

13th September 2012**Agenda Item:10****REPORT OF SERVICE DIRECTOR
HIGHWAYS****RESPONSE TO THE DFT'S CONSULTATION ON SPEED MANAGEMENT****Purpose of the Report**

- 1.0 The purpose of this report is to obtain approval to the County Council's response to the DfT's consultation on proposed revisions to its Speed Limit Circular.

Information and Advice**Other Options Considered**

- 2.0 The County Council as the Local Traffic Authority could choose not to respond to the invitation by the DfT but given the national importance of the Speed Limit Circular it is in the best interests of the County Council to make a response.

Reason/s for Recommendation/s

- 2.1 Government has recognised both the importance of setting appropriate and understandable speed limits as well as the desires of local communities to have safe streets which take account of the needs of all road users' especially vulnerable ones. It has also taken account of the need to allow flexibility to enable authorities to make decisions based upon local circumstances and in the light of their understanding of the needs and desires of the communities they serve.
- 2.2 The advice and guidance in the proposed document sets out the various aspects that Traffic Authorities should take into consideration in making decisions on speed limits including the importance of ensuring that they are realistic and understandable as well as being mainly self-enforcing. Those factors are particularly highlighted with respect to 20mph limits and zones and there should not be an expectation that the Police will enforce these limits or indeed other limits where they are not evidence led and have been inappropriately introduced.
- 2.3 The response to the consultation request forms Appendix A of this report. It answers four specific questions asked by the DfT as well as providing some

general comments. In general the proposed changes are welcomed and provide useful guidance and advice for Traffic Authorities. However it is noted that there are no proposals to change and simplify the existing legal processes that are required before a speed limit can be made or amended. Given that Government has identified that there is a need to reduce bureaucracy to authorities and other organisations in order to reduce costs and deliver solutions quickly it has been suggested that this is an area that should be reviewed again

Statutory and Policy Implications

- 3.0 This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

- 3.1 The response to the consultation is supportive of the proposed changes which if introduced will assist the County Council in introducing speed limits that are realistic for all road users and reflective of local needs.

Financial Implications

- 3.2 If the proposed changes are made there will be no adverse financial impacts on the Authority.

3.3 Crime and Disorder Implications

- 3.4 None

Human Rights Implications

- 3.5 None

Safeguarding of Children Implications

- 3.6 None

Human Resources Implications

None

3.7 Implications for Sustainability and the Environment

In being able to take account of local factors in determining speed limits the County Council will be able to consider sustainability and environmental issues.

RECOMMENDATION/S

- 4.0 This report recommends that the County Council is supportive of the proposed changes to the DfT's advice and guidance and responds with the comments attached in Appendix A.

For any enquiries about this report please contact:

- 4.1 Clive Wood – Service Manager, Highway Policy and Development

Constitutional Comments [SHB.09.08.12]

- 4.2 Committee have power to decide the Recommendation.

Financial Comments [IC -13/08/2012]

- 4.3 There are no direct financial implications arising from the contents of this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Consultation on revision of DfT's speed limit circular
<http://www.dft.gov.uk/consultations/dft-2012-32/>

Electoral Division(s) and Member(s) Affected

All

**Consultation on revision of DfT's speed limit circular
Response by Nottinghamshire County Council**

13th September 2012

The following response is in relation to the request by the DfT in its letter of July 2012 to interested authorities, organisations and other interested parties in relation to the proposed revisions to Circular 01/.06, Setting Local Speed Limits.

The letter sets out five questions and the County Council has provided its response to each of these and trusts that these will be taken account of in the overall consultation.

Do you agree that this advice about introducing 20mph zones and limits provides useful guidance to traffic authorities considering speed management in urban areas? If not please explain your reasons.

The County Council welcomes the proposed advice that provides both clarity in setting out the overall national objectives of using 20 mph zones and limits as well as the various technical, social, environmental, enforcement and commercial considerations that need to be taken account of in any decision making process.

The County Council believes that the advice whilst setting the overall national frame-work for setting such limits also offers it the flexibility to deal with local situations where it can work with local communities and other interested groups to achieve a balanced approach to the introduction of 20mph zones and limits.

Do you agree that traffic authorities should be able to consider the implementation of 20mph limits over a number of roads where mean speeds at or below 24mph are already achieved? If not, please explain your reasons.

The view of the Authority is that it should be able to consider such implementation. Given the proposed advice that will be issued it will be possible for the County Council to effectively consider and deliver (where appropriate) local solutions over a wide area.

Do you agree that the recommendation to use the technical assessment tool should be withdrawn? If not, please explain your reasons.

In considering the technical assessment tool the County Council is of the belief that it was useful whilst carrying out the review of A and B road speed limits that was commenced in 2005 and enabled a priority to be set to the programme that took some years to complete. This work has been mainly completed and the view is that the tool will not be of use in future work on speed management issues. However there is an understanding that there needs to be some form of assessment of the benefits of introducing speed limits based upon the overall guidance and advice that the DfT issue so

that authorities can ensure that there is a consistency in their decision making. The proposal to make available a web based Speed Limit Appraisal Tool for authorities to use is therefore welcomed.

Do you agree that compliance with air quality limits could be a factor in the choice of speed made by local traffic authorities? If not, please explain your reasons.

Whilst not dis-agreeing that compliance with air quality limits could be a factor in the choice of speed limits made by local traffic authorities the County Council is of the view that this is not a major factor given that air quality can be adversely affected more by slower moving traffic in urban areas.

Do you have any other comments about the drafting of the revised circular?

The Authority is pleased to see that the proposed revised circular clearly clarifies many of the national aspects that need to be considered by Traffic Authorities in dealing with speed limits. There is however also the flexibility for Authorities to take account of local issues and desires within communities when deciding upon any changes to limits.

The one area that the County Council has concerns about is that given the Government's commitment to reducing the 'bureaucracy' that local authorities and other organisations are faced with in processing and introducing changes to such things as legal orders. There appears to be no reduction or simplification in the legal processes involved in introducing and making changes to speed limits. The present processes whilst being very robust are costly to administer in financial and resource terms and take far longer to process than communities see as being acceptable. The County Council hopes that consideration can be given to simplifying and shortening the legal processes involved.