

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PUBLICLY ADVERTISE THE TRO

PREPARED BY: Traffic Management Team, Highways and Traffic Group

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|-------------------------|------------------------------|
| TITLE OF REPORT: | Publow Lane, Pensford |
| PROPOSAL: | 20 MPH Speed Limit |
| SCHEME REF No: | 24-009 |
| REPORT AUTHOR: | Gina West |

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:

| | |
|-------------------|--|
| 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 purposes 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:

| | | |
|-----|--|---|
| (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 | X |
| (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 specially 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 reduce the speed limit on Publow Lane from de-restricted (60mph) to 20mph, from the existing 20mph just north of Pensford Memorial Hall and the Recreation Ground, to the junction with Parsonage Lane.

This proposal is shown on the drawing below.

4. **BACKGROUND**

Following requests from local residents and the Parish Council, funding has been secured to extend the existing 20mph speed limit in Publow Lane.

Publow Lane is heavily used by pedestrians, equestrians, and cyclists, with several blind bends and very few passing places.

It is anticipated that the proposed lower speed limit along Publow Lane will improve road safety for all road users within this rural setting.

5. **SOURCE OF FINANCE**

The scheme is included in the 2024/25 Transport Improvement Programme.

6. **CONSULTATION REQUIREMENT**

The proposal requires informal consultation with the Chief Constable, Ward Members, and the Cabinet Member for Highways.

7. **COMMENTS RECEIVED TO DATE**

Chief Constable

It is understood from the attached Report that the proposal is “*To reduce the speed limit on Publow Lane from de-restricted (60mph) to 20mph, from the existing 20mph just north of Pensford Memorial Hall and the Recreation Ground, to the junction with Parsonage Lane.*” And that the background to the proposal is “*Following requests from local residents and the Parish Council, funding has been secured to extend the existing 20mph speed limit in Publow Lane. Publow Lane is heavily used by pedestrians, equestrians, and cyclists, with several blind bends and very few passing places. It is anticipated that the proposed lower speed limit along Publow Lane will improve road safety for all road users within this rural setting.*”

As previously discussed, we have a Force stance regarding the introduction of speed limits, 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 our response on behalf of the Chief Constable to formal

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 be 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.

Parking Services

No comment

Ward Members & Parish Council

Councillor Paul May

No comment

Pensford & Publow Parish Council

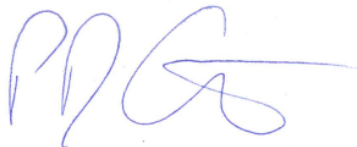
The Parish Council support the proposal.

Cabinet Member for Highways

Councillor Manda Rigby

No comment

PROPOSALS APPROVED FOR INFORMAL CONSULTATION WITH THE CABINET MEMBER FOR HIGHWAYS.



Paul Garrod
Traffic Management and Network Manager

Date: 21st May 2024

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.

A handwritten signature in black ink, appearing to read 'Chris Major', with a large, sweeping flourish at the end.

Chris Major
Director for Place Management

Date: 21/05/24

