

PORFTOLIO HOLDER ENVIRONMENT AND TRANSPORT

DATE	28 September 2020
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport.
RESPONSIBLE OFFICER	Interim Director of Economy & Growth
SUBJECT	Traffic Regulation Order – Humberston Avenue: 30mph Speed Limit
STATUS	Open
FORWARD PLAN REF NO.	PHET 09/20/07

CONTRIBUTION TO OUR AIMS

Taking measures to permanently reduce the speed limit to 30mph on the B1219 Humberston Avenue will contribute to the Council's aim of improving the Health and Wellbeing of all road users, residents and visitors to the area by creating and maintaining a safer environment.

EXECUTIVE SUMMARY

It is proposed to make the current temporary 30mph speed limit on the B1219 Humberston Avenue permanent to support the recent construction of new housing developments.

RECOMMENDATIONS

It is recommended that:

- a) Subject to formal consultation and no material objections being received, approval be granted to the making of a Traffic Regulation Order to introduce a permanent 30mph speed limit on Humberston Avenue, as detailed in the Schedules to Appendix 1 and shown indicatively on drawing TR-20-08-A to Appendix 2.
- b) In the event there are unresolved material objections to the revocation Order, these are referred back to the Portfolio Holder for determination and a decision as to whether or not the Speed Limit Order be confirmed and executed.

REASONS FOR DECISION

The speed limit reduction is being proposed in order to improve road safety for all road users, as a result of the approval of a number of new, large residential developments and the likelihood of increased footfall in the area as occupation of the residential dwellings increases. This type of environment is better suited to slower vehicle speeds.

1. BACKGROUND AND ISSUES

1.1 Planning applications have been approved for three new, large residential

developments which will contribute over 900 dwellings to the area. The three new developments are to be accessed by five vehicle access points along the extent of the B1219 (Humberston Avenue).

- Development 1 (Persimmon Homes) will see the creation of 385 new properties on land to the rear of property numbers 32-65 Humberston Avenue, accessed via two new vehicle access points.
 - Development 2 (Keystone Developments) will generate up to 400 homes on land south of Humberston Avenue (opposite Humberston Country Club and Humberston Academy), via two new vehicle access points.
 - Development 3 (Par 3) will construct 121 new homes which will be accessed via Scouts Lane.
- 1.2 All three developments include improvements to Humberston Avenue such as the creation of new footways, new pedestrian crossing points and Bus Stop upgrades. Thereby, assisting in facilitating travel by sustainable modes. Planning conditions set for these developments have also included provision for the installation of three new Zebra Crossing facilities.
- 1.3 Humberston Avenue is key route which links the villages of New Waltham and Humberston. A section of this road has an underlying 40mph permanent speed limit.
- At present there is a Temporary Traffic Regulation Order (TTRO) in place for the temporary 30mph Speed Limit, in order to safely support the ongoing works to construct the housing developments and associated highway upgrades. This TTRO will expire on Thursday 01 April 2021.
- 1.4 Speed monitoring conducted in December 2018, whilst the temporary 30mph speed limit was in place, indicates that a move to make this arrangement permanent is likely to be self-enforcing as both the mean speed and 85th percentile speed (the speed at or below which 85% of vehicles are travelling) of all vehicles recorded was 25.3mph and 28.6mph respectively. In addition, of the 56,738 vehicles counted during the 7 day period between 08 December and 14 December, there was an average of 89 vehicles per day recorded that exceeded 35mph, giving an offender rate of just 1.1%.
- 1.5 Once all developments come to fruition there will be a substantial increase in the number of vehicle, pedestrian and cycle movements along the extent of the B1219 (Humberston Avenue). It is anticipated that once all residential units are occupied many of those pedestrians and cyclists will be of school age accessing the two neighbouring academies – Tollbar Academy and Humberston Academy.
- 1.6 In order to mitigate the impact of the proposed residential dwellings NELC are actively promoting the use of sustainable modes of travel for residents of the new developments through the implementation of Residential Travel Plans at each of these sites. In addition, NELC are also working with schools to develop School Travel Plans to promote use of sustainable modes of travel by school

age children (and their parents).

- 1.7 A permanent reduction to the speed limit from 40mph to 30mph will facilitate safer access / egress of vehicles using the new and existing accesses. It will also improve the safety of vulnerable road users, which is of particular importance given the perceived increase in the number of children and retirement dwelling occupants frequenting the area.
- 1.8 Local residents from Humberston Avenue which affront the speed limit change, along with those side streets accessible via the affected section of the B1219, were notified of the intended speed limit change on 11 August 2020. In total, 351 properties received a letter to advise of the changes. Responses were received from five properties, all of which were supportive of the permanent speed reduction.

Three of the respondents stated they would like to see a Police presence and speed enforcement to reinforce the change. Two of the responses have suggested a scheme is considered for footway widening and the introduction of dedicated and protected cycle lane facility.

- 1.9 The move to a permanent 30mph speed limit is aligned with the Department for Transport Circular 01/2013 *Setting Local Speed Limits* which states that it is government policy to introduce 30mph speed limits within the environs of villages. As well as being the legal limit, speed limits are a key source of information to road users, particularly as an indicator of the nature and risks posed by that road both to themselves and to other road users.
- 1.10 Roads suitable for 40mph speed limits are generally higher-quality suburban roads, or those on the outskirts of urban areas where there is little development. As development continues to materialise in the area it has led to the nature of the road becoming more of a typical urban residential road, thereby lending itself to a standard 30mph limit, as opposed to its current 40mph designation.
- 1.11 The permanent reduction to a 30mph speed limit is also needed to ensure compliance with guidelines issued by the Department for Transport for the installation of the new crossing facilities.

2. RISKS AND OPPORTUNITIES

- 2.1 A permanent reduction in the speed limit will provide the opportunity to continue to enhance the safety of all road users along the affected section of the B1219.
- 2.2 Many of the annual injuries and deaths that occur nationally happen within residential areas, where there is the greatest mix of vulnerable road users and motor vehicle traffic. A reduced speed limit has the potential to reduce the risk of Personal Injury Collisions (PICs) occurring, particularly those of a serious or fatal nature.
- 2.3 A lower speed limit may also create an environment where society feels safer to undertake more healthy behaviours such as increased physical activity in the form of walking and cycling. This, of course provides a wider public health benefit.

- 2.4 Should the proposals not be approved it will place those pedestrians who use the formal pedestrian crossing points at increased risk, should a collision occur.

3. OTHER OPTIONS CONSIDERED

The only other option would be to take no action in respect of making the 30mph speed limit permanent, allowing the speed limit to revert back to a 40mph limit. This would result in increased risk to road users and would require the removal of the new zebra crossing.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 Speed limits are issues which can generate a number of conflicting opinions. For those reasons guidance issued by the Department for Transport (DfT) on setting local speed limits has been adopted by the Council as set out in Recommendation 12 of the Regeneration and Scrutiny Panel report on the findings of the Speed Limit/Road Safety Committee January – March 2013. This will avoid any allegation that unrealistic speed limits have been set.
- 4.2 It is expected there will be little potential for negative reputational implications for the Council resulting from the decision given that the proposed arrangement has already been in place for a substantial time period, under Temporary Traffic Regulations and evidence suggests that road users have already become accustomed to traveling at the reduced speed.
- 4.3 If approval is given to this proposal, the Order will be formally advertised in accordance with the statutory Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Public notices will be published in the local press to advise of the Council's intention to make the Order. This provides a formal opportunity for anyone to object to the making of the order.

5. FINANCIAL CONSIDERATIONS

- 5.1 Traffic Authorities have a duty to erect and maintain prescribed speed limit signs on their roads under Section 85 of the Road Traffic Regulation Act (RTA) (1984) and in accordance with the Traffic Signs Regulations and General Directions (2016).

The proposed recommendation delivers improved value for money, as there will be a reduction in signs along the affected stretch of road. Thereby, reducing the amount of street clutter i.e. speed limit repeater signs, traffic posts which would ordinarily be required as part of a 40mph limit.

- 5.2 The recommendation does not require any capital expenditure. Any standard lining, signing and public notices required are covered through the Council's Regeneration Partnership arrangement with ENGIE.

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

- 6.1 The proposals are not expected to have any significant impact on climate

change and / or the environment. There is the potential that the proposed speed limit reduction may result in few car journeys as residents feel safer to make shorter journeys by other means, whether this be cycling, walking or utilising local bus services.

- 6.2 Higher speed is often perceived to bring benefits in terms of shorter travel times for people and goods. However, evidence suggests that when traffic is travelling at constant speeds, even at a lower level, it may result in shorter and more reliable overall journey times, and that journey time savings from higher speed limits are often overestimated.

7. CONSULTATION WITH SCRUTINY

There has been no consultation with Scrutiny in relation to this matter.

8. FINANCIAL IMPLICATIONS

As detailed within the financial considerations section of this report, there are no significant financial implications associated with the TRO recommendations. Costs are not significant and budgeted through the existing contract arrangements with ENGIE.

9. LEGAL IMPLICATIONS

Under Section 84 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Management Orders (TMOs) for (*inter alia*) the reasons set out at the beginning of this report.

The procedure for making TMOs is set out in Schedule 9 Part III of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and provides for advertisement and consideration of any objections before making a final decision on the proposed TMO.

Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TMO before it is made.

If it is decided to make the TMO notwithstanding any objections made it can only be challenged by Judicial Review in the Administrative Court.

10. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications contained within this report

11. WARD IMPLICATIONS

The proposals relate to issues solely within the Humberston and New Waltham Ward.

12. BACKGROUND PAPERS

[Department for Transport Circular 01/2013 : Setting Local Speed Limits](#)

[Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

[Road Traffic Regulation Act 1984](#)

[The Traffic Signs Regulations and General Directions 2016 No 362](#)

13. CONTACT OFFICER(S)

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PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

APPENDIX 1 – SPEED LIMIT SCHEDULE

“Revocation - 40mph Speed Limit”

<u>ROAD</u>	<u>SIDE</u>	<u>EXTENT</u>
B1219 Humberston Avenue	Both	From a point 41 metres east of the eastern kerbline of Cannon Oakes Court to a point 182 metres west of its junction with the A1031.

APPENDIX 2 – SPEED LIMIT DRAWING

