

4th January 2024**REPORT OF TRAFFIC MANAGER****THE NOTTINGHAMSHIRE COUNTY COUNCIL (B6326 LONDON ROAD,
BALDERTON) (30 M.P.H. SPEED LIMIT) (RESTRICTED ROAD) ORDER 2023
(3365)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. The purpose of this report is to consider the objections received in respect of the above proposed Traffic Regulation Order and to determine if the order should be implemented as shown on drawing H/SLW/4197/01

Information

2. Balderton is a large village in Nottinghamshire which sits to the south-east of Newark located just off the A1(T). The village has an extensive range of amenities including The Newark Academy secondary school, two primary schools, several nurseries, a library, and supermarket. The character of development immediately adjacent to the affected road is residential and has multiple access roads to adjacent estates. The current speed limit along London Road, and on the roundabout, which is 40 mph. Staple Lane which links nearby developments to London Road is subject of a 30mph speed limit,
3. Nottinghamshire County Council has received requests to reduce the existing 40mph Speed Limit along the B6326 London Road, Balderton between Main Street and the A1 roundabout. The purpose of the scheme is to better ensure that the speed limit reflects the character of the road which should reduce speeds further and improve road safety. There have been three accidents in the last three years, one of which was serious.
4. The statutory consultation and public advertisement, for the 30mph Speed Limit, was conducted between 9th February and 9th March 2023, as detailed on drawing H/SLW/4197/01.
5. During this period five comments were received, four of which including Nottinghamshire Police and Balderton Parish Council supported the proposals. One response is considered to be an outstanding objection.

Objection received**Objection - Justification for the scheme**

6. The respondent stated that there were no serious or fatal accidents to justify the change in speed limit. The respondent also commented that there are no schools, hospitals or medical centres, no pinch points or blind bends and the carriageway is well maintained. There are several safe crossing points, and the junctions have good visibility.

7. The respondent questioned the justification for the reduction in speed limit and asked for further evidence such as, whether traffic studies have been conducted. They also asked who had instigated the consultation and asked why the consultation had not been advertised anywhere with details on how to object to the scheme.

Response - Justification for the scheme

8. Nottinghamshire County Council uses several factors when determining appropriate speed limits based on the Department for Transport's guidance "*Setting Local Speed Limits*" which refers to several contributory factors, such as mean speeds, road function and collision history. The objective when setting speed limits is to set a limit that is appropriate and realistic to the road environment so that most motorists comply it makes the road safer, and it improves the quality of life for residents. Drivers associate lower speed limits on primary routes with adjacent roadside development, such as the development alongside London Road. The speed survey on London Road indicated a mean two way speed of 33.8 mph and it was considered that a reduction to a 30mph would be in accordance with the DfT guidance as this speed limit is most appropriate in this instance given the character of the route.
9. The scheme was requested and supported by the County Councillor and has been advertised between 09/02/23 and 09/03/23 in accordance with statutory procedures which included a notice in the Nottingham Post, notices displayed on site, documents held on deposit at County Hall and Balderton Library. Publication of documents on the County Council website, letters sent to properties directly affected with frontages onto London Road.

Other Options Considered

10. The option not to introduce any restrictions has been considered but to do so would not address the issue speeding vehicles. Other options considered relate to the spatial extent of the speed restriction proposed, which could have been either lesser or greater. The selected extent ensures consistency with the adjacent existing speed limit.

Comments from Local Members

11. Councillor John Lee expressed his support for the 30mph Speed Limit during the statutory consultation.

Reasons for Recommendations

12. It is considered that the proposed scheme presents a reasonable and proportionate balance between the needs of all highway users, including non-drivers, who live in or visit the area, commensurate with the Authority's duty to ensure the safe, convenient, and expeditious movement of all traffic, including pedestrians.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public-sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability, and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

14. Nottinghamshire Police expressed their support to the proposals although they stated enforcement would be a low priority and expect the highway authority to monitor the compliance levels going forward. No additional crime or disorder implications are envisaged.

Financial Implications

15. This scheme is being funded through the integrated Transport Measures Speed Management budget with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

16. The implementation of the proposals within this report might be 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, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are within the scope of such legitimate aims.

Public Sector Equality Duty implications

17. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to:
- Eliminate unlawful discrimination, harassment, and victimisation.
 - Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who do not.
 - Foster good relations between people who share protected characteristics and those who do not.
18. Disability is a protected characteristic, and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly.
19. The option not to introduce any restrictions has been considered but to do so would not meet the guidance on setting speed limits. Other options considered relate to the spatial extent of the speed restriction proposed, which could have been either lesser or greater. The selected extent ensures consistency with the guidance and the adjacent existing speed limit.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (B6326 London Road, Balderton) (30 M.P.H, Speed Limit) (Restricted Road) Order 2023 (3365) is made as advertised, and the objector informed accordingly.

Name and Title of Report Author

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For any enquiries about this report please contact:

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Constitutional Comments (SJE 16/11/2023)

20. The Decision-Maker must assure themselves that the proposed speed limit is appropriate for the relevant section of road, reflecting local needs and taking account of all local considerations. Having regard to any history of collisions, to the road geometry and engineering (as is and as may be modified), the function of the road, the classes and volumes of traffic using the road (including, in particular, any vulnerable road users), the road environment, and existing traffic speeds, the speed limit to be set should be considered to be

an indicator of the nature and risks posed by the road to both vehicular and other highway users (often expressed as the self-enforcing principle) so as to ensure both the safe and expeditious movement of traffic. Once those points are considered, this executive decision falls within the delegation made to the Group Manager (Highways & Transport) by the Cabinet Member for Transport & Environment on 30th May 2022. As with other regulatory or quasi-judicial decisions, this decision is not subject to call-in.

Financial Comments (GB 13/11/2023)

21. It is proposed that the £5,000 costs identified in this report will be funded from the Integrated Transport Measures programme that is already approved within the Transport and Environment capital programme.

Background Papers

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

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.

Electoral Division(s) and Member(s) Affected

Balderton Johnno Lee