Response to Council Motion on 20mph Speed Limits

Committee considering report: Executive

Date of Committee: 2 November 2023

Portfolio Member: Councillor Denise Gaines

Date Portfolio Member agreed report: 20 October 2023

Report Author: Neil Stacey

Forward Plan Ref: EX4435

1 Purpose of the Report

The purpose of this report is to provide the Executive with further information to enable it to consider a Motion presented to Council at its meeting on 16th March 2023 in respect of 20mph speed limits.

2 Recommendations

It is recommended that:

- (a) New criteria for 20mph speed limits or 20mph zones are agreed with members over the course of the current financial year.
- (b) Following an initial pilot scheme in Theale and adoption of the new criteria, Officers produce a detailed cost estimate for rolling out 20mph speed limits as described in paragraphs 5.18 to 5.22 and prepare a capital funding bid accordingly, with a view to implementing 20mph speed limits on roads which meet the new criteria over the course of the following 3-4 years, or as finances allow;
- (c) The Executive considers the future role of the Speed Limit Task Group;
- (d) The Executive and the Senior Leadership Team support a Constitutional change to remove the requirement for a formal Councillor resolution in order for Officers to be permitted to advertise Traffic Regulation Orders.

3 Implications and Impact Assessment

Implication	Commentary
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Financial:	A widespread roll-out of 20mph speed limits would require capital funding of the order of hundreds of thousands of pounds over the course of a number of financial years. Should the recommendations of this report be approved, Officers will compile a detailed cost estimate and complete the necessary capital bid forms. The cost will depend on the overall length of highway that meets the new criteria. Initial estimates are that it would cost an average of approximately £3,170 per kilometre of road to introduce the necessary regulatory signs. To illustrate the possible total costs, 485km of the network is currently subject to a 30mph speed limit. If half of this length of road was reduced to 20mph, this would equate to a total cost of £768,725 at current prices. This does not include staffing or advertisement costs or inflation.			
				ere will be an ongoing financial liability to see paragraph 5.29.
Human Resource:	None	None.		
Legal:	The introduction of traffic regulation orders, including speed limits, requires significant input from Legal Services to draft the orders and undertake the statutory consultation processes.			
Risk Management:	The principal risks to proceeding with implementing any new approach to 20mph speed limits concern financial and staff resources, discussed more fully in Section 5 of this report.			
Property:	None.			
Policy:	The recommendations are consistent with the Department for Transport's guidance document <u>Setting local speed limits - GOV.UK (www.gov.uk)</u> and with the Council's policies to reduce and prevent road traffic collisions.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x	It is considered unlikely that the recommendations of this report will impact on inequality.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x		If there is a resulting reduction in vehicle speeds on the highway network, the introduction of 20mph speed limits will improve conditions for vulnerable road users, particularly children, disabled people and elderly people.
Environmental Impact:		x	No work has been done to quantify the environmental impact of the recommendations of this report but it is considered to be approximately neutral. 20mph speed limits will require extensive signing, which consumes metal and concrete and generates carbon emissions from manufacturing processes and the use of contractor's plant. However, resulting lower vehicle speeds could result in a reduction in carbon emissions from vehicles on the network and improvements to local air quality.
Health Impact:	х		Lower vehicle speeds may result in an increased propensity to walk and cycle, for example to and from schools and local amenities in residential areas.
ICT Impact:		х	None.
Digital Services Impact:		х	None.

Council Strategy Priorities:	х		The recommendations of this report address the Council Strategy Priority of "Thriving Communities with a Strong Local Voice", which specifically refers to enabling and delivering "20mph speed limits for residential streets where residents want it".
Core Business:	х		The recommendations of this report will help improve the process of delivering 20mph speed limits across the District.
Data Impact:		х	None.
Consultation and Engagement:	Discussed by Transport Advisory Group at its meeting in July 2023.		

4 Executive Summary

- 4.1 At a meeting of the full Council on 23rd March 2023, a Motion was proposed by Councillor Adrian Abbs. The Motion suggested changes to the way in which requests from residents for 20mph speed limits are dealt with by the Council.
- 4.2 The Motion was referred to Transport Advisory Group for discussion and consideration and this report in turn refers the matter to the Executive for a decision as to how to formally respond.
- 4.3 It is not recommended that the Motion is implemented in its original form, however, the recommendations of this report propose a means by which the Council could introduce more 20mph speed limits and make improvements to the processes by which speed limits generally are reviewed and changed, by making changes to approval processes.

5 Supporting Information

Introduction

5.2 At a meeting of the full Council on 23rd March 2023, a Motion was proposed by Councillor Adrian Abbs. The content of the Motion is reproduced in its entirety as follows:

20 is Plenty

Overview.

Council acknowledges that in many areas residents are asking for 20 mph enforcement to be introduced. Safety is the most often sighted reason, but noise reduction also gets mentioned.

Country wide research has shown over a fifth of drivers exceed the speed limit around schools and on residential streets.

In 2018, 50% of all road casualties occurred on 30mph roads. In an attempt to reduce the number of accidents and injuries on British roads, UK towns and cities have been introducing more and more 20mph zones over the past few years.

In reality there are three primary motivations for implementing 20mph zones; transport related (e.g. casualty reduction), community related (e.g. community concerns about safety and quality of the environment), and health related (e.g. encouraging more active travel such as walking and cycling).

Further to this, the environmental impact "20's plenty" can have is yet another reason for the progression of the movement. Research has concluded that driving at slower speeds produces lower emissions when compared to driving at higher speeds, thus improving air quality.

Council notes:

- That a 20 mph limit leads to safer outcomes (especially outside schools) and on smaller residential streets and roads
- That 20 mph also contributes to the reduction of road noise and the associated health benefits living with lower noise levels
- That 20 mph can improve air quality locally

In order to help:

At the moment, we have an elongated process which often means a year or more can pass from residents requesting the change and it being implemented by West Berkshire Council.

This motion seeks to commit West Berkshire Council to removing barriers on the implementation by introducing an assumption of saying yes wherever possible.

THE MOTION

This council commits to:

- Having officers develop a workable scheme asap with a target of implementation during 2023 that includes an assumption of saying "yes" should over 50% of a street petition the council for a 20 mph street.
- Changing any relevant parts of the current West Berkshire Council process's in line with the new scheme developed by officers
- To provide support to residents on
- How the scheme works:

- With tools so that they can more easily collate the names and signatures that provide the evidence that over 50% of a street is in favour of a 20mph zone.
- 5.3 The Motion was referred to Transport Advisory Group for discussion and consideration and this report in turn refers the matter to the Executive for a decision as to how to formally respond.

Background

- 5.4 Requests for new or amended speed limits, including 20mph zones and 20mph speed limits, are considered by the Speed Limit Review Task Group, which consists of Council officers, Members and the Police, with Parish/Town Councils being invited to attend its meetings as appropriate. When assessing requests, the Task Group considers current guidance (principally the Department for Transport Circular 01/2013 Setting local speed limits GOV.UK (www.gov.uk)), traffic survey results, the number of recorded injury accidents and the local road environment. The recommendations of the Task Group are presented for approval with the annual Network Management Works Programme.
- 5.5 The advantages of this approach are:
 - (a) It enables a consistent approach to the setting of speed limits across the district (paragraph 29 of <u>Setting local speed limits GOV.UK (www.gov.uk)</u> states "A principal aim in determining appropriate speed limits should... be to provide a consistent message between the speed limit and what the road looks like, and for changes in speed limit to be reflective of changes in the road layout and characteristics.");
 - (b) It reduces the likelihood of speed limits being set at unrealistically low levels that result in poor levels of compliance and, in turn, requests for police enforcement and engineering measures to reduce speeds;
 - (c) It ensures the involvement of the Police at an early stage (the Police are a key stakeholder as only they have the legal powers to carry out enforcement of speed limits);
 - (d) It enables parish and town councils to share their local knowledge and be involved in the process, as they are invited to the Task Group meetings.
- 5.6 The disadvantages of this approach are:
 - (a) It can take several months for a speed limit request to be considered by the Task Group, approved, added to the works programme and implemented;
 - (b) Stakeholders do not always understand the process or agree with its outcomes.

Legal Status of Speed Limits

5.7 In order to be legally enforceable, speed limits require a Traffic Regulation Order to be made under various sections of the Road Traffic Regulation Act 1984. The process of consulting on and making speed limit orders is set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The signing of speed limits is governed by the Traffic Signs Regulations and General Directions 2016, and a local

highway authority is not permitted to erect speed limit signs unless a legal Order is in force.

- 5.8 Section 21.3 of the Council's constitution (Part 11 Scheme of Delegation West Berkshire Council) requires a formal approval of Council, the Executive or an Individual Executive Member Decision before Officers can begin the process of making a speed limit Order. Furthermore, if objections are received during the statutory consultation, a further formal resolution is required if the Council considers it necessary to over-rule the objections and proceed to bring the order into force.
- 5.9 The requirements of the legislation and the Council's constitution mean that making changes to speed limits is a very time-intensive operation.

Specific Considerations for 20mph speed limits and zones

- 5.10 There are many benefits of reducing vehicle speeds, especially in residential areas and near schools, in terms of a reduction in the frequency and severity of collisions and an increased propensity of road users to walk and cycle. However, reducing a speed limit will not necessarily in itself result in a significant reduction in observed vehicle speeds, especially if the new speed limit does not align with drivers' expectations of the nature of the road for that particular limit.
- 5.11 Section 6 of Setting local speed limits GOV.UK (www.gov.uk) contains detailed information in respect of 20mph speed limits and zones. In particular, attention is drawn to paragraph 85, which states that "Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed."

Implications and Impact

5.12 The following paragraphs give Officers' comments on the specific suggestions of the Motion and the likely implications and impact:

At the moment, we have an elongated process which often means a year or more can pass from residents requesting the change and it being implemented by West Berkshire Council.

5.13 It is accepted that the current speed limit review process takes longer than most stakeholders would like. It should be noted, however, that the process is "elongated" mainly as a result of the legislative and constitutional requirements summarised in paragraphs 5.7 and 5.8 and because the demand for services often exceeds available capacity in the Traffic & Road Safety team. The process of convening and holding meetings of the Speed Limit Task Group is also time-consuming in itself but does ensure consistency and objectivity.

This motion seeks to commit West Berkshire Council to removing barriers on the implementation by introducing an assumption of saying yes wherever possible.

- 5.14 Saying "yes" to individual requests as and when received would be likely to result in inconsistencies in speed limits between adjacent roads with similar characteristics and send mixed messages to drivers as to what 20mph speed limits "look and feel like". This could negatively affect driver behaviour and lead to a lack of respect for speed limits generally. It could also result in an excessive number of transitions between 30mph and 20mph limits, all of which would require new signing at the transition points, contributing to general street "clutter".
- 5.15 As noted above, the process is very time intensive. Because of the legislative and constitutional processes discussed above, responding quickly to individual requests could result in a large number of relatively small projects being added into the Traffic & Road Safety Team's programme at short notice. This would be less time-efficient for Officers, who would need to obtain the necessary mandate to proceed, duplicating the current practice of seeking approval annually when compiling the Network Management Works Programme. Implementing a series of individual small projects would also require more time to be spent on preparing reports where objections are received. This approach would therefore require additional Officer support or be undertaken at the expense of other projects in the programme.
- 5.16 Because the number of requests would be unknown, it would be very difficult to set a budget and plan staff resources to implement the requests. However, it is highly likely that the current £30,000 annual capital budget set aside for speed limit changes is would not be sufficient if the new approach generated a lot of requests. Also, there would be insufficient capacity in the Traffic & Road Safety team to deliver the service. The team has a wide remit and delivers a variety of front line services and it is not considered that it would be possible to "drop" other workload to accommodate a more responsive approach to 20mph speed limits. Increasing the size of the team would address this but this would be difficult in the current financial climate and there is no guarantee that it would be possible to recruit to any new posts, in light of recent difficulties in trying to fill vacancies.

Having officers develop a workable scheme asap with a target of implementation during 2023 that includes an assumption of saying "yes" should over 50% of a street petition the council for a 20 mph street.

- 5.17 In view of paragraphs 5.14 to 5.16, it is not considered that a workable scheme could be implemented with the current level of resources or without risking the introduction of inconsistencies between speed limits. Although it is acknowledged that residents should be given the opportunity to have their say and raise road safety concerns, there would unfortunately be instances where residents requested speed limits that were unrealistic in terms of compliance levels. It would also be difficult to define the 50% threshold or even define what a "street" was.
- 5.18 However, if a different approach was taken whereby 20mph speed limits are introduced on roads with particular characteristics on an area-wide basis, rather than on specific roads in response to individual requests, this could be more likely to have a positive impact on vehicle speeds because drivers' expectations of what a 20mph "looks and feels like" would be re-set. It would also enable publicity to be targeted towards road users as new limits were imposed.

- 5.19 It should be stressed that this does not mean that the default 30mph speed limit would be reduced to 20mph in the same way that the Welsh Government has recently done. Instead, it is suggested that all the roads in the District currently subject to 30mph speed limits are assessed against newly defined criteria to determine whether they are suitable to be reduced to 20mph limits or zones. The criteria could include factors such as:
 - (a) the road classification and type residential no-through-roads would be more likely to be suitable for 20mph limits and "main" or distributor roads less suitable.
 - (b) the level of roadside development densely built up and populated areas would be more likely to be suitable for 20mph limits than sparsely populated areas.
 - (c) the presence of schools although 20mph speed limits are generally desirable in the vicinity of schools, many schools are situated on "main" roads and it may not be realistic to expect vehicles to be driven at 20mph outside school hours; this may require measures which target particular times of day.
 - (d) the numbers of pedestrians and cyclists roads with high pedestrian and cyclist activity would be more suitable for 20mph speed limits.
- 5.20 Roads identified as meeting the criteria for 20mph restrictions would be grouped together on a ward-by-ward or parish-by-parish basis and a Traffic Regulation Order made for each area, rather than each individual road.
- 5.21 This approach would align with the objective of applying speed limits consistently, because the type of road suitable for 20mph limits or 20mph zones would be clearly defined. Residents would be able to contribute to the decision making process because each area-wide proposal would be subject to a statutory consultation process.
- 5.22 There is limited capacity in the team at present to undertake an assessment of speed limits across the whole of the District. It is estimated that it would take 3-4 years to assess and implement revised speed limits depending on the overall costs and the budgets available each year. The process could first be carried out as a trial or pilot to understand the level of resource and budget required before committing to a District-wide project. As a relatively self-contained area with a variety of road environments, it is suggested that the village of Theale would be suitable for a pilot project. Two separate new 20mph speed limits have already been identified for Theale under the current processes; it would be relatively straightforward to expand these into a single project covering the whole village and the additional cost of doing so would be relatively low. This could be implemented in the 2024/25 financial year and, if successful, further roll-out could commence in the 2025/26 financial year, subject to funding.
- 5.23 This approach would be more time-efficient for Officers as it would be treated as a discrete project in its own right, allowing more accurate budget and staffing requirements to be calculated. It also allows an appropriate level of governance to be applied, as a project of this size would likely be added to the Corporate Programme.

Changing any relevant parts of the current West Berkshire Council process's in line with the new scheme developed by officers

- 5.24 Paragraphs 5.18 to 5.22 suggest an alternative approach to 20mph speed limits in particular, as requested by the Motion.
- 5.25 The future role of the Speed Limit Task Group in determining the response to requests for 20mph limits and speed limits generally is a decision for Members. Whilst the activities of the Task Group are "over and above" what is required by legislation or the Council's Constitution, it does ensure that Members, Parish/Town Councils and the Police are given the opportunity to contribute to the decision-making process. It also promotes a consistent approach to speed limit setting and reduces the potential for statutory objections to speed limit proposals. An alternative process for general speed limit requests could be devised by Officers and suggested to Members via Transport Advisory Group, but that is considered beyond the immediate scope of the response to the Motion.
- 5.26 It is clearly not going to be possible to change or circumvent the requirements of national legislation, but it may be possible to amend the Council's Constitution to reduce the level of approval needed for Officers to exercise the necessary legal powers to create Traffic Regulation Orders. Members may also wish to consider this.

Risks and Assumptions

- 5.27 The principal risks to proceeding with implementing any new approach to 20mph speed limits concern financial and staff resources. There is a significant cost to rolling out 20mph speed limits on a widespread basis, but that cost is more readily quantifiable if new speed limits are implemented in a consistent and planned manner, rather than in response to individual requests.
- 5.28 Advertising an intention to be more responsive to requests would risk further disappointing stakeholders, because the Council could be overwhelmed with requests and be unable to meet the desired timescales, unless resource levels were increased.
- 5.29 There is an ongoing financial cost in respect of the maintenance of speed limit signing, noting that 30mph limits do not generally require "repeater" signs, but 20mph limits do. Traffic signs do have a long life and would not need wholesale replacement for many years, but in order for a speed limit to be legally enforceable all signs within the limit need to be present and correct. Signs may be damaged, vandalised or overgrown by vegetation and should therefore be checked periodically. Painted "20" markings on the carriageway may also be used to reinforce a speed limit, but these deteriorate relatively quickly and would require more regular maintenance.
- 5.30 It is assumed any roll out of 20mph speed limits would be achieved solely by use of traffic signs and road markings, and not include physical complementary traffic calming measures. Where 20mph speed limits are implemented and stakeholders do not perceive there to be a resulting decrease in vehicle speed or improvement to safety, there is a risk that further measures, for example physical traffic calming or police enforcement, would be requested, leading to increased demands on Officers and budgets.
- 5.31 As well as the Traffic & Road Safety team, there would also be resource implications for Legal Services, who are responsible for drafting and sealing Traffic Regulation Orders and carrying out the associated statutory consultations and notifications.

Discussion at Transport Advisory Group

5.32 The above information was presented to the Transport Advisory Group at its meeting in July 2023 by means of a briefing note.

Link to Council Strategy

5.33 The recently published Council Strategy includes a Priority related to "Thriving Communities with a Strong Local Voice". This includes a specific action to "Enable 20mph limits for residential streets where residents want it". The following proposals are consistent with this objective.

Proposals

- 5.34 In light of the above, it is proposed that:
 - (a) New criteria for 20mph speed limits or 20mph zones are agreed with members over the course of the current financial year;
 - (b) Following an initial pilot scheme in Theale, Officers produce a cost estimate for rolling out 20mph speed limits as described in paragraphs 5.18 to 5.21. This would then need to be considered through the Council's budget setting process for future years in light of the Council's financial position at the time;
 - (c) The Executive considers the future role of the Speed Limit Task Group;
 - (d) The Executive and the Senior Leadership Team support a Constitutional change to remove the requirement for a formal Councillor resolution in order for Officers to be permitted to advertise Traffic Regulation Orders.

6 Other options considered

- 6.1 Implementing the Motion in full Section 5 of this report discussed the risks and costs associated with implementing the Motion, which is not recommended.
- 6.2 Retaining the current approach to speed limit setting It is evident that the current approach does not meet the needs and expectations of stakeholders and a way needs to be found to introduce more 20mph speed limits and to reduce the amount of time taken to process speed limit requests generally.

7 Conclusion

- 7.1 It is not recommended that the Motion is implemented in its original form, as this would result in an inconsistent approach to speed limit setting that would be unlikely to be respected and enforced. It would also have a significant impact on resources at the expense of other projects.
- 7.2 An alternative approach to increase the number of 20mph speed limits is proposed and could be piloted in one part of the District. This could enable the success and resource implications to be assessed to inform a decision about the wider adoption of this approach.

8 Appendices

8.1 Appendix A – Equalities Impact Assessment Stage 1

Background Papers:				
None.				
Subject to C	Call-In:			
Yes: ⊠	No:			
The item is o	lue to be referred to Council for final approval			
Delays in implementation could have serious financial implications for the Council				
Delays in im	plementation could compromise the Council's position			
Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months				
Item is Urgent Key Decision				
Report is to note only				
Wards affected: All wards are potentially affected.				
Officer details:				
Name: Job Title: Tel No: E-mail:	Neil Stacey Network Manager (Highways) 01635 519113 neil.stacey@westberks.gov.uk			

Appendix A

Equality Impact Assessment (EqIA) - Stage One

What is the proposed decision that you are asking the Executive to make:		To make changes to the way that changes to speed limits are managed.	
Summary of relevant legis	slation:	Road Traffic Regulation Ac	t 1984
Does the proposed decision with any of the Council's improvement?		Yes □ No ⊠	
 Ensure our vulnerable of adults achieve better out adults achieve better out. Support everyone to real potential. Support businesses to sand thrive in West Berks. Develop local infrastruct housing to support and economy Maintain a green innovation and partners. 	start develop shire cure including grow the local deen district vices through		
Name of Budget Holder:		Neil Stacey	
Name of Service/Directors	ate:	Environment/Place	
Name of assessor:		Neil Stacey	
Date of assessment:		19/09/2023	
Version and release date	(if applicable):	İ	
Is this a ?		Is this policy, strategy, fu service ?	nction or
Policy	Yes ☐ No ⊠	New or proposed	Yes □ No ⊠
Strategy	regy Yes □ No ⊠		Yes ⊠ No □
Function	nction Yes 🖂 No 🗌		Yes ⊠ No □
Service Yes 🗌 No 🗆			
(1) What are the main a decision and who is I		and intended outcomes from it?	of the proposed
		sponsive way of identifying, ting changes to speed limits.	•

Objectives:	Reductions in vehicle speeds, improved stakeholder experience.
Outcomes:	Reductions in vehicle speeds, improved stakeholder experience.
Benefits:	Reductions in vehicle speeds, improved stakeholder experience.

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?					
Group Affected	What might be the effect?	Information to support this			
Age	Positive.	Older, younger and disabled			
Disability	Positive.	people tend to be more vulnerable when using the road network and would therefore more likely to benefit from measures which improve road safety.			
Gender Reassignment	None.				
Marriage and Civil Partnership	None.				
Pregnancy and Maternity	None.				
Race	None.				
Religion or Belief	None.				
Sex	None.				
Sexual Orientation	None.				
Further Comments:					
None.					

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes □ No ⊠
Speed limits apply equally to all road users.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes □ No ⊠

Response to Council Motion on 20mph Speed Limits

Speed limits apply equally to all road users.

(4) Identify next steps as appropriate:	
EqIA Stage 2 required	Yes □ No ⊠
Owner of EqIA Stage Two:	
Timescale for EqIA Stage Two:	

Name: Neil Stacey Date: 19/09/2023