

Forward Plan reference number: Not applicable

Report title: Proposed 30mph extension on Layer Road, Abberton	
Report to: Councillor David Finch – Leader of the Council	
Report author: Andrew Cook, Director for Highways and Transportation	
Date:	For: Decision
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County Divisions affected: Stanway and Pyefleet	

1. Purpose of report

- 1.1. To consider the request made by the Abberton Parish Council (“Parish Council”) to extend the existing 30mph speed limit on Layer Road, Abberton past its junction with Rectory Lane (“the Request”).

2. Recommendations

- 2.1. To agree not to proceed with the Request on the basis that it is contrary to Essex County Council’s (“ECC”) Speed Management Strategy.
- 2.2. To agree that the extension of the 30mph speed limit on Layer Road, Abberton does not proceed to consultation.

3. Summary of Issue

- 3.1. On the 15th March 2019, Cllr Bentley as the divisional County member for Stanway and Pyefleet submitted a Local Highway Panel (LHP) request form, which is the official process for scheme requests into the LHP, to request that the 30mph sign be moved from its current location at the start of the existing 30mph speed limit (point A) to 32m north-west of the junction with Rectory Lane (point B), as shown on the plan below. The purpose of the request was to prevent speeding.

Proposed 30mph speed limit extension on Layer Road, Abberton

3.2. Plan and photographs of proposed extension to 30mph speed limit.

3.2.1. Plan of area in question:



3.2.2. Satellite image:



Proposed 30mph speed limit extension on Layer Road, Abberton

3.2.3. Start of the current derestricted speed limit heading north-west on Layer Road:



3.2.4. Suggested start to the 30mph speed limit heading south-east on Layer Road:

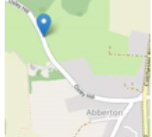



- 3.3. The request provided information to confirm that the location of the current sign meant that speeding occurred by the time that cars entered the village. It also provided that it is difficult for people to leave and enter Rectory Lane which is currently outside of the 30mph speed limit. The request was then progressed to the validation process, whereby a Design Engineer investigates the issues raised, as well as any suggested solutions, and puts forward feasible engineering solutions where possible. With this particular request, the 30mph extension was found to not meet the Essex Speed Management Strategy and as such, the Design Engineer could not recommend that this scheme progress.

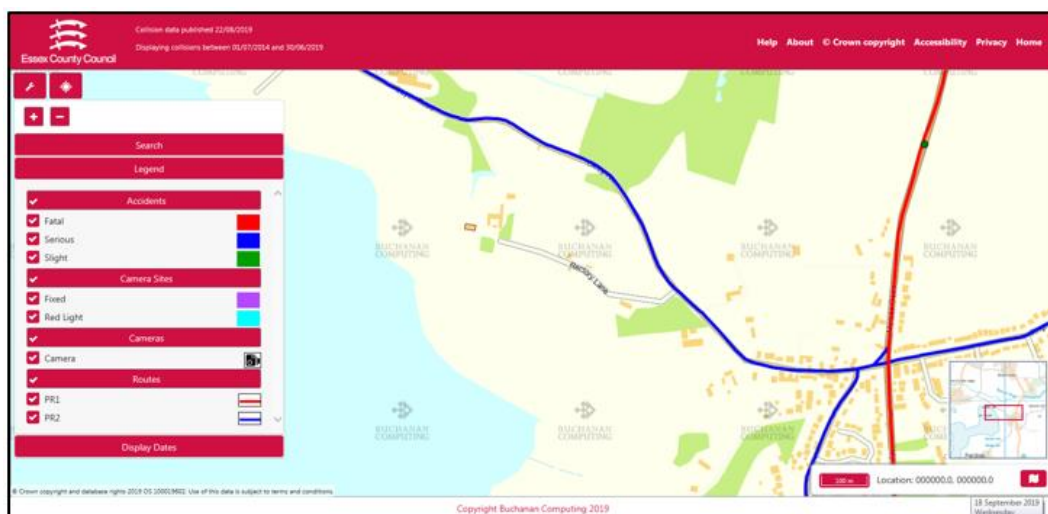
- 3.4. Essex adopted a Functional Route Hierarchy, detailed in The Traffic Management Strategy ratified by the County Council in 2005, where the highway network is divided into County and Local Routes. County Routes provide the main traffic distribution function in any area and give priority to motorised 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.
- 3.5. A decision to set a local speed limit should be taken in accordance with Guidance issued by the Department for Transport on Setting Local Speed Limits, under 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 and to encourage self-compliance.
- 3.6. The history of collisions, road geometry, road function, composition of road users, existing traffic speeds and road environment are the six important criteria set out in the Guidance that should be taken into account when considering setting appropriate speed limits.
- 3.7. In accordance with the Essex Strategy, a speed limit of 30mph is the default in Urban areas and villages. A Village is defined as 11 or more properties including houses, shops, churches, schools and public houses over a minimum length of 350 metres. The stretch of road in question is on the outskirts of the village of Abberton and does not fall within the definition of a village due to the lack of development.
- 3.8. Automatic traffic counts were undertaken within the area of the Request and into the existing 60mph speed limit. These showed good compliance as detailed in the table below.

Proposed 30mph speed limit extension on Layer Road, Abberton

Automatic traffic count data

Automatic Traffic Counts - Abberton								
Date	Location			Posted Speed Limit	Direction of Travel	Speed		Average Daily Volume
						Mean Average Daily	Average daily 85th%ile	
Jul-19	Oxley Hill	135m North of j/w Rectory Lane		60mph	North	38.2mph	44.5mph	1311.4
					South	37.3mph	43.1mph	1317.7
Jul-19	Layer Road	30m North of 30mph restriction		60mph	Northwest	34.2mph	39.9mph	1347.1
					Southeast	32.4mph	37.9mph	1347.3

- 3.9 The automatic traffic counts within the 60mph speed limit showed recorded average daily speeds of 35.53mph and an average 85th%ile of 41.35mph. This indicates that drivers may not understand a speed limit of 30mph, were it introduced.
- 3.10 The section of road in the Request does not fit the environment expected of a 30mph speed limit because the average speeds are higher than 30mph and there is a lack of roadside development. Although the existing 30mph speed limit falls within the Essex Strategy, the requested extension does not.
- 3.11 In addition, there have been no personal injury accidents in this section of road which are as a result of speeding. The extract below is from Traffweb, which displays information based upon statistics gathered by the Police about road traffic collisions which have resulted in injury. The data below is for a five year period and shows that there have been no reported personal injury road traffic accidents in the vicinity of the Request.



- 3.12 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 ECC policy.
- 3.13 All speed limits other than the national limits are made by speed limit order. ECC as the Highway Authority should comply with their own consultation procedures and must, as a minimum, follow the full consultation procedure set out in legislation (Part VI of the Road Traffic Regulation Act 1984 and The Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996), before any new speed limit is introduced.

4. Options

4.1 Option A (not recommended) - Agreement to the progression of the 30mph speed limit extension outside of guidance

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.

Although agreement to the speed limit extension would be the preferred option for the Parish Council and County Member, the proposed length of road does not meet the criteria for a 30mph speed limit due to a lack of development.

4.2 Option B (recommended)– Do nothing and do not progress the 30mph speed limit extension.

This is the recommended option however would not be supported by the County Councillor who has sought to progress an extension of the existing 30mph speed limit at this location.

The benefit of not agreeing to the speed limit extension is that ECC will not be setting a precedent for future extensions which are against the policy of ECC.

5 Issues for consideration

5.1 Legal Implications

- 5.1.1 The Request does not fall within government guidance or ECC policy. Introducing a speed limit which is inconsistent with ECC's policy creates a risk of the decision being challenged and sets a precedence for similar roads throughout the County.

5.2 Financial Implications

- 5.2.1 If this scheme were to progress the full scheme costs would be in the region of £5000 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 23 September 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 –

Scheme Request Forms and pertaining documentary evidence,
Essex Speed Management Strategy,
Department for Transport Circular 01/2013

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I approve Option A outside of recommendations to install the 30mph speed limit as requested	Date 07/09/2020
Councillor David Finch, Leader of the Council	

In consultation with:

Role	Date
ECC Director, Highways and Transportation	07/09/2020
Andrew Cook,	
ECC Executive Director for Finance and Technology (S151 Officer)	Consent not needed
Nicole Wood	
ECC Director Legal and Assurance (Monitoring Officer)	02/06/2020
Paul Turner	
Essex Highways Head of Design	09/06/2020
Vicky Presland	