

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

2

PRELIMINARY CONSULTATION (Cabinet Member for Sustainable Transport Delivery)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	A37 Pensford Hill & New Road, Pensford
PROPOSAL:	20 M.P.H Speed Limit
SCHEME REF No:	26-030
REPORT AUTHOR:	Gina West

1. DELEGATION

The delegation to be exercised in this report is contained within **Part 2 Section 2.35** of the Constitution under the **Delegations of Functions to Officers**, as follows:

Section A	The Chief Executive, Executive Director - Chief Operating Officer, 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 their area of responsibility.
Section D	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 purposes of this report, the Director of Place Management and the Head of Highways Delivery hold 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:

(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	X
(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 mandatory 20 mph speed limit on a section of the A37 Pensford Hill and New Road in Pensford, replacing the current advisory 20 mph limit that operates when wig wag signals flash adjacent to Pensford Primary School.

4. REASON

Please refer to the Statement of Reasons.

The Council has had in mind and discharged the duty (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable. It has also had regard to the factors which point in favour of imposing a 20mph speed limit on the A37 Pensford Hill and New Road. It has balanced the various considerations and concluded that it is appropriate to promote the 20mph speed limit. The Council has also considered and discharged its network management duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed 20mph speed limit is consistent with that duty, having regard to its other policies and objectives.

5. IMPACT ON EQUALITIES

An Equality Impact Assessment has been undertaken in relation to the introduction of traffic management measures, which is available upon request. The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposed Order is consistent with the section 149 public sector equality duty, which it has discharged.

6. **IMPACT ON HUMAN RIGHTS**

The proposals are considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property). However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate aim and proportionate to do so. The proposal(s) within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

7. **SOURCE OF FINANCE**

The scheme is included in the 2026/27 Local Active Travel and Safety Programme.

8. **CONSULTATION REQUIREMENT**

The proposal requires consultation with the Chief Constable, Emergency Services, Road Haulage Association, Freight Transport Association (Logistics UK), Parking Services, Waste Services, Ward Members and the Cabinet Member for Sustainable Transport Delivery.

9. **COMMENTS RECEIVED TO DATE**

Chief Constable - Thank you for your emails and attached data regarding the proposed introduction of a 20mph speed restriction on the A37 Pensford Hill and New Road, Pensford.

Further to our original email below, it is appreciated that both the collision data and speed data are now supplied. (speed data is shown in kph (1mph = 1.609kph).)

Looking at the data provided, mean speeds appear to range between 24mph and 29 mph, with the majority around 26mph. This would not be commensurate with a proposed 20mph without additional traffic management measures. It is noted that as the existing signage for the current advisory 20mph speed limit is actually mandatory signage, it would be unlikely that simply adding a supporting 20mph Traffic Regulation Order would result in a reduction in speed as drivers treat the existing situation as “mandatory” due to the signage.

The collision data reveals one serious injury collision in 22/12/2023 where the driver “had a coughing fit” and lost control of their vehicle, which is not attributable to excess speed.

That said, the presence of the school warrants the advisory 20mph speed currently in place.

As mentioned previously, there has been a marked increase in the number of speed restrictions being introduced by local authorities across our Force area. This has prompted a review of our current processes and a return to a previously established consultation format. Going forward informal consultations should be received by the

Traffic Management Unit with a minimum of a 6-week time frame. This should be accompanied by speed and collision data to support the consultation. The Traffic Management Unit will then review on behalf of the Chief Constable. The Constabulary may not support speed reductions if the data submitted is not sufficient and/or the road design is not appropriate.

As previously discussed, we have a Force stance regarding the introduction of speed limits, 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 our response on behalf of the Chief Constable to formal consultation, check the accuracy or validity of what is being proposed but we do consider implications for road safety and enforcement.

Whilst we are currently unable to support the introduction of a mandatory 20mph speed restriction in this area on behalf of the Chief Constable based on the data provided, we would be open to further consultation regarding additional traffic management measures which could be introduced to promote compliance with such a restriction, which would review our original stance.

Emergency Services – No comment.

Road Haulage Association - No comment.

Freight Transport Association - No comment.

Parking Services - No comment.

Waste Services – No comment.

First Bus - Given the road layout here I don't see this having a massive impact on bus journey times but none the less will result in some additional time being required by buses to complete the journey. With the road currently being 20 at school times surely the current set up ensures the safety of school movements without hindering traffic flow. The attachment states that when lights flash the speed limit is advisory, however mandatory signage is currently in place. It would be good to know which one is correct?



A major concern of mine is that enforcement in the area is lacking on a major scale. Safety would be massively improved if bus stops were left clear for buses to pull in rather than having to drop in the middle of the carriageway. We also have overhanging tress nearby that forced buses to the centre of the carriageway closer to oncoming traffic.

If you take a look on Streetview you can see the issues we face daily here with cars and vans using the bus stop as an easy place to park. If safety is the main driving factor for this change, then ANPR cameras installed for the Bus stops to prevent contraventions are a must.



Officer response:

The existing 'when lights flash' 20mph is intended to support the safety of school children, but it's considered that the village environment would benefit from a permanent 20mph speed limit.

It is recognised that issues such as vehicles parking within bus stops and overhanging trees forcing buses towards the centre of the carriageway can significantly affect both the safety and operation of the public transport service. These concerns will be raised with the relevant teams to explore whether improvements can be made.

Ward Members

Councillor Paul May – No comment.

REPORT APPROVED FOR CIRCULATION TO CABINET MEMBER FOR SUSTAINABLE TRANSPORT DELIVERY.

A handwritten signature in blue ink that reads 'Neil Terry'.

Neil Terry
Traffic Management and Network Manager

Date: 12/06/2026