
Decision Session – Executive Member for Transport and Planning

Report to the Executive Member for Transport and Planning

Speed Limit Traffic Regulation Order Amendments

Summary

1. **To report investigations carried out into requests for changes to several speed limits.**

Recommendations –

2. **Option 1** – No change is recommended for the following sites (details shown on plans in **Annexe C**):

- Haxby Road, Foss Park Hospital (Origin – CYC/Foss Park Hospital; YSJU - 95 Alive Campaign)
- Hull Road, Black Bull to Tranby Avenue (Origin – local resident)
- Burdyke Avenue (Origin – Ward Councillor and a local resident)
- B1222 Naburn Church to Moreby Lodge (Origin - Ward Councillor and a local business)
- B1224 Rufforth – North-Western approach (Origin – Ward Councillor)
- Bradley Lane, Rufforth (Origin – Ward Councillor)

Reason: Because the road environment is not consistent with a lower speed limit and there is little prospect of achieving a reduction in vehicle speeds.

3. **Option 2** – Advertise a revised speed limit for the following sites (details shown on plans in **Annexe C**):

- Sutton Road, Wigginton Extend 40mph
(Origin – local residents/business)

- A59 Upper Poppleton (Origin – Ward Councillor) Extend 40mph
- Montague Road Estate, Bishopthorpe (Origin – local resident) 20mph Zone
- Haxby Road (Clarence Gardens) (Origin – local resident) 20mph
- Wetherby Road Rufforth (Primary School) (Origin – Parish and Ward Councillors) 20mph

Reason: Because the indications are these are appropriate speed limits due to the surrounding environment, to respond to residents' concerns and to reduce the risk of traffic incidents and injuries.

Background

4. How we receive requests:
 - a) Through the York and North Yorkshire Road Safety Partnership (<https://www.york.gov.uk/YNYRoadSafetyPartnership>) or through the aligned York and North Yorkshire Speed Management Protocol.
 - b) Through the local Ward Councillor.
 - c) Through the City of York Council Road Safety Team, or
 - d) Directly to the City of York Highway Regulation Team (<https://www.york.gov.uk/SpeedLimits>).
5. **Annexe A** outlines where there have been requests for changes to the existing speed limit.
6. The Department for Transport (“**DfT**”) circular 01/2013 “*Setting Local Speed Limits*” has been used to assist in investigating these requests. It is important to bear in mind that merely posting a lower speed limit does not result in a reduction in vehicle speeds. This is because drivers drive at a speed they consider appropriate to the prevailing conditions and road environment. This is reflected in the DfT key point reproduced below:

“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. Speed limits

should be seen by drivers as the maximum rather than target speed.”

Posting an unrealistic speed limit is therefore very likely to result in an unmet expectation in the eyes of those requesting the reduction and a failure of the authority to implement a successful scheme. In addition, because the enforcement of speed limits can only be carried out by the Police there would likely be additional calls on their limited resources to tackle drivers not complying with the unrealistic lower limit. Enforcement is unlikely to be considered a high priority when allocating resources to tackle their main duty of crime reduction. Hence the highway authority has a responsibility to ensure the speed limits introduced do not depend on enforcement for ongoing compliance.

7. There are 3 national speed limits:

- 30mph on roads with street lights
- 60mph on single carriageway roads
- 70mph on dual carriageways

However, these are not always appropriate for all roads and it is down to the local traffic authority to set local speed limits in situations where local needs and conditions suggest a speed limit which is different from the respective national speed limit. The general advice on what speed limit to use for urban and rural roads is set out in Tables 1 And 2 in **Annex B**. It should also be noted that where a speed limit varies from a national speed limit there is a strict requirement for the appropriate signs to be displayed at the correct intervals otherwise enforcement cannot be carried out.

8. For each location information is provided (see **Annex C**) on the current vehicle speeds, a brief description of the local environment, a view on if a lower speed limit is viable and likely cost.
9. There is another Report on speed limits which will be taken to the Executive Member Decision Session on 17 January 2023, which relates to the proposed speed limit changes put to the decision session in June 2022, to consider representations made during the statutory consultation period during October 2022.

Options for Consideration

10. **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.

11. **Option 2** – Approve the advertising of a 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.
12. The approximate cost of taking forward the recommendations is around £4,000 for the advertising of the Traffic Regulation Order, and approximately £11,400 for the works on site if implemented.

Consultation

13. 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.

Council Plan

14. The above proposal contributes to the Council's draft Council Plan of:
 - Getting around sustainably
 - Good health and well being
 - Safe communities

Implications

15. This report has the following implications:
16. **Financial** – The recommended changes put forward, estimated at £11.4k, can be funded through the annual budget set aside for new signs and lines.

Human Resources – None.

Equalities – 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.

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.

Crime and Disorder – None

Information Technology - None

Land/Property – None

Other – None

Risk Management

13. There are no known risks.

Contact Details

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Report

Approved



Date

5/12/22

Specialist Implications Officer(s): None.

Financial:

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Wards Affected: Bishopthorpe, Guildhall, Haxby &

Wigginton, Hull Road, Huntington &

New Earswick, Rural West York, Wheldrake.



For further information please contact the author of the report

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