**OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER**

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**APPROVAL TO PROGRESS TRO**

PREPARED BY: Traffic Management Team, Highways and Transport Group

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| **TITLE OF REPORT:** **PROPOSAL:** **SCHEME REF No:****REPORT AUTHOR:** | **B3116 Wellsway, Keynsham** **Variation of 20, 30 and 40mph speed limits.** **21 - 029**Lewis Cox / Neil Terry |

**1. DELEGATION**

The delegation to be exercised in this report is contained within **Part 3**, **Section 4** of the Constitution under the **Delegation of Functions to Officers,** as follows:

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| **Section A** | The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility….” |
| **Section B** | Without prejudice to the generality of this, Officers are authorised to:serve any notices and make, amend or revoke any orders falling within his/her area of responsibility. |
| **Section D9** | An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator. |

*For the purpose of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.*

**2. LEGAL AUTHORITY**

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 1 provides, generally, for Orders to be made for the following reasons, and in the case of this report specifically for the reason(s) shown below:

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| (a) | for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or | X |
| (b) | for preventing damage to the road or to any building on or near the road, or |  |
| (c) | for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or |  |
| (d) | for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, |  |
| (e) | (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot, or |  |
| (f) | for preserving or improving the amenities of the area through which the road runs, or | X |
| (g) | for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality) |  |

**3. PROPOSAL**

To extend the existing 20mph speed limit on the B3116 Wellsway to the point where the existing 30mph speed limit currently ends (outbound), and to introduce a 30mph speed limit between the extended 20mph and a point approximately adjacent to number 200 Wellsway. This coincides with the extent of the existing street lighting along the Wellsway.

A short length of 20mph will be introduced in Chewton Road from its junction with the Wellsway. Note: a 20mph speed limit along Chewton Road (and through Chewton Village) in currently included in the draft 2022/23 Transport Improvement Programme.

**4. BACKGROUND**

A 40mph speed limit was initially introduced on the Wellsway in February 1965, from a point approximately 90m south of its junction with Chewton Road to a point approximately 180m south of its junction with Courtenay Road. It is assumed that the speed limit along the Wellsway approaching Chewton Road at that time was derestricted / national speed limit (60mph), and that the speed limit beyond Chewton Road was 30mph by virtue of the presence of street lighting.

The speed limits along the Wellsway were not reviewed again until October 2013 (as part of a wider review), when a 20mph speed limit was introduced from its junction with Bath Road to a point 70m north of its junction with Chewton Road. This left a length of 30mph from a point approximately 90m south of its junction with Chewton Road to the start of the new 20mph limit.

A 40mph speed limit was introduced through the village of Burnett in September 2006, and this was subsequently extended towards Keynsham in February 2019. This resulted in a continuous 40mph speed limit from the southern end of Burnett, through the village and along the Wellsway to just before its junction with Courtenay Road (180m south).

However, it is now considered that the existing 40mph speed limit covering the street-lit length of the Wellsway is no longer appropriate, having due regard for its residential nature, the activity associated with its side roads and accesses, and the efforts of the Council to encourage greater walking and cycling for some journeys.

In addition, there is an aspiration to divert the route of the Avon Cycleway to Manor Road and Chewton Road, to avoid it crossing the B3116 in Burnett. This will result in cyclists using the Wellsway for a short distance, in both directions, between its junctions with Manor Road and Chewton Road. Extending the existing 20mph, as described above, will cover this length of the Wellsway, and it is considered that a 30mph on the inbound approach will increase compliance with the extended 20mph speed limit.

# 5. SOURCE OF FINANCE

This scheme is included in the 2021/22 Transport Improvement Programme.

**6. CONSULTATION REQUIREMENT**

Theproposal requires informal consultation with the Chief Constable, Ward Members and the Cabinet Member for Transport.

**7. INFORMAL CONSULTATION**

**Chief Constable:**

*Thank you for your email and attachments regarding the proposals for speed restriction variations on the Wellsway, Keynsham, as shown on the attached plan.*

*As previously discussed, we have a Force stance regarding the introduction of speed restrictions, which has been written to reflect the current speed environment. I copy this below for your information.*

*“Speed limits are only one element of speed management and local speed limits should not be set in isolation. They should be part of a package with other measures to manage speeds, which include engineering, visible interventions and landscaping standards that respect the needs of all road users and raise the driver’s awareness of their environment, together with education, driver information, training and publicity.*

*The police service has to ensure all resources are used effectively in responding to community priorities.*

*Avon and Somerset Constabulary will support all appropriate speed limits, including 20mph roads, where;*

*The limit looks and feels like the limit, giving visiting motorists who wish to conform that chance;*

*the desired outcome has to be speeds at the limit chosen so as to achieve safe roads for other and vulnerable users, not high speeds and high enforcement;*

*the limit is self-enforcing ( with reducing features) not requiring large scale enforcement;*

*the limit is only introduced where mean speeds are already close to the limit to be imposed, (24mph in a 20mph limit) or with interventions that make the limit clear to visiting motorists;*

*speeding problems identified in an area must have the engineering, site clarity and need re-assessed, not simply a call for more enforcement.*

*Enforcement will be considered in all clearly posted limits, given other priorities, and this will be by:*

*Targeted enforcement where there is deliberate offending and the limits are clear;*

*Where limits are not clear (that is they don’t feel like or look like the limit or are on inappropriate roads), they will not be routinely enforced, only targeted where there is intelligence of obvious deliberate disregard which may result in increased threat, harm or risk to other road users.*

*Deliberate high harm offenders will always be targeted and prosecuted whereas enforcement against drivers who simply misread the road may not be appropriate.*

*None of the above should in anyway leave the impression that we will not enforce the law. As with all speed limits, and other enforcement work, we will use evidence to ensure that our resources are allocated in the most appropriate way using appropriate tactics. Enforcement of limits that do not comply with the above representations could lead to mistaken offending and could risk the loss of public support.*

*Enforcement cannot and must not take the place of proper engineering and or clear signing.”*

*We do not, as part of this consultation, check the accuracy or validity of what is being proposed but we do consider implications for road safety and enforcement. We always expect that:*

*a) the powers being exercised are available to you as traffic authority, are valid and are appropriate for the proposals;*

*b) the descriptions of the lengths of road, the road names, the road numbers and any directional descriptions are correct and accurate;*

*c) where any proposals replace existing restrictions or prohibitions, that the previous orders are adequately revoked or varied;*

*d) the mandatory traffic signs giving legal effect to the order will be fully TSRGD compliant, will give drivers adequate guidance and will placed to accord to the descriptions in the order.*

*We have worked on the assumption that, by submitting this TRO for consultation, you are also confirming the above points and that subject to consultation process, the order will be made. Any enforcement action taken by the Police will be based on this and, should this transpire not to be the case, Avon & Somerset Constabulary will not accept any liability – financial or otherwise – arising as a result.*

**Cllr Andy Wait:**

*This is a considerable improvement on the current situation and will improve safety on this busy road. I support these changes.*

*However, I am persuaded that an even better scheme would be to continue the 30mph beyond the Uplands Road as that is a dangerous junction with Wellsway and would be better served by being included in the 30mph section. You may have seen this week’s The Week In which has an article about the residents of Wellsway who want the situation I have just described.*

*I look forward to seeing Neil’s suggestions for signage to warn road users of the danger at the Uplands junction.*

**Cllr Hal McFie:**

*Looks good to me.*

**Cabinet Member for Transport**

**Cllr Manda Rigby:** *No comments received.*

**8. RECOMMENDATION**

As no significant objections and/or comments have been received following the informal consultation described above, the formal Traffic Regulation Order process (the public advertisement of the proposals) should be progressed.



Paul Garrod Date: 28th February 2022

Traffic Management & Network Manager

**9.** **DECISION**

As the officer holding the above delegation, I approve the progression of this Traffic Regulation Order.

In taking this decision, I confirm that due regard has been given to the Council’s public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act.

Chris Major  Date: 14/04/22

Director for Place Management