

		AGENDA ITEM 11
		PSEG/07/15
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	26 March 2015	
CALL IN OF SPEED LIMIT AT RIVENHALL		
Enquiries to:	Christine Sharland, Scrutiny Officer 01245 430450 Christine.sharland@essex.gov.uk	

On 16 January 2015 Councillor Chris Pond called in decision FP/963/01/15 on a proposed 40 mph intermediate (buffer) speed limit between the current 30 mph speed limit on the approach to St Mary's Church, Church Road, Rivenhall.

In line with the procedure for handling the call in of a decision, an informal meeting was held on 27 January. A formal note of that meeting and a copy of his Notification of Call-In form is attached at the Appendix.

At the informal meeting Councillor Pond agreed to withdraw his Call In on the basis of the information exchanged, and an undertaking by Councillor Bass to pursue the implementation of an extension of the existing 30 mph past the Rivenhall Primary School.

Action required by the Committee:

The Committee is invited to note the action taken in this matter.

Appendix

Note of Informal meeting held on 27 January 2015 regarding the Call In of a Decision

Call In of Decision reference FP/963/01/15 Proposed 40mph intermediate (buffer) speed limit between the current 30mph and speed limit on the approach to St Mary's Church, Church Road, Rivenhall

In attendance:

Councillor Chris Pond (Councillor responsible for calling the decision in)
Councillor James Abbott (Councillor on whose behalf decision was called in)
Councillor Simon Walsh, Chairman of Place Services and Economic Growth Scrutiny Committee
Councillor Rodney Bass, Cabinet Member for Highways and Transportation

Katrina Davies, Cabinet Advisor
Christine Sharland, Scrutiny Officer

Cllr Walsh welcomed everyone to the informal meeting that had been set up as part of the County Council's Call In procedure for the consideration of proposed decision reference FP/963/01/15 namely to not implement a proposal for a 40mph intermediate (buffer) speed limit between the current 30mph and speed limit on the approach to St Mary's Church, Church Road, Rivenhall. The decision was called in by Councillor Pond as a Member of the Place Services and Economic Growth Scrutiny Committee, on behalf of Councillor Abbott, who was the local Member for Rivenhall.

Councillors Pond and Abbott were then invited to explain the reasons for calling in the decision as set out in the Notification of Call In as attached at Appendix A to this note. As a part of his presentation Councillor Abbott clarified the local road layout and support for measures to reduce the speed of traffic past the Rivenhall Primary School, including that of the Local Highways Panel. A request in the past for an extension of the 30mph speed limit at the site has been refused by the County Council.

In response Councillor Bass acknowledged that there were errors in the decision report, and confirmed his reasons for not supporting the implementation of a 40 mph speed limit at the site. While he accepted that there were problems with speeding along the road he did not believe that a 40 mph buffer zone would resolve those problems.

During the discussion that followed it was agreed by those present that an extension of 110 yards (100metres) of the existing 30 mph speed limit in Church Road would be a preferable alternative to the introduction of a 40 mph buffer

zone, supported by other suitable traffic measures such as the installation of the VAZ traffic sign already purchased by the Parish Council and wigs wag lights. Councillor Bass undertook to take the proposal forward with the proviso that final details would have to be subject to the advice of highways engineers about the siting of signs etc.

On the basis of the Cabinet Member's promise to pursue the implementation of an extension of the existing 30 mph past the Rivenhall Primary School, Councillor Pond on behalf of Councillor Abbott, agreed to withdraw formally his call in of decision FP/963/01/15.

Addendum: Following the meeting Councillor Bass signed a Cabinet Member Action (CMA) for the extension of the 30 mph in Church Road, Rivenhall as promised at the informal meeting. The CMA was signed by Councillor Bass and published on 28 January.

Appendix A - Notification of Call-in**Decision title and reference number**

FP/963/01/15 – Proposed 40mph intermediate (Buffer) speed limit between the current 30mph and speed limit on the approach to St Mary's Church, Church Road, Rivenhall.

Cabinet Member responsible

Cllr. Bass (on behalf of Cllr. Johnson)

Date decision published

14th January 2015

Last day of call in period

5.00pm on 19th January 2015

Last day of 10-day period to resolve the call-in**Reasons for Making the Call in – from information supplied by Cllr. James Abbott**

Despite correspondence with officers and consideration at the Braintree LHP, the report fails to mention that the main reason for the new 40 mph buffer speed limit request is to achieve lower speeds at Rivenhall Primary School, Church Road, Rivenhall.

The school is adjacent to the church, which is referred to in the report.

The report is in error stating that the speed limit past the church is 60mph national limit. It is actually 30 mph.

Contrary to the report, the request can be seen to comply with the Essex Speed Management Strategy, which refers to a buffer speed limit being appropriate where there are outlying houses (there are) or high speeds entering a village (there are). The road is also quite open and with good visibility, so drivers would have plenty of opportunity to see appropriate signage. The neighbouring village of Silver End has a 40 mph buffer limit on its northern approach.

The analysis in the Report of the speed survey data within the existing 30 mph limit is incomplete. The Report does not explain that the survey was carried out approximately 80 m inside the 30 mph limit, next to the war memorial. This is also near the main gate to the school. So the speeds measured will be similar to those that would have been measured if the survey had been done immediately outside the school.

That survey showed that average speeds both northbound and southbound were above the 30 mph limit and northbound, well above (36.8 mph). The Report incorrectly concludes that "the majority of drivers are trying to comply". In reality the survey shows that 48.8% of vehicles southbound were exceeding the 30mph limit and 80.8% northbound were above the limit - so clearly the majority were speeding. The 85%iles were 35.9 mph south and 40.6 mph north.

The police response quoted in the Report that all a speed limit change would do is "create offenders" is perverse. The majority of drivers are breaking the speed limit past a primary school and the village church in a 30 mph limit now – as evidenced by the survey. The aim of the request is to slow speeds past the school and church. With an earlier opportunity to slow down through the 40mph buffer, drivers are more likely to be complying with the 30 mph at the critical zone outside the school and church and therefore will be less likely to be offenders. The police comment is also perverse in that currently they will not enforce against the speeding as they say it is taking place too close to the 60 mph boundary. With a 40mph buffer there would be a stronger case for enforcement at the school, north and southbound.

The statement in the Report that there has been one minor accident is incorrect and no time period is defined. Whilst high speeds were not involved in the recent case, the crash was serious. This demolished part of the listed church wall (image attached: note the imprint date is incorrect). Cars crossed the footway close to the school entrance.

Numerous incidents have occurred over many years on the road between Rivenhall and Silver End. In recent years on average a vehicle leaves the road at speed about once a month. Each of these incidents is minuted by the parish council.

The evidence of support in the Report is incomplete. Both district councillors also support the proposal (one of which is Cllr. Abbott). A parent's petition of about 150 names for 20 mph at the school was submitted to the County Council, but rejected by Cllr. Bass in 2014.

The Report is wrong to conclude that the proposal would achieve nothing. It would help to reduce speeds on the approach to, and leaving the village. This can be backed by signage and a solar powered 40 mph VAS which the parish council holds in stock.

The Report states that to the north of the church is "open countryside" thereby apparently justifying the speeding. What is important is the speed of vehicles as they pass a Grade 1 listed village church (also surrounded by a scheduled ancient monument) and a grade 2 listed primary school where very young children attend and need to be in as safe an environment as can reasonably be achieved.

Signed: Councillor Chris Pond in behalf of Councillor James Abbott	Dated: By email 16 January 2015
For completion by the Governance Officer	
Date call in Notice Received 19 January 2015	Date of informal meeting 27 January 2015
Does the call in relate to a Schools issue No	If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting N/A
Date of Corporate Scrutiny Committee Meeting (if applicable) N/A	Date call in withdrawn / resolved 27 January 2015