

**Public Decision Session- Cabinet
Member for Transport, Planning and
Sustainability**

14 November 2013

Report of the Director of City and Environmental Services

Deighton Speed Limit Reduction Objections

1. Summary

A decision is being sort to overturn or uphold, as appropriate, the objections made to the proposal to introduce a 50mph and 40mph speed limit on the A19 close to Deighton. If the decision to overturn the objections to the proposal is made at this meeting permission is requested to commence with the implementations of the new speed limits.

2. Background

A 40 mph speed limit on the A19 was requested by the residents of Deighton. The Department for Transport criteria for setting speed limits was followed and this limit was not appropriate for the length of road it was being requested for as part of the road is of an open aspect. Speed surveys carried out showed the mean speed was 47/48mph, and the 85th percentile speed was 53/54mph as such a 50 mph limit was considered more appropriate and was advertised. The majority of residents of Deighton objected to this proposal as they believed a 40mph speed limit was necessary. Objection to the implementation of a speed limit was also received from North Yorkshire Police as they believed that the national speed limit in place was correct for the type and character of road at this location on the A19.

At a meeting on the 3 September 2013 permission was granted to advertise a proposal to introduce 50mph “buffers” either side of a core 40mph speed limit. See Annex B for plan.

3. Consultation

The proposal for was advertised in the local press, notices put on street and details sent to the properties adjacent to the proposals giving 3 weeks for people to make representation. North Yorkshire Police objected to the introduction the proposal, the letter if contained in Annex A. Objection points by North Yorkshire police cover documentation produced by the Department for Transport and the association of chief police officers relating to guidance rather than rules.

4. Options

- a. Over turn objections received to the proposal to introduce 50 and 40mph speed limits as advertised.
- b. Take no further action to lower the speed limit on this section of road.
- c. Defer to another decision meeting

5. Analysis

The lowering of the speed limit is a very emotive issue for the residents of Deighton due to a fatal accident in April 2012. It is clear from the continual campaigning and unanimous support by local people, the parish council and ward councillor that the introduction of a 40mph is extremely important to the residents of Deighton village. Their rejection of a 50mph limit over the full length further shows the resolve of the residents in achieving a safer environment in which to live.

North Yorkshire Police have objected to a lower speed limit indicating that lower speeds would not be achieved without substantial enforcement by themselves. The introduction of these limits must be considered a step in the direction of achieving lower vehicle speeds along this section of the A19 with or without enforcement. While the current accidents records do not indicate a great problem the introduction of the lower speed limits along this section of road should be viewed as a proactive approach. National reports by the government and police repeatedly state that speed is a major contributory factor is most accidents.

North Yorkshire Police highlighted that there will be a substantial amount of changes to the speed limit along the A19 if the proposal is introduced, this a common occurrence throughout the country and if signed correctly drivers should be expected not to have problems adhering to these straight forward basic driving instructions.

The Deighton community has no alternative way out of the village and must use this section of the A19 for vehicle, cycle and pedestrian journeys. Any public transport bus usage is only possible by pedestrians crossing the A19. While pedestrian islands are available and split up the distance taken to cross the A19, the time available to cross one lane when traffic is moving at 60mph will be intimidating to most pedestrians. This ordeal of crossing of the A19 will exasperated in the case to less able bodied, especially those with slower movement capabilities or poor eye sight. There are a number of properties fronting directly on to the A19 in the length of road where the speed limits are proposed.

The road curves, reducing forward visibility, and it is not possible for a driver to be able to view the full length of the 40mph restriction as claimed in 2.19 of the North Yorkshire Police objection.

Existing signing used in the area has yellow backing boards to further highlight them. The proposed 40mph signing would have yellow backing to tie in with the existing village gateway signs. Most gateways into a speed limit in the City of York area have signing with yellow backing.

The Escrick speed limit should not be adversely effected and the approach speed to Escrick from the Deighton direction should be reduced as vehicle will be travelling in a 50mph area rather than the current national speed limit of 60mph.

Crockey Hill junction and speed limit are approximately 1 mile away these proposals should not impact on the section of road at Crockey Hill.

The Department for Transport guidance has been considered, as the documents state they are for guidance when making changes rather than direction.

6. Council Plan

A lower speed limit will help with 3 points in the corporate strategy.

(a) Building strong communities, the residents will feel less isolated and cut off.

(b) Protect vulnerable people, those residents with less mobility or confidence will have less of an obstacle in access or egress from the village main street.

(c) Protect the environment, a lower speed limit will reduce the amount of vehicle emissions and fuel consumption.

By addressing the request of a lower speed limit the council will show that it is a collaborative organisation in touch with the needs and wishes of the Deighton community.

7. Implications

Financial – Financing of the works from the existing new sign and line budget held by Network Management is not possible due to insufficient funds. Last year financial contributions to schemes which were of benefit to the local community were made by Parish Councils. Deighton Parish Council has agreed to fund 10% of the £12000 required to implement the advertised speed limits, as it will be of benefit to the local residents. The balance to be funded from the Speed Management allocation in the Capital Programme.

Examples of financial contributions by Parish Councils to City of York Council Schemes last year are as follows.

- Staindale Close Path: £5k - 52% (total scheme cost £9.9k)
- River Foss Path Improvements: £5k - 9% (total scheme cost £46k)
- Rufforth-Knapton Path: £5K - 9% (total scheme cost £53k)

Human Resources (HR) - There are no HR implications

Equalities - There are no equalities implications

Legal - There are no legal implications

Crime and Disorder - There are no crime and disorder implications

Information Technology (IT) - There are no IT implications

Property - There are no property implications

8. Risk Management - No known risks

9. Recommendation

Introduce the advertised speed limit restrictions. This will fulfil the residents request for a 40mph speed limit on the A19 adjacent to the village.

Contact Details

Author:

Philip Irwin
Traffic Engineer
Network Management
Tel No. 01904 551654

Chief Officer Responsible for the report:

Richard Wood
Assistant Director
Strategy, Planning and Transport

**Report
Approved**

Date 5/11/2013

Wards Affected: Wheldrake

All

For further information please contact the author of the report

Annex A

Thank you for your correspondence of the 3rd inst with regards to the proposed speed limit changes. I have studied the proposals and offer the following observations on behalf of the Chief Constable of North Yorkshire Police:-

1. Statement of Reasons - generally

1.1 There is no clear description contained within the 'Statement of Reasons' and accompanying paper work, as to what the issue is exactly that any of the proposals are designed to address.

1.2 The Statement of Reasons enclosed with the draft orders, contains generic, standard and routine wording, which is used to cover seven (7) separate proposed speed limit adjustments. Yet each adjustment has different issues, environments and purposes.

1.3 The proposals contained within the 'Statement of Reasons' appear to be introducing speed limits for the sake of introducing speed limits with no clear goal as what the changes are designed to achieve. This is contrary to guidance contained within Department for Transport 'Setting Local Speed Limits ' 01/2013.

1.4 The Statement of Reasons makes reference to "...roads within residential areas...". I would suggest, that four (4) out of the seven (7) sections being applied for, do not sit within what could be described as 'residential areas.

1.5 The last sentence of the Statement of Reasons states; *"Whilst environmental considerations will influence a driver's attitude to speed containment it is considered that the introduction of the respective speed limits with associated signage will encourage drivers to adopt an appropriate speed within that limit thereby promoting safe and considerate driving – this being a key objective for both the council and the department for transport when determining local speed limits."*

1.6 I would suggest that this sentence indicates and suggests that compliance with Department for Transport Guidance 'Setting Local Speed Limits 01/2013' is being complied with, when I can find little evidence which supports this statement.

1.7 I question the transparency and accuracy of the 'Statement of Reasons'.

2. Notice of Proposals - Sections 1 & 2 – Introduction of a 40mph speed limit A19 York to Selby Road / Main Street, Deighton and 50mph speed limit north and south of Deighton -

2.1 It is noted that the new proposals contain many similarities to the proposed speed limit change of August 2012. I have therefore reviewed my response of August 2012 and feel that many of the points raised then are pertinent to these latest proposals and so refer you to my letter of response dated 20th August 2012 (copy enclosed) to consider in conjunction with this correspondence.

2.2 These (latest) proposals (October 2013) complicate the original proposals by introducing further and multiple speed limit changes.

2.3 The new proposals do not appear to satisfy the guidance contained within Department for Transport 'Setting Local Speed Limits 01/2013' and there are difficulties highlighted by national guidance contained within ACPO (Association of Chief Police Officers) Speed Enforcement Policy Guidelines 2011-2015.

2.4 'Setting Local Speed Limits' 01/2013 Section 1 Introduction - Key Points states; *Speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance.*

2.5 ACPO Guidelines (paragraph 3.3) suggests; *"Speed limits should not be set in isolation but as part of a package with other measures to manage vehicle speeds and improve road safety, helping drivers to be more readily aware and drive at an appropriate speed."*

2.6 If these latest changes to the speed limit occur, then there will be an impossible ten (10) different speed limits in operation on a 4 ½ mile section of the City of York's busiest arterial road, from the junction with Fordlands Road to the junction with the Stillingfleet Link Road (B1222)(to the south of Escrick).

2.7 Heading south out of the city the limits will change; 30mph (Fordlands Road) to 40mph (Selby Road) to 60mph (south of Fulford Interchange) to 40mph (Crockey Hill) to 60mph (south of Crockey Hill) to 50mph (Approach to Deighton) to 40mph (passed Deighton) to 50mph

(south of Deighton) to 40mph (through Escrick village) to 60mph (south of Escrick).

2.8 There is a real danger that by instigating so many multiple and rapidly changing speed limits on so short a length of carriageway, that it will cause confusion amongst road users, particularly amongst those unfamiliar with the road. This may result in not only confused drivers, but increased driver frustration, which is not going to 'address safety concerns'.

2.9 There is a possibility that drivers will not understand the need to comply with the new limits as there is presently no obvious change in the road environment in the vicinity of Deighton. There is no mention of any additional engineering measures to support the proposed speed limits or to alter the road environ.

2.10 There is a likelihood that there will be a poor compliance rate due to the multiple changes, lack of consistency, of proportionality as to why the limits are there, which will not be clear to drivers as to why they are being required to drive at the posted limits. This is likely to bring those limits into disrepute through a lack of and high levels of driver non-compliance.

2.11 *"....Speed restrictions must be clear, appropriate and with the need for compliance obvious to all road users, as this will result in the majority complying...."* (ACPO Speed Enforcement Policy Guidelines 2011-2015 paragraph 1.1.4).

Again, the large number of multiple changes to the limit over so short a distance between Fulford village and the City of York Unitary Authority Boundary at Escrick, will make any of the limits extremely difficult for the police to effectively enforce. The difficulties in justifying enforcement action will mean that any issues with the speed limits could not be dependant on police action. This would not be acceptable to North Yorkshire Police.

2.12 The Statement of reasons states that the proposals will introduce a *"....more appropriate speed limit[s].... particularly during peak traffic periods and those roads within residential areas"*.

2.13 I have checked the injury accident data base for the last three years (1/10/2010 to 30/09/2013) and within the confines of the proposed 40 and 50 mph speed limits. There have been six injury accidents recorded. Only one of these accidents occurred within, what could be

termed, a 'peak' traffic time, 16:05hours (the other accidents occurred at; 12;43hrs, 23:55hrs, 14:20hrs, 14:47hrs & 20;25hrs). The accident at 16:05hours was recorded as a 'tail end shunt' type accident, typically indicative of heavy slow moving traffic.

2.14 Injury accident data does not suggest that any of the accidents were speed related with regards to the vehicles involved. This includes the unfortunate pedestrian fatality on the 4th April 2012.

2.15 Evidence would therefore suggest that the introduction of the proposed speed limits could not be justified on road safety grounds, "....during peak traffic periods....".

Paragraph 25 of 'Setting Local Speed limits states; *"It may well be that a speed limit need not be changed if the collision rate can be improved or wider quality of life objectives can be achieved through other speed management measures, or other measures . These alternative measures should always be considered before proceeding with a new speed limit."*

2.16 Data checked over the last nine years (01/01/2004 to 30/09/2013) indicates that the A19 in the area of Deighton and within the section of road as defined in the proposed limits, is actually experiencing fewer injury accidents, particularly since the relatively recent local engineering improvements carried out at Deighton were completed

2.17 There are no "....residential areas...." lying directly alongside the A19, that I have been able to identify, to which the change in speed limit apply and through which the road runs. Deighton is built wholly to the west of the A19, with the main road acting as an effective bypass.

2.18 The wording of the Notice of Proposals, by stating that the 40mph limit will extend "*....from the centre lines of Main Street....*" is, I would suggest, misleading to anyone unfamiliar with the road. The description implies that 'Main Street' is part of the A19, when it clearly is not. It is, however, 'a junction' with the A19. A small play on words, but nevertheless crucial in how the 'Notice of Proposals' is interpreted and the impression it gives that the road runs through the centre of the village, which it does not.

2.19 There is no specific reason or explanation given as to the introduction of a 40mph speed limit at Deighton and it may not be obvious to drivers as to why they are being required to travel at 40mph

and 50mph on an open road, with good visibility, in the middle of the countryside.

As stated, Deighton lies wholly to the west of the A19 main road which, in effect, bypasses the village. There are certainly considerably fewer than 20 or more houses fronting onto the road ('Village Speed Limits'- Department for Transport Traffic Advisory Leaflet 1/04), therefore there is nothing obvious to a driver to encourage them to drive at 40mph, particularly when they will be able to see the end of the 600metre long 40mph limit from point of entry. There is likely to be poor compliance with the 40mph limit and there would be enforcement issues for the police.

2.20 The fact that there is a proposal to use "...high visibility signage..." (which is taken to mean the use of 'yellow' backing boards), quoted in the 'Statement of reasons', suggests that issues are anticipated with compliance of the speed limit from the outset and gives further rise for concern.

2.21 High visibility backing boards are only usually recommended where it is desirable to highlight the sign "...against a complex or dark background,..."(DfT Traffic Signs Manual, Chapter 3, Chapter 1 Introduction page 8, paragraphs 1.31) This type of sign is not used to re-enforce a problematic speed limit, but to make the signs more visible. "...Their over-use could eventually devalue their attention-attracting benefits..."(paragraph 1.33).

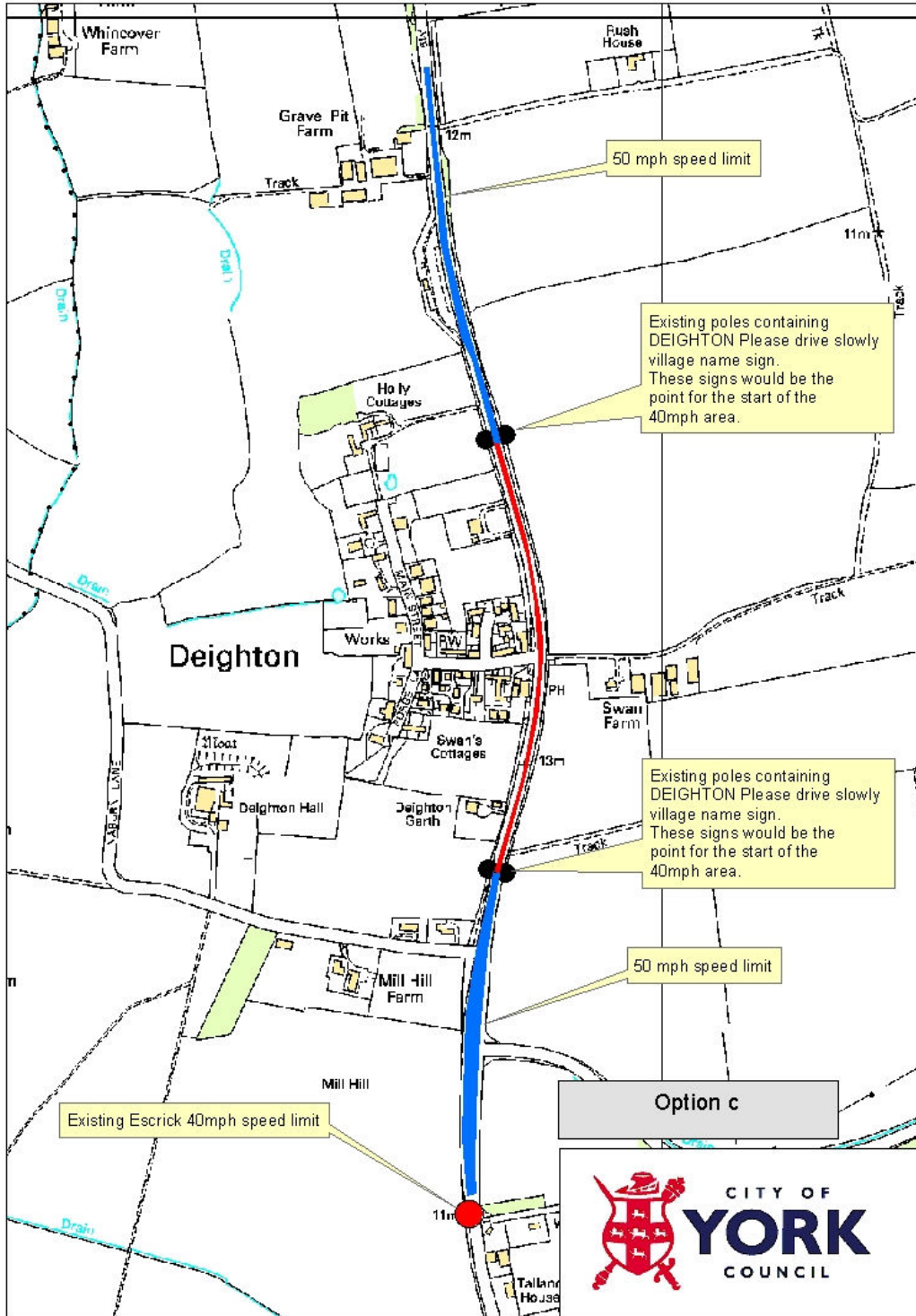
2.22 I am also concerned that there will be a knock on effect with compliance of the currently posted 40mph speed limit through the village of Escrick, where there are frontages on both sides of the road, and an injury accident history. The rapidly changing speed limits along the road and on approach to the village could well increase speeds into the village and affect safety and compliance in Escrick.

2.23 The 40mph speed limit at Crockey Hill was wholly enacted to protect traffic at the new traffic signals at the junction with Wheldrake Lane End. This limit has a varied compliance rate, but has achieved its purpose 100% by preventing high speed tail end shunts at the traffic signals. By introducing further speed limits there could well be a further dilution of compliance with the 40mph limit at Crockey Hill and a subsequent problem with accidents, which at present are not there.

2.24 A lack of compliance with both Department for Transport Guidance and ACPO enforcement policy, by the proposals, has been shown by the proposals.

2.25 Based on the above road safety and compliance reasons, I object on behalf of the North Yorkshire Police to the making of the 50mph and 40 mph speed limits on the A19 near to Deighton.

Annex B



Annex C

Cllr. G. Barton – Wheldrake Ward Councillor

I support the Officer's recommendations in both cases. The police response is exactly as expected and simply an easy option and a too often heard line.

George Barton
Ward Councillor

Cllr. A. Reid – Liberal Democrat Party

I support the reduction in the speed limit in Deighton and agree with Cllr D'Agorne that traffic at peak times will be travelling more slowly and therefore there is less likelihood of accidents. Improvements to the road layout and lighting have been carried out and can only go so far before limits need to be reduced.

Elvington. If the Parish Council are happy with the reduction in the speed limit on the main B1228 then I will support them. However, I also agree that the reduction to 20mph in the Conifers and Elvington Park is not justified at this time. If the roll out of 20mph limits across the city does reach Elvington then these roads should be considered at that time.

Ann Reid

Cllr Ann Reid

Cllr. A. D'Agorne – Green Party

I fully support the proposed reduced limits at the locations identified, especially the proposal for Deighton which I recall discussing at an EMAP about 6 years ago, well before the most recent unfortunate fatality. Young and elderly people who do not drive need to be able to safely cross to and from the bus stop. Residents need to be able to safely turn in or out of the junction and this should be a clear reason to drivers as to why there is a reduced speed limit in place.

Driving through similar countryside recently in Staffordshire, each village had 40mph and 30mph limits, enforced with a big yellow speed camera! I doubt there was much of a compliance problem there! I fail to see what the problem is having a succession of different speed limits (appropriately signed in accordance with regulations) for drivers entering

and leaving settlements and areas where local traffic is turning onto and off a busy main road.

Finally I am puzzled by the police reference to accidents 'not occurring at peak periods'. I would expect that it could well be that it is precisely when lighting or weather conditions are poor that a lower speed is important to achieve as a result of the speed limit. At peak periods traffic may well already be moving more slowly because of congestion and the Crockey Hill or A64 junctions.

Andy D'Agorne

Cllr. J. Galvin – Conservative Party

Cllr. D. Merrett – Labour Party