

Forward Plan reference number: Not applicable

Report title: Proposed 30mph Speed Limit on many roads in East Mersea	
Report to: Councillor David Finch – Leader of the Council	
Report author: Andrew Cook, Director for Highways and Transportation	
Date: 10 September 2019	For: Decision
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County Divisions affected: Stanway and Pyefleet	

1. Purpose of report

- 1.1. To consider the request made to the Colchester Local Highway Panel (LHP) to advertise a 30mph speed restriction on East Road, Ivy Lane, Broman’s Lane, Moore Lane, Shop Lane, Church Lane and Meeting Lane, East Mersea.

2. Recommendations

- 2.1. Agree to formally advertise a proposal to introduce a 30mph speed limit on East Road, Ivy Lane, Broman’s Lane, Moore Lane, Shop Lane, Church Lane and Meeting Lane, East Mersea notwithstanding that some parts of the proposal are contrary to Essex County Council’s Speed Management Strategy.

3. Summary of Issue

- 3.1. East Mersea is a parish forming the eastern part of Mersea Island. There are scattered houses and small pockets which are slightly more built up. The whole area is currently subject to a 40mph speed limit. The main road which connects all other roads in East Mersea with the rest of the island and the causeway is East Road.
- 3.2. In 2017 a request was made to the Colchester LHP by Cllr Bentley as the County Member to consider reducing the current 40mph speed limit along East Road throughout East Mersea from the boundary line at West Mersea for its entire length to 30mph. East Road is a rural two lane road with no footways. Properties are spread out along the road and as such there is no real settlement or ‘centre’. The road is some 3.2 miles in length from The Strood to Cudmore Grove Country Park. East Road in East Mersea is classified as a priority 2 route and there have been three statistical injury collisions over the 2.16 mile distance that the 30mph limit is being sought .
- 3.3. A 30mph speed limit would be outside the parameters of the Essex Speed Management Strategy (the Strategy) which states that 30mph should be applied only in villages and that 40mph is more appropriate. In addition

Proposed 30mph speed limit on many roads in East Mersea

motorists are already driving at 40mph and they are unlikely to observe a 30mph limit as it will 'feel wrong' due to the rural nature of the road.

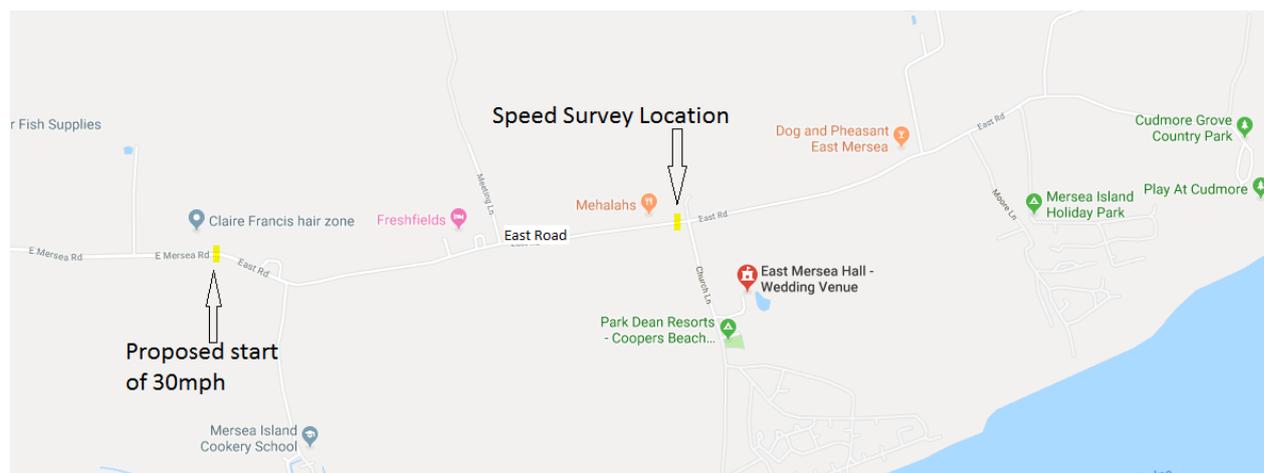
- 3.4. A speed survey was undertaken on 11 November 2017 near the village hall on East Road. The average speeds recorded on East Road at a point 120m West of Church Lane were 36.7mph. This would indicate that drivers would not understand a speed limit of 30mph in this area meaning that if a 30mph limit is introduced it is likely that we would see many driving above the limit. There is evidence that lowering a speed limit will have only a limited impact in reducing the average speeds of vehicles without physical traffic calming features. It can also lead to frustration from drivers who do not understand why they are being asked to drive at a reduced speed.

Table 1 – Speed Data

Location on East Rd	Speed limit	Direction of Travel	Mean average speed	Volume of traffic
120m West of Church Lane	40mph	Eastbound	37.3mph	6,285
		Westbound	36.1mph	6,289

- 3.5. The East Mersea Parish Council were consulted on the location of the speed survey, and indicated to the Council that they considered East Road to form part of the village and therefore they believed it should have a 30mph speed limit as seen with other villages.
- 3.6. The Strategy states that 30mph should be 'the norm' in a village. The Traffic Authority Leaflet 'Village Speed Limits' defines a village as being 20 or more houses and a minimum length of 600 metres. The Council Strategy defines them as follows:
- 11 or more properties to include houses, shops, a church or school, village hall or
 - public house (traffic generators), etc.;
 - Minimum length of 350 metres.
- 3.7. East Road has more than 11 properties along its entire length of 2.16 miles, the traffic generators on this road are the two restaurants and a public house as well as Cudmore Grove Country Park. In addition, in the summer months there are people walking on East Road to Cudmore Grove Country Park.

Proposed 30mph speed limit on many roads in East Mersea



- 3.8. The Council has raised the proposal with Essex Police, who have indicated that they are not in support due to the fact that the average speeds recorded along the road are within the current 40mph speed limit in force.
- 3.9. The inclusion of the other roads in the proposed 30mph is also contrary to policy if installed in isolation of East Road as the main road.. Ivy Lane, Broman's Lane, Moore Lane, Shop Lane, Church Lane and Meeting Lane are all shorter than the 600m minimum length laid out in the guidance for a 30mph speed limit. They also do not have more than 11 permanent residential properties with many of the roads being no through routes to caravan parks. The DfT however recommends not introducing too many differing speed limits so as to avoid driver confusion. It would be logical therefore to include the aforementioned roads in the legal order.

4. Options

4.1 Option A - Agreement to the progression of the 30mph speed limit outside of guidance (recommended)

This option would be the preferred option for the Parish Council and County Member. Although the 30mph speed limit current mean speeds are high the area does have a higher than the minimum 11 properties to be considered a village. Although no Church or Village shop in the summer month the area does experience a number of vulnerable road users walking for recreational purposes and no footway.

However if this is scheme is introduced we need to consider whether it will generate a demand for other such schemes else. Whereas this is scheme is outside of Essex County Council's Speed Management Strategy it could set a precedent which the Council would not wish to see in other similar locations.

4.2 Option B – Do not advertise the scheme

This option would not be supported by the County Councillor who has sought to progress a 30mph speed limit at this location.

Proposed 30mph speed limit on many roads in East Mersea

The benefit to not agreeing to the scheme outside of guidance would be that we would not be setting a precedent for future installations which fall short of meeting the specified figures.

5 Issues for consideration

5.1 Legal Implications

5.2.1 The Road Traffic Regulation Act 1984 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 parking facilities. 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.

5.2.2 Justifiable speed limits assist with the expeditious, convenient and safe movement of traffic and pedestrians.

5.1.1 This proposal does not meet the guidance as laid out in the Strategy. Introducing a speed limit which does not meet policy may set a precedence for similar roads throughout the County.

5.1.2 All speed limits other than the national limits are made by speed limit order. Traffic Authorities should comply with their own consultation procedures and must, as a minimum, follow the full consultation procedure set out in legislation, before any new speed limit is introduced. More detail about these requirements is in the background papers. The Department considers that it is best practice for traffic authorities to make an order under section 84 Road Traffic Regulation Act 1984 to create a 30mph speed limit on an unlit stretch of road.

5.1.3 If the requested speed limit is to proceed it would be subject to a formal public consultation prior to installation, and would be returned to the Leader if representations were received, for further consideration before a final decision was taken on whether to implement the reduced speed limit.

5.1.4 If the limit was to be implemented and the average speeds did not reduce, the Local Highway Panel could then consider further traffic calming measures to support the new 30mph speed limit.

5.2 Financial Implications

- 5.2.1 If this scheme were to progress the full scheme costs would be in the region of £15,000 for the legal order, staff time, and sign changes.

6 Equality and Diversity implications

- 6.1 The public sector equality duty applies to the council when it makes decisions and this is covered by the equality impact assessment dated 29 March 2019.

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.

- 6.2 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).

- 6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

As this improvement scheme is outside of policy, an EqIA has been carried out in addition to this Cabinet Member Action.

7. List of appendices –

- 7.1 Appendix 1 - EqIA

8. List of Background papers –

- 8.1 Scheme Request Forms and pertaining documentary evidence,
- 8.2 Validation Report,
- 8.3 Proposal Scheme List
- 8.4 The Strategy

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor David Finch, Leader of the Council	23/09/19

Proposed 30mph speed limit on many roads in East Mersea

In consultation with:

Role	Date
ECC Director, Highways and Transportation Andrew Cook,	19/09/2019
ECC Executive Director for Finance and Technology (S151 Officer) Nicole Wood	Consent not needed
ECC Director Legal and Assurance (Monitoring Officer) Paul Turner	19/09/2019
Essex Highways Head of Design Vicky Presland	09/09/2019