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'.

Department for Transport's (DfT) 'Setting Local Speed Limits' guidance states 50mph speed limits should be considered for "lower quality A and B roads that may have a relatively high number of bends, junctions or accesses". On this condition, this section of the A44 qualifies for a 50mph speed limit.

In conclusion, the proposed 50mph 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 mitigate against the existing visibility issues when entering the A44 from the side roads at Drum Crossroads. It will also act to improve general road safety and amenity for vehicles, as well as for local residents and pedestrians in the vicinity. No objection has been raised by West Mercia Police. Finally, the proposals are fully supported by the local Ward Councillor.

It is, therefore, advised to progress with the recommendations outlined in this report for the reasons set out above.



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf



Appendix E.pdf



Appendix F.pdf



Appendix G.pdf

Highlight any associated risks/finance/legal/equality considerations:

Community impact

The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed 50mph 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.

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.

Equality duty

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.

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.

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 G of this report for Equality Impacts and Needs Assessment (EINA).

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 has been identified from this year's existing budgets in the current Annual Plan.

Legal implications

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

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 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. Before the Order can be made it will need to be publicised in accordance with the requirements of Regulation 7 of the 1996 Regulations. This includes publication of a notice of the proposals in a newspaper circulating in the locality of the area where the road which is the subject of the Order is located. This must be done within two years of the date the order is first publicised in a newspaper circulating in the locality of the area where the land to which the Order relates is located. Within 14 days of the order being made it is necessary 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.

Once an Order is made by the Council it will need to be publicised in accordance with the requirements of Part 3 of the 1996 Regulations. The Order cannot come into force before the order has been publicised in accordance with these requirements. The time period for challenge is three months from the date of the making of the Order.

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

	<p>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 at Drum Crossroads.</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 and repeater signage it should be clear to drivers that they are entering an area with a lower speed limit. The risk of non-compliance is therefore negligible.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to make any changes to the current speed limit arrangement – This is not recommended as it would fail to achieve the primary purpose of the proposal – to mitigate against the current visibility issues when entering the A44 from side roads at Drum Crossroads. The Department for Transport’s “Setting Local Speed Limits” guidance states that a 50mph speed limit can be considered on A and B roads that “may have a relatively high number of bends, junctions or accesses”, which is the case at Drum Crossroads. 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, not to implement a 50mph speed limit would be in contravention to the desires of the Parish Council and Local Member.</p>
<p>Details of any declarations of interest made:</p>	<p>None</p>

Signed..... Date:

**Appendices
Appendix A**

