**OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)**

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**PUBLIC CONSULTTION**

PREPARED BY: Traffic Management Team, Highways and Transport Group

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| **TITLE OF REPORT:** **PROPOSAL:** **SCHEME REF No:****REPORT AUTHOR:** | **East Harptree Village Speed Restriction** **20mph / 30mph Speed Limits** **22 – 008****Lewis Cox / Neil Terry**  |

**1. DELEGATION**

The delegation to be exercised in this report is contained within **Part 3**, **Section 4** of the Constitution under the **Delegation of Functions to Officers,** as follows:

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| **Section A** | The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility….” |
| **Section B** | Without prejudice to the generality of this, Officers are authorised to:serve any notices and make, amend or revoke any orders falling within his/her area of responsibility. |
| **Section D9** | An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator. |

For the purpose of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.

**2. LEGAL AUTHORITY**

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 1 provides, generally, for Orders to be made for the following reasons, and in the case of this report specifically for the reason(s) shown below:

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| (a) | for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or | X |
| (b) | for preventing damage to the road or to any building on or near the road, or |  |
| (c) | for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or | X |
| (d) | for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, | X |
| (e) | (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or |  |
| (f) | for preserving or improving the amenities of the area through which the road runs, or | X |
| (g) | for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality) |  |

**3. PROPOSAL**

To introduce a 20mph speed limit through East Harptree village, namely in Ashwood, B3114 West Harptree Road (part), B3114 Whitecross Road (part), Church Lane, Coley Road, Combe Lane (part), Culver Lane (part), High Street, Middle Street, Smitham Hill (part) and Water Street.

To introduce two short lengths of 30mph speed limit on the approaches to the proposed 20mph speed limit on the B3114 West Harptree Road and Whitecross Road.

The existing speed limits are shown in ***Appendix A*** and the proposed speed limits are shown in ***Appendix B***.

**4. BACKGROUND**

Residents, the Parish Council and Ward Members have regularly expressed their concerns regarding the speed at which some motorists use the network of narrow roads in the village of East Harptree, and the negative impact that this can have on walking and cycling activity.

There are residential properties throughout the village, along with a primary school, community shop, village hall, several businesses, and a playing field to the northeast of the village. There are few footways through the village, so walking and cycling on the carriageway is a prerequisite in many locations.

The existing speed limit through the village is predominantly 30mph, with a short length of 20mph adjacent to East Harptree Primary School, the village hall and community shop.

It is considered that a 20mph speed limit through the village would be appropriate for the character of the village, further improve road safety, and encourage greater walking and cycling activity.

It is considered that the introduction of short lengths of 30mph speed limit on the approaches to the proposed 20mph speed limit on the B3114 West Harptree Road and Whitecross Road will help with compliance of the 20mph. Aside from being the busiest road through the village, this is a location where pedestrian activity is focussed.

# 5. SOURCE OF FINANCE

This proposal is being funded by the Traffic Management Team TIP scheme 2022/2023.

**6. CONSULTATION REQUIREMENT**

Theproposal requires informal consultation with the Chief Constable, Ward Members and the Cabinet Members for Transport.

PROPOSALS APPROVED FOR INFORMAL CONSULTATION WITH THE CHIEF CONSTABLE AND WARD MEMBERS.

Signature: Date: 15th September 2022

Paul Garrod

Traffic Management and Network Manager

**7. INFORMAL CONSULTATION**

Police: It is understood from the attached TRO Report that the proposal is “To introduce a 20mph speed limit through East Harptree village, namely in Ashwood, B3114 West Harptree Road (part), B3114 Whitecross Road (part), Church Lane, Coley Road, Combe Lane (part), Culver Lane (part), High Street, Middle Street, Smitham Hill (part) and Water Street. To introduce two short lengths of 30mph speed limit on the approaches to the proposed 20mph speed limit on the B3114 West Harptree Road and Whitecross Road.”

(The existing speed limits are shown in Appendix A and the proposed speed limits are shown in Appendix B of the attached TRO Report.)

It is further understood that the “Residents, the Parish Council and Ward Members have regularly expressed their concerns regarding the speed at which some motorists use the network of narrow roads in the village of East Harptree, and the negative impact that this can have on walking and cycling activity.

There are residential properties throughout the village, along with a primary school, community shop, village hall, several businesses, and a playing field to the northeast of the village. There are few footways through the village, so walking and cycling on the carriageway is a prerequisite in many locations.

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Enforcement will be considered in all clearly posted limits, given other priorities, and this will be by: Targeted enforcement where there is deliberate offending and the limits are clear; Where limits are not clear ( that is they don’t feel like or look like the limit or are on inappropriate roads), they will not be routinely enforced, only targeted where there is intelligence of obvious deliberate disregard which may result in increased threat, harm or risk to other road users.

Deliberate high harm offenders will always be targeted and prosecuted whereas enforcement against drivers who simply misread the road may not be appropriate. None of the above should in anyway leave the impression that we will not enforce the law. As with all speed limits, and other enforcement work, we will use evidence to ensure that our resources are allocated in the most appropriate way using appropriate tactics.

Enforcement of limits that do not comply with the above representations could lead to mistaken offending and could risk the loss of public support. Enforcement cannot and must not take the place of proper engineering and or clear signing.”

We do not, as part of this consultation, check the accuracy or validity of what is being proposed but we do consider implications for road safety and enforcement.

We always expect that:

a) the powers being exercised are available to you as traffic authority, are valid and are Speed Stance 07 May 2021 07:45 General Page 6 a) the powers being exercised are available to you as traffic authority, are valid and are appropriate for the proposals;

b) the descriptions of the lengths of road, the road names, the road numbers and any directional descriptions are correct and accurate;

c) where any proposals replace existing restrictions or prohibitions, that the previous orders are adequately revoked or varied;

d) the mandatory traffic signs giving legal effect to the order will be fully TSRGD compliant, will give drivers adequate guidance and will placed to accord to the descriptions in the order.

We have worked on the assumption that, by submitting this TRO for consultation, you are also confirming the above points and that subject to consultation process, the order will be made. Any enforcement action taken by the Police will be based on this and, should this transpire not to be the case, Avon & Somerset Constabulary will not accept any liability – financial or otherwise – arising as a result.

East Harptree Parish Council: East Harptree Parish Council approve of the proposals and look forward to their implementation as soon as possible.

Cllr Wood: No comments recived.

Executive member for Transport Cllr Rigby: I fully support the scheme.

**8. RECOMMENDATION**

As no significant objections and/or comments have been received following the informal consultation described above, the formal Traffic Regulation Order process (the public advertisement of the proposals) should be progressed.

Paul Garrod Date:05/10/2022

Traffic Management & Network Manager

**9.** **DECISION**

As the officer holding the above delegation, I approve the progression of this Traffic Regulation Order.

In taking this decision, I confirm that due regard has been given to the Council’s public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act.

Chris Major Date: 06/10/2022

Director for Place Management

**10. PUBLIC CONSULTATION**

No comments received.