

Meeting:	Executive Member for Economy & Transport Decision Session
Meeting date:	12/09/2023
Report of:	James Gilchrist, Director of Environment, Transport and Planning
Portfolio of:	Executive Member for Economy & Transport

Decision Report: Executive Member for Economy & Transport – Speed Limits – post consultation

Subject of Report

1. The Council has received several requests for speed limits to be amended or extended. The statutory consultation for these requests has taken place with relevant stakeholders and the Executive Member for Economy and Transport is asked to make a final decision on if the proposed new speed limits are implemented or not. Information on the locations of the requested speed limit amendments can be found in Annex A.
2. A decision on if the speed limit amendments should be implemented or should be based on all available information, this is important in terms of meeting our responsibility to reach a balanced decision against all available criteria and information.

Pros and Cons

3. The pros of implementing the requests, which in the main are for speed limit reductions, are improved vehicle speeds and a reduction in accident statistics, a less polluted environment (noise and fumes), and a safer environment for walking, cycling, and for all types of vulnerable road user.

The Cons are increased journey times and potential for conflict between different types of vehicles/road users. There is also the

potential for the limit(s) to be ignored and brought to disrepute owing to the lack of enforcement, which will result rise in complaints about road safety.

Policy Basis for Decision

4. The Councils current Local Transport Plan, places pedestrians at the top of the transport hierarchy followed by cycling, public transport and then cars. The emerging Local Transport Policy does not significantly change that. Therefore, the review of speed can be considered in the context of the modal hierarchy alongside the national guidance from Department for Transport.
5. This report and recommendations reflect the new administrations priorities in terms of engaging and consulting widely with citizens on transport issues.
6. The City of York high-level policies that support the decisions include those from the current Council Plan: A greener and cleaner city; Getting around sustainably; Good health and wellbeing; and Safer communities and culture for all.

Recommendation and Reasons

7. A) Sutton Road, Wigginton Extend 40mph (Origin – local residents/business); Recommendation – **Take no further action**; Reasons – does not meet the Department for Transport criteria for a reduced speed limit, and does not have Police, CYC Officer, or local support, despite the presence of business and residential properties along this stretch of road.

*B) Montague Road and Keble Park Estates, Bishopthorpe 20mph Zone (Origin – local resident); Recommendation – **Defer**; Reasons – There is a proposal from the Ward Councillor in the following pre-consultation speed limit paper considering a village-wide experimental 20mph speed limit for Bishopthorpe, which will incorporate this area.*

*C) Haxby Road (Clarence Gardens) 20mph (Origin – local resident); Recommendation – **Approve**; Reasons – This is a busy area close to the hospital, a local park facility, and an area where the on-street parking arrangements warrant a lower limit. Those local features, that the proposal meets*

the Department for Transport criteria for a reduced speed limit, and the support from the Police and CYC Officers indicate the speed limit reduction is appropriate.

D) Wetherby Road Rufforth (Primary School) 20mph (Origin – Parish and Ward Councillors) and extend the 20mph zone to include the streets Maythorpe, Laburnum Close, Yew Tree Close, and Middlewood Close; **Recommendation – Approve;**
Reasons – to further ensure a greater degree of safety for all road users in the school vicinity, especially for those who are vulnerable. This proposal meets the Department for Transport criteria for a reduced speed limit and has Police and CYC Officer support.

E) Bradley Lane, Rufforth (Origin – Ward Councillor);
Recommendation – Take no further action;
Reasons – the basis for consultation was one fatality in very poor weather circumstances. It is not felt that moving the 30mph limit further away from its existing terminal point will achieve greater compliance within the existing ‘village’ 30mph limit. The proposal does not meet the Department for Transport criteria for a reduced speed limit and does not have Police or CYC Officer support.

F) To note that as part of the review of a new Local Transport Plan the issue of speeds can be reviewed in a wider policy context and that could form part of the consultation on Local Transport Strategy.

Reason: To consider citizen requests and consider against the Department for Transport guidance and Police views alongside the Councils own policies

For full details of each proposal please see Annex C.

In all cases above guidance has been taken from *DfT Circular 01/2013 – Setting Local Speed Limits*, and especially paragraphs:

26 - Where there is poor compliance with an existing speed limit on a road or stretch of road the reasons for the non-compliance should be examined before a solution is sought. If the speed limit is set too low for no clear reason and the risk of collisions is low, then it may be appropriate to increase the limit. If the existing limit is in place for a good reason, solutions may include engineering measures or changes to the road environment to ensure it better matches the speed limit, or local

education and publicity. Enforcement may also be appropriate but should be considered only after the other measures and jointly with the police force.

And

85 - Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity unless this has been explicitly agreed.

For details of speed limits applicable to urban areas please see Annex B.

Background

8. The speed limit amendment requests originate from local residents, Ward Councillors, Parish Councils, and businesses, who have raised concerns about existing speeds, and/or excess or unsuitable vehicle speeds for the road conditions, and/or the incidence of road vehicle collisions or near misses. Requests are also received through the York and North Yorkshire Road Safety Partnership, and through the City of York Council Road Safety Team.
9. In December 2022 the then Executive Member for Transport approved the consultation process with affected stakeholders in these locations, and that has now been completed.

Consultation Analysis

10. Changes to the Traffic Regulation Order have to go through a formal legal process whereby they are advertised for a 3-week period in which time people are able to make a formal representation for or against the proposals.
11. Full details of the consultation responses are provided at Annex C.

Options Analysis and Evidential Basis

12. Option 1 - Take no action on an item. This is put forward where it is considered the road environment is such that it is very unlikely to achieve any real or meaningful change in driver behaviour by posting a lower limit.
13. Option 2 – Approve the proposed change in the speed limit as outlined in Annex C. This is recommended where it is considered there is a reasonable prospect of achieving a reduction in vehicle speeds.
14. Option 3 – Defer a decision based on other factors i.e. other highway works or decisions for wider inclusion in other proposed schemes.
15. Option 4 – Implement an Experimental Traffic Order for a maximum period of up to 18 months taking further speed and collision evidence during the period into account as required.
16. The approximate cost of taking forward the recommendations is around £4,000 for the advertising of the Traffic Regulation Order, and approximately £5.3k for the works on site if implemented.

For details of the draft Speed Limit (Amendment) (No14/15) Order 2023 please see Annex D. This will be further amended when the outcome of the Executive Members decisions is known.

Organisational Impact and Implications

17. The report has the following implications.
18.
 - **Financial** - – The recommended changes put forward, estimated at £9.3k, can be funded through the annual budget set aside for new signs and lines.
 - **Human Resources (HR)** – None.
 - **Legal** - The proposals require amendments to the York Speed Limit Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of

public notices within the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation, and 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.

Any public works contracts required at each of the sites as a result of a change to the speed limit (e.g. signage, road markings, etc.) must be commissioned in accordance with a robust procurement strategy that complies with the Council's Contract Procedure Rules and (where applicable) the Public Contract Regulations 2015. Advice should be sought from both the Procurement and Legal Services Teams where appropriate.

- **Procurement** – Any public works contracts required at each of the sites as a result of a change to the speed limit (e.g. signage, road markings, etc.) must be commissioned in accordance with a robust procurement strategy that complies with the Council's Contract Procedure Rules and (where applicable) the Public Contract Regulations 2015. Advice should be sought from both the Procurement and Legal Services Teams where appropriate.

Any change, or additional signage at any of the sites will be procured in accordance with the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015. The Commercial Procurement team will need to be consulted should any purchasing for additional signage take place.

- **Health and Wellbeing** – Where implemented it is anticipated that the amended speed limits will encourage and support active travel rather than reliance on vehicle usage.
- **Environment and Climate action** – Where implemented, it is envisaged that lower vehicle speeds will lead to reduced environmental pollution, and a greater engagement for active travel, which will also reduce pollution as there will be fewer vehicle journeys.
- **Affordability** – None. See financial above.
- **Equalities and Human Rights** - The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). There are no equalities implications identified in respect of the matters discussed in this report. The process of consulting on the recommendations in this report has not identified any negative equalities implications.
- **Data Protection and Privacy** – There are no references to private or any other individuals in this report.
- **Communications** – The process of statutory consultation has been complied with, responses to which form part of this report.
- **Economy** – None.
- **Specialist Implications Officers** – As below.

Risks and Mitigations

19. No detrimental risks have been identified.

Wards Impacted

20. Haxby and Wigginton
Bishopthorpe
Rural West York (2)
Guildhall

Contact details

For further information please contact the authors of this Decision Report.

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Background papers

<https://democracy.york.gov.uk/documents/s164243/Speed%20Limit%20Traffic%20Regulation%20Order%20Amendments%20Report.pdf>

Annexes

- Annex A Details of requests for Changes to the Speed Limit
- Annex B Speed Limit Descriptions - Tables 1 and 2
- Annex C Site Information

Annex D

Draft Speed Limit (Amendment) Order