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

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**APPROVAL TO PROGRESS TRO**

PREPARED BY: Traffic Management Team, Highways and Transport Group

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| **TITLE OF REPORT:** **PROPOSAL:****SCHEME REF No:****REPORT AUTHOR:** | **Speed limit review - B3130 / Winford Road / Chew Road****30mph & 40mph speed limits****22 - 012** **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 |  |
| (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, |  |
| (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 reduce the speed limits on sections of the B3130, from its junction with the A37 to the village of Chew Magna and continuing from Chew Magna along Winford Road and Chew Road, including all approaches to the roundabout at Pagans Hill.

The proposals are shown on the attached drawings.

**4. BACKGROUND**

A request was originally received from the Parish Council and local Ward Members to review the speed limits along this route. After a review of the available speed data, and undertaking several site visits, it is considered that the current speed limits are no longer appropriate for the nature and usage of the road.

# 5. SOURCE OF FINANCE

These proposals are being funded through the 2023/2024 Transport Improvement Programme.

**6. CONSULTATION REQUIREMENT**

Theproposal requires informal consultation with the Chief Constable, Ward Members, Parish Councils, and the Cabinet Member for Highways.

**7. COMMENTS RECEIVED TO DATE**

**Chief Constable:**

Speed limits are only one element of speed management and local speed limits should not be set in isolation. They should be part of a package with other measures to manage speeds, which include engineering, visible interventions and landscaping standards that respect the needs of all road users and raise the driver’s awareness of their environment, together with education, driver information, training and publicity.

The police service has to ensure all resources are used effectively in responding to community priorities. Avon and Somerset Constabulary will support all appropriate speed limits, including 20mph roads, where; The limit looks and feels like the limit, giving visiting motorists who wish to conform that chance; the desired outcome has to be speeds at the limit chosen so as to achieve safe roads for other and vulnerable users, not high speeds and high enforcement; the limit is self-enforcing (with reducing features) not requiring large scale enforcement; the limit is only introduced where mean speeds are already close to the limit to be imposed, (24mph in a 20mph limit) or with interventions that make the limit clear to visiting motorists; speeding problems identified in an area must have the engineering, site clarity and need re-assessed, not simply a call for more enforcement.

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 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.

**Stanton Drew Parish Council:**

1. The Parish Council support the speeds being lowered however would like to see the speed lowered to 30mph especially at the junction of the Roundhouse and the B3130 due to the narrowness of the road and the visibility issues which have previously been reported.
2. The Parish Council commented that it would be difficult really to travel faster than 30mph through the narrow part of Belluton, however it would be good if the 30mph limit could also go past Quoit Farm and over the Narrow Bridge (as we understand it is called Bottle Bridge), just before Glebe Farm.
3. The Parish Council would like to know if there is a logic behind keeping the B3130 to 40mph is this to stop traffic overtaking if it is lowered to 30mph? If so would double white lines be able to be put down. On discussion the Parish Council were of the opinion that they would like to see slower speeds i.e. 30mph and double white lines to deter the overtaking?

*Officer responses:*

1. It is acknowledged that visibility for motorists when emerging from the road from Stanton Drew is reduced by the Roundhouse, but forward visibility of the junction on the B3130 itself is good. Vehicle speeds along this section of the B3130 are already influenced by the narrowness of the carriageway and associated signing. A localised speed reduction to 30mph is, therefore, unlikely to have a significant impact, but would require additional terminal signing, thus unnecessarily increasing sign clutter. Our records show that there has been one collision (resulting in a slight injury) at this junction in the last 5 years which could possibly be attributed to a visibility issue.
2. The signed speed limit is the maximum legal speed of the road, not the speed at which motorists should drive. Vehicle speeds between Belluton and the Roundhouse are already influenced by the narrowness of the carriageway and other features such as vehicle entrances, the high hedgerows, and the narrow bridge. A localised speed reduction to 30mph is, therefore, unlikely to have a significant impact, but would require additional terminal signing, thus unnecessarily increasing sign clutter.
3. It is understood why it is considered that the speed limit along the B3130 should be 30mph, but the road is rural in nature and does not lend itself to a 30mph speed limit. Activity to either side of the carriageway is limited, and there would be few visual clues for motorists to understand or accept a 30mph speed limit. If motorists are subsequently less compliant with a speed limit, apart from the enforcement demands and difficulties that this can cause for the Police, it can lead to increased frustration and tension for other motorists (and any residents), and might, potentially, give a false sense of security. There is also the possibility that an inappropriate speed limit would lead to an increase in the incidence of overtaking along this length of the road, with the inherent problems that this might create. Unfortunately, the characteristics of a road can influence the decision making of some motorists in relation to their speed, irrespective of any signed limit. Having due regard for the rural nature of the road, and for the reasons explained above, it is considered that 40mph is the appropriate speed limit for the road.

**Chew Magna Parish Council:**

1. Extend the proposed 30mph towards Stanton Drew as far as 'Larchmount' and the adjacent lay-by with the Parish standing stones. Rationale – In the interest of pedestrian safety and to reduce traffic speed before the road narrows into Chew Magna.
2. Extend the existing 20mph towards Stanton Drew as far as the Norton Lane junction (Should this not be acceptable for highway reasons, then please extend the existing 20mph a short distance around the bend to improve visibility and awareness of the restriction signs)
3. Extend the proposed 30mph towards Winford as far as 'The Firs'. Rationale – To *enable* the restriction to be immediately visible to traffic exiting the Portbridge roundabout.

*Officer responses:*

1. The houses on the B3130 to the east of Chew Magna (adjacent to the lay-by) are not easily visible from the highway, so motorists would not have the visual clues mentioned in the response to Stanton Drew Parish Council above, potentially leading to the issues described.
2. The proposed 20mph speed limit on the westbound approach to Chew Magna will be extended to a point just before the first inbound bend adjacent to the cricket ground.
3. Having due regard for the rural nature of the road, and for the reasons explained in the response to Stanton Drew Parish Council above, it is considered that 40mph is the appropriate speed limit for this length of the road, as proposed.

**Councillor Box:**

1. From Norton Lane to High St – Chew Magna, it is a continuation of the village with good visibility for motorists, multiple public footpaths adjacent but no continuous pavement. As Norton Lane is really the entrance to Chew Magna, I think it correct you extend the 20mph limit past the cricket club due to no safe area for pedestrians. It still is essentially in the village and again, it’s around pedestrian safety. The drivers can see oncoming vehicles, but they cannot see walkers in this area.
2. Re Winford Road – the 30 mph as you go towards the Winford Ford etc is a good idea. Again, this is around the entrance to the village, this time from the West direction, and therefore traffic calming before regular pedestrian activity is paramount.
3. Re the Round House of Stanton Drew – I do not feel a reduction in speed limit is a good idea here. I feel that only in village centres or as faster roads are approaching villages should we be considering traffic calming. I feel the round house itself plus the corner between Stanton Drew and Chew Magna is a good calming effect in its natural appearance.

*Officer responses:*

1. The proposed 20mph speed limit on the westbound approach to Chew Magna will be extended to a point just before the first inbound bend adjacent to the cricket ground.
2. Noted.
3. The speed limit proposal for this location has resulted from discussions with the owner of the Round House and others, including their MP. It is also considered that 40mph is an appropriate speed limit along this length of the B3130 due to the narrowness of some sections of the road and tight bends.

**Councillor Harding:**

I support the Parish Council’s previous comments, and that of former Ward Councillor Warrington. The latter suggested extending the 20mph zone slightly at the eastward end of the zone, so that the 20 mph zone starts before the last right hand turn into the village by the cricket pitch. There have been a number of occasions where people have driven into the road signs there, presumably through excess speed.

*Officer response:*

The proposed 20mph speed limit on the approach to Chew Magna will be extended to a point just before the first inbound bend adjacent to the cricket ground.

All other modifications to the speed limits will remain as proposed.

**Councillor May:**

Can I please seek a further change to the proposals. The dangerous narrow stretch through the narrows results in cars speeding through putting pedestrian residents and children at extreme risk. The risk of death at 20 mph vs 30 is far lower so can I request a 20mph zone there please? It is essential.

Parish consultation is fully in support of the lower limit.

*Officer response:*

The signed speed limit is the maximum legal speed of the road, not the speed at which motorists should drive. Vehicle speeds through Belluton are already influenced by the narrowness of the carriageway and the steep banks. A further reduction of the speed limit to 20mph is, therefore, unlikely to have a significant impact, and could, potentially, lead to the issues described in the response to Stanton Drew Parish Council above.

**Cabinet Member for Highways (Councillor Manda Rigby)**

No comments received.

**8. RECOMMENDATION**

As no significant objections and/or comments have been received following the informal consultation described above, the public advertisement of the Traffic Regulation Order should progress.

Paul Garrod Date: 10th August 2023

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:07/09/23

Director for Place Management