

**Forward Plan reference number:** Not Applicable

<b>Report title:</b> Proposed 20mph Speed Limit – Waterhouse Moor, Bush Fair, Harlow	
<b>Report to:</b> Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure	
<b>Report author:</b> Andrew Cook, Director for Highways and Transport	
<b>Date:</b> 6 April 2021	<b>For:</b> Decision
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<b>County Divisions affected:</b> Harlow South	

## 1. Purpose of Report

- 1.1 Essex County Council (the Council) has formally advertised the implementation of a 20mph speed limit on Waterhouse Moor, Bush Fair, Harlow (the Proposal). Following the consultations and advertisement, two objections have been received. The Cabinet Member is now asked to decide as to whether the proposal should be implemented.

## 2. Recommendations

- 2.1 To approve the introduction of the 20mph speed limit on Waterhouse Moor, Bush Fair, Harlow, as formally advertised.

## 3. Summary of issue

### Background

- 3.1 The Department for Transport has published policy on speed limits in Circular 01/06. The Council has an adopted Essex Speed Management Strategy. The Council has to keep speed limits under review to ensure that speed restrictions align with policy. The need to change speed limits can arise for many reasons, including changes in traffic flows and volumes, changes to the topography of an area (e.g. if new development takes place) and changes to policy and practice or a change in patterns of traffic incidents.
- 3.2 The Council therefore keeps speed limits under review. Where Officers consider that the speed limits on a length of highway should be changed, the proposal is advertised in the press and by site notices. In addition specific consultation is undertaken with the police, other local authorities and the County Councillor(s) for the local Division. Those consultees are asked to respond to the consultation and indicate whether or not they support the proposal.

### The Proposal

- 3.3 Following a meeting in 2019, which Councillor Bentley as the Cabinet Member for Infrastructure had with residents of Waterhouse Moor, there were discussions surrounding the possibility of introducing 20mph speed limit or other advisory

signage into the area to raise awareness of the need to adopt a more considerate speed.

3.4 Waterhouse Moor has been reported by residents as being frequently used as a cut through for vehicles on Tripton Road and Tendring Road. Speed data obtained on this route revealed that average speeds were 25mph and 26mph eastbound and westbound respectively. All roads in the area are currently subject to a 30mph speed limit.

3.5 The proposal for a 20mph speed limit has been extended to St Andrews Meadow, Westfield, Stony Wood, and Church Leys. All roads are of similar character to Waterhouse Moor, and it is felt that they should also be considered for this proposal.

### Consultation

3.5 In accordance with the process for setting speed limits, on 28 January 2021 the Council advertised a proposal to change the speed limit at the following locations:

<b>Highway affected:</b>	<b>Church Leys:</b> from its junction with Tendring Road southwards, eastwards and then northwards for its entire length to its eastern junction with Tendring Road. <b>St Andrews Meadow:</b> from its junction with Waterhouse Moor, northwards for its entire length. <b>Stony Wood:</b> from its junction with Westfield, westwards and then north eastwards for its entire length. <b>Waterhouse Moor:</b> from its junction with Tendring Road, northwards and then south-westwards for its entire length to its junction with Westfield. <b>Westfield:</b> from its junction with Tripton Road, north eastwards for its entire length to its junction with Waterhouse Moor. <b>Westfield:</b> from its junction with Tendring Road, northwards and then south westwards and north eastwards for its entire length to its junction with Stony Wood and Tripton Road.
<b>Current Speed Limit:</b>	30mph speed limit by virtue of street lighting
<b>Proposed Speed Limit:</b>	20mph speed limit
<b>Description of route:</b>	These roads are generally built up on both sides and are 30mph. They are currently being used as cut through from Tripton Road and Tendring Road
<b>Justification for change:</b>	Highways Practice Note 040 – 20mph Speed Limits and Zones in Urban and Rural Areas states that 20mph speed limits may be considered on local roads where current speeds are greater than 24mph but equal or lower than 29mph. The Proposal complies with this as recorded mean speeds are 25mph and 26mph eastbound and westbound respectively.

3.6 The Council undertook specific consultation on the Proposal. The results of this consultation were as follows:

- Essex Police have noted that providing the request falls within the Essex Speed Management Strategy and has relevant statistics to support this then we will support the proposal with no further comment.
- Harlow Town Council has not given a response to the scheme.
- County Councillor Eddie Johnson is in support of the scheme.

3.7 At this time a consultation letter was also sent to all affected properties where residents and businesses were invited to comment on the Proposal. In addition to this, public notices were placed on the affected length of road and details of the Proposal were made available on the Essex Highways website.

3.8 Two objections were received from members of the public. A summary of these comments can be found in Appendix 1, along with the Council's response.

3.9 Both objector's felt that it was unfair to implement a 20mph Speed Limit on a limited amount of roads within the Harlow area and felt that a blanket 20mph should replace all 30mph speeds on roads within Harlow.

3.10 In response to the objector, they were advised that the implementation of the 20mph speed limit was agreed after requests from local residents following the consultation exercise. They were informed that a large majority of residents are in favour of the implementation of the scheme. Not all existing 30mph roads in Harlow will be suitable for a 20mph speed limit, and inappropriate speed limits can lead to higher levels of non-compliance. Therefore if the objectors have other roads they believe should be subject to a 20mph speed limit, they should contact their local county councillor, so that a proposal to reduce the speed limit on other roads in Harlow can be considered.

3.11 The objectors also felt that the funding for the scheme was a waste of public money. One of the objector's offered the alternative to install a full barrier across the road at the Harlow Study Centre. This would have the effect of stopping all through traffic without confusing speed limits.

3.12 The objector was advised that a barrier cannot be installed across Waterhouse Moor because it is a public highway to which the public have right of access. Roads can be closed but this is not what is being requested here, as it is a speed concern rather than one of volume.

#### **4. Options**

##### **Option 1 – Implement the scheme as advertised**

4.1 This is the recommended option. This would have the benefits already described but would not meet the requirements of the objectors. The Cabinet Member's role is to balance the competing interests and decide whether this is in the public interest.

## **Option 2 – Abandon the scheme – Do nothing and do not implement the 20mph Speed limit**

4.2 This would not achieve the desired reduction in speed and would not be supported by the County Councillor who has sought to have the 20mph speed limit introduced at the locations listed, on behalf of a majority of residents.

## **5 Issues for consideration**

### **5.1 Financial implications**

5.1.1 It is estimated the cost of this speed limit will be £11,500.00 and will be funded by the Harlow Local Highway Panel 2020/2021 budget.

5.1.2 Any post-implementation surveys and investigations for additional traffic calming measures will require support and funding from the Harlow Local Highway Panel.

### **5.2 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.

## **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 One – Proposed Drawing
- 7.2 Appendix Two – Objection Report
- 7.3 Appendix Three – Site Photos
- 7.4 Appendix Four - Equality Impact Assessment

## 8 List of Background papers

*Essex Speed Management Strategy*

*Department for Transport Circular 01/06*

*Highways Practice Note 040 – 20mph speed limits and zones in urban and rural areas*

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Kevin Bentley, Cabinet Member for Infrastructure</b>	27/04/21

In consultation with:

<b>Role</b>	<b>Date</b>
<b>Director Highways and Transportation</b>	16/04/2021
<b>Andrew Cook</b>	
<b>S151 Officer</b>	Consent not needed
<b>Nicole Wood - Executive Director for Finance and Technology</b>	
<b>Director, Legal and Assurance (Monitoring Officer)</b>	Consent not needed
<b>Paul Turner</b>	
<b>Head of Network and Safety/Traffic Manager</b>	12/04/2021
<b>Liz Burr</b>	
<b>Head of Design</b>	08/04/2021
<b>Vicky Presland</b>	