

**Proposed decision to be made by the Portfolio Holder for
Transport and Planning on or after
13 September 2019**

**Proposed 50 mph speed limit,
A429 Fosse Way/B4035 Shipston Road,
Shipston-on-Stour**

Recommendation

That the Portfolio Holder for Transport and Planning approves that the proposed “The Warwickshire County Council (A429 Fosse Way / B4035 Campden Road) (50 Mph Speed Limit) (Variation No. 1) Order 2019” is implemented as advertised.

1.0 Introduction

- 1.1 Proposals for a 50 mph speed limit have been consulted on between 20th June 2019 to 12th July 2019 with a notice advertised in a local newspaper. One objection has been received, appended to this report in **Appendix A**.
- 1.2 A statement of reasons for proposing the 50 mph speed limit is appended to this report in **Appendix B**.
- 1.3 The comments, suggestions and objections that have been received are discussed below together with the reasons for the proposals with an Officer’s response to each of the Objector’s main points. The received objection has been edited by the Report Author by inserting bracketed numerals at each main point. This is to ensure ease of comparison between the objection and Officer comments.
- 1.4 The statutory criteria for making a TRO is shown in **Appendix C**.

2.0 Proposal

- 2.1 Drawings showing the published proposals which have attracted objections and comments are found in **Appendix D**.

3.0 Objections

Representations – 1 objection

(Objection 1)

Warwickshire Police support the principle that well complied with speeds limits can deliver tangible benefits including; reducing the frequency and severity of injury road collisions; and improving people's sense of wellbeing in their local communities and when using the roads. It should be noted, limits will have to largely rely on their self-regulating qualities.

- (1) This consultation has been supplied with no speed data attached, from knowledge of the location I can see no evidence that the mean speed of traffic is at or below 50mph.

Warwickshire Police have requested details of any engineering features that are being considered in addition to signing and have been informed none are proposed.

- (2) I do understand that this speed limit is intended as a control measure for the proposed signalisation of the junction. When in particular considering the A429 Fosse Way, Warwickshire Police find this of concern, at present there is no requirement for through junction traffic to stop and on most occasions right turning vehicles can be passed with care. The introduction of the signals will introduce the requirement to stop when red signals are displayed, it is accepted when considering these type of signal junction introductions in such circumstances, that the likely hood of shunt collisions is increased. In light of this Warwickshire Police understand the significance of the intended 50mph limit, but as both studies and experience locally have demonstrated, reductions in speed limits by signage alone without associated changes to the environment, often fail to yield satisfactory compliance. The fact that this consultation considers an arterial route carrying significant volumes of traffic and that the proposed limit is atypical along this route, further increase my concern with the limit introduction as proposed.

Warwickshire Police have significant concern that the limit as proposed will not yield sufficient compliance to act as an effective control measure for the proposed signalised junction and will not mitigate the risk introduced by the junction redesign. In addition the limit as proposed is likely to introduce an unrealistic expectation of enforcement where at present none exists.

Warwickshire Police **formally object to this speed limit introduction as described.** The focus for Warwickshire Police is to protect people from harm and the fear of harm and as a willing and active partner, stand ready to work with all concerned to find a resolution.

Officer Response

- (1) The most recent ATC data from 2015 shows the 85th percentile speed at 58.6 mph with a mean average of 51.5 mph. The available 2017 'satnav' data also shows average speeds below 50 mph for a 12 month period which supports the provision of a change of speed limit to 50 mph.

- (2) The proposed 50 mph speed limit is directly linked with the installation of the proposed signalised junction at A429 / B4035 in order to allow for its safe

operation. The junction itself will slow traffic due to it being visually different to the sections of road on approaches and with the addition of large advanced directional signage will ensure that drivers are aware of a change in environment on all approaches to the junction. Additionally the inclusion of street lighting on all approach arms will further add to the change in environment for motorists in dark hours, as there is currently no street lighting in the area. It is anticipated that the above measures including street lighting provision, additional large advanced directional signs will be adequate in achieving compliance.

Further WCC Officer Comments:-

As part of the Road Safety Audit process that the Portabello crossroads signalisation scheme has been through, a Road Safety Audit 3 will be required once the scheme has been completed to ensure there are no safety related concerns, including speed related problems. As this scheme forms part of the casualty reduction scheme, the junction will be analysed up to five years after implementation. The analysis will look at the collision history as well as vehicle speeds before and after implementation, with any necessary remedial action undertaken.

4.0 Financial Implications

4.1 The scheme will be funded from within existing budgets.

Background papers

None

Appendices

1. Appendix A – Advertised notice
2. Appendix B – Advertised statement of reasons
3. Appendix C – Received objection
4. Appendix D - The statutory criteria for making a TRO
5. Appendix E – Advertised Drawing

	Name	Contact Information
Report Author	Philip Salter	philipsalter@warwickshire.gov.uk Tel: 01926 412536
Assistant Director	Stuart Jackson	stuartjackson@warwickshire.gov.uk
Strategic Director	Mark Ryder	markryder@warwickshire.gov.uk
Portfolio Holder	Jeff Clarke	jeffclarke@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member(s): Cllr Jo Barker

Other members: Cllr Chattaway, Cockburn, Phillips, Shilton, Clarke, Fradgley Roodhouse and Chilvers.



Warwickshire
POLICE



West Mercia
POLICE

Warwickshire Police
Traffic Management Office
PO Box 3273
CV21 2XT

RE : Proposed 50mph Speed Limit, A429 Fosse Way / B4035 Campden Road.
(Philip Salter, Traffic & Road Safety Group)

Dear Philip,

Thank you for the consultation documents you provided on the 20th June, 2019, concerning the proposed speed limit at the above location. Also thank you for the follow up consultation regarding additional engineering features you facilitated.

Please understand that Warwickshire Police use the guidance set out in the ACPO (NPCC) guidance document "Joining Forces for Safer Roads" as a foundation document.

The following guidance is set out as part of the section titled "Speed Enforcement".

Speed enforcement is expensive-it is both time and resource intensive and competes with other important policing issues of equal public concern. Enforcement is mainly reactive and should not be seen as a preventative measure to achieve vehicle speeds. Prevention has to rely on public support and compliance by the majority and enforcement of the minority who ignore the law.

To achieve maximum compliance, speed restrictions must therefore be clear and appropriate, with the need for compliance obvious to all road users. Where there is evidence of non-compliance, the police will investigate and target specific offenders who ignore the clearly posted speed limit.

In cases where there are high levels of non-compliance, it would tend to identify those limits which maybe are in more unclear areas and poorly displayed. Rather than a need for high levels of enforcement and prosecution, which has in the potential to lose public support, the limit should be reviewed (Dft 01/2013). Review should lead to additional engineering, signing or even different speed limits, as the display of the limit was more likely to have been the cause than deliberate offending.

Even where a need for police speed enforcement is identified, it must be noted that before any targeted, static speed enforcement operations can be carried out, the intended site will need to be risk assessed to ensure the safety of the officers carrying out this activity and the public.

The referenced Dft Circular 01/2013 “Setting Local Speed Limits” a further cornerstone document gives the following advice:-

Key Principles for Setting Local Speed Limits

- Speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel.
- Traffic authorities set local speed limits in situations where local needs and conditions suggest a speed limit which is lower than the national speed limit.
- Local speed limits should not be set in isolation, but as part of a package with other measures to manage vehicle speeds and improve road safety.
- It is important that traffic authorities and police forces work closely together in determining, or considering, any changes to speed limits.
- The full range of speed management measures should always be considered before a new speed limit is introduced.
- The minimum length of a speed limit should generally be not less than 600 metres to avoid too many changes of speed limit along the route.

Warwickshire & West Mercia Police support these principles and deem them to be examples of good practice.

This Consultation

I have examined the proposals including the drawings provided.

Police Response

Warwickshire Police support the principle that well complied with speeds limits can deliver tangible benefits including; reducing the frequency and severity of injury road collisions; and improving people's sense of wellbeing in their local communities and when using the roads. It should be noted, limits will have to largely rely on their self-regulating qualities.

This consultation has been supplied with no speed data attached, from knowledge of the location I can see no evidence that the mean speed of traffic is at or below 50mph.

Warwickshire Police have requested details of any engineering features that are being considered in addition to signing and have been informed none are proposed.

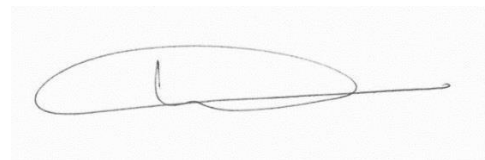
I do understand that this speed limit is intended as a control measure for the proposed signalisation of the junction. When in particular considering the A429 Fosse

Way, Warwickshire Police find this of concern, at present there is no requirement for through junction traffic to stop and on most occasions right turning vehicles can be passed with care. The introduction of the signals will introduce the requirement to stop when red signals are displayed, it is accepted when considering these type of signal junction introductions in such circumstances, that the likely hood of shunt collisions is increased. In light of this Warwickshire Police understand the significance of the intended 50mph limit, but as both studies and experience locally have demonstrated, reductions in speed limits by signage alone without associated changes to the environment, often fail to yield satisfactory compliance. The fact that this consultation considers an arterial route carrying significant volumes of traffic and that the proposed limit is atypical along this route, further increase my concern with the limit introduction as proposed.

Warwickshire Police have significant concern that the limit as proposed will not yield sufficient compliance to act as an effective control measure for the proposed signalised junction and will not mitigate the risk introduced by the junction redesign. In addition the limit as proposed is likely to introduce an unrealistic expectation of enforcement where at present none exists.

Warwickshire Police **formally object to this speed limit introduction as described.** The focus for Warwickshire Police is to protect people from harm and the fear of harm and as a willing and active partner, stand ready to work with all concerned to find a resolution.

Yours Sincerely.



Neal Westwood LCGI, MITAI, MAIRSO, AMSOE AMIRTE, AMIMI.
Traffic Management Advisor
Warwickshire Police

☎ 07870 152545

✉ neal.westwood@warwickshire.pnn.police.uk

APPENDIX B - STATEMENT OF REASONS

1. Warwickshire County Council is proposing a 50mph speed limit on a section of the A429 Fosse Way and B4035 Campden Road.
2. The reduced speed limit has been requested by Design Services, Warwickshire County Council to enable safe operation of the soon to be constructed signalisation on B4035 Campden Road / A429 Fosse Way junction.
3. The proposed 50mph speed limit will involve the use of speed limit signs. A reduced speed limit is proposed for avoiding danger to persons or other traffic using the road to which the order relates.

APPENDIX C

The Road Traffic Regulation Act 1984 enables the Council to implement Traffic Regulation Orders (TROs) for one or more of the following purposes:-

- a) avoiding danger to persons or traffic;
- b) preventing damage to the road or to buildings nearby;
- c) facilitating the passage of traffic;
- d) preventing use by unsuitable traffic ;
- e) preserving the character of a road especially suitable for walking and horseriding;
- f) preserving or improving amenities of the area through which the road runs;
- g) for any of the purposes specified in section 87(1)(a) to (c) of the Environment Act 1995 in relation to air quality.

TROs are designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. Permanent TROs remain in force until superseded or revoked.

TROs must not have the effect of preventing pedestrian access at any time or preventing vehicular access for more than 8 hours in 24 to premises on or adjacent to the road. This restriction does not apply if the Council states in the order that it requires vehicular access to be limited for more than 8 hours in 24.

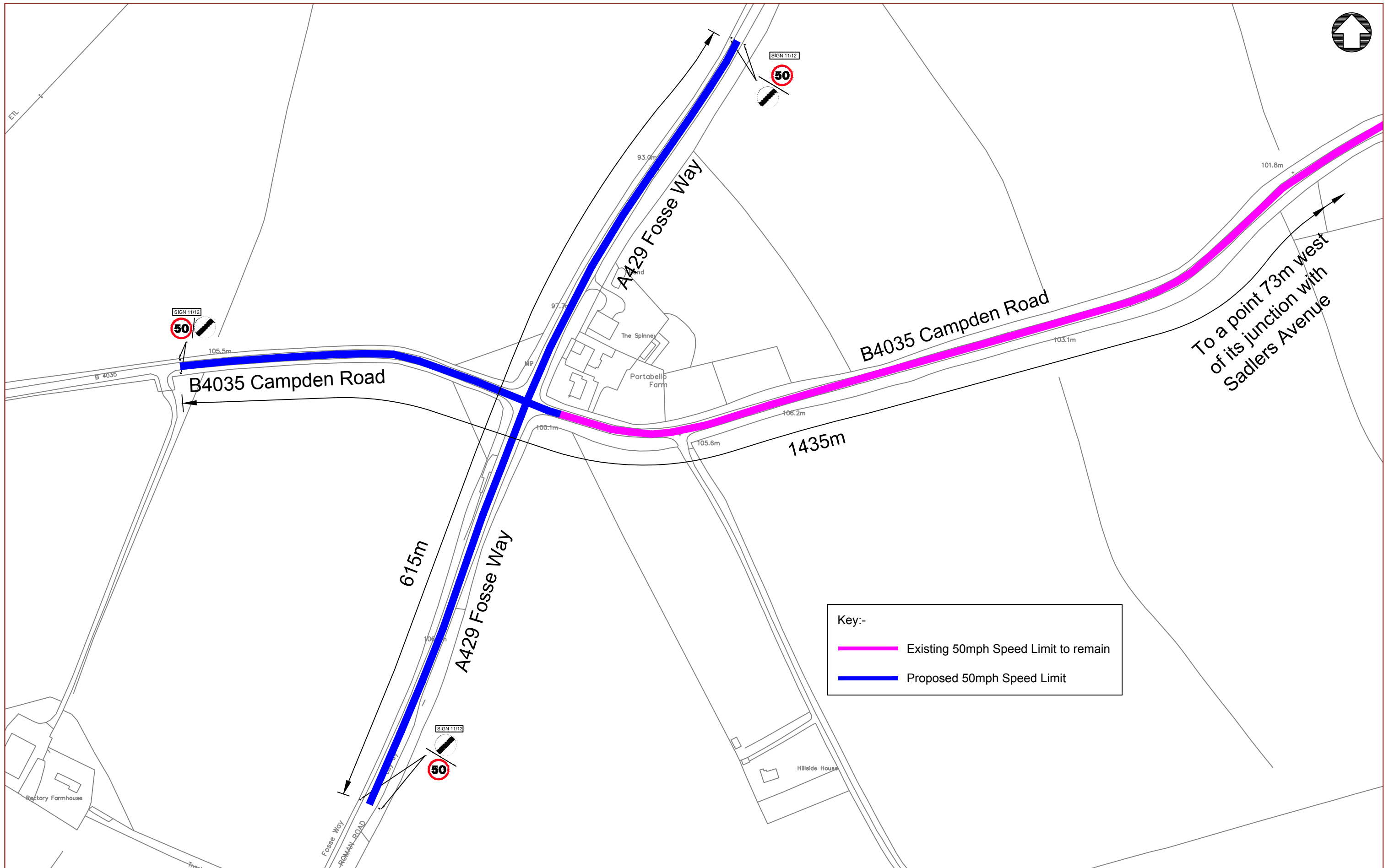
In deciding whether or not to make a TRO, the Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable having regard to the matters specified in section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway.

The matters to which the Council must have regard are:-

- the desirability of securing and maintaining reasonable access to premises
- the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run
- the national air quality strategy prepared under section 80 of the Environmental Protection Act 1995

- the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles
- and any other matters appearing to the Council to be relevant

Therefore whilst the overall objective of the Council must be to secure the expeditious convenient and safe movement of vehicular traffic this will sometimes need to give way to the objectives in section 122(2) and a balance has to be achieved between the overall objective and the matters set out in section 122(2).



Warwickshire County Council
TRANSPORT AND ECONOMY

Traffic & Road Safety
 Communities,
 Shire Hall Post Room
 Warwick, CV34 4SP
 Tel : 01926 410410

www.warwickshire.gov.uk
<mailto:communities@warwickshire.gov.uk>

NOTES

H:\Traffic\AA_PROJECT SUPPORT\Shipston-on-Stour\Portabello Speed Limits\TR11005-Consultation Plan.dwg
 Based on Ordnance Survey mapping with the permission of the Controller of HMSO
 © Crown Copyright and database right 2011. Ordnance Survey 100019520.
 All rights reserved.
 Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings.
 Warwickshire County Council.

REV	DATE	BY	CHK	AMENDMENT
-	--/--	-	-	-
-	--/--	-	-	-
-	--/--	-	-	-
-	--/--	-	-	-
-	--/--	-	-	-

Drawing title
**Proposed Speed Limit
 A429 Fosse Way /
 B4035 Campden Road
 Consultation Plan**

Project title
PROJECT TITLE

Drawn by PAS	Checked by GP
Date 22/05/19	
Scale 1/2500 @ A3_L	
Drawing number TR11005	