



## Record of operational decision

<b>Decision title:</b>	Decision to maintain the current 40 mph speed limit on The Bage in Herefordshire										
<b>Date of decision:</b>	20 <sup>th</sup> February 2025										
<b>Decision maker:</b>	Head of Highways and Traffic										
<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.										
<b>Ward:</b>	Golden Valley North										
<b>Consultation:</b>	A formal investigation process was undertaken from 29 <sup>th</sup> April 2024 to 18 <sup>th</sup> October 2024, whereby the feasibility for reducing the speed limit from the current 40mph limit to a 30mph limit following a request received from the Parish Council. ATC surveys were commissioned in July 2024 to obtain existing vehicle speeds through The Bage which provides valuable data to assist the decision making for setting appropriate speed limits.										
<b>Decision made:</b>	Following the investigation into a speed limit reduction, it is recommended that the current speed limit is not reduced to 30mph, for the reasons as set out below.										
<b>Reasons for decision:</b>	<p>Based on the guidance provided by the Department for Transport (DfT) Circular 01/13 on Setting Local Speed Limits, the decision has been made to maintain the current 40 mph speed limit on The Bage in Herefordshire. This decision takes into account the following key factors:</p> <p>The overall roadside environment along The Bage is generally sparse, with minimal development and open stretches of road. The DfT Circular 01/13 emphasises that speed limits should reflect the road's environment, and in this case, the existing 40 mph limit is appropriate given the rural and open nature of the area. While we recognise the absence of footways and the need for pedestrians to walk in the road to access amenities or public rights of way, the current 40 mph speed limit strikes a necessary balance. The road's characteristics do not warrant a further reduction in speed, as the existing limit is suitable for both vehicle and pedestrian safety in this context. It's a common and understandable thought that lowering a speed limit can only be a move for the better but speed limits that are set at inappropriate levels and / or over inappropriate lengths do have drawbacks such as increased incidents of overtaking, tailgating etc.</p> <p>A key factor in the document for consideration is 'current traffic speeds'. Three Automatic Traffic Count (ATC) Surveys were undertaken in order to ascertain the current vehicle speeds. Speed data collected from the area supports maintaining the 40 mph limit. The 85th percentile speeds—representing the speed at or below which 85% of vehicles travel—are consistent with a 40 mph limit. This indicates that the majority of drivers are already adhering to this speed, demonstrating that the current limit is effective and respected by road users. Speed data comprising 85th percentile vehicle speeds (mph) are summarised in the table below.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Northbound</th> <th style="text-align: center;">Southbound</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><b>ATC 1</b></td> <td style="text-align: center;">42.7</td> <td style="text-align: center;">42.6</td> </tr> <tr> <td style="text-align: center;"><b>ATC 2</b></td> <td style="text-align: center;">37.3</td> <td style="text-align: center;">39.8</td> </tr> </tbody> </table>			Northbound	Southbound	<b>ATC 1</b>	42.7	42.6	<b>ATC 2</b>	37.3	39.8
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ATC 3	34.1	37.1
<p>Setting speed limits that are realistic and perceived as appropriate by drivers is crucial for compliance. A 30 mph limit may be viewed as unnecessary given the existing measures, potentially leading to non-compliance and undermining respect for speed regulations. Generally, good driver compliance with the current 40 mph limit has been demonstrated in the 7-day speed surveys carried out on 6th July 2024. The existing speeds recorded also demonstrate that achieving a 'self-regulating' 30 mph limit, as recommended in DfT Circular 01/13, is unlikely without a substantial environment change and vehicle speeds remain above the ACPO enforcement threshold for 30 mph limits.</p>		
<p>When conducting a speed limit review, one of the primary criteria is the evaluation of recorded collision history for the section of highway under consideration. This analysis is crucial as collision data often reveals the locations and causes of accidents, enabling the determination of whether these incidents can be mitigated through the implementation of speed limits and/or engineering interventions. This review is limited to the use of evidence from the Herefordshire Council collision database to ensure consistency in assessments conducted across the County.</p>		
<p>A review of the collision history for this stretch of road shows no recorded collisions in the past nineteen years which resulted in personal injury suggesting that the existing 40 mph limit does not present a significant safety concern requiring intervention. This data indicates that the current speed limit and associated traffic management measures are sufficient for maintaining road safety.</p>		
<p>The decision aligns with DfT Circular 01/13, which advises that speed limits should be evidence-based and reflect the road's function, environment, and safety needs. The existing 40 mph limit is consistent with these principles and appropriately tailored to the conditions present on The Bage. Given the limited budgets and resources available, Herefordshire Council must prioritise interventions where significant safety improvements can be achieved. The evidence does not support a change to the speed limit, as there is no indication of a substantial safety benefit.</p>		
<p>Considering regulations, 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>In conclusion, the decision to maintain the 40 mph speed limit at The Bage is supported by the road's sparse environment, collision history, and the speed data collected, all of which indicate that the current limit provides an effective and balanced approach to road safety. Therefore, no Traffic Regulation Order (TRO) should be progressed.</p>		
<p>However, as the road surface is in a suitable condition to accept road markings, it is proposed that the current 40mph limit receives some soft engineering measures to improve the amenity of the village. It is proposed that the centreline is removed and edge of carriageway markings are added together with buff surfacing with '40' roundels. A plan will be developed and sent to the Parish who have previously expressed interest in these engineering measures.</p>		

	<p>The above recommendation is in alignment with guidance set out by Department for Transport and would not be of detriment to the council's duties under section 122 of the Road Traffic Regulation Act 1984.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">               Appendix A.pdf         </div> <div style="text-align: center;">               Appendix B.pdf         </div> </div>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Community impact</b>                  The recommendation not to make any change to the existing 40mph speed limit will have no impact on the local community.</p> <p><b>Environmental Impact</b>                  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.</p> <p>The adoption of these recommendations will not have a negative impact on the environment.</p> <p><b>Equality duty</b>                  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>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 -</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) 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 B of this report for Equality Impacts and Needs Assessment (EINA).</p> <p><b>Resource implications</b>                  The cost of this TRO scheme to date has been funded from this year's existing budgets in the current Annual Plan.</p> <p><b>Legal implications</b>                  The introduction of a new TRO is not recommended as part of these proposals.</p>

	<p>There are no further legal requirements in not making the TRO, even if objections are made. It is at the discretion of the Council as the Highway Authority whether to make a TRO dependent on the justification for doing so.</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. The adoption of the recommendations in this report would contribute to these objectives in the Local Transport Plan.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p><b>To implement a reduction in the current 40mph speed limit to a 30mph speed limit at The Bage</b>– This is not recommended for a number of reasons outlined in detail in the Key Considerations section of this report. In brief, the surveyed vehicle speeds, collision history and roadside environment at The Bage are consistent with a 40mph speed limit and a reduction in speed limit would not provide any measurable safety improvement. Additionally, the roadside environment is suitable for a 40mph speed limit and consistent with similar roads in the county.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

Signed..... Date: 20<sup>th</sup> February 2025