

# PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT

<b>DATE</b>	21 <sup>st</sup> August 2023
<b>REPORT OF</b>	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport.
<b>RESPONSIBLE OFFICER</b>	Carolina Borgstrom – Director for Environment, Economy and Infrastructure
<b>SUBJECT</b>	Traffic Regulation Order 19-08: – Cheapside, Waltham – Renewal of Expired Approval
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	PHET 08/23/04

## CONTRIBUTION TO OUR AIMS

A review of the current speed limits at this location, will contribute to the health and wellbeing of all road users, business owners and visitors to the area by creating, and maintaining, a safer environment.

## EXECUTIVE SUMMARY

Following the expiry of the Portfolio Holder's decision to approve changes to the current 30mph and 40mph speed limit extents on Cheapside, Waltham made on 8 March 2020 (DNPH.ETE.27 refers), this report seeks to renew that approval to now enable the progression of this delayed project.

## RECOMMENDATIONS

It is recommended that:

- a) Approval be granted to the making of a Speed Limit Order to revoke the current 40mph Speed Limit in place on a section of Cheapside, Waltham and introduce a new 40mph Speed Limit on Cheapside, Waltham between the points detailed in Schedule 2 and as shown indicatively on drawing TR-19-08-01 to Appendix 2.
- b) In the event there are unresolved material objections, these are referred back to the Portfolio Holder for determination and a decision as to whether or not the Order be confirmed and executed.

## REASONS FOR DECISION

A review of the current speed limit restrictions is proposed in order to improve road safety for all road users. A gateway feature using road markings and supporting signs will highlight entry into the 30mph village speed limit, and to act as a speed reduction measure for vehicles entering the village from the A16.

### 1. BACKGROUND AND ISSUES

- 1.1 New property development sites on Cheapside, Waltham have prompted a need to review the current 40mph speed limit extent, which currently commences east of the junction with The Drive. It is proposed that the 30mph speed limit be extended to bring the new development site accesses for the

Carr/Strawson development and the Golf Course Lane development within a 30mph speed limit. The 30mph speed limit will terminate at a new gateway feature created using road markings and signs.

- 1.2 A new 40mph speed limit will commence at this gateway point and continue in a south easterly direction to terminate in the vicinity of Millstone Garden Centre, Cheapside. These changes are shown indicatively on plan TR-19-08-01 in Appendix 2.
- 1.3 Roads subject to a system of street lighting, furnished by lamps placed not more than 200 yards apart, are Restricted Roads unless a Speed Order is in place to change this. In accordance with Section 81 of the Road Traffic Regulation Act 1984 it is not lawful for a person to drive on a Restricted Road at a speed exceeding 30mph. As all of the section of Cheapside between the roundabout junction with Brigsley Road to the proposed termination point near to the junction with Golf Course Lane complies with the above, the speed limit will default to 30mph upon the revoking of elements of The Borough of North East Lincolnshire (Various Streets) (Speed Limits) (No. 04-08) Order 2004.
- 1.4 This report and recommendation have been developed in line with the guidance issued by the Department for Transport (DfT) on setting local speed limits which 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.

## **2. RISKS AND OPPORTUNITIES--**

- 2.1 A review of the speed limit extents will provide an opportunity to improve the safety of all road users, acknowledging the increase in the number of new residential properties situated off Cheapside and the impact these have on traffic in the area.
- 2.2 The proposals will reduce the risk of vehicular conflict, vehicles will now be exiting the development sites onto a 30mph speed road, compared to a 40mph limit previously.
- 2.3 Many of the annual injuries and deaths that occur nationally happen within residential areas, where there tends to be a higher mix of vulnerable road users and motor vehicle traffic. A reduced speed limit has the potential to decrease the risk of Personal Injury Collisions (PICs) occurring, particularly those of a serious or fatal nature.
- 2.4 A lower speed limit may also create an environment where local residents are more willing to walk, cycle or scoot. This, in turn can have positive wider public health benefits associated with being more physically active.

## **3. OTHER OPTIONS CONSIDERED**

Do nothing. This would not be recommended given the increased road safety risks that would come as a result of the residential developments and higher traffic speeds on Cheapside.

#### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 It is expected there will be little potential for negative reputational implications for the Council resulting from the decision, as the measures are designed to improve road safety in the vicinity of both development sites.
- 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**

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 Equans.

#### **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

The proposals will create a safer environment for all road users, including children and young people who are classed as vulnerable in terms of pedestrian usage.

#### **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

The proposals are not expected to have any significant impact on climate change and / or the environment. There is the potential that the proposals may encourage residents to make shorter journeys by more sustainable modes such as walking, cycling or scooting.

#### **8. CONSULTATION WITH SCRUTINY**

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

#### **9. FINANCIAL IMPLICATIONS**

As indicated in section 5, there are no direct additional financial implications to the Council as a result of this report.

#### **10. LEGAL IMPLICATIONS**

- 10.1 Under Section 84 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Regulation Orders (TROs) for (inter alia) the reasons set out at the beginning of this report.
- 10.2 The procedure for making TROs 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 TRO.
- 10.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.
- 10.4 If it is decided to make the TRO notwithstanding any objections made it can

only be challenged by Judicial Review in the Administrative Court.

**11. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications.

**12. WARD IMPLICATIONS**

The proposals relate to issues within the Waltham Ward.

**13. BACKGROUND PAPERS**

[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](#)

**14. CONTACT OFFICER(S)**

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**COUNCILLOR STEWART SWINBURN**

**PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

## Appendix One

### SCHEDULE 1

#### Traffic Regulation Orders - Revocation

Column 1 <u>ORDER TO BE REVOKED</u>	Column 2 <u>EXTENT OF REVOCATION</u>
The Borough of North East Lincolnshire (Various Streets) (Speed Limits) (No. 04-08) Order 2004	the whole of that part of Schedule 4 "40mph Speed Limit" as it relates to <b>Cheapside</b> in the Parish of Waltham

### SCHEDULE 2

#### "40mph Speed Limit"

<u>STREET</u>	<u>LENGTHS OF ROAD</u>
<b>Roads within the Parish of Waltham</b>	
97WA17010    Cheapside	from a point 57 metres south-east of the south-eastern kerbline of Golf Course Lane to a point 732 metres south-east of the south-eastern kerbline of Golf Course Lane

## Appendix Two

