**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:** | **A39 Farmborough and Hobbs Wall** **Variation of 30, 40 and 60 mph speed limits.** **21 - 030**Neil Terry / Sadie Cox-Alcuaz |

**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 especially 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. PROPOSALS**

To extend the existing 30mph speed limit on the A39 at both ends of the village of Farmborough.

To introduce a 40mph speed limit on the A39 between the villages of Farmborough and Marksbury, replacing the existing derestricted (60mph) speed limit.

To introduce a 30mph speed limit along the A39 where is passes through the residential area / hamlet known as Hobbs Wall.

The attached drawings show the existing and proposed speed limits.

**4. BACKGROUND**

The current 30 and 40mph speed limits through Farmborough and Hobbs Wall were introduced in July 2000, replacing a 40mph though Farmborough and derestricted (60mph) speed limits on both approaches, including through Hobbs Wall.

In June 2008, the 30mph through Farmborough was extended by 350m at the eastern end of the village (in a generally northern direction).

At the western end of Farmborough, a recent housing development (Herbert Gardens) has included the construction of a new junction with the A39, approximately 100m beyond the end of the existing 30mph speed limit. It is considered appropriate to extend the 30mph beyond this junction.

At the eastern end of Farmborough, it is considered appropriate to extend the existing 30mph to reduce vehicle speeds further from the bend approaching the junction with Timsbury Road. It is also considered that reducing the speed limit from 60mph to 40mph between Farmborough and Marksbury will improve compliance with the 30mph speed limits through both villages.

Hobbs Wall is a collection of approximately 40 houses some 275m west of the Herbert Gardens development. It is considered that a 30mph is appropriate through this residential area / hamlet, and that a 40mph speed limit to each side would maximise the impact of a reduced speed limit as motorists enter Hobbs Wall from both directions.

# 5. SOURCE OF FINANCE

This scheme is included in the 2021/22 Transport Improvement Programme.

**6. CONSULTATION REQUIREMENT**

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

**7.** **COMMENTS RECEIVED TO DATE**

**Chief Constable:**

*As previously discussed, we have a Force stance regarding the introduction of speed restrictions, which has been written to reflect the current speed environment.  I copy this below for your information.*

*“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.*

**Councillor Sally Davis:**

*More than happy to endorse the reduction in speed limits to 30mph as proposed but wondering if the reason why it goes from 30mph - 40mph between Herbert Gardens & Hobbs Wall - is due to lighting not being compliant with a 30mph limit?*

*If this isn’t a problem could it be considered as I residents would appreciate this short space also being 30mph, parts are quite narrow & it’s used very regularly by those walking their children to school or by people going to their allotments & trying to reduce car use. Finally coming into the village from HL end the slope down & short 40mph length before Herbert Gardens might make it more difficult for vehicles to then reduce to 30mph again so quickly.*

**Officer response to Councillor Sally Davis:**

The length of the A39 between Farmborough and Hobbs Wall does not lend itself to a 30mph speed limit.  The current proposal also means that 30mph ‘gateway’ signing would be in place at the point where motorists enter Hobbs Wall from both directions.  If the 30mph was continuous between the village and Hobbs Wall, the impact of this gateway signing would not exist for westbound traffic.

**Parish Council**

No comments received.

**Cabinet Member for Transport – 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 Traffic Regulation Order process should commence.

Paul Garrod Date: 18th March 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: 21/03/22

Director for Place Management

Existing Speed Restrictions-

Proposed Speed Restrictions-

