

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**29 May 2014**

Report of the Strategic Director – Economy, Transport and Environment

**PETITION – SHIRLEY VILLAGE – REQUEST FOR 30MPH  
SPEED LIMIT**

(1) **Purpose of the Report** To inform the Cabinet Member of the results of an investigation undertaken following receipt of a petition requesting the introduction of a 30mph speed limit in Shirley village.

(2) **Information and Analysis**

**Background**

Over a number of years, the Parish Council has expressed concerns about speeding in the village in general. The Parish Council has also, over the years, requested Concealed Entrance signs, Unsuitable for Long Vehicles signs and also requested that Back Lane be made into a cul de sac.

The petition is accompanied by a covering letter which requests that a 30mph speed limit, or lower, and associated traffic calming measures be considered for the village. The letter further highlights the lack of a continual footpath, the current national speed limit in the village, the presence of school children and the existence of a successful gastro pub in the village centre. The letter also states that the roads are particularly narrow and used by large agricultural vehicles, and that vehicles drive too fast for the conditions.

The petition further claims that there have been a number of unreported accidents and near misses, and that residents are concerned that a more serious accident is waiting to happen.

The Parish Council has recently devised a Shirley Neighbourhood Plan which highlights the variety of road users in the area, and claims that there is an increasing incidence of vehicles travelling at too high a speed and that there is a growth in all types of traffic. It also mentions the narrow lanes, that it is difficult for vehicles to pass each other, and that verges are being eroded. It

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states that the Parish Council will work towards having passing places constructed, and will promote lower speed limits and one way movements.

### **Site Details**

Shirley is a small rural village, the approach roads are narrow and fully rural in character. There are outlying farms and houses which are not immediately visible from the carriageway, giving a further rural feel within the village area itself. The centre of the village is a more urban environment, with houses, gardens and walls visible, many houses are directly abutting the carriageway, there is also a village pub, a bench, phone box, parked cars, etc, all giving the area a more urban character.

The roads approaching the village are very narrow, in all cases they are too narrow for the provision of centre lining, until on the direct approach to the village centre. There is no street lighting throughout the village and due, to its historic character, the majority of the village has no footway; short lengths of footway exist only at a couple of locations adjacent to the more recently developed area. There are 'SLOW' markings on the direct approaches to the village in advance of features such as bends, however, there are no other traffic calming features in place. Even through the centre of the village the carriageway is still relatively narrow and there are usually many parked cars on the road.

### **Officer Comments**

Although there have been concerns expressed over several years about road safety, speeding and the volume of traffic (particularly heavy goods vehicles), the surveys and counts undertaken to investigate these concerns have failed to provide any evidence of an actual, rather than perceived problem. Whilst the concern of the petitioners is understandable, there is little factual evidence to suggest that there is an actual problem at this location.

Speed surveys and a traffic count were undertaken in 2009 which indicated that mean speeds were between 33mph and 17mph, and that traffic volumes were between 415 and 66 vehicles per day (averaging between 18 and 3 vehicles per hour) dependant on the road. This flow is very light and is what you would find reasonable in such a setting.

A recent analysis of the personal injury collision history for Shirley indicates that there have been no injury collisions in the last three year period, and compared with other villages nearby, Shirley has a very good safety record.

In view of previous measured low speeds and low traffic volumes, and the fact that there is not a collision problem in either the centre of the village or on the approach roads, there is no justification for undertaking any further surveys or counts at the present time. Although the petitioners are concerned about the narrow width of the approach roads, this is very likely to be the main factor in

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holding the speeds in the area down to an acceptable level, as it is well known that vehicle speeds generally increase with the width of the carriageway.

Although the average speeds through the area are not high, it is accepted that, in common with roads everywhere there may be a minority of drivers travelling through the village who drive with little concern for the safety of other road users. This minority is very difficult to deal with, as the only thing likely to alter such behaviour is the threat of being stopped by the Police and prosecuted for an offence. This is unlikely to happen in such a rural area and unfortunately, the provision of signs indicating a speed limit is likely to make little difference to the behaviour of such individuals.

However, there is a general presumption from the Department for Transport that 30mph speed limits in villages should generally be the norm, although this is still subject to the villages in question meeting the criteria contained within the guidelines, and having the resources to undertake the necessary legal and signing work required to introduce a speed limit.

The guidelines from the Department for Transport indicate that the character of the road and existing speeds are very important in the setting of speed limits. As previously mentioned, the approach roads to Shirley are fully rural in character, and it is not until arriving in the actual village centre that the character changes and becomes that of a village/urban area. This central core is more in line with current guidance as being appropriate for a 30mph speed limit even though speeds are already in the region of, or below, 30mph.

It must be pointed out though, that any introduction of a 30mph speed limit would necessitate the erection of at least five sets (pairs) of back to back speed limit terminal signs and posts together with numerous new posts throughout the village to support repeater signs. It is likely that such visual intrusion would not be welcomed by all village residents, particularly given that it would not result in significantly (if any) reduced speeds. The narrow nature of the roads and the proximity of buildings, walls and fences to the carriageway would also make the siting of posts for signs very difficult.

It is also very likely that residents of outlying houses and farms would wish to be included within any proposed 30mph speed limit, however this would not be in accordance with the Department for Transport guidelines and would, in fact, be likely to reduce efficacy of a speed limit for the central core, consequently a 30mph speed limit proposal would be likely to be contentious, and this would significantly increase the consultation and lead-in time for such a scheme.

In view of the lack of factual evidence to suggest an actual, rather than perceived problem, the lack of a collision history, and limited staff resources, a further investigation into the provision of a 30mph speed limit for the central

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village core cannot be given any priority at the present time, and it is suggested that the area continues to be monitored and that a further investigation and consultation be undertaken at a later date should monitoring raise any concerns.

### Local Member Comments

Councillor Lower made the following comment *“Pressure for 30mph limits is a feature of the villages in my Division and it is to be hoped that more of these can be introduced in due course. The presence of a popular 30mph limit scheme in next door Hollington adds some weight to the case made by residents”*.

(3) **Financial Considerations** There is currently no funding available for the provision of a 30mph speed limit to be introduced in Shirley village, such funding would need to be the subject of a future capital bid for funds.

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984 states that it shall be the duty of every Local Authority exercising the functions in that Act (so far as practicable having regard to the matters listed below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The matters referred to above are:

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run; 2ii) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 3) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- 4) any other matters appearing to the Local Authority to be relevant.

Section 2 of the 1984 Act states what a TRO may provide for and this includes prohibition of waiting. Notice of proposals must be given in accordance with Regulation 7 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and at least a minimum of 21 clear days for the receipt of written objections must be allowed. Objections can then be considered by the Local Authority.

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Regulation 14 of the 1996 Regulations enable an order making authority to modify an Order in consequence of any objections or otherwise, before it is made. Where substantial changes are to be made, the order making authority must notify those likely to be affected by the modifications and giving them an opportunity to make a representations which the authority shall consider. In this matter, it is considered that the modifications constitute a reduction and are therefore not a substantial change.

Having determined all objections the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected. An order shall not be made until after the last date for objections. No Order can be made until after the last date for objections. No Order can be made more than 2 years after the date of publication of the notice of proposals. No part of a TRO can come into force before that date when it is intended to publish a notice of making.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Correspondence held on file 44XT within the Economy, Transport and Environment Department. Officer contact details - Dawn Bryan, extension 38695.

(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 The request for a 30mph speed limit in Shirley not be implemented at this present time.

8.2 The situation in Shirley be monitored.

8.2 The Local Member and petitioners be informed accordingly.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**