

DERBYSHIRE COUNTY COUNCIL

CABINET

3 May 2016

Report of the Strategic Director – Economy, Transport and Communities

**REVIEW OF 20MPH SPEED LIMITS IN DERBYSHIRE – RESPONSE TO
IMPROVEMENT AND SCRUTINY COMMITTEE REPORT (HIGHWAYS,
TRANSPORT AND INFRASTRUCTURE)**

(1) **Purpose of Report** To approve the Cabinet response to the recommendations of the Improvement and Scrutiny report of the review of 20mph speed limits in Derbyshire, and to seek approval for sign only 20mph limits schemes, together with a criteria for pilot scheme selection.

(2) **Information and Analysis** At the meeting on 2 February 2016, Cabinet received and approved the report of the Chair of the Improvement and Scrutiny Committee – Places (Minute No.42/16 refers).

Cabinet agreed to provide the Improvement and Scrutiny (I&S) Committee with its response to the recommendations and an action plan for its meeting on 18 May 2016.

In accordance with the Scrutiny reporting protocol, Cabinet is required to respond to the report indicating whether recommendations are accepted or otherwise, alongside an action plan for implementation.

Response to the Report

The use of 20mph speed limits in urban areas to reduce speed and road traffic casualties has been well established across the country for a number of years. The limits are defined across areas or lengths of road and are introduced through Traffic Regulation Orders which are enforceable by law. Usually, the limits are accompanied by additional traffic calming measures which aim to make the roads effectively self-enforcing. Recent changes to legislation mean that 20mph limits can now be implemented without supporting engineering measures for health and well-being reasons.

The Council's current policy on 20mph speed limits and zone, which was approved by Cabinet on 13 December 2011 (Minute No. 364/11 refers), is to use them "sparingly", with the primary consideration for determining their suitability to be the casualty rate of the section of the road in question. Schemes are usually associated traffic calming measures.

In 2013, the Department for Transport revised its guidance on the setting of local speed limits, which made it less costly for local authorities to implement 20mph limits by removing the need for physical features. This was welcomed as it gave more flexibility in implementing schemes on the ground and lowered the associated works costs. Unfortunately, the revised guidance did not revise the statutory traffic regulation order processes which account for the majority of officer time when pursuing such initiatives. A recent pilot scheme in Padfield took over a year and a half to implement, with 300 hours of staff time spent on the project even though there were no real delays during the project. It is also worth noting that the actual works costs for the Padfield project was a nominal £5,000.

The costs of rolling out area wide type schemes in Bristol and Lancashire were £2.3 million and £6 million respectively, the review did not feel this approach was merited in Derbyshire in the absence of collision histories comparable to those areas.

It is considered that the time taken to implement schemes should be an important consideration in the determination of which schemes are selected, and careful consideration should be taken to ensure that all future schemes represent good value for money.

The Scrutiny report gives a variety of examples where “signed only” schemes have been introduced elsewhere in the country and which the evidence suggests have in the main been successful to varying degrees. It should also be noted that whilst casualty reduction may not have been the only reason for their implementation, it was the most prevalent reason for the basis of their funding. It must also be recognised that some of the schemes in question already had traffic calming features in place on some streets from previous safety schemes, and these new limits in some cases often include a mixture of streets with and without physical measures.

Bearing the above in mind, it is felt that a cautious approach could be adopted when considering schemes on roads without a proven history of injury collisions to ensure that there are good reasons for delivering schemes on the sole basis of health and well-being. The research into this is still inconclusive and there are conflicting views at present regarding the benefits. It is thought wise therefore to closely monitor the pilot scheme in Padfield, to pursue two additional pilot projects in both rural and urban settings as recommended in the Scrutiny report, and await the results of the Department for Transport’s Research Laboratory study into the effectiveness of 20mph for health and well-being reasons, which is expected in 2017. Once outcomes can be established from both the monitoring of pilot schemes and the national research, a further report should be submitted to Cabinet to consider whether the implementation of further schemes for health and well-being reasons are merited. Should future schemes be promoted solely on health and well-being grounds, it is also felt that funding for these schemes should not solely fall

within the remit of road safety, and that other suitable funding opportunities be explored.

A sum of £40,000 has been recommended and secured from the Local Transport Plan of schemes for 2016-17, which should fund the implementation of two further pilot sites.

The I&S report suggests that robust criteria for any schemes that do not have a significant safety record should be clear from the outset. The criteria in Appendix A have been prepared, based on the report's findings, for the selection of the pilot sites. This will both assist officers during the selection process and elected members in explaining the general rationale to their constituents. Following the outcome of the planned pilot schemes and the findings from the Department for Transport, it may be appropriate to reconsider the criteria at a future Cabinet meeting.

It is acknowledged that a more collaborative approach between the Economy, Transport and Communities and Public Health Departments would be beneficial in both the consultation stages and the monitoring of schemes, and discussions will take place when all schemes are considered and promoted.

Derbyshire Police remains responsible for enforcement of any speed limit changes and, whilst the support of the Police and Crime Commissioner is welcomed, it is important that the public's enforcement expectations are managed properly and are commensurate with the availability of policing resources. The engagement and support of the relevant local Police Division is paramount, together with the acceptance by the public that resources available for the enforcement of speed limits are constrained and must be prioritised accordingly. The possibilities of Community Speed Watch initiatives, where residents are empowered to be more proactive in engaging with a scheme after its introduction, may be crucial to the success of schemes in the absence of a collision history. It is hoped this can be formalised as the Derbyshire and Derby Road Safety Partnership is currently in discussions with all the relevant stakeholders about a proposed Speed Management Plan, which is intended to take a more joined-up approach to managing speed enforcement and engineering solutions. It is anticipated that a report on this subject will also be brought to a future Cabinet meeting.

In the vast majority of cases, the signed only 20mph schemes throughout the country focus upon the less strategic parts of the network that are more residential and community based. To implement schemes on the strategic network would present a conflict as these are the parts of the network that traffic is generally encouraged to use in preference to other less desirable or suitable routes. Indeed, the Traffic Management Act 2004 puts a responsibility on all highway authorities to keep traffic flowing, as well as maintaining road safety. With this in mind, it is recommended that no 'A' or 'B' classified routes are selected for 20mph schemes at this time.

It is, however, acknowledged that there are examples of shared space type schemes around the country, which have been re-engineered to change public perception of parts of the strategic network. Should such an initiative be considered in Derbyshire on a strategic route, it may also complement a 20mph scheme, but this should be considered an exceptional case. It must, however, be appreciated that whilst these schemes have been successful, they are very costly to implement and to be effective.

Concerns about safety outside school sites often result in requests for 20mph limits, but the evidence and the report suggests many of the injury collision problems occur on the route to school, rather than at the actual school site. The fear of problems at both arrival and dispersal times outside school are, however, fully acknowledged and in light of this, the Council already promotes what are known as "School Safety Zones" with an advisory 20mph limit which applies when amber warning lights are flashing either side of the school. This approach has been seen to be an effective low cost measure which focuses drivers' minds on the need to drive accordingly at school times. In light of this, it is considered that school sites should not be considered in isolation for a mandatory 20mph limit, but only as part of a larger scheme which offers other benefits.

Recommendations

The 11 recommendations included in the I&S Committee's report acknowledge that the priority for 20mph sign only schemes shall remain as sites with a high casualty rate. However, it is recognised that, in certain circumstances, 20mph sign only schemes could be considered at other sites where the strict criteria apply as set out in the report.

A sum of £40,000 has been secured in the 2016-17 Economy, Transport and Communities Service Plan to implement two pilot schemes.

It is recommended that Cabinet approves the criteria for selection of sign only 20mph schemes as set out in Appendix A, based on I&S Committee's recommendations.

In addition, the action plan proposed by I&S Committee is recommended for approval as set out in Appendix B with appropriate actions and progress reports.

Elected members will be sent a copy of the report and associated criteria, if agreed, and asked for their requests for schemes which will be considered for the further trials.

(3) Financial Considerations The estimated cost of site works for two pilot schemes is anticipated to be in the region of £40,000. These costs will be met from the 2016-17 Local Transport Plan.

(4) **Legal Considerations** The local traffic authority has power under Section 84 of the Road Traffic Regulation Act 1984 to set local speed limits having regard to the guidance issued by the Department for Transport (DfT). This guidance is set out in Setting Local Speed Limits: DfT Circular 01/2013.

The procedure to be adopted when making orders under section 84 of the Act is set out in the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996 (the 1996 Regulations). The local authority must carry out a consultation and notice of the proposals must be given in accordance with Regulation 7 of the 1996 Regulations, allowing at least 21 clear days for the receipt of written objections. Any objections received must be considered by the local authority.

Having considered all objections, the Council may determine to introduce the new speed limits. The Order will need to be formally made and advertised and the requisite signs erected. An Order shall not be made until after the last date for objections. No Order can be made more than two years after the date of publication of the notice of the proposals. No part of an Order can come into force before the date on which 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** Held on file within the Economy, Transport and Communities Department. Officer contact details – Simon Tranter, extension 38673.

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

- 8.1 The action plan as Cabinet's response to the recommendations made by the Improvement and Scrutiny Committee – Places, following its review of 20mph speed limits in Derbyshire.
- 8.2 The criteria in Appendix A to guide the selection of two pilot projects.
- 8.3 That Elected Members be contacted for any requests that could be considered for the pilot projects.

Mike Ashworth
Strategic Director - Economy, Transport and Communities

Appendix A

This Appendix sets out the criteria that should be met in order for a proposed site to be considered as a 20mph “signed only” scheme.

The priority criteria shall apply in all circumstances except where the accident history does not meet the limits set out in 1a). In such circumstances, the Additional Criteria 2a) to 2d) should also apply in order for a scheme to be considered.

1. Priority Criteria

- 1a) A collision history of five injury collisions over a 1 kilometre length of road or five injury collisions over a number of streets which total an overall length of at least 1 kilometre.
- 1b) On all roads other than those of a strategic nature, such as main ‘A’ or ‘B’ classified routes should not be considered.
- 1c) Sites without existing traffic calming features.
- 1d) School sites should not be considered in isolation as the continued use of advisory limits is felt to be more appropriate. School sites can be incorporated into wider area type schemes where other benefits can be derived.
- 1e) The Local Member supports the scheme.

2. Additional Criteria

In the absence of (1) Priority Criteria, sites can be considered purely for health and well-being reasons.

- 2a) The Parish/Town Council supports the scheme and is willing to contribute financially towards the implementation costs, or where there is not a Parish/Town Council, there is support from the District/Borough Council.
- 2b) There is a working Community Speed Watch Initiative in place for the area with a proven record of carrying out checks.
- 2c) The reasons for introducing the scheme are clear and transparent and the inability of the Police to enforce with any degree of priority is understood by the local community from the outset.
- 2d) There are budgets available from other funding streams and initiatives for health and well-being reasons.

All schemes that meet the above criteria shall be ranked in accordance with the Economy, Transport and Communities Department’s Speed Limit Ranking Procedure agreed by the Cabinet Member – Jobs, Economy and Transport on 3 December 2013 (Minute No. 104/13 refers)

Appendix B - Review of 20mph speed limits in Derbyshire

Recommendations Action Plan

| Rec. No. | Recommendation Wording | Responsible Officer | Action Required | Progress report to Committee |
|----------|--|--|---|---|
| 1 | Given the strength of support for 20mph limits in Derbyshire the Council should be more open to introducing signs-only 20mph limits in areas where the circumstances are appropriate. | Simon Tranter – Principal Engineer – Traffic and Safety | The Council will introduce 20mph limits in accordance with the criteria in Appendix A. In line with recommendation 4, priority will be given to schemes with a high casualty rate. | The agreed pilot schemes will be reported to the appropriate Committee meeting. |
| 2 | The road casualty statistics of an area should remain an important consideration, but if an area does not have a poor accident history this should not preclude the introduction of a 20mph limit if there is strong community support for the scheme and members of the community are willing to work with the Council and the local police. | Simon Tranter – Principal Engineer – Traffic and Safety | The use of 20mph limits remains a tool for collision prevention from road safety budgets and funding for schemes for health and well-being reasons be considered in line with the criteria in Appendix A of the report. | The agreed pilot schemes will be reported to the appropriate Committee meeting. |
| 3 | Generally future schemes that aren't driven by casualty reduction statistics should only be considered where: a. The Local Member supports the scheme b. The Parish/Town Council supports the scheme and is willing to contribute financially towards the implementation costs (or where there isn't a Parish/Town Council there is support from the District/Borough Council) | Simon Tranter – Principal Engineer – Traffic and Safety | Included in Appendix A criteria. | The agreed pilot schemes will be reported to the appropriate Committee meeting. |

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| | <p>c. There is a working Community Speed Watch in place for the area with a proven record of carrying out checks.</p> <p>d. The reasons for introducing the scheme are clear and transparent and the inability of the police to enforce with any degree of priority is understood by the local community from the outset.</p> | | | |
| 4 | Given the current budget restraints, priority should always be given to schemes in areas where there is a high casualty rate. | Simon Tranter – Principal Engineer – Traffic and Safety | Schemes will be prioritised in accordance with Appendix A until after the Department for Transport study and evaluation of the Derbyshire pilot schemes have been considered by Cabinet. | A Cabinet report to be prepared following the Department for Transport's research and an update upon the monitoring of pilot sites in Derbyshire. |
| 5 | Where a scheme is introduced there needs to be continual engagement with the community. Some of the initiatives used in other parts of the country that have been identified during the course of this review should be borne in mind during the development, design and delivery of future pilots. For example, inviting pupils from local primary schools to express their concerns to drivers caught by a Community Speed Watch. | Simon Tranter – Principal Engineer – Traffic and Safety | Officers will engage with the community and consider techniques used elsewhere on future 20mph schemes. | A Cabinet Member report will be produced on the pilot scheme consultation exercise, also including the comments, findings from the community engagement exercise. |
| 6 | When assessing the suitability of a scheme, Highways Services and Public Health should adopt a more collaborative approach in order to maximise opportunities to improve road safety and deliver wider community benefits. The views of Public Health should be sought and expressly stated in Cabinet Member/Cabinet Reports pertaining to 20mph limits. | Simon Tranter – Principal Engineer – Traffic and Safety | Officers will engage with Public Health colleagues on future 20 mph schemes. | The Cabinet Member report in 5 will include recommendations from Public Health. |

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| 7 | The Economy, Transport and Communities department should ensure that Elected Members are kept informed about the progress and likely timescale of proposed schemes so that they can keep constituents better informed. | Simon Tranter – Principal Engineer – Traffic and Safety | Quarterly reports will be provided to the Cabinet Member and the Local Members in the pilot areas selected. | The appropriate Cabinet Member and Local Members be kept informed of progress of the further trial sites. |
| 8 | As part of the 2016-17 capital programme, funding should be set aside for additional pilot schemes and consideration should be given to piloting signs-only 20mph schemes in rural and semi-rural locations as well as urban areas. | Simon Tranter – Principal Engineer – Traffic and Safety | £40,000 has been set aside for two pilot schemes in the 2016-17 Service Plan | |
| 9 | All pilot schemes should be comprehensively evaluated. Evaluation should include impact on road related injuries and casualties, the number of people walking or cycling and household surveys to assess local attitudes and levels of acceptability. | Simon Tranter – Principal Engineer – Traffic and Safety | Officers will undertake necessary evaluation work. | A Cabinet Member report will be produced after the initial consultations and survey work prior to implementation of pilot schemes. |
| 10 | The Council should not (at this stage) introduce 20mph limits on a blanket county-wide basis. The decision about a county-wide scheme should be revisited when there is more evidence based research available to inform the debate. | Simon Tranter – Principal Engineer – Traffic and Safety | No county-wide schemes will be considered at present. | To provide further advice to Cabinet at a time after the Department for Transport has completed its study. |
| 11 | When the Department for Transport publishes the findings of the research it has commissioned into the effectiveness of 20mph limits, and the guidance on 20mph limits is revised, the Economy, Transport and Communities department should report to Cabinet outlining any policy implications for Derbyshire. | Simon Tranter – Principal Engineer – Traffic and Safety | Officers monitor pilot sites and assess the outcomes along with an evaluation of the work carried out by the Department for Transport. | Produce a Cabinet report following the Department for Transport's research and an update on the monitoring of pilot sites in Derbyshire. |