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

2

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

PREPARED BY: Traffic Management Team, Highways and Traffic Group

|  |  |
| --- | --- |
| **TITLE OF REPORT:** **PROPOSAL:** **SCHEME REF No:****REPORT AUTHOR:** | **St Catherine 20mph****20mph speed limit** **24-018/LC****Lewis 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:

|  |  |
| --- | --- |
| **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 and the Head of Highways Delivery 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 introduce a 20mph speed limit extending from its current point at Northend Batheaston, Bath extending to the BANES boundary beyond St Catherine, Bath.

The proposals are shown on the attached drawings.

**4. REASON**

Following requests from local residents and the Parish Council, funding has been secured to extend the 20mph speed limit from Northend, Batheaston through St Cathrine to the B&NES boundary. The road network through St Catherines is used by pedestrians, horse riders and cyclists alongside motor vehicles, with several blind bends narrow road widths and very few passing places. It is anticipated that the proposed lower speed limit through St Catherine will improve road safety for all road users within this rural setting.

The Council has had in mind and discharged the duty (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable. It has also had regard to the factors which point in favour of imposing a 20mph Speed Limit. It has balanced the various considerations and concluded that it is appropriate to promote a 20mph Speed limit. The Council has also considered and discharged its network management duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed 20mph Speed Limit is consistent with that duty, having regard to its other policies and objectives.

**5. IMPACT ON EQUALITIES**

An Equality Impact Assessment has been undertaken in relation to speed limits, which is available upon request. The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposed Order is consistent with the section 149 public sector equality duty, which it has discharged.

**6. IMPACT ON HUMAN RIGHTS**

The proposals are considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property). However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate aim and proportionate to do so. The proposal(s) within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

# 7. SOURCE OF FINANCE

The scheme is included in the 2024/2025 Local Active Travel and Safety Programme.

**8. CONSULTATION REQUIREMENT**

Theproposal requires consultation with the Chief Constable, Emergency Services, Road Haulage Association, Freight Transport Association (Logistics UK), Parking Services, Waste Services, Ward Members and the Cabinet Member for Highways.

**9.** **COMMENTS RECEIVED TO DATE**

**Chief Constable**

It is understood from the Officer Decision Report provided that “Following requests from local residents and the Parish Council, funding has been secured to extend the 20mph speed limit from Northend, Batheaston through St Cathrine to the B&NES boundary. The road network through St Catherines is used by pedestrians, horse riders and cyclists alongside motor vehicles, with several blind bends narrow road widths and very few passing places. It is anticipated that the proposed lower speed limit through St Catherine will improve road safety for all road users within this rural setting.

The Council has had in mind and discharged the duty (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable. It has also had regard to the factors which point in favour of imposing a 20mph Speed Limit. It has balanced the various considerations and concluded that it is appropriate to promote a 20mph Speed limit. The Council has also considered and discharged its network management duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed 20mph Speed Limit is consistent with that duty, having regard to its other policies and objectives.”

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 has been established previously, 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.

Please provide details of both speed data and collision history for the length of the proposed 20mph speed restriction to enable us to make an informed response on behalf of the Chief Constable.

Additionally, please confirm whether the proposals are intended to form part of the creation of a “Quiet Lane”.

To reiterate the Speed Stance above, “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.

Objection will be made to proposed restrictions which do not fall within this criteria.

It is not possible to dedicate an enforcement presence to such a restriction. The signage and any other physical measures to be introduced to enforce / heighten motorist awareness of the proposed scheme is therefore of importance. Any enforcement will be targeted, and intelligence led.

Officer Response: There have been no recent speed counts undertaken at St Catherine in line with this proposal, and there are no personal injury collision records that indicate speeding is an issue.

However, the nature of the roads does not allow motorists to breach a speed limit of 20mph without serious safety concerns and the potential for a collision with oncoming traffic and or a form of pedestrian traffic. It is estimated the average road widths range from around 2.5 metres to 3 metres throughout making oncoming traffic impassible through most parts, additional factors include the dense hedge rows and overgrowth, blind corners and summits along the route. It is therefore considered reducing the speed limit from the national speed limit down to 20mph is most appropriate.

We also are of the understanding that enforcement will be minimal due to the above, it has also been noted there are no points along the proposal in which a mobile unit could position itself.

Signage will be minimal; however it will be clearly visible to motorists that 20mph is the speed limit.

There are not currently any proposals to introduce Quiet Lanes designation.

**Emergency Services**

No comments received.

**Road Haulage Association**

No comments received.

**Freight Transport Association**

No comments received.

**Parking Services**

No comments received.

**Waste Services**

No comments received.

**Ward Members**

Cllr Sarah Warren: I am fully supportive of the proposal to formally reduce the speed limit in St Catherine's, as I know this has been the aspiration of the parish for some time, and will improve safety for all, particularly pedestrians, cyclists and horse riders.

Cllr Kevin Guy: no comments.

REPORT APPROVED FOR CIRCULATION TO CABINET MEMBER FOR HIGHWAYS

Paul Garrod Date: 22nd January 2025

Traffic Management and Network Manager