

## Record of operational decision

<b>Decision title:</b>	Decision to proceed with an extension to the existing 30mph speed limit on A40 Ross East (Hildersley) (Proposal Plan – Appendix A).
<b>Date of decision:</b>	11 September 2024
<b>Decision maker:</b>	Service Director Environment and Highways
<b>Authority for delegated decision:</b>	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.
<b>Ward:</b>	ROSS EAST
<b>Consultation:</b>	<p>A Formal (Statutory) Consultation process was undertaken from 02/05/2024-24/05/2024, whereby a consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised, and support was indicated from the Ward Member and Town Council. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix B.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 24/07/2024-16/08/2024. During this process no objections were raised from the Statutory Consultees, nor from members of the public. The local bus operator and Parish Council all expressed their support for the proposals. A summary of the Notice of Proposal responses is included as Appendix C. The responses received from the Statutory Consultees are outlined briefly below.</p> <p>Ward Councillor (Ross East) – Supports the proposal.</p> <p>Ross-On-Wye Town Council – Supports the proposal.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals.</p> <p>Locality Stewards – Offered no objection to the proposal.</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> <p>Stagecoach (bus operator) – Supports the proposal.</p>
<b>Decision made:</b>	<p><b>Traffic Regulation Order be implemented under Sections 84 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as proposed in the Notice of Proposal, the effect of which will be to extend the existing 30mph speed limit on A40 at Hildersley by 310m in a south-easterly direction.</b></p> <p><b>A full schedule of the proposals is shown below:</b></p>

**30mph Speed Limit:**

Road	Extent
A40 Hildersley To Weston Under Penyard	From a point 156m southeast of its junction with The Glebe (U70262) for a distance of 310m in a south-easterly direction.

**Reasons for decision:**

This scheme originated as a result of Section 106 works being undertaken on A40 at Hildersley involving the construction of new footways, a signalised pedestrian crossing and two new bus stops. Additionally, the partially completed residential development with an access directly onto the A40 was also a key factor in the origin of this scheme.

Following an on-site assessment, a suitable location for the extended speed limit was obtained. An assessment of existing vehicle speeds was undertaken at two locations on the A40 – just within the existing 30mph speed limit and to the east close to the proposed extension point.

The western survey showed compliance when entering the 30mph speed limit area, and the eastern survey showed speeds of 51.0mph E/B and 49.0mph westbound. Whilst these speeds are higher than the Association of Chief Police Officers guideline enforcement figure of 35mph for a 30mph speed limit, the Traffic Management Advisor agreed that given the roadside environment will significantly change it is expected speeds will come down when the new speed limit is in place. A speed data summary is included as Appendix D.

Design drawings were subsequently completed and approved by the Project Manager.

As previously detailed, Statutory and Notice of Proposal consultation stages have been completed garnering no objections. The Ward Member has issued full support, as has the Town Council.

The Traffic Management Advisor has raised no objections to the proposal also and has been involved throughout the project and in early discussions regarding the location of the extended speed limit.

Legislation is also supportive. The Road Traffic Regulation Act (RTRA) 1984 states that 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’.

Overall, the extension is crucial and necessary to support the planned S106 works which will significantly change the road environment here and support improved road safety in the vicinity of the new housing development access from the A40.

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



Appendix A - Proposal - HERS106-Statutory Consultation



Appendix B - Statutory Consultation



Appendix C - Public Consultation Summary



Appendix D - Speed Data Summary - HERS



Appendix E - EINA - HERS106-ACM-HGN-E

**Highlight any associated risks/finance/legal/**

**Community impact** - The recommendations outlined above will have a positive impact on the local community. The proposal will seek to improve

**equality considerations:**

road safety and amenity on the A40. The proposals are, therefore, in alignment with 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.

**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. They 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 –

- 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. 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** - The costs associated with this scheme are covered within the Section 106 funding allocation. The approximate cost for the TRO is £6,000 (excluding signage and road markings which form part of the wider road improvement scheme).

**Legal implications** - The introduction of a new TRO under Section 84 and Part IV of Schedule 9 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).

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

	<p>must be taken for those affected by the proposed modifications to be further consulted in accordance with Regulation 14 of the 1996 Regulations.</p> <p>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 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.</p> <p>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.</p> <p><b>Risk management</b> - 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. <b>The adoption of the recommendations in this report would contribute to these objectives in the Local Transport Plan.</b></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 A40 at Hildersley.</p> <p>There is a small risk of non-compliance with the new speed limit. However, this is heavily mitigated by the upcoming significant change in road environment here in the form of – new footways, a signalised pedestrian crossing, two new bus stops and extensive gateway signage on entry to the 30mph speed limit.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p><b>Not to extend the 30mph speed limit</b> – This is strongly recommended against as an extension is crucial in order to complement and ensure the safety of new road improvements and installations taking place in the coming months at this location. Additionally, support has been gained from the Ward Member, Parish Council and local bus provider. The Traffic Management Advisor is also in support. Funding is secured through the S106 allocation.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

Signed..... Date: 11 September 2024