**OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)**

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**PRELIMINARY CONSULTATION (with Cabinet Member for Highways)**

PREPARED BY: Traffic Management Team, Highways and Traffic Group

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| **TITLE OF REPORT:** **PROPOSAL:** **SCHEME REF No:****REPORT AUTHOR:** | Gloucester Road, Swainswick, Bath.30MPH Speed Limit.24-017/LCLewis Cox  |

**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 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:

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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 | 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 a section of the current 40mph speed limit on Gloucester Road in Swainswick to 30mph through the ‘hamlet’ on the approach to Upper Swainswick.

**4. BACKGROUND**

Prior to the construction of the A46 dual carriageway, which links the A4 with the A420 and M4 motorway, Gloucester Road was the main, classified arterial route for through traffic in this part of Bath and North East Somerset.

Gloucester Road was downgraded accordingly when the current A46 was constructed, and there have been some incremental modifications to the speed limits and associated signing along the road. However, the speed limit between Lower Swainswick and the link to the A46 has not been reviewed for some time.

The road beyond Lower Swainswick is predominantly rural in nature along its length, with individual residential properties which are relatively isolated and/or set-back from the road, so the existing 40mph speed limit is considered to be appropriate for much of road. However, these residential properties become more frequent on the approach to Upper Swainswick, combined with an increase in the number of side road junctions, so it is considered appropriate that the speed limit is reduced to 30mph over this length.

There is existing signing along the road which was not changed when the A46 was constructed, and the opportunity will be taken to review these measures, in particular the size of some of these signs.

# 5. SOURCE OF FINANCE

The proposals will be funded through the Transport Improvement Programme.

**6. CONSULTATION REQUIREMENT**

Theproposal requires preliminary consultation with the Chief Constable, Ward Members, Parish Council, and the Cabinet Member for Highways.

**7. COMMENTS RECEIVED TO DATE**

**Avon and Somerset Police:** Thank you for your email and attachments regarding the proposal to “reduce a section of the current 40mph speed limit on Gloucester Road Swainswick to 30mph through the ‘hamlet’ on the approach to Upper Swainswick.” As shown on the attached plan.

It is understood from the attached “TRO approval to progress” document that “Prior to the construction of the A46 dual carriageway, which links the A4 with the A420 and M4 motorway, Gloucester Road was the main, classified arterial route for through traffic in this part of Bath and North East Somerset.

Gloucester Road was downgraded accordingly when the current A46 was constructed, and there have been some incremental modifications to the speed limits and associated signing along the road. However, the speed limit between Lower Swainswick and the link to the A46 has not been reviewed for some time.

The road beyond Lower Swainswick is predominantly rural in nature along its length, with individual residential properties which are relatively isolated and/or set-back from the road, so the existing 40mph speed limit is considered to be appropriate for much of road. However, these residential properties become more frequent on the approach to Upper Swainswick, combined with an increase in the number of side road junctions, so it is considered appropriate that the speed limit is reduced to 30mph over this length.

There is existing signing along the road which was not changed when the A46 was constructed, and the opportunity will be taken to review these measures, in particular the size of some of these signs.”

There has been a marked increase in the number of speed restrictions being introduced by local authorities across our Force area. This has prompted a review of our current processes. Going forward informal consultations should be received by the Traffic Management Unit with a minimum of a 6-week time frame. This should be accompanied by speed and collision data to support the consultation. The Traffic Management Unit will then review on behalf of the Chief Constable. The Constabulary may not support speed reductions if the data submitted is not sufficient and/or the road design is not appropriate.

As stated in the attached document “The road beyond Lower Swainswick is predominantly rural in nature along its length, with individual residential properties which are relatively isolated and/or set-back from the road, so the existing 40mph speed limit is considered to be appropriate for much of road.” This does not appear to be reflected in the attached plan, which appears to show a 30mph restriction in that rural environment as well as in the vicinity of housing.

It is appreciated that the rationale behind the proposal is unique in that it refers to a previously held road status rather than being a response to collision history. However, 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.”

I would welcome your observations in due course, to enable us to make an informed response on behalf of the Chief Constable.

Officer response: Noted.

**Cllr Sarah Warren:** I am supportive of reducing the speed limit to 30mph on this section of Gloucester Road. However, I regret very much that it has not been possible to create a scheme that also permits a reduction in speed limit on the lower, 40mph section where children regularly walk and cycle to school, and will continue to seek such a change.

Officer response: We have spent some time considering what is the best approach with the speed limits here. We’ve proposed leaving the short section of 40mph in place because we believe that a 30mph here will have a very low level of compliance. The additional problem with a continuous 30mph limit in this location is that where the 30mph current ends, the street lighting ends too. During hours of darkness, driving from a lit 30mph limit into a 30mph limit in darkness is likely to cause even worse compliance at these times. We have examples of this arrangement elsewhere, but they tend to be on narrower roads in village locations where the road characteristics assist drivers to understand the reason for the lower limit.

It is appreciated that school children use the path here, but the section of road where we’re proposing to keep the 40mph does not have the look and feel of a road where drivers will understand why a 30mph limit is in place. The road is wide here with no properties fronting it. There is also some concern that a 30mph limit in this section could lead to an increase in overtaking manoeuvres.

**Cllr Kevin Guy:** I agree with Cllr Warrens comments. In principle I have no objections though.

**Swainswick Parish Council:** No comments received.

**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: 24th January 2024

Traffic Management & Network Manager