

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

## **Decision Report: Executive Member for Economy & Transport – Speed Limits – pre-consultation**

### **Subject of Report**

1. The Council has received several requests for speed limits to be amended or extended. Consultation has yet to take place with relevant stakeholders, and the Executive Member for Economy & Transport is asked to make a decision whether to undertake statutory consultation or to take no further action on the proposals. For information on the locations that requests have been made please see Annex A.
2. A decision is important and will be based on all available information. The consultation is a statutory requirement and is important in terms of meeting our responsibility to reach a balanced decision against all available criteria and information, including representations made by relevant stakeholders.

### **Pros and Cons**

3. The pros are that we meet our statutory obligation to consult with relevant stakeholders providing them with the opportunity to voice their opinions and take those forward when reaching a final decision.

The cons are that should we not consult we are breaching our

statutory obligations because of which we may be considered to have acted unlawfully in respect of due process.

## 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) New Lane, Huntington; reduce 40mph to 30mph (Origin – Ward Councillor); Recommendation – **Defer**;  
Reasons – doesn't currently meet the Department for Transport criteria for a 30mph limit, and does not have Police or CYC Officer support. However, owing to submitted planning applications this may need to be reviewed in the future.
  - b) North Lane, Huntington; reduce 60mph to 30mph (Origin – Ward Councillor); Recommendation – **Defer**;  
Reasons – doesn't currently meet the Department for Transport criteria for a 30mph limit, and does not have Police or CYC Officer support. However, owing to approved development, this will be reviewed in the future as part of the conditions of planning permission approval.
  - c) Dunnington; Village-wide 20mph zone (Origin – Parish Council); Recommendation – **Defer**;

Reasons – await outcome of decisioning on proposal for e) below.

- d) New Road, Hessay; 60mph to 30mph (Origin – Local resident); Recommendation – **Not to approve**;  
Reasons – doesn't currently meet the Department for Transport criteria for a 30mph limit and does not have Police or CYC Officer support.
  
- e) Bishopthorpe village-wide 20mph zone (Origin – Ward Councillor and others); Recommendation – **Experiment subject to future data analysis on permanent speed change**;  
Reasons – many of the roads in the village don't satisfy the criteria for a 20mph limit and on those roads widespread non-compliance is likely to be raised as an issue. The option for a 12-month Experimental Traffic Order with prior implementation data capture, and further data capture at 3 months and 9 months is feasible and will provide us with reliable data for analysis and to inform future similar such requests i.e. c) above.
  
- f) A59 Boroughbridge Road, with Hodgson Lane and Black Dike Lane, Poppleton; extend 40mph on A59 to just beyond Hodgson Lane, and to include Hodgson Lane and Black Dike Lane at 40mph up to the current 30mph terminal points on both those roads; Recommendation – **Approve**;  
Reasons – With seven injury road traffic collisions since 01/01/2019 this section of road meets the Department for Transport Criteria for a speed reduction, and has Police and CYC Officer support. It is also felt that adding in the two rural lanes, which are both narrow with no footpaths, and with some poor visibility on Hodgson Lane, will aid road safety for all road users, and encourage greater compliance for village inbound traffic when reaching the 30mph terminal point, and will aid accident reduction at the Black Dike Lane junction with the A59.
  
- g) 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

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. This report seeks the Executive Members decision on whether to take the consultation process forwards if the decision is made to progress any of the proposals.

## **Consultation Analysis**

10. No consultation has yet taken place, as per 7 above.
11. Changes to the Traffic Regulation Order must 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.

## **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 progression of the statutory consultation process to propose a 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 ie 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 any of proposals to the consultation process is circa £800.00.

## Organisational Impact and Implications

17. The report has the following implications.
18.
  - **Financial** - – The recommended changes put forward, estimated at £800, 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.

- **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 and improve road safety for all road users.
- **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 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 will identify any equalities implications on a case-by-case basis, and these will be addressed in future reports.
- **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 will form part of a further report to the Executive Member.
  - **Economy** – None.
  - **Specialist Implications Officers** – As below.
- Reports without this information will not be considered.***

## Risks and Mitigations

19. No detrimental risks have been identified.

## Wards Impacted

20. Huntington; Osbaldwick with Derwent; Rural West; Bishopthorpe.

## Contact details

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

### Author

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<b>Date:</b>	04/09/2023

### Co-author

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## **Specialist Implications Officer(s):**

Financial:

Name: Patrick Looker

Title: Finance Manager

Legal:

Name: Sandra Branigan

Title: Senior Solicitor

## **Background papers**

None.

## **Annexes**

Annex A            Requests for Changes to the Speed Limit

Annex B            Speed Limit Descriptions - Tables 1 and 2

Annex C            Site Information