

North Chichester County Local Committee

6 November 2018

Plaistow (Ifold) - Plaistow Road Speed Limit Assessment

Report by the Director of Highways & Transport

**Ref No:
NC03 (18/19)**

**Key Decision:
No**

Part I

**Electoral
Division:
Petworth**

Summary

The local member for Petworth has asked for an application for a reduced speed limit in the village of Ifold to be reviewed following an application from Plaistow Parish Council asking for a lower speed limit to be introduced. The length of road is currently subject to a 40mph speed limit

The existing speed limit of 40mph on Plaistow Road, Ifold, measured against the County Council's core policy is set at a level appropriate for the route. However the Committee can authorise the advertisement of a 30mph speed limit under flexibilities defined in paragraphs 1.6, 1.7 and 3.4 of the County Council's Policy having considered issues raised by officers and Sussex Police.

Recommendation.

That the North Chichester County Local Committee, advises the Director of Highways and Transport whether it wants to exercise its powers to depart from established speed limit criteria and include a proposal to reduce the speed limit on Plaistow Road, Ifold in the Committee's Traffic Regulation Order (TRO) Programme.

Proposal

1. Background and Context

- 1.1 On the 31 May 2018, the County Council received an application for a community led traffic regulation order (TRO) from Plaistow Parish Council and a local resident, to lower the speed limit through the village of Ifold, from the existing 40 mph to 30mph.
- 1.2 A study was undertaken to ascertain whether the application met the County Council's Core Policy for the introduction of new speed limits and it does not.

- 1.3 The County Council's Speed Limit Policy (Appendix A) requires a route assessment and a speed assessment to be carried out to determine the appropriate speed limit for a road.
- 1.4 The road through Ifold village is highly developed on the north side of the road and the route assessment is more than adequately met.
- 1.5 A traffic speed and volume count was carried out between the 19 and 25 September 2016 at a location just to the east of Foxbridge Lane, located centrally within the existing 40mph speed limit. The average speeds were recorded at 36.8 mph eastbound and 37.6 mph westbound.
- 1.6 Paragraph 2.1, Table 1 of the Policy requires that for a 30mph speed limit to be applied average recorded speeds are required to be below 33mph. Consequently the average speed element of the County Council's core Policy is not met.
- 1.7 At a County Council meeting held on the 12 February 2010 members voted to amend the Policy at that time, to give County Local Committees (CLC) the option to over-ride the core policy in order to promote 30mph speed limits in villages, paragraphs 1.6, 1.7 and 3.4 of the Speed Limit Policy (Appendix A) refers.
- 1.8 As a result of the flexibilities contained within the Policy, members can determine if the road is suitable for a 30mph speed limit. However officers have a number of concerns over such a proposal which should be taken into account in reaching a decision.
- 1.9 The road has a good road safety record with the Police accident data recording two slight injury accidents in the latest five year period, both of which were non speed related. Consequently the proposal would not contribute to casualty reduction
- 1.10 Advice from the Department for Transport (DfT) reinforces the principal that the need for new speed limits should be evidence led, self-explaining and seeks to reinforce people's assessment of what is a safe speed to travel. Such advice would be disregarded if a lower limit were to be introduced.
- 1.11 The above would lead to drivers becoming more accustomed to exceeding posted speed limits with the possible consequential effects on road safety in areas with existing 30mph speed limits.
- 1.12 As this proposal would depart from national advice on the setting of local speed limits and the County Council's core policy, this is unlikely to be supported by the Sussex Police.

- 1.13 Officers recommendation is that the speed limit should remain unchanged at 40mph.

2. Proposal

- 2.1 The proposal would introduce a 30mph speed limit TRO) to replace the existing 40mph speed limit TRO introduced in 2004 (Appendix B – Plan)

3. Resources

- 3.1 There are no resources implications at the present time as the decision has not been taken to take the proposal forward.
- 3.2 The estimated value of the work should be approved for inclusion the CLC's TRO Programme is £2690.

Factors taken into account

4. Consultation

- 4.1 **Members** – The local member for Petworth Division was consulted, and supports the proposals in principle within the context of the County Council's Policy insofar as it is an issue for the wider CLC to consider.
- 4.2 **External** - Sussex Police has indicated that its experience of departures from the national advice and the County Council's core policy in setting of speed limits results in poor levels of compliance. Consequently, unless engineering measures are proposed to support the lower speed limit, it is possible that the Police will formally object to the lowering of the speed limit on Plaistow Road should such a proposal come forward. (Appendix C - Police Response)
- 4.3 **Public** – There has been no public consultation on the proposal as it is a matter of Policy determination and application. Further consultation would be undertaken in accordance with statutory requirements should the CLC include this speed limit TRO in its programme and a scheme proposed. Any formal objections would be considered by the in accordance with the County Council policy.

5. Risk Management Implications

- 5.1 There is a risk that community aspirations will not be met through the implementation of this proposal in the likelihood that compliance with the lower speed limit is poor. This may lead to requests from the local community for additional measures to ensure compliance.
- 5.2 Implementing the speed limit away from national guidance could leave the County Council open to a legal or judicial criticism if road safety or enforcement issues arise. However the risk of this occurring is considered to be low and by limiting changes to roads with a 40mph speed limit, further reduces the potential exposure to risk.

6. Equality Duty

- 6.1 The protected characteristics as defined in the Equality Act were duly considered in the course of the development and design of this TRO proposal and no relevant impact emerged.
- 6.2 Equality Act issues will be considered again should the CLC approve the promotion and public consultation of a new TRO at this location.

7. Social Value

- 7.1 The Social Value of the proposal will be considered should the CLC approve the promotion and the public consultation of a new TRO at this location.

8. Crime and Disorder Act Implications

- 8.1 Sussex Police have raised concerns about the Crime and Disorder Act implications in their objection (Appendix C).
- 8.2 The CLC may consider that there is safety and community benefits from implementing a lower speed limit under the flexibilities defined in paragraphs 1.6, 1.7 and 3.4 of the County Council Policy (Appendix A) that outweigh the Crime and Disorder Act implications.

9. Human Rights Implications

- 9.1 It is unlawful for a public authority to act in a way that is incompatible with a convention right. The Human Rights Act has been considered. The rights of those living in villages and those that use the road to travel the road networks have been considered. Neither option is considered to have insurmountable Human Rights implications

Matt Davey

Director of Highways & Transport

Contact: Neil Smith, Traffic Engineer: 033 022 25579

Appendices

Appendix A – Speed Limit Policy

Appendix B – Plan

Appendix C – Police Consultation Response

Background Papers

None