

Forward Plan reference number: Not applicable

Report title: Speed Limit on B1032 between Kirby Cross and Great Holland in Frinton and Walton	
Report to: Councillor Kevin Bentley – Deputy Leader and Cabinet Member for Infrastructure	
Report author: Andrew Cook, Director for Highways and Transportation	
Date: 1 September 2020	For: Decision
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County Divisions affected: Frinton and Walton	

1. Purpose of report

- 1.1 To consider the request made by Councillor Platt, on behalf of Residents, to extend the existing 30mph speed limit on B1032 Kirby Road, Great Holland for the length currently covered by a 40mph speed limit (890m).

2. Recommendations

- 2.2 Not to progress a scheme to extend 30mph speed limit on the B1032 between Kirby Cross and Great Holland in the parish of Frinton and Walton.

3. Summary of Issue

- 3.1. The B1032 is a Priority 2 Route within the Essex Functional Route Hierarchy. This report is concerned with the section of the road which starts with the junction with the B1033 in Kirby Cross runs to the village of Great Holland. The sections in Great Holland and Kirby Cross are both subject to a 30 mph speed limit. The intervening section of 890m is subject to a 40 mph limit.
- 3.2. This is the main arterial route linking Clacton-on-Sea to Frinton-on-Sea and Walton-on-the-Naze. Essex Highways have assessed the 40mph section of the route as being predominantly rural, however there has been recent development staggered on both sides of the road between Great Holland and Kirby Cross.
- 3.3. Following concerns of speeding raised by the residents, Cllr Platt, as the County Member for Frinton and Walton, has requested that the 40mph speed limit be reduced to 30mph for the whole of the 890m currently covered by a 40mph speed limit.

Location Plan



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- 3.4. In 2005 the Council adopted traffic management strategy which included a Functional Route Hierarchy. Under this, the highway network is divided into County and Local Routes. County Routes are those which are the main traffic distribution function in any area and give priority to motorised road users. The Traffic Management Strategy further splits County Routes into Priority 1 and Priority 2. A Priority 1 County Route may be an interurban or connecting route, radial feeder or town centre access route. Priority 2 County Routes are all those County Routes which do not fall into the Priority 1 category. Layer Road/Oxley Hill is a Priority 2 Route whose main purpose is the distribution of traffic and giving priority to motorised road users. It is important to maintain free flowing traffic movement upon them due to the function they perform within the highway network.
- 3.4 A decision to set a local speed limit should be taken after due consideration of guidance issued by the Department for Transport on Setting Local Speed Limits,


in Department for Transport Circular 01/2013 (“the Guidance”) and ECC’s Speed Management Strategy (“the Essex Strategy”) which set out the overarching principles to be applied. The guidance states that speed limits should be evidence led and self-explanatory to reinforce people’s assessment of what is an appropriate speed to travel because this will encourage self-compliance.

3.5 The guidance says that we should consider the following six criteria when setting speed limits:

- the history of collisions,
- road geometry,
- road function,
- existing traffic speeds
- road environment

3.6 In accordance with the Essex Strategy, a speed limit of 30mph is the default in urban areas and villages. The strategy defines a village as eleven or more buildings over a minimum length of 350 metres. This would include houses, shops, churches, schools and public houses.

3.7 Automatic traffic counts were undertaken within the area. This showed good compliance as detailed in the table below.

Automatic Traffic Count - B1032 Kirby Road, Great Holland							
Date	Location			Posted Speed Limit	Direction of Travel	Average Daily Speed	Average Daily Volume
Jun-19	ATC 1	Telegraph Pole, approx 75m South West of the junction with Hamilton Road.		40mph	North bound	36.7mph	5965.0
					South bound	36.3mph	5737.0

3.8 The automatic traffic counts within the 40 mph speed limit showed recorded average daily speeds of 36.3 mph and 36.7mph. This indicates that the ‘look’ of the road suggests to drivers a speed limit of 40 mph and that they may not understand a speed limit of 30mph, were it introduced. Department for Transport (DfT) Guidance, under DfT Circular 01/2013, states that speed limits should be evidence-led, self-explaining, and seek to reinforce people’s assessment of what is a safe speed to travel and encourage self-compliance. The lack of continuous visible development along this section of road would explain why drivers means that 30mph speed limit.

3.9 The Road Safety Engineering Team have stated from a Safety Engineering perspective, the speed survey results do not indicate a non-compliance issue with the current 40mph limit, nor have there been any recorded injury collisions in the last 36 months. Therefore they would not be looking to implement any

safety remedial measures, which can include a reduction in speed limit, along this section. If the central 40mph section is removed and the entire length is made a 30mph section, then the existing 30mph 'gateway' currently at either end will no longer be present. This means that if people exceed 30mph in the current section will no longer see a strong reminder to reduce their speed as they enter into the more built up areas of Gt Holland or Kirby Cross.

- 3.10 If we introduce a 30 mph speed limit on this area then there is a relatively high chance that it will not be complied with by motorists. This lack of compliance may generate requests for traffic calming measures. As this a Priority 2 road, physical measures in the carriageway are not recommended, owing to the function of these roads.
- 3.11 Given the above, the Request does not meet the criteria set out in the Guidance or the Essex Strategy and changing the current speed limit from 60mph to 30mph would be contrary to the ECC speed management strategy.
- 3.12 All speed limits other than the national limits are made by a legal order.
- 3.13 As this is just a proposal, no consultations have yet been undertaken. It is clearly the case that this will be supported by the County Councillor

4. Options

- 4.1 **Option 1 – Publish proposals for a 30mph speed limit on the length of the current 40mph limit between Kirby Cross and Great Holland, notwithstanding that it is contrary to policy and authorise the Director, Highways and Transportation to implement the proposal if there are no objections.**

If this speed limit extension is introduced ECC, as the Highway Authority, would need to consider whether it will generate a demand for similar extensions elsewhere because the extension is outside of the Essex Strategy and could set a precedent for similar locations.

This would be the preferred option for the Residents and County Councillor , the proposed length of road does not meet the criteria for a 30 mph speed limit due to a lack of development and it may not be complied with by motorists and could paradoxically increase speeds in the current 30 mph area.

- 4.2 **Option 2 (recommended) – Do not progress the 30mph speed limit extension.**

This is the recommended option as it would maintain the current situation which is not considered to represent a road safety issue. This, however, would not be supported by the County Councillor who wishes to progress an extension of the existing 30 mph speed limit at this location.

The benefit of not agreeing to the speed limit extension is that ECC will be promoting compliance with the policy. It is of course important to treat policy as a guide rather than considering it to be binding but if we are going to depart from policy we should be clear about why we are doing so.

5 Issues for consideration

5.1 Legal Implications

5.1.1 This proposal does not meet the guidance as laid out in the Strategy. The Strategy and guidance are relevant considerations in decision making. While all proposals are to be considered on their own merits, the Strategy provides a platform to guide consistency in decision making where there are similarities in roads throughout the County.

5.1.2 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.

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

5.1.4 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.

5.1.5 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.

5.2 Financial Implications

5.2.1 If this scheme were to progress the full scheme costs would be in the region of £10,000 for the design, legal order, staff time, and sign changes and would be funded from existing budget allocations.

6 Equality and Diversity implications

6.1 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.

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.

7. List of appendices

7.1 Appendix 1 – Equality Impact Assessment

8. List of Background papers

Scheme Request Forms and pertaining documentary evidence, Essex Speed Management Strategy

I approve Option 1 as set out in section 4 of the report for the reasons set out in the report.	Date 26/08/2020
Councillor Kevin Bentley – Deputy Leader and Cabinet Member for Infrastructure	

In consultation with:

Role	Date
Director, Highways and Transportation	07/07/2020
Andrew Cook	

Executive Director for Finance and Technology (S151 Officer) Nicole Wood	Not required
Director Legal and Assurance (Monitoring Officer) Paul Turner	24 August 2020
Essex Highways Head of Network and Safety/Traffic Manager Liz Burr	01/05/2020
Essex Highways Head of Design Vicky Presland	06/07/2020