

**Forward Plan reference number: FP/425/05/22**

<b>Report title:</b> Active Travel Fund 2 – Proposed Implementation of ‘20mph Speed Limit’, Various Streets, Colchester	
<b>Report to:</b> Councillor Lee Scott – Cabinet member for Highways Maintenance and Sustainable Transport	
<b>Report author:</b> Paul Crick – Director, Highways and Transportation	
<b>Date:</b>	<b>For:</b> Decision
<b>Enquiries to:</b> Ben Fryer ben.fryer@essex.gov.uk, Principal Transport Planner	
<b>County Divisions affected:</b> Colchester	

## 1. Everyone’s Essex

- 1.1 Essex County Council (ECC) sets out four strategic aims and 20 commitments for ECC to deliver over the next 4 years. As part of the high-quality environment strategic aim and a good place for children and families to grow, a key commitment is to deliver a step change in sustainable travel across the county, by maintaining safe and sustainable transport infrastructure.
- 1.2 In November 2020, ECC was awarded £7,358,700 by the Department of Transport (DfT) to deliver sustainable transport schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford, and Colchester.
- 1.3 Essex County Council has formally advertised in Colchester town centre permanent 20 mph limits on a selection of streets subject to 20mph by temporary traffic regulation order following the response to the covid 19 pandemic. In addition, a further selection of street was identified as part of the active travel consultation for the application of 20mph as detailed in Appendix Bi and Bii of this report (the proposal). The proposal has undergone formal consultation to the general public, particularly for local residents and businesses within the vicinity of the different streets. As objections have been received, the Cabinet Member is asked to decide as to whether the proposal should be implemented. The scheme aims to reduce traffic speeds in residential areas and the retail area of the High Street and neighbouring streets. This will help to create a healthier and safer environment for families. Meeting objectives contained in Everyone’s Essex Health and Environment.

## 2. Recommendations

- 2.1 To approve the introduction of a series of 20mph limits in and around the town centre, including the High Street; to make a smaller number of temporary 20mph speed limits, permanent; and to restore a number of temporary 20mph speed limits to their previous limits, as set out in Appendix Bi and Appendix Bii.

### **3. Background and Proposal**

- 3.1 Traffic levels have returned to pre-pandemic levels on the network, with a drop in public transport use still to recover. Colchester has experienced congestion for a notable period of time, extending back to well before the pandemic and are symptomatic of the issues which we are looking to address through a transportation strategy that reduces unnecessary car use and inappropriate routing of traffic through the centre of the town to reduce congestion. Colchester is a growing city, but its centre is constrained by a street system originally laid out centuries ago and is unsuitable for the continued unconstrained growth of vehicle use.
- 3.2 Data shows that for Colchester car journeys of up to 5km (3.5miles) make up 40% of all journeys. In fact, many car journeys are much shorter, with around 20% of journeys being approximately 1 mile or less. Although in some cases there will be good reason for these journeys, in many cases these trips could be undertaken utilising sustainable modes of transport, and it is with that in mind that we are looking to improve the infrastructure and incentives to change habits and reduce the dependency of vehicles for unnecessary journeys.
- 3.3 Through a series of different consultations undertaken over the last few years, consistently the responses have been positive about introducing measures that create a safer more comfortable town centre environment in which people can live, work, socialise and shop. Therefore, the measures to be delivered under the Active Travel funding reflect the start of the latest series of measures to support sustainable travel, which will also see the upgrading of the network to increase the quality of the infrastructure to support walking, cycling and public transport.
- 3.4 In July 2020 the Government announced the second tranche of the Active Travel Fund (ATF2). It invited highways authorities to make bids for funding. The objectives of the ATF2 were to help local authorities implement measures to create an environment that is safer for both walking and cycling. Tranche one focussed on replacing journeys made by public transport and supporting measures to avoid overcrowding on the public transport network and help maintain social distancing during Covid.
- 3.5 Tranche two aims to make the temporary infrastructure permanent and develop it further by reallocating road space to improve walking and cycling. In addition, it was also expected that such interventions would deliver significant health, environmental and congestion benefits by providing better infrastructure to create streets which can accommodate increased levels of cycling and walking, providing low carbon transport solutions.
- 3.6 ECC submitted a bid in August 2020 and was subsequently awarded £7,358,700 (£5,886,960 capital and £1,471,740 revenue) in November 2020. This was for ECC to deliver sustainable transport schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford, and Colchester.

- 3.7 In November 2020, ECC established steering groups in each of the scheme locations. These groups were made of local stakeholders including representatives from the local authorities, community groups, businesses, access and active travel groups, and these helped to shape draft proposed schemes for public consultation.
- 3.8 In May 2021, ECC launched a countywide consultation on ECC's five active travel schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford and Colchester. ECC received 2,482 responses demonstrating strong support for the proposals. In addition to the public consultation, ECC also undertook online and in-person roadshow events to allow people to view the plans and ask questions.
- 3.9 Since November 2020 and taking into account the feedback from the public consultations, ECC has been progressing final designs for the Proposal. All ATF2 schemes have been developed in line with the most recent Department for Transport (DfT) guidance.
- 3.10 ECC has conducted a statutory consultation to approve the introduction a mixture of new '20mph Speed Limits', making some Temporary Traffic Regulation Orders (TTRO) permanent and in some cases restoring some temporary 20mph speed limits to their former speed limits along a number of streets around Colchester.

## **Proposals**

- 3.11 As part of ECC's ATF2 scheme in Colchester, ECC proposes to introduce a series of new permanent 20mph limits in and around the city centre; to make a smaller number of TTROs (20mph speed limits) which were in operation between 22 July 2020 and 22 January 2022 but were subsequently given an additional extension by the Secretary of State until 22 July 2022 permanent; and a final group of temporary 20mph speed limits to lapse and revert to their previous speed limits. A full list is set out in Appendix Bi together with a plan setting out their locations in Appendix Bii.
- 3.12 These limits are expected to deliver a wide range of benefits including safer and more pleasant public realm, which will encourage residents to walk and cycle more, in turn delivering improvements to their health and wellbeing. Speed restrictions also reduce traffic which has a net impact of reducing air pollution and congestion, alongside the obvious road safety benefits. Longer-term, 20mph schemes, along with complementary transport, health, environment and interventions, deliver greater benefits to both the residents along those streets, promoting active travel and supporting local businesses, and so creating a better environment for businesses and residents alike.
- 3.13 In the town centre, where the public realm is important for attracting businesses and visitors, there needs to be a clear focus on alternative and sustainable transport options to help improve air quality and health outcomes.

- 3.14 The reduction in speed limit to 20mph along certain roads as listed in Appendix Bi is in keeping with the aims and ambitions of Everyone's Essex to create a strong, inclusive, and sustainable economy for Essex residents. Improving the walking and shopping environment of Colchester city centre by lowering vehicle speeds will encourage people to visit the city centre and local businesses and to travel more safely between key points in the city.

### **Consultation**

- 3.15 With different consultations undertaken over the last few years, the responses have been consistently positive about introducing measures that create a safer more comfortable town centre environment in which people can live, work, socialise and shop. Therefore, the measures to be delivered under the ATF2 are the latest in a series of measures to support sustainable travel, which will also see the upgrading of the walking, cycling and public transport networks.

From 24/03/22 to 15/04/22, Essex Highways formally advertised the proposal. The proposal was advertised in the Colchester Gazette and made available on the Essex Highways website. A consultation letter was also sent to all affected properties, so all residents and businesses were able to comment on the proposed new speed limits. Also, public notices were placed on street to help raise the awareness of the consultation in the wider community.

- 3.16 ECC undertook specific consultation of the Proposal. The results of this consultation were as follows:

- Essex Police – This Proposal is supported by the Chief Constable of Essex provided that the streets in question are supported with an appropriate mix of new traffic calming measures. They are supportive of the overall road safety benefits that reduced speeds bring in general but there is no expectation that they will enforce these or existing 20mphs.
- County Councillor Lee Scordis approved the proposal
- County Councillor Anne Brown approved the proposal
- County Councillor Sue Lissimore approved the proposal
- County Councillor Dave Harris approved the proposal
- County Councillor John Baker approved the proposal
- County Councillor John Jowers approved the proposal
- County Councillor Julie Young approved the proposal
- County Councillor Kevin Bentley approved the proposal

- 3.17 However, ECC has received eleven objections during the consultation to the proposed speed limits. A summary of the comments from the objectors can be found in Appendix C. Out of the objections received not one was for the proposed 20mph in the High Street.
- 3.18 Two consultees (Objection 10 and Objection 11) supported the proposals but wanted the proposals to be extended to include additional roads. ECC considered the request however it is proposed to retain the scheme as

advertised, because ECC has found, in line with best practice, that where a new speed limit is introduced but is over extended then its benefits diminish.

- 3.19 A third objection (objection 3) thought that physical measures (however no specific types of measure were mentioned as part of the objection) are needed to make the proposed 20mph effective and this was expressed elsewhere. ECC considered the objection but as the scheme is for a 20mph speed limit as opposed to a 20mph zone, it does not require physical measures to be introduced to enforce the 20mph limit. If what is being proposed is a 20mph zone, then traffic calming measures would be required to help self-enforce the speed of traffic. However, all 20mph terminal signs and required repeater signs will be erected along the roads in question and are in line with national regulations as set out in the DfT's "The Traffic Signs Manual, Chapter 3 (Regulatory Signs) 2019. The new speed limit will be of benefit to the road safety of all who use the newly restricted roads. The highway will be signed to meet the Traffic Signs Regulations and General Direction 2019 (TSRGD) to ensure that the speed limits are fully enforceable under the Highways Act. Also, narrowing of the highway carriageway space will be introduced at various places and on High Street the pedestrian phases on traffic signals will be set to stay on red until approached which will also slow traffic.
- 3.20 A number of objectors regard the proposals as being a waste of funding, funding instead should be used to fill in potholes. However, the funding was granted to ECC from Central Government specifically to implement the 20mph speed limit elements of the ATF2 schemes in Colchester.
- 3.21 ECC received comments that an already safe environment doesn't need any further limits imposed and another objector objected on the grounds that a 20mph limit in fact caused more pollution. Evidence elsewhere indicates that no significant extra levels of pollution is produced as a result of the introduction of new 20mph speed limits. Where some extra pollution has occurred, this is offset by the overall safety benefits of the proposed new 20mph speed limits as a pedestrian hit by a vehicle at 20mph has a greater possibility of surviving than hit at 30mph.
- 3.22 A final objector (objection 12) set out their concern that the cumulative impact of 20mph limits will be detrimental to their operations (their business) where a new 20mph speed limit is introduced on a bus route, particularly delays to their services. These concerns have been relayed to the scheme designers however as there are no alternative solutions to the proposal, no changes have been made and the scheme remains as published in the consultation.
- 3.23 ECC regard the safety benefits of the schemes as they stand far outweighs any small reduction in the average speed of the buses using the affected routes. Based on similar objections to other previous proposed 20mph schemes over a number of years, and input from ECC's Passenger Transport team, it is judged that the safety benefits far outweigh any potential delays to services. However, through regular discussions with the objector on the matter of 20mph speed

limits on bus routes, led by ECC's Passenger Transport officers, every avenue to satisfy the objection to the proposals have been explored. ECC therefore recommends in light of the safety benefits to proceed with the schemes as published.

- 3.24 All speed limits that are introduced across Essex are based on the Traffic Management Strategy (2005) and the Essex Speed management Strategy (2010), which are currently being reviewed. Both strategies currently place a significant importance on the movement of vehicular traffic (in line with the objectives of ECC at that time) that no longer fits with the current national and local ambitions for more sustainable travel.
- 3.25 The roads in question are all classed as local roads and currently as the ECC policies stand on speed limits the proposed new 20mph speed limits are in line with current policy. They are in places heavily residential, and their positions often lends them to being within walking distance of the town centre and local amenities.
- 3.26 To deliver meaningful change and create safer, greener environments, the opportunity to reduce traffic speeds in locations where ECC need to promote walking and cycling, part of the aim to create healthier environments for all the County's residents and visitors.

#### **4. Links to ECC's Strategic Ambitions**

- 4.1 This report links to the following aims in the Essex Vision
- Enjoy life into old age
  - Strengthen communities through participation
  - Develop ECC County sustainably
- 4.2 Approving the recommendations in this report will have a positive impact on the Council's ambition to be net carbon neutral by 2030.
- 4.3 By approving this recommendation, the proposed scheme links to the following strategic priorities in the emerging ECC Organisational Strategy 'Everyone's Essex':
- 4.3.1 Strong, inclusive sustainable economy,
  - 4.3.2 High quality Environment,
  - 4.3.3 Health, wellbeing, and independence for all ages, and
  - 4.3.4 A good place for children and families to grow.

#### **5. Options**

- 5.1 Implement the Speed Limits as Proposed (Recommended)



5.1.1 This is the quickest way to secure the safety and health benefits of the lower traffic speeds along the roads subject to the proposed new 20mph speed limits.

## 5.2 Do not implement the speed limits (Not Recommended)

5.2.1 This is not recommended by officers as it does not deliver any road safety or health benefits for pedestrians and cyclists. Accepting this option would, in effect, be to accept the current situation. No additional costs would be incurred as the change in signing would not be undertaken. The only cost implications would be that of wasted expenditure on drawing up the scheme.

## 6. Issues for Considerations

### 6.1 Financial Implications

6.1.1 The costs associated to implementing the speed limit changes are funded within existing 2022/23 budgets. The funding for the new 20mph speed limits in Colchester are in the region of £35,000 and is funded out of the £7m ATF2 grant which ECC was awarded by DfT in 2021. Therefore, there are no additional financial implications as a result of this proposal.

### 6.2 Legal implications

6.2.1 The Road Traffic Regulation Act 1984 (as amended) gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient, and safe movement of traffic of all kinds, including pedestrians, and to provide suitable and adequate Speed Limit Restrictions. So far as practical the Council is also required to have regard to

- (a) The desirability of securing and maintaining reasonable access to premises.
- (b) The effect on the amenities of any locality affected so as to preserve or improve the amenities of the areas through which the roads run.
- (c) The importance of facilitating the passage of buses and their passengers.

6.2.2 Justifiable Speed Limit restrictions assist with the expeditious, convenient, and safe movement of traffic and pedestrians.

6.2.3 Whilst there appears to be no real legislative requirement to hold a public enquiry, in view of the objection received, the decision to make the Order may be subject to judicial review, whilst judicial review is a risk, there have been clear and reasoned considerations put forward by Essex County Council as to why it is still going to make the Order. These clear and reasoned considerations ought to have alleviated objector concerns.

## 7. Equality and Diversity Considerations

7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

7.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7.4 Making transport vehicles and infrastructure more accessible to everyone continues to be an important objective and a major challenge for Transport Authorities, operators, and service providers. Accessibility has long been considered as a transport concern only for individuals with mobility difficulties, however, it is now recognized that accessibility is an integral part of high quality, sustainable transport systems, with benefits accruing to all users.

## **8. List of Appendices**

Appendix A – Equalities Comprehensive Impact Assessment

Appendix Bi – Plan of Proposed 20mph Speed Limits

Appendix Bii - Schedule of Roads

Appendix C – Consultation Report

## **9. List of Background papers**

- Forward Plan reference number: FP/142/08/21 - Report Title: Active Travel Fund 2 Schemes, 14 October 2021.
- Full Consultation Responses
- Department for Transport Guidance – Gear Change – A bold vision for walking and cycling – DfT 2020 and Local Traffic Note 1/20 Cycle infrastructure design
- DfT The Traffic Signs Manual, Chapter 3 (2019)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/782724/traffic-signs-manual-chapter-03.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/782724/traffic-signs-manual-chapter-03.pdf)
- Essex Traffic Management Strategy  
[https://www.essexhighways.org/Uploads/Files/strategy\\_traffic\\_management\\_strategy\\_march\\_05.pdf](https://www.essexhighways.org/Uploads/Files/strategy_traffic_management_strategy_march_05.pdf)



- Essex Speed Management Strategy  
[https://www.essexhighways.org/uploads/files/strategy\\_speed\\_management\\_strategy.pdf](https://www.essexhighways.org/uploads/files/strategy_speed_management_strategy.pdf)

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport</b>	1/7/22

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Executive Director, Corporate Services (S151 Officer)</b>	Consent not needed
<b>Stephanie Mitchener on behalf of Nicole Wood</b>	
<b>Director, Legal and Assurance (Monitoring Officer)</b>	1/7/22
<b>Paul Turner</b>	