

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

5a

OUTCOME OF TRO PROCESS – DECISION (following objections)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	Lansdown Speed Review
PROPOSAL:	40 MPH Speed Limit
SCHEME REF No:	23-019
REPORT AUTHOR:	Gina West

1. DELEGATION

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

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 purposes 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:

(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 limit on Lansdown Road from 50mph to 40mph between the existing de-restricted speed limit (prior to the first vehicular entrance to Bath Racecourse and approximately 200m north of the junction with Langridge Lane) to the existing 40mph speed limit adjacent to Old Sulians RFC ground.

To reduce the speed limit on Lansdown Lane from 60mph to 40mph between its junction with Lansdown Road and the existing 20mph on the approach to its junction with Napier Road.

These proposals are shown on the drawing below.

4. **BACKGROUND**

Lansdown Road:

The speed limit along the section of Lansdown Road in question was reduced from 60mph to 50mph in August 2017. However, it is apparent that collisions are still occurring at the junction with Lansdown Lane, and anecdotal evidence would suggest that non-motorised activity along this section of the road is generally increasing.

Although there is only one road junction, there are also several Public Rights of Way, busy vehicular entrances, and various establishments accessed from Lansdown Road, including Bath Racecourse, Lansdown Golf Club, The Charlcombe Inn, Lansdown Park and Ride, Walcot RFC, and Larkhall Athletic football club, and various residential and business properties.

Having due regard for the turning movements and activity associated with these Public Rights of Way, vehicular entrances, and establishments, it is considered appropriate to reduce the speed limit to 40mph, as proposed.

Lansdown Lane:

The speed limit along the section of Lansdown Lane in question has remained 60mph, but it is considered that the change in speed limit from 60mph to 20mph (on the approach to the junction with Napier Road) is too great, and that there should be a more gradual transition between the speed limits.

In consideration of this transition in the speed limits, however, it has been noted that there are several residential and business vehicular entrances within the existing 60mph speed limit, along with access to a regular car boot

sale and Public Rights of Way. There are also several relatively sharp bends in the road, which also has a gradient of 20%.

It is considered appropriate, therefore, to reduce the speed limit to 40mph between Lansdown Road and the existing 20mph speed limit, as proposed.

5. SOURCE OF FINANCE

The scheme is included in the 2023/24 Transport Improvement Programme.

6. INFORMAL CONSULTATION REQUIREMENT

Informal consultation was carried out with the Chief Constable, Ward Members, and the Cabinet Member for Highways.

The responses to the informal consultation can be found in TRO report number 3.

7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))

The objection / comments received have been summarised below with the technical responses in italics underneath each one.

Support – 2

- 1) I have looked at the proposal for the additional 40 mph section on Lansdown Road. In principle I agree provided there is a review period to ensure that this addition has the desired effect of reducing road traffic accidents. If no improvement is seen, then I think the council should take further interventions.

- 2) We support this proposal, as we have previously flagged up safety concerns surrounding the junction where Lansdown Lane meets Lansdown Road which is central to this proposed 40mph zone. However, Councillors remain very concerned that this proposal does not go far enough to address the safety issues. We feel it would be of further benefit to also include a more focussed 30mph zone encompassing all three approaches to the junction mentioned above and potentially also the adjacent residential area. This is a very busy locality with high volumes of traffic attempting to negotiate a dangerous junction, vehicles turning in and out of The Charlcombe Inn, Lansdown Golf Club, Bath Racecourse, and various residences not to mention pedestrians on footpaths etc. Councillors feel the use of flashing warning signs to highlight the junction ahead would be beneficial and serve as an additional reminder for drivers to take care. We would also suggest safety at the junction continue to be closely monitored as we believe it may well

be necessary to introduce more extensive safety measures at the junction if significant improvements are not seen.

Response:

This section of road is not suitable for a 30mph speed limit. Since it is possible to drive well above 30mph and the layout of the road is not consistent with what drivers normally expect a 30mph limit to look like, it is very unlikely that such a limit would be well observed.

Our analysis of the collisions that have occurred has not identified that flashing vehicle activated signs are required.

Objections – 2

- 1) I use this stretch of road *daily* and have done so for over twenty years I see no reason for this reduction and therefore must **object** to it. The current limit of 50 mph is a reasonable one and therefore largely complied with. It was only reduced from 60mph a few years ago, this new 40 MPH limit will not be seen as reasonable and will just mean a lot more drivers will not comply and needlessly be criminalised.

Response:

These comments are acknowledged, but it is considered that the likely benefits of reducing the speed limit to 40mph would outweigh any potential increase in non-compliance with a reduced speed limit.

- 2) I am writing to you to strongly object to the above proposal. We have over the years had more and more restrictions imposed upon us - lowering the speed limit from 60 mph to 50mph and more recently a stretch into 40 and then 30mph. Double white lines and traffic bollards have emerged and the road now - which is a main route into Bath for many, including the Park and Ride bus - is totally safe for all users.

Good drivers anticipate road conditions and drive accordingly. Trying to legislate for every eventuality by falsely trying to slow down all traffic actually has the opposite effect. People see a 40 mph sign and slam on their brakes with little regard to other road users. Then often they will keep well under the speed limit in an attempt to be 'safe'.

This has the knock-on effect of causing frustration from all other drivers who are forced to bunch up behind these 'safe' slow drivers. The result of imposing yet more unnecessary speed restrictions on stretches of clear, straight road will result in more accidents and inevitably will lead to traffic issues which to date have been avoided.

It is short-sighted and totally wrong for BANES to keep imposing these anti-motorist orders. It may, if policed, bring in more revenue from the poor unsuspecting motorist who incurs fines and points for no reason.

I have driven safely for over 45 years. I have never crashed my car. But I have become so fed up with councils imposing restrictions just for the sake of pretending it is in the interest of road users. It is NOT in the interests of anyone who uses this stretch of road.

Why try and mend something which is not broken?

Response:

These comments are acknowledged, but the reduction of the speed limit to 40mph has been proposed to improve road safety at the junction of Lansdown Road and Lansdown Lane. It is considered that many of the collisions which have been recorded and/or witnessed at the junction are caused by the speed at which some vehicles currently approach the junction.

8. **ADDITIONAL COMMENTS FROM WARD MEMBERS AND CABINET MEMBER FOR HIGHWAYS (in response to the above)**

Ward Members:

Councillor Kevin Guy – No comment

Councillor Sarah Warren – I am fully supportive of the proposals, which are much needed at this location.

Just to add further detail, I have also been contacted several times by residents who are aware of accidents that have happened on this dangerous stretch, and I am in no doubt that a reduction in speed over the whole stretch detailed in the TRO will reduce the frequency of these occurrences.

Councillor Lucy Hodge – Thank you. Please find my response below:

I welcome and strongly support this proposal for a speed limit reduction to 40 mph exactly as set out in the TRO. Firstly, it may help to address some of the continuing safety concerns around the junction of Lansdown Road with Lansdown Lane, although further interventions may still be required. In particular, I support that the new 40 mph limit is commenced as shown, well in advance of the junction, to give traffic time to slow down.

Secondly, I very much welcome the continuation of the speed limit reduction at 40 mph to meet the existing limit adjacent to the Old Sulians RFC due to the various sports and leisure facilities and Park and Ride terminal accessed from this road (including Walcot FRC, and football league matches on the South playing fields) to which we are encouraging residents to walk and cycle. This route is also increasingly used by leisure cyclists to connect to the countryside lanes beyond. Finally, I hope this new speed limit will bring slower traffic speeds on the approach to residential Lansdown and the Ensleigh development.

From personal experience, cycling to work at the Bath Race Course Vaccination centre during 2020/21, this unlit route, passed by vehicles driven often in excess of 50 mph, always felt extremely dangerous.

Councillor Mark Elliot – I fully support these proposals. I drive these roads very regularly. The Lansdown Lane junction is a well known accident blackspot and slowing traffic travelling along Lansdown Rd on the approach, whilst being by no means a complete solution to the problem, will improve the safety of the junction. Making the change at the point of the existing 50mph boundary rather than closer to the junction avoids having multiple changes in speed limits in speed limit in a short space which can be confusing. It also slows traffic on a stretch of road which is prone to very localised weather causing bad road conditions. 40mph is also a much more appropriate limit on the steep upper section of Lansdown Lane.

Councillor Ruth Malloy – I fully support this proposed Traffic Regulation Order for a reduction in the maximum speed limit to 40mph, on both Lansdown Road and the top part of Lansdown Lane, as indicated on the plan.

Shelley Bromley (former Weston councillor) and I have been calling for a reduction in the maximum speed limit at the top of Lansdown Lane for some time and had also received many emails from residents concerned about the Lansdown Lane/Lansdown Road junction. I therefore look forward to improved road safety on both these roads.

Councillor Malcom Treby – Please can I again register my objection to this, firstly with regard to the initial consultation, where my comments (my mail 18/8) do not appear to have been registered as an objection.

However, my main objection on this is the extent of the restriction. The sources of accidents are at the bend by The Charlcombe Inn, and at the junction of Lansdown Lane (see the Think Map on government website). To put a speed restriction in around them and extending 100m each side, would result in the road speed being reduced for approximately 500m. The reason for the restriction would be clear to most, especially if the southbound restriction was placed with the warning of a sharp bend. If the reason for the restriction is clear, people are more likely to adhere to it. I believe it is really important that the speed restrictions put in are obviously clear if we're to get the support and compliance from the drivers where they are put in.

What this proposal does though, is extend the restriction for nearly 2km, much of that on a straight road and compliance will be low. Where compliance is low and the behaviour of the majority is criminalised, it is then seen as an unfair law regardless of how much the limit is being breached by. From having discussed with Cllr Malloy the other day, I believe she too was not aware of the extent of restriction.

I would also rather see 50 mph than 40 mph on Lansdown Lane, but not strongly enough to object to it. I agree the 60 mph limit on that section is inappropriate.

Response:

The original comments from Cllr Treby were noted as an objection at the informal consultation stage. The summary of comments from the public relate to comments received during the public advertisement of the proposals.

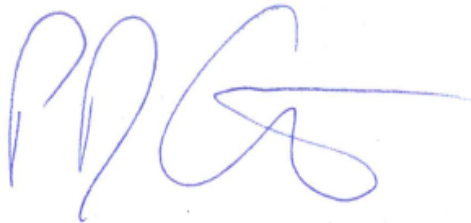
In addition to the response previously given, the section of road where the 40mph speed limit is proposed includes the two accesses to Bath Racecourse. There can be high numbers of vehicles turning into and out of these accesses when events take place. This is a further reason why the 40mph speed limit would extend this far.

Cabinet Member for Highways:

Councillor Manda Rigby – Could I add that I fully support this scheme.

8. RECOMMENDATION

That the Traffic Regulation Order as advertised is sealed.



Paul Garrod

Date: 30th November 2023

Traffic Management & Network Manager

9. DECISION

As the Officer holding the above delegation, I have decided that the objections / comments be not acceded to, and the Order as advertised be sealed.

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.

The Council's policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses.

The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.

A handwritten signature in black ink, appearing to read 'Chris Major', with a large, sweeping flourish at the end.

Chris Major
Director for Place Management

Date:04/12/2023

