

# Decision Record – Objections to proposed speed limit and traffic calming on B4086 Warwick Road, Kineton

<b>Lead Member</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>20 March 2020</b>
	<b>Signed</b>

<b>Decision taken</b>
<p>That the Portfolio Holder for Transport and Planning approves</p> <ul style="list-style-type: none"> <li>(1) the implementation of a 40 mph speed limit as advertised in accordance with the Road Traffic Regulation Act 1984</li> <li>(2) the implementation of speed cushions as advertised in accordance with s90G of the Highways Act 1980</li> </ul> <p>conditional upon the necessary Highways Act 1980 Section 278 agreement being in place for the highway improvements associated with the development site at B4086 Warwick Road, Kineton.</p>

<b>Reasons for decisions</b>
<p>Where objections have been received to advertised traffic orders it is necessary for the Portfolio Holder to decide on the orders.</p>

<b>Background information</b>
<p>A planning application was submitted to Stratford-on-Avon District Council by Gladman Developments in respect of a development on land off Warwick Road, Kineton. Planning permission was granted on 17 November 2016 (ref: 15/03101/OUT). The planning permission requires the Developer to implement an access into the site and a traffic calming scheme for Warwick Road. The development is now being taken forward by Morris Homes. Technical approval of the proposed highway improvements is underway and Morris Homes are entering into a Highways Act 1980 Section 278 agreement with Warwickshire County Council whereby the costs of the works will be fully funded.</p> <p>The traffic calming scheme comprises a reduction in the speed limit on Warwick Road from national speed limit (60 mph) to 40 mph and the introduction of four sets of two and one set of three speed cushions as shown in <b>Appendix 1</b> and <b>Appendix 2</b>.</p> <p>The proposed traffic orders were advertised on 21 November 2019. Warwickshire Police has objected to the proposed speed limit order but has not commented on the speed cushions. Kineton Parish Council has supported the proposed speed limit order but has requested that the</p>

extent of the speed limit be extended. The Parish Council has objected to the introduction of the speed cushions.

**Warwickshire Police objection to speed limit change**

The objection is based on a concern that if signs only were changed along the route there would be insufficient change in driver behaviour. A risk of unrealistic expectation of enforcement could then be created. The Police have indicated that they are ready to work with the Council, as Highway Authority, to consider the inclusion of additional engineering features. The Police have suggested that the types of additional engineering features which could be considered include supplementary gateway features and roundels on the road surface which would promote a self-regulating compliance environment.

**Response:** Speed cushions are engineering measures which would change the environment for drivers. Dragons teeth markings, 40 mph roundels and the use of red hatching have also been added to the scheme design (see **Appendix 3**).

**Kineton Parish Council comment on speed limit change**

The Parish Council have welcomed the reduction in speed limit but have requested that it be extended to just beyond the top of Pittern Hill thereby encompassing two additional accesses.

**Response:** The proposed speed limit extent is designed to act as a buffer zone between the national speed limit approach to Kineton and the 30 mph speed limit in the vicinity of the site. Extending the speed limit further without a change of environment may lead to the type of non-compliance which concerns Warwickshire Police.

**Kineton Parish Council objection to the traffic calming features**

The Parish Council question the effectiveness of speed cushions and has highlighted concerns about noise issues. The Parish Council does not feel that speed cushions are a necessary addition.

**Response:** The requirement for a traffic calming scheme is a planning condition. Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach. The highway authority view is that such a scheme would reduce prevailing traffic speeds on Warwick Road is also beneficial to traffic using the development site access. The design of the traffic calming scheme has been reviewed through both a Stage 1 and a Stage 2 Road Safety Audit.

**Financial implications**

On 12 July 2019 the Deputy Leader (Finance and Property) approved the addition of this scheme to the Capital Programme. The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the cost of the works will be fully funded by the Developer.

**Environmental implications**

The environmental impacts of developer-funded highway schemes are considered through the planning approval process.

The contractors on the Council's Framework Contract for the Provision of Engineering and Construction Works (WCC 6012) have all demonstrated that they hold a certificate of compliance with BS EN ISO 140001 (or equivalent) or have otherwise satisfactorily demonstrated their policies and arrangements for the management of construction-related environmental issues.

<b>Report Author</b>	Shirley Reynolds shirleyreynolds@warwickshire.gov.uk,
<b>Assistant Director</b>	Scott Tompkins
<b>Lead Director</b>	Strategic Director for Communities
<b>Lead Member</b>	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

<b>Lists of reports considered</b>
Not applicable

<b>List of background papers</b>
Objection correspondence

<b>Members and officers consulted and informed</b>
Portfolio Holder – Councillor Jeff Clarke
Corporate Board –
Legal –
Finance –
Equality –
Democratic Services –
Councillors –
Local Member(s): Cllr Williams (Kineton and Red Horse)