

### Record of operational decision

<b>Decision title:</b>	Proposed Traffic Order Scheme to implement a 30mph speed limit at Leysters Village, Herefordshire.
<b>Date of decision:</b>	26 <sup>th</sup> March 2025
<b>Decision maker:</b>	Head of Highways & Traffic
<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.</p> <p>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>
<b>Ward:</b>	Leominster North & Rural
<b>Consultation:</b>	<p>The proposals have previously been consulted upon in 2019-2021. However, the required 2-year timeframe to make the Traffic Order from the advertisement of the proposal (in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996) elapsed in 2023. As a result, Herefordshire Council recommenced the Traffic Order process in 2024, in order to make the Traffic Order.</p> <p>A Formal (Statutory) Consultation process was undertaken from 18<sup>th</sup> July 2024 to 8<sup>th</sup> August 2024, whereby an initial consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised.</p> <p>However, during this process, the Traffic Management Advisor for West Mercia Police reaffirmed their comments made from the initial Traffic Order process in 2019 stating that, whilst they did not 'object', they could not support the proposal. Although the area qualified as a village, much of the development is set back from the road and/or was set on one side of the road, meaning that large sections of the A4112 through the village lent themselves to higher speed travel. There was also concern raised at the current 85<sup>th</sup> percentile speeds through the village which were deemed to be higher than what is acceptable and enforceable for a 30mph speed limit. The Traffic Management Advisor stated that they could not support the proposal unless it was accompanied by further, significant speed reduction measures and that, should the proposals be implemented, a period of monitoring be undertaken, in order to assess whether further traffic engineering measures may be required.</p> <p>A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix C.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 13<sup>th</sup> February 2025 to 7<sup>th</sup> March 2025. 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.</p> <p>Ward Councillor – Fully supports the proposals.</p> <p>Cabinet Member - Fully supports the proposals.</p>

	<p>Parish Council – Fully supports the proposals.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Re-affirmed that they cannot support the proposals in their current format but did not raise an objection.</p> <p>Hereford and Worcester Fire and Rescue Service – Raised no objection to the proposals.</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>BBLP Locality Steward – Issued no response to the consultation.</p>
<b>Decision made:</b>	<p>Considering no objections have been made as part of the Formal (Statutory) Consultation and Notice of Proposal stages, a new Traffic Order (TO) 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 a 30mph speed limit on the A4112 &amp; C1052 at Leysters Village.</p> <p>The Proposal Plan is included as Appendix A and the Notice of Proposal documents including a full schedule of the proposals is included as Appendix B.</p>
<b>Reasons for decision:</b>	<p>The scheme came about as a result of a request made by the Local Member and Parish Council to reduce the 40mph speed limit through Leysters Village to a 30mph speed limit. Following this, 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.</p> <p>As a result of its entry onto the TRO Waiting List, this scheme was originally identified for commencement of investigations in the 2019/2020 Annual Plan. Therefore, Balfour Beatty Living Places (BBLP) &amp; latterly Herefordshire Council set about investigating the potential for a new Traffic Order that would necessitate any changes within the area under investigation.</p> <p>An on-site assessment and meeting with the Local Member and Parish Council were initially undertaken in August 2019. During the meeting, it was the strong feeling of the Parish Council and Local Member that the most desirable solution was to implement a reduction in the speed limit through Leysters Village. Officers informed the Local Member and Parish Councils that speed surveys would be undertaken in the first instance to further analyse the situation in the area pertaining to existing vehicle speeds as well as other points of investigation.</p> <p>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. Five-year collision data was obtained as part of the scheme analysis. Within Leysters Village, one accident was recorded involving a motorcyclist clipping the verge and losing control causing minor injury to the rider.</p> <p>Another key factor in the document for consideration is 'current traffic speeds'. Therefore, as part of the site assessment phase, Automatic Traffic Count (ATC) Surveys were undertaken in order to ascertain the current vehicle speeds throughout the village. Speed data comprising 85<sup>th</sup> percentile vehicle speeds (mph) are summarised in the table below.</p>

	Eastbound	Westbound
<b>A4112 (Westernmost)</b>	44.1	47.7
<b>A4112 (Central)</b>	45.0	48.4
<b>A4112 (Easternmost)</b>	49.7	43.6

The speed surveys demonstrate that 85<sup>th</sup> percentile speeds are above the Association of Chief Police Officers (ACPO) guideline intervention level of 35mph for a 30mph speed limit. However, the speeds are broadly around the intervention level for a 40mph speed limit (46mph) suggesting some level of compliance with the current speed limit.

Another point of guidance when considering a lower speed limit set out in Department for Transport's (DfT) 'Setting Local Speed Limits' document is that there should be a 'high number of junctions and accesses'. During the site assessment, it was noted that within Leysters there were a significant number of residential properties affronting the A4112, including numerous private driveways, the farm access at Lower Pool Farm and the crossroads junction of the A4112 and C1052.

The Department for Transport's 'Village Speed Limits' traffic advisory leaflet defines a village as an area with at least 20 houses, a housing density of 3 houses per 100 meters, and a minimum length of 400-600 meters. Based on this definition, it was concluded that Leysters qualifies as a village, making a 30mph speed limit appropriate according to the guidance.

Having completed the initial assessment, a set of proposals were designed by officers and informally approved by the Local Member and Parish Council. A further summary of the investigations undertaken in 2019 can be found in the Assistant Directors Report approved in February 2021.

A Traffic Order process was then undertaken between 2019 – 2021 with consultation with the Statutory Consultees and the public taking place. However, in 2023 the required 2-year timeframe to make the Traffic Order from the advertisement of the proposal (in 2021) had elapsed (in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996). As a result, Herefordshire Council recommenced the Traffic Order process in 2024, in order to make the Traffic Order.

Following the approval to recommence the Traffic Order process, a Formal (Statutory) Consultation process was undertaken from 18<sup>th</sup> July 2024 to 8<sup>th</sup> August 2024, whereby an initial consultation letter and proposal plan were sent to all Statutory Consultees via email. During this process, no objections were raised.

However, during this process, the Traffic Management Advisor for West Mercia Police reaffirmed their comments made from the initial Traffic Order process in 2019 stating that, whilst they did not 'object', they could not support the proposal. They stated, although the area qualified as a village, much of the development is set back from the road and/or was set on one side of the road, meaning that large sections of the A4112 through the village lent themselves to higher speed travel. They also raised concerns at the current 85<sup>th</sup> percentile speeds through the village which were deemed to be higher than what is acceptable and enforceable for a 30mph speed limit. The Traffic Management Advisor stated that they could not support the proposal unless it was accompanied by further, significant speed reduction measures and that, should the proposals be implemented, a period of monitoring be undertaken in order to assess whether further traffic engineering measures may be required. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix C.

	<p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 13<sup>th</sup> February 2025 to 7<sup>th</sup> March 2025. During this process no objections were raised from the Statutory Consultees, nor from members of the public. However, The Traffic Management Advisor at West Mercia Police re-affirmed that they cannot support the proposals in their current format. A summary of the responses received during the Notice of Proposal stage is included as Appendix D.</p> <p>In response to the comments made by the Traffic Management Advisor, efforts have been made to enhance the proposals' effectiveness. These include high-profile entry signage with beige/buff road markings, repeater signs with similar markings, and the removal of the centreline to create a "narrowing" effect. These measures exceed standard guidelines to ensure the speed limit is highly visible and effective at reducing speeds. Therefore, it is expected that these measures will lead to at least a moderate reduction in current vehicle speeds.</p> <p>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'.</p> <p>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. Therefore, it is government policy that a 30mph speed limit should be the norm through villages. Leysters qualifies as a village under this guidance.</p> <p>In conclusion, the proposed 30mph 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 proposals are designed to improve road safety and amenity throughout the area. The village also qualifies for a 30mph speed limit in alignment with Department for Transport guidelines on 'village' speed limits. A conscious effort has been made during the scheme design to ensure that the proposed speed limit be as prominent and effective as possible to mitigate the concerns of the Traffic Management Advisor. However, these concerns must also be balanced against the unwavering support from the Parish Council, Local Member and local residents/businesses throughout the Traffic Order process.</p> <p>It is recommended to survey vehicle speeds throughout the village, to assess the effectiveness of the 30mph speed limit, 12 months after its implementation. In the unlikely event that vehicle speeds have not reduced compared to the 2019 surveys, various additional measures could be considered, such as Speed Indication Devices (SIDs) and additional gateway features, which the Parish Council could be approached to self-fund.</p> <p>It is, therefore, advised to progress with the recommendations outlined in this report for the reasons set out above.</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 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.</p>

### **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.

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.

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 cost of the implementation of the proposals is approximately £20,000. 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 Traffic Order 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.

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 Traffic Order 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 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 Leysters.

There is a risk that vehicles may not comply with the new speed limit. However, significant efforts have been made to ensure the 30mph speed limit is highly visible through the use of prominent entry signage, frequent repeater signs and road markings throughout the village, as well as creating a "narrowing" effect through the removal of the centreline. The Traffic Management Advisor has stated that any complaints regarding non-compliance will be referred to the local authority, which may recommend additional traffic-calming features before committing to regular enforcement.

	<p>Additionally, the Parish Council has identified various features that could be used to create a more pedestrian-friendly environment, with several funding options available if needed. It is considered unlikely that the proposals will not lead to some reduction in vehicle speeds.</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 goal of the proposal: to establish a 30mph 'village speed limit' for Leysters in accordance with the Department for Transport's guidance documents "Village Speed Limits" and "Setting Local Speed Limits." This change aims to improve road safety and the quality of life for residents within Leysters Village. The proposals align with Section 122 of the Road Traffic Regulation Act 1984. Additionally, not implementing the extension of the 30mph speed limit would contradict 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.**