

<b>Decision maker:</b>	<b>Acting Assistant Director Highways and Transport / Head of Infrastructure and Delivery</b>
<b>Decision date:</b>	
<b>Title of report:</b>	<b>PROPOSED TRAFFIC REGULATION ORDER TO EXTEND THE EXISTING 30MPH SPEED LIMIT AT SUTTON ST NICHOLAS, HEREFORDSHIRE</b>
<b>Report by:</b>	<b>Engineering Manager</b>

## **Classification**

Open

## **Decision type**

This is not a key decision

## **Wards affected**

Suttons Walls

## **Purpose**

To consider the recommendation to implement an extension to the existing 30mph speed limit at Sutton St Nicholas, as advertised in the council's proposal to introduce the following Traffic Regulation Order: HEREFORDSHIRE COUNCIL (SPEED LIMIT) (CONSOLIDATION) ORDER 2022 (VARIATION) ORDER No.1 2023 (C1125 & C1126 RIDGEWAY ROAD) (30MPH SPEED LIMIT)

The extents of the proposed restrictions and signage as advertised are shown on drawing 3409-134-001 in Appendix A.

## **Recommendation(s)**

**That:**

**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 30mph speed limit on the C1125 & Ridgeway Road (C1126), Sutton St Nicholas.**

**The Notice of Proposal documents including a full schedule of the proposals is included as Appendix B.**

## **Alternative options**

1. **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 move the locations of the existing terminal signs to a more appropriate and prominent position. At present, vehicles are not slowing down sufficiently on approach to the existing speed limit, which suggests that the current locations of the terminals may not be having enough of an impact on vehicle speeds as they enter the village. This as well as observations made by officers suggests that the current location of the signage is not appropriate or at an optimum level of visibility. 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 the extension of the 30mph speed limit would be in contravention to the desires of the Parish Council, Local Member and local residents.

## **Key considerations**

2. This scheme originated as a result of a request from the Local Member & Parish Council to review the extent of the existing 30mph speed limit along all four arms from the crossroads in Sutton St Nicholas. The request also asked for a review of the existing national speed limit on Wyatt Road adjacent to the village. 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.
3. 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 new Traffic Regulation Order that would necessitate any changes within the area under investigation.
4. An on-site assessment and meeting with the Parish Council was undertaken in July 2022. During the meeting, it was agreed that the Southern, Northern and Eastern arms of the roads from the cross-roads would benefit from a change in the location of the terminal signs, given their current visibility on approach. However, it was agreed that at the Western extent it was not possible to relocate the terminals to a more suitable location, as the terminal was already positioned in a location that was the most suitable for forward visibility for drivers. Additionally, the Parish Council discussed the existing national speed limit on Wyatt Road and the potential for a speed limit reduction. The meeting concluded with an agreement that an analysis of the collision history and speed surveys would be undertaken at the Southern, Northern & Eastern extents of the village 30mph speed limit and along Wyatt Road, in order to establish existing vehicle speeds.
5. 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 areas.
6. Another key factor in the document for consideration is 'current traffic speeds'. Therefore, as part of the assessment phase, five Automatic Traffic Count (ATC) Surveys were

undertaken at the Northern, Southern and eastern approaches to the village, as well as two additional surveys on Wyatt Road, in order to ascertain the current vehicle speeds along the sections of roads in question. Speed data comprising 85th percentile vehicle speeds (mph) are summarised in the table below.

	<b>Northbound/(Eastbound)</b>	<b>Southbound/(Westbound)</b>
<b>Northern approach</b>	43.5	47.3
<b>Southern approach</b>	39.8	43.7
<b>Eastern approach</b>	(43.4)	(42.6)
<b>Wyatt Road (Northern)</b>	46.3	48.5
<b>Wyatt Road (Southern)</b>	39.2	38.3

7. On the three directional approaches towards the village, the vehicle speeds collected show that vehicles are not slowing down sufficiently on approach to the existing speed limit. This demonstrates that the current locations of the terminals are not having an impact on vehicle speeds as they enter the village, suggesting that the current location of the signage is not appropriate or at an optimum level of visibility. The speeds are considerably above the maximum guideline intervention level for a 30mph speed limit of 35mph, as set by Association of Chief Police Officers (ACPO) guidance. However, with more prominent locations and high-profile terminal signage, it is likely that drivers will reduce their speed to a more acceptable level given the improved forward visibility.
8. The speeds collected on Wyatt Road are considerably lower than the existing national speed limit in place. Given these existing lower speeds, lack of collision history, its rural nature and conformity to DfT guidance, it was agreed with the Parish Council and Local Member that this part of the investigation would be removed from the scheme moving forwards.
9. Officers identified suitable locations (as shown in Appendix A) at which the 30mph speed limit could be extended to on the three approaches to the village, given the good verge width available to house terminal signage and improved forward visibility for approaching vehicles.
10. Following the completion of the initial assessment, a Formal (Statutory) Consultation process was undertaken from 7<sup>th</sup> September 2022 to 28<sup>th</sup> September 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. 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 C.
11. The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 19<sup>th</sup> January 2023 to 10<sup>th</sup> February 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 D.
12. 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'.
13. Department for Transport's (Dft) 'Setting Local Speed Limits' guidance states that 'fear of traffic can affect people's quality of life in villages, and it is self-evident that villages should

have comparable speed limits to similar roads in urban areas. It is therefore government policy that a 30mph speed limit should be the norm through villages.' DfT's 'Village Speed Limits' (2004) supplement states that in order to qualify as a 'village' there should be 20 or more houses, over a distance of at least 600m with a housing density of 3 houses per 100m. The proposals align with this guidance.

14. In conclusion, the proposed 30mph speed limit aligns with guidance set out by Department for Transport's 'Village Speed Limits' (2004) supplement, the '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 reposition the terminal signage to a more prominent location on the Southern, Northern & Eastern approaches to the village and aim to improve road safety and amenity for passing vehicles and local residents. No objection has been raised by West Mercia Police. Finally, the proposals are fully supported by the Parish Council, Local Member and local residents.
15. It is, therefore, advised to progress with the recommendations outlined in this report for the reasons set out above.

## **Community impact**

16. The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed extension to the existing 30mph 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**

17. 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.
18. The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.
19. 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**

20. 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.
21. 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.

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.
22. Any impact as a result of the scheme will be equal to all parties.
23. See Appendix E of this report for Equality Impacts and Needs Assessment (EINA).

## **Resource implications**

24. The cost of the implementation of the proposals is approximately £13,000. 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**

25. The introduction of a new TRO under Section 84 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the 1984 Act) and the Traffic Management Act 2004 (the 2004 Act) will be required.
26. 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.
27. 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.
28. 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.

29. 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**

30. 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.
31. 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 Sutton St Nicholas.
32. There is a small risk that the proposals may not achieve routine compliance. However, given more prominent locations of the speed limit entry locations which will be accompanied by high profile terminal signage and road markings and that properties in the village will be visible from the road thereby changing the roadside environment, it should be clear to drivers that they are entering a more built-up environment. The risk of non-compliance is therefore negligible.

## **Consultees**

33. A Formal (Statutory) Consultation process was undertaken from 7<sup>th</sup> September 2022 to 28<sup>th</sup> September 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 C.
34. The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 19<sup>th</sup> January 2023 to 10<sup>th</sup> February 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 D. The responses from Statutory Consultees are also summarised below.
35. Ward Councillor – Fully supports the proposals.
36. Parish Council – Fully supports the proposals.
37. Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals.
38. Hereford and Worcester Fire and Rescue Service – Issued no response to the consultation.
39. Road Haulage Association – Issued no response to the consultation.
40. Freight Transport Association – Issued no response to the consultation.
41. West Midlands Ambulance Service – Issued no response to the consultation.

## **Appendices**

Appendix A – 3409-134: Proposed Restrictions and Signage

Appendix B – Schedule of Proposed Extents

Appendix C – Formal (Statutory) Consultation: Summary of Responses

Appendix D – Notice of Proposal: Summary of Responses

Appendix E – Equality Impacts and Needs Assessment (EINA)

## **Background papers**

None identified.