

Forward Plan reference number: FP/416/05/22

Report title: Active Travel Fund 2 – Proposed Implementation of '20mph Speed Limit', Various Roads, Braintree	
Report to: Councillor Lee Scott – Cabinet Member for Highways Maintenance and Sustainable Transport.	
Report author: Paul Crick – Director, Highways and Transportation	
Date:	For: Decision
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County Divisions affected: Braintree	

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) from its Active Travel Fund (ATF) to deliver sustainable transport schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford, and Colchester.
- 1.3 ECC has formally advertised new 20mph Speed Limits along a number of roads in Braintree, (the Proposal) as detailed in Appendix 2 of this report. The proposal has undergone formal consultation to the general public, particularly for local residents within the vicinity of the proposed new speed limits. As objections have been received, the Cabinet Member is asked to decide as to whether the proposal should be implemented. The scheme will decrease overall speeds, so creating 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 number of '20mph Speed Limit' along a number of streets in Braintree, as formally advertised and detailed in Appendix 2.

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. The area of the town centre 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. Braintree is a growing town, 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 Although in some cases there will be good reason for these journeys to be made by private means, 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 Following an extensive engagement and consultation has been undertaken with local stakeholders in order to develop a set of permanent restrictions. The proposals for Braintree Town will see walking and cycling connections improved and cycle routes along Coggeshall Road and Panfield Lane. This will see a mix of new infrastructure, the introduction of 20mph areas and the creation of new School Streets. The proposals address journeys which we know are being made by car and therefore look to make walking and cycling a more attractive opportunity.
- 3.4 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. 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.
- 3.5 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.
- 3.6 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.
- 3.7 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.
- 3.8 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.

3.9 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.

3.10 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.

3.11 ECC has conducted a statutory consultation to approve the introduction of the '20mph Speed Limit' along a number of streets in and around Braintree town centre.

Proposals

3.12 As part of ECC's ATF2 scheme in Braintree, ECC proposes to introduce a series of permanent 20mph limits in and around the town centre. A full list is set out in Appendix 2.

3.13 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.

3.14 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.

3.15 The reduction in speed limits to 20mph is in keeping with the aims and ambitions of Everyone's Essex to create strong, inclusive, and sustainable economy for Essex's residents. Improving the walking and shopping environment of Braintree Town Centre by lowering vehicles speeds will encourage people to visit the town centre and local businesses and to travel more safely between key points in the town.

Consultation

3.16 From 24 March 2022 to 15 April 2022, Essex Highways formally advertised the proposal. The proposal was advertised in the Braintree and Witham Times 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 awareness of the consultation in the wider community.

3.17 ECC undertook specific consultation of the Proposals. The results of this consultation were as follows:

- Essex Police – supportive of the Proposal. 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.
- District Councillor Cllr Councillor Frankie Ricci approved the proposal.
- District Councillor Graham Butland approved the proposal.
- County Councillor Cllr Lewis Barber approved the proposal

3.18 ECC has received 14 objections during the consultation to the proposed speed limits: (A summary of the comments can be found in Appendix 3.)

3.18.1 Two of the consultees (objections 1 & 14) did not object to the proposals however they were raising the issue of enforcement and questioning why enforcement was not part of the proposed scheme. However, ECC does not have the powers to enforce restrictions that it introduces, instead it is up to Essex police to undertake any enforcement if they regard there is a high enough level of infringements of the speed limit. If ECC however see a high level of speeding, then ECC will request that Essex Police undertake enforcement of the new speed limits. Essex police are supportive of the proposed new 20mph, but with stretched resources they unfortunately will only provide enforcement, some of the time. However, the design of the measures is designed in a way that they are self-enforcing.

3.18.2 A further five (objections 2,4,6 & 7) objections were to question why Victoria Street wasn't included and another one (objection 12), Sunnyside hadn't been included. When ECC was designing the new ATF2 scheme in Braintree, the main purpose of introducing the new 20mph speed limits was to make the road in the vicinity of its new cycle and walking facilities, the cycle lanes and footways safer to be used by cyclists and pedestrians. As there are no new facilities in either Victoria Street or Sunnyside, then there is no need to implement new 20mph speed limits. However, the scheme that has been consulted upon is just a start and over the years, if the new facilities are successful, ECC will look to expand them further, possibly also including Victoria Street. Also, Objector 8 questioned why John English Avenue, Saunders Avenue, Nottage Crescent and Rana Drive were also not included, along with Alexander Road (a drop off for the John Bunyan School) Pegasus Way and Arnhem Grove? The available budget to ECC is not big enough and those roads that are included are judged to be the ones that will make the overall scheme as effective as possible.

3.18.3 In response to the two objectors (objectors 3 & 5) who regard the proposed new 20mphs as being a waste of money that should be spent on repairs to the roads and that this scheme will only worsen congestion. From consultations undertaken it has been found that there is a majority who do support the new measures and so whilst ECC is sympathetic to the objector's concerns, with the scheme being revisited, the designers of the proposed are confident that the

scheme is the most effective way to encourage more cycling and walking in a safe way. However, even if ECC wanted to divert this funding to other purposes, ECC was granted specifically the funding to implement these schemes as part of the DfT's ATF programme.

3.18.4 Objector 8 felt that the proposal does not show how pedestrian and cycle routes will be improved by these restrictions. They go on to express a more general comment is that without adequate and sufficient signage it will be difficult to encourage a change in attitude to any change in the speed limit. In response to these objections ECC has found from the consultations undertaken that there is a majority who do support the new measures and so whilst ECC is sympathetic to the objector's concerns, ECC is confident that the scheme is the most effective way to encourage more cycling and walking in a safe way. However, even if ECC wanted to divert this funding to other purposes, ECC was granted specifically the funding to implement these schemes as part of the DfT's ATF programme. Objector 8 also felt that there would be an increase congestion that already exist if the new 20mphs were introduced. However, ECC regard this as unlikely, as the whole package of measures that are being proposed are designed to reduce the numbers of journeys being made by private cars, instead the schemes will be designed to support more journeys being undertaken by sustainable modes.

3.18.5 Finally, In the view of Objector 9 if ECC want to reduce the traffic, remove the bus lane on Queen Street and that will provide the solution. However, this would be against ECC transport policy to support the use of buses where possible and therefore to remove buses from Queen Street cannot be supported. Much effort is made each year to promote bus use and the ECC works with the bus companies to encourage their use

3.19 These concerns have been considered and as has been set out above there is not a better ATF scheme that can be implemented. No changes can be made and the scheme and therefore it remains as published in the consultation. ECC regard the safety benefits of the new 20mph, far outweigh any of the objections received. The objections have been reviewed against these known benefits.

3.20 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.

3.21 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 heavily residential, and their positions lends them to being within walking distance of the town centre and local amenities.

3.22 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 our 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 our County sustainably

4.2 Approving the recommendations in this report will have the following impact on the Council's ambition to be net carbon neutral by 2030:

4.2.1 Increasing levels of cycling and walking will reduce the amount of carbon produced by less traffic

4.2.2 Less congestion will ensure smoother flows of traffic so reducing carbon emissions and other pollutants

4.2.3 Public transport becomes more attractive as it becomes more reliable and help reduce the numbers of car journeys

4.2.4 Lower speeds will ensure a smoother flow of the traffic, less hold ups which all reduce the level of pollution and carbon emissions.

4.3 Through these and alongside a new approach to new developments, reducing speed limits is an important component of addressing the need to travel and to ensure a strong modal shift away from carbon intensive modes of transport. In this way these new speed limits are helping ECC in its ambition to be net neutral in carbon by 2030.

4.4 By approving this recommendation, the proposed scheme links to the following strategic priorities in the emerging ECC Organisational Strategy 'Everyone's Essex':

- A strong, inclusive and sustainable economy
- A high-quality environment
- Health wellbeing and independence for all ages
- 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 Proposed Speed Limits (Not Recommended)

5.2.1 This is not recommended as it does not deliver any road safety or health benefits for pedestrians and cyclists that 20mph speed limits have been shown to achieve. Accepting this option would in effect, be to accept the current situation

as these proposed 20mph limits are proposed to replace the existing speed limits of 30mph. These new permanent speed limits are not replacing any temporary speed limits. 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 Consideration

6.1 Financial implications

6.1.1 The costs associated to implementing the new speed limit changes will be in the region of £22,500 are funded within existing 2022/23 budgets. The funding for the new measures are 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 implications

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 (see appendix 1) 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 1 - Equalities Comprehensive Impact Assessment (ECIA)
- Appendix 2 – Plan of Proposed 20mph Speed Limits
- appendix 3 - 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
- Essex Traffic Management Strategy
http://www.essexhighways.org/Uploads/Files/strategy_traffic_management_strategy_march_05.pdf
- Essex Speed Management Strategy
http://www.essexhighways.org/Uploads/Files/strategy_speed_management_strategy.pdf

I approve the above recommendations set out above for the reasons set out in the report.

**Date
10/08/2022**

Councillor Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport

In consultation with:

Role	Date
Executive Director, Corporate Services (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	N/A – sign off given in original CMA
Director, Legal and Assurance (Monitoring Officer) Laura Edwards on behalf of Paul Turner	09.08.22