

# Portfolio Holder Decision

The Warwickshire County Council  
(Gainsborough Drive, Calder Walk and Marlborough Drive,  
Leamington Spa) (20mph Speed Limit) Order 2023

<b>Portfolio Holder</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>8 September 2023</b>
	<b>Signed</b>

## 1. Decision taken

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Order be made as advertised:

- The Warwickshire County Council (Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa) (20mph Speed Limit) Order 2023.

## 2. Reasons for decisions

- 2.1 Pursuant to Part 2(4) of the Warwickshire County Council Constitution, the Portfolio Holder for Transport and Planning in consultation with the Local Member(s) has delegated authority to determine road traffic management and accident prevention schemes and road traffic regulations in cases where objections have been received (and not withdrawn).
- 2.2 The statutory public consultation for Gainsborough Drive, Calder Walk and Marlborough Drive, Leamington Spa for a 20mph speed limit, was advertised on 15 June 2023 for 3 weeks. It was also advertised on street in the form of public notices, in the Leamington Courier and on the Council's website. Statutory consultees have also been consulted. The closing date was extended by an extra week to 14 July 2023, so that residents in the area had sufficient time to consider the proposal.
- 2.3 A copy of plans PTRO22-031 & PTRO22-031-01 detailing proposals to introduce a 20mph Speed Limit in Gainsborough Drive, Calder Walk and Marlborough Drive can be found as Appendix A. Three objections to the proposals were received during the consultation; the following table details the objection received, and the Council's response.

Emails/letters	
Objections received	3

### **Objection 1 – Resident of Gainsborough Drive**

I am writing to express my deep concerns regarding the implementation of the 20mph zone in our area. While I understand the importance of road safety measures, I believe the current speed limit imposition is impractical and has had several negative consequences. Signs have been put up in Gainsborough drive without consulting the community.

First and foremost, the reduction of the speed limit to 20mph has significantly increased travel time for residents in our community. The previous speed limit of 30mph was appropriate for our neighbourhood, allowing for smooth traffic flow without compromising safety. However, with the introduction of the 20mph zone, unnecessary delays and congestion have become the norm, affecting the daily routines and productivity of the residents.

Furthermore, the enforcement of the 20mph zone seems excessive and disproportionate to the actual risks present in our area. Our neighbourhood consists of wide, well-maintained roads with excellent visibility and minimal pedestrian activity. It is essential to consider the unique characteristics of our community when implementing speed limit regulations rather than applying a blanket approach.

Additionally, the sudden change in the speed limit has resulted in confusion and frustration among drivers. Many individuals, including long-term residents, have inadvertently violated the new speed restrictions due to the lack of proper signage and adequate notification.

Moreover, I encourage the council to engage in an open dialogue with the community, seeking their input and opinions on this matter. A collaborative approach that incorporates the concerns and suggestions of the local residents will result in a more balanced and effective solution.

In conclusion, I urge you to reconsider the 20mph zone implementation in our area, taking into account the adverse effects it has had on travel time, community satisfaction, and the overall practicality of the speed limit. I believe that a fair and well-considered resolution can be achieved through a thorough reassessment of the current situation.

Thank you for your attention to this matter. I trust that you will carefully consider the points I have raised and take appropriate action to address our community's concerns. I look forward to a favourable response.

### **Engineers response**

Regrettably, a communication misunderstanding led to our Contractor installing the proposed signing and lining three days before the scheduled Statutory Consultation with residents. Upon discovering this error, we promptly contacted our Delivery Team to

coordinate with the Contractors for bagging over of signage and the blacking out of carriageway markings.

Following the premature installation, the consultation commenced on June 15th, 2023, and ran for a period of 21 days. The objector submitted their objection on the 20<sup>th</sup> June. The resident expressed concerns about various negative consequences, including unnecessary delays and congestion. However, from an engineering perspective, it is considered unlikely that the short period of exposure to the lining and signing would have caused such issues. Nonetheless, it is accepted that the early installation may have caused confusion among motorists and residents in the area.

As part of our standard procedure for speed limit changes, we conduct background checks and speed surveys to ensure that any proposed speed limit adjustments align with Government Guidance and criteria. Our assessment criteria include site visits and measurements of existing carriageway widths. Based on current speed surveys and motorist behaviours, a 20mph speed limit was deemed the most appropriate measure in this area.

Prior to the formal consultation, Councillor Will Roberts (the local member for the area) conducted an informal consultation with residents to gather opinions. The results indicated that the majority of residents favoured the introduction of a 20 mph Speed limit and this was supported by the small number of objections received during the formal statutory consultation.

The objector has raised a concern regarding the need for open dialogue with the community to gather opinions on this matter. There was a full public consultation that took place from June 20 2023, to July 7 2023, as described at paragraph [ ] above. Following a request from Councillor Roberts the closing date was extended to provide residents with additional time to express their views. We consider the consultation to have been compliant and the community has been consulted.

### **Objection 2 – Resident of Gainsborough Drive**

I hope this letter reaches you despite the frustration and disappointment that has consumed our community due to the implementation of the 20mph zone. I write to express my profound dissatisfaction with this ill-conceived decision, which has proven to be a source of inconvenience, unnecessary restrictions, and widespread discontent.

The introduction of the 20mph zone in our area has inflicted a severe blow to our daily lives. The previously reasonable and efficient speed limit of 30mph allowed for smooth traffic flow and a sense of freedom on our roads. However, the abrupt imposition of the 20mph restriction has needlessly disrupted our routines and added significant travel time to our already busy schedules. We find ourselves trapped in endless queues of frustrated drivers, enduring unnecessary delays and stagnation.

This absurd reduction in speed appears to be a grossly disproportionate response to the actual risks and safety concerns present in our community. Our neighbourhood boasts well-maintained roads with excellent visibility and a dearth of pedestrian activity. It is

evident that the decision-makers failed to consider the unique characteristics of our area, opting instead for a one-size-fits-all approach that defies logic and common sense.

What is more infuriating is the lack of effective enforcement and communication regarding this new speed limit. Inadequate signage and insufficient notification have resulted in countless unsuspecting individuals falling victim to unjust fines and penalties. It is both outrageous and unfair that law-abiding citizens are punished for unknowingly violating an arbitrary regulation.

I demand immediate action from the council to reassess and rectify this grievous error. The 20mph zone must be abolished, and a fair and reasonable speed limit reinstated in our area. It is imperative that the council engages in transparent and meaningful dialogue with the affected residents, genuinely taking their concerns and suggestions into account. Our voices deserve to be heard, and our dissatisfaction demands redress.

Furthermore, I insist on a thorough investigation into the decision-making process that led to this unacceptable situation. The lack of consideration for the impact on our community, the absence of proper consultation, and the failure to provide a solid justification for the 20mph zone implementation must be addressed. The council must be held accountable for this misguided and disruptive action.

I implore you to act swiftly and decisively to rectify this untenable situation. The residents of our area deserve better than this arbitrary and oppressive imposition. Restore our faith in the council's ability to make sensible and well-informed decisions that truly serve the best interests of the community.

I eagerly await your prompt response, along with concrete plans to address our grievances and initiate the necessary steps to undo the damage caused by the ill-conceived 20mph zone.

### **Engineers response**

Due to a communication misunderstanding that resulted in the premature installation of the proposed signing and lining before the scheduled Statutory Consultation with residents. As soon as we were made aware of this mistake, we took immediate action and coordinated with our Contractors to rectify the situation by bagging over the signage and blacking out the carriageway markings.

The formal consultation began three days later on 15 June 2023, and we duly noted the objection raised on 20 June 2023. While we understand the concerns about potential negative consequences, such as delays and congestion, we can assure you that, from an engineering perspective, the short exposure to the lining and signing is unlikely to have caused these issues. Nevertheless, we acknowledge that confusion among motorists and residents may have arisen due to the early installation.

The introduction of the 20mph signs did not alter the existing speed limit order, as it remained unchanged. The consultation, if approved, would allow us to implement the 20mph speed limit and enforce it if necessary.

To ensure transparency, we conducted an informal consultation with residents months prior to the formal process. This step was taken to gather residents' views and provide ample opportunity for their opinions and comments. Our decision to introduce a lower speed limit was not arbitrary or oppressive, but rather based on the majority of residents who expressed support for the 20 mph Speed limit during the formal consultation.

### **Objection 3 – Resident of Gainsborough Drive**

I would like to register my formal objection to the 20mph speed limit on Gainsborough Drive.

I'll start by saying that I know that I'm not the only resident who objects to this unwarranted scheme – or to the fact that the consultation for it seems to have been carried out seemingly without anything to highlight to residents that it was even happening.

As a resident of Lynwood Walk who has been using Gainsborough Drive as both driver and pedestrian for around 25 years it is my opinion that a 20mph limit on this road is both unnecessary and unsuitable.

But my objection is not based purely on personal opinion. Department for Transport guidelines call for 'evidence-based speed limits that reflect the needs of all road users'. Hard evidence in the form of actual measured traffic speeds (supplied by Councillor Will Roberts) show that the majority of traffic on Gainsborough Drive adheres to the speed limit. So contrary to what many people claim, there is no speeding problem.

Now let's look at safety record. As I'm unable to get official figures I've had to go on what's available from [crashmap.co.uk](http://crashmap.co.uk) which shows a grand total of just two accidents resulting in slight injuries in 23 years.

So as there's no speeding problem and no safety problem I can see no justification in imposing a speed limit that is artificially low for a road of this width and type. Such a speed limit would certainly not reflect the needs of drivers.

20mph on the narrow roads off Gainsborough Drive makes sense, but not on Gainsborough Drive itself.

I also think that a permanent 20mph is unnecessary on Calder Walk. Unfortunately I did not get provided with monitored speed information for this road, but I suspect the same applies as with Gainsborough Drive. And [crashmap.co.uk](http://crashmap.co.uk) shows no accidents at all in 23 years.

Admittedly the situation in Calder Walk is somewhat different due to the school, but that only has an effect at certain times of the day and even then not every day. A more sensible solution therefore would be a temporary 20mph speed limit around the school at starting and finishing times, with this signified by electronic signs. Such schemes have been in existence for years now, including one in Balsall Common.

So, you now have my objection – an objection based on sense and hard evidence rather than the misperceptions and unfounded fears of the 'they use this road like a racetrack' brigade.

### **Engineers response**

Thank you for registering your formal objection to the 20mph speed limit on Gainsborough Drive and sharing your concerns regarding the consultation process. We acknowledge the importance of transparent communication with residents and regret any confusion that may have arisen due to the communication misunderstanding.

As part of our standard procedure for speed limit changes, we conduct background checks and speed surveys to ensure that any proposed speed limit adjustments align with Government Guidance and criteria. Our assessment criteria include site visits and measurements of existing carriageway widths. Results of the recent speed surveys indicate that speeds were around 24mph, which under the DFT (Department for Transport) guidelines, allows us to consider a 20mph Speed Limit. Within our investigations of the local area, we have also looked at the data provided by Warwickshire Police for the number of reported injury accidents, in the last 3 years there has been 3 reported injury accidents in Gainsborough Drive and adjoining roads. See Appendix C

We are aware of the school on Calder Walk, which is attended predominantly by the surrounding children that live in Gainsborough Drive and surrounding areas. Furthermore, we have also received correspondence from the school who have given us their full support in our proposals both for themselves and for the children and parents who attend. Our own site observations reveal that a large majority of those children and parents commute on foot, drastically increasing the number of pedestrians within the area during school hours.

We will thoroughly review all the provided information, including your concerns about the proposed speed limits, to ensure that our final decision reflects the needs and safety of all road users.

We extend our gratitude for your participation in the meeting held on the 17th July 2023, where we had the opportunity to discuss your objection with engineers and the local county councillor. The meeting proved to be a fruitful exchange of information, and we value your engagement in this matter. Please rest assured that our commitment remains steadfast in making well-informed decisions that prioritise the welfare and interests of the community.

2.4 The published reasons for the introduction of a 20mph Speed Limit in Gainsborough drive, Calder Walk and Marlborough Drive remain valid. It is therefore recommended that the proposals in their current form be implemented as advertised.

### 3. Background information

- 3.1. Warwickshire County Council operates a delegated budget to enable minor highway works and safety improvements to be carried out in local areas in consultation with County Councillors for those areas. Requests for these works are generally highlighted by local communities to their local Councillor. In this particular case, Gainsborough Drive, Calder Walk and Marlborough Drive, were brought to the attention of Councillor Will Roberts. After an informal consultation with residents it was considered that there was enough support for the Minor Works team to put forward a proposal for a 20mph speed limit. **See Appendix D - Letter from Cllr Will Roberts.**
- 3.2. There is strong support from the Community, Head Teacher of Sydenham Primary School and The SYNDI Centre (the local community centre for this area) – **See Appendix E - Emails of support.**
- 3.3. The proposed measures include the introduction of a 20mph Speed Limit on Gainsborough Drive, Calder Walk and Marlborough Drive, with 20mph signing and roundels installed.
- 3.4. A copy of the three objections received can be found as **Appendix F** and above at Section 2 of this report.
- 3.5. A copy of the published notice can be found as **Appendix G and G(a).**
- 3.6. As it has not been possible to resolve these objections and they are not withdrawn, a decision is required of the Portfolio Holder to proceed with the scheme. The published reasons for the introduction of a 20mph Speed Limit in Gainsborough drive, Calder Walk and Marlborough Drive remain valid. See Appendix H – Statement of Reasons. It is therefore recommended that the proposals in their current form be implemented as advertised.

### 4. Financial implications

- 4.1 Funding for the 20mph Speed Limit for Gainsborough Drive, Calder Walk and Marlborough Drive will be met from the Delegated Budget 2023/2024 allocation for Councillor Will Roberts.

### 5. Environmental implications

- 5.1 The 20 mph speed limit is introduced as a safety measure. It is not anticipated that the change will result in an adverse effect on air quality or noise levels and the works are minor having little environmental impact during delivery.

5.2 It is hoped that this new speed limit will enhance the quality of life for residents and visitors in the area and improve safety for all road users and residents, especially the elderly and young child pedestrians.

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<b>Strategic Director</b>	Mark Ryder, Executive Director for Communities
<b>Portfolio Holder</b>	Councillor Jan Matecki, Portfolio Holder for Transport and Planning

<b>Urgent matter?</b>	No
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

### List of background papers

Email objections along with plans that can be produced if required.  
 Appendix A & A(a) – Speed Limit Plans  
 Appendix B – Statutory Criteria for Decision Making on Speed Limit Orders  
 Appendix C – Road Traffic Accidents Summary 01/05/20-17/5/2023  
 Appendix D – Letter from Cllr Will Roberts  
 Appendix – E – Emails of Support  
 Appendix – F – Three objector emails  
 Appendix – G & G (a) – Speed Limit Notice  
 Appendix H – Statement of Reasons

### Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki  
 Corporate Board – Mark Ryder  
 Legal – Nic Vine Head of Legal and Governance  
 Finance – Virginia Rennie  
 Equality – Delroy Madden  
 Procurement – John Hopper



Democratic Services – Amy Bridgewater-Carnall

Councillors – Leaders of the Party Groups, Communities OSC Chair & Spokespersons

Local Member(s): Councillor Will Roberts