

Department of Transport 20 mph Speed Limits: Police accident data and Police Speed Enforcement Policy

Report of the Head of Highways, Capital Development and Waste

1. Introduction

Current Policy on Local Speed Limits has been approved by the County Council and has been considered by Scrutiny on a number of occasions.

This report includes a copy of the current Devon Traffic Policy and Devon Traffic Advice Note on Local Speed Limits. These are provided to set the context for the discussions at Place Scrutiny Committee with the Police on accident data and enforcement policy.

Publication of the Department for Transport's (DfT) study on a national review of 20mph speed limits is not now anticipated until 2017.

Once the DfT publishes new information to Local Highway Authorities on setting local speed limits, the current Devon Policy Local Speed Limits will be reviewed to take account of such information. The review may lead to proposals for Policy changes, which will be referred to Place Scrutiny for its views before a report being presented to Cabinet for policy approval.

2. Current Position

The County Council agreed Devon's speed limit policy in August, 2006. The Report can be seen on the DCC website using the following link:

<http://democracy.devon.gov.uk/Data/Cabinet/20060801/Minutes/pdf-EEC-06-92-HQ.pdf>

A Scrutiny investigation into 20 mph limits was reported at Scrutiny in November 2008. The Task Group covering report can be seen on the DCC website using the following link:

[http://democracy.devon.gov.uk/celistdocuments.aspx?MID=1465&DF=11%2f11%2f2008&A=1&R=0&F=embed\\$text](http://democracy.devon.gov.uk/celistdocuments.aspx?MID=1465&DF=11%2f11%2f2008&A=1&R=0&F=embed$text)

Scrutiny considered a report on Road Traffic Collisions and Casualties in September 2014 that included a discussion of 20mph speed limits. The minutes of the discussions can be seen on the DCC website using the following link:

<http://democracy.devon.gov.uk/CeListDocuments.aspx?MID=1503&RD=Minutes&DF=15%2f09%2f2014&A=1&R=0>

Scrutiny considered a report on Speed Limit Policy in Sept 2015. The minutes of the meeting can be seen on the DCC website using the following link:

<http://democracy.devon.gov.uk/CeListDocuments.aspx?MID=1511&RD=Minutes&DF=11%2f09%2f2015&A=1&R=0>

At its meeting in September 2015, Place Scrutiny resolved "that consideration of the issues identified above be deferred until the Committee meeting in March 2016, to be considered alongside the report on the Department of Transport's (DfT) national review of 20mph speed limits, and that the Devon Cornwall Constabulary be also invited to attend that meeting to respond to concerns about accident data and provide a statement on their enforcement policy."

This report includes a copy of the current Devon Traffic Policy and Devon Traffic Advice Note on Local Speed Limits. This is the Policy that currently operates across Devon to provide a consistent approach to the provision of speed limits on Devon's roads. It is provided for Scrutiny Members to set the context for the discussions at Place Scrutiny Committee with the Police on accident data and enforcement policy as resolved at the meeting in September 2015.

The DfT study of 20 mph Speed Limits has been delayed and is not now expected until, 2017.

Once the DfT publishes revised guidance to local authorities on setting local speed limits, or its study findings on 20mph limits (now expected in 2017), the current Devon Policy Local Speed Limits will be reviewed taking account of such publications. The review may lead to proposals for Policy changes, which will be referred to Place Scrutiny for its views before being presented to Cabinet for approval.

Meanwhile, the County Policy, which takes account of the current national guidance provided to Local Highway Authorities by the DfT, remains relevant and fit for purpose in Devon.

It is recognised that from time to time there are local concerns about speed. However, concerns relating to vehicle speed can be dealt with by working with the Police to assess issues and establish options for speed management, if any is required. Community complaints about problems caused by speed vehicles are considered by a Speed Complaint Action Review Forum (SCARF). The outcome of reviews may be enforcement (speed management via the police or Safety Camera Partnership), education (utilising "Vehicle Activate Speed Warning Signs") or engineering (subject to the availability of funding) Additionally we can work with communities to mobilise a "Community Speed Watch Campaign".

The County Council uses information collected and verified by the Police in assessing the objective need for an intervention to address a significant speed related safety problem. If a speed related collision history at a location warrants an intervention, it will be considered in the development of future programmes of work. The County Council budgets for such works are very limited as are staff design resources, so schemes are prioritised to ensure the best outcome from the available County Council resources.

However, where some form of intervention that meets agreed policy cannot be funded by the County Council, it may be able to proceed if there is a community contribution. This may be for a scheme to provide a vehicle activated sign or to provide or amend a gateway feature, for example. This approach is compatible with the Highway Self-help scheme.

Further information on how we handle these concerns can be found here: <http://www.devon.gov.uk/speedwatch>

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Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
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Nil

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TRAFFIC POLICY NOTE

LOCAL
SPEED LIMITS

DTP
34/05

Policy

To work in partnership with local communities and in consultation with the police to:

- Provide 30 mph speed limits in communities
- Provide 20mph speed limits, where there is significant vulnerable road user activity and an identified, speed-related casualty record. Mean speeds will already be low; if not, the new restriction should be self-enforcing. Careful consideration should be given to the environmental impacts associated with the scheme which should not be introduced on roads serving a strategic function. 20mph speed limits may be provided in the vicinity of schools where the above criteria are met, ideally where highlighted in the school's travel plan.
- 40 mph speed limits in communities are an exception to the general policy and will require agreement from the Traffic Policy Team to ensure countywide consistency.
- Between communities the National Speed Limit will apply.
- As a result of the accident cluster review, to provide speed limits on sections of routes between communities where there is a significant reliable record of speed related accidents along that route. This will also require agreement from the Traffic Policy Team to ensure countywide consistency.

Preamble

The Devon Local Transport Plan provides a link to the Devon Speed Management Strategy as the key document providing an overall focused approach to manage traffic speed for the prevention of speed related crashes, environmental and access improvements. It provides, in Objective 7 for the introduction of speed limits where appropriate to better match the local circumstances, in partnership with the Police and local community.

Criteria and guidance on implementing local speed limits is given in Traffic Advice Note DTA34/05.

Devon Local Transport Plan Objectives

Positive effect on safety, economy, and environment and accessibility.

Revisions

Revisions		
Nov 04	A	Approved by CED
Nov 09	B	Approved by DED EEC

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DEVON COUNTY COUNCIL

TRAFFIC ADVICE NOTE

LOCAL
SPEED LIMITS

DTA
34/05

Implementation of Policy

Policy DTP 34/05 sets out the criteria for introducing speed limits in Devon, this advice note gives further guidance to the implementation of those speed limits.

Preamble

Care should be taken to ensure route consistency and many lower limits with short gaps between them should be avoided. Where there is justification for lower speed limits based on safety considerations, a 'whole route' approach may be appropriate.

Road Crash statistics shown that inappropriate speeding is a contributory factor in about one third of personal injury accidents.

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LOCAL SPEED LIMITS – ASSESSMENT (SPEED LIMIT REVIEW)

STREET LIGHTING SYSTEM

30MPH UNLESS OTHER SPEED LIMIT TRO IN PLACE

20 MPH SPEED LIMIT OR ZONE

- SIGNIFICANT VULNERABLE ROAD USER ACTIVITY
- SPEED RELATED CASUALTY ACCIDENT HISTORY
- MEAN SPEEDS LOW (AROUND 20MPH) OR PROPOSED ENGINEERING WILL MAKE LIMIT SELF ENFORCING (EVIDENCE TO BE COLLATED)
- ENVIRONMENTAL IMPACT OF SCHEME TO BE CONSIDERED IN TERMS OF SIGNING LINING NOISE POLLUTION ETC.
- NOT ON ROADS SERVING A STATEGIC FUNCTION
- IF OUTSIDE A SCHOOL SHOULD ALSO BE PART OF THE ADOPTED SCHOOL TRAVEL PLAN
- MUST HAVE SUPPORT IN THE WIDER COMMUNITY

30 MPH SPEED LIMIT

- NORM IN COMMUNITIES (MINIMUM DENSITY 3 FRONTAGES PER 100 METRES)
- MINIMUM OF 20 FRONTAGES OVER 600 METRES
- REQUESTS WHICH DO NOT MEET THESE CRITERIA MAY BE CONSIDERED THROUGH THE DEPARTURE FROM POLICY PROCEDURE.

40 MPH OR 50 MPH SPEED LIMIT

- OUTSIDE OF 30 MPH LIMITS WHERE THERE IS A SPEED RELATED CASUALTY ACCIDENT HISTORY
- REQUESTS WHICH DO NOT MEET THESE CRITERIA MAY BE CONSIDERED THROUGH THE DEPARTURE FROM POLICY PROCEDURE.
- TRANSITIONAL SPEED LIMITS MAY BE CONSIDERED WHERE COMMUNITIES ARE LOCATED CLOSELY TOGETHER (LESS THAN 800 METRES)

NATIONAL SPEED LIMIT

NORM BETWEEN COMMUNITIES

1. Planning Guidance

1.1 Departures from policy

- Departures from policy will be considered under the following circumstances with respect to length of speed limit and number of frontages within the community. (See DTA 01A/09)
 - Compliance with the proposed limit can be demonstrated
 - A relevant casualty accident record exists within the proposed limit

1.2 Safety

- A study of types of accidents, their severity, causes and frequency indicates whether an existing speed limit suits present conditions or whether it needs to be changed. Also this could indicate whether the introduction of other safety measures are also appropriate such as footways, street lighting, signing etc. The needs of vulnerable road users and quality of life also need to be taken into account
- Annual accident cluster analysis should identify routes where inappropriate speeds are an issue

1.3 Consultations

- Consultations with the County Councillor and local community representatives such as District, Town and Parish Councils are very important when proposals are put forward or consideration is being given to changing a speed limit. The consultations need to be effective and determine the express wishes of the community.
- In industrial areas Industrial Estate Forums and Freight Quality Partnerships should be included in the consultations
- Route continuity is an important issue. Where possible the same speed limits should be applied for similar circumstances along a single route, with the route being considered as a whole.
- Examples of factors that would be dealt with as part of the consultation process for certain locations are detailed below :-

(a) Communities

- Evidence of community support and commitment (including possible financial contribution from Town/Parish).
- Agreement that the change can be justified in terms of a net overall measurable benefit, having taken into account safety, economy, and the environment. This needs to be dealt with at an early stage so that the community is aware of any concerns
- Agreement that the signed boundaries of the settlement nameplates should, wherever possible, be located at the same point as speed limit entry signs
- Sufficient resources need to be available to put in place, where necessary, any suitable physical measures such that a lower limit will not create further dangers e.g. by increasing overtaking manoeuvres. Full audit procedures need to be used
- Monitoring should include speed measurement (mean, 85%ile and top speed), accidents and community satisfaction
- For guidance a community would generally have 20 or more properties with individual frontages on the through road with a minimum density of 3 properties every 100 metres.

(b) Child Sensitive Areas

- Evidence of school, parent and community support and co-operation
- Schemes directly connected with a school should be part of a School Travel Plan (STP) and this process will help to determine the local priorities

- The existence of flashing warning lights and the operation of school crossing patrols needs to be taken into account
- 20mph zones/speed limits may also be extended to estate roads around schools as part of the STP process
- Monitoring should include vehicle speeds, reported injury crashes, satisfaction of users, and levels of walking and cycling by children

(c) Cycle Routes on Minor Roads including the National Cycle Network

- The introduction of suitable measures, which could include lower speed limits to the normal level (possibly advisory), such that the safety and comfort of cyclists, walkers and horses are enhanced
- Specific investigations may need to take place into the range of calming / speed reduction measures available and possible development of new initiatives for particular locations. Confidence will be needed that proposed measures would slow down motor vehicles and raise the levels of driver awareness
- Satisfactory consultation with any households or farms along the routes, or needing to use the roads for access
- Monitoring should include speed measurement, accidents, feedback from vulnerable road users, and satisfaction of residents

1.4 The Major Road Network

- The national speed limit will generally apply. The lower limits would be linked to road safety and road layout and any deviation from this would require HQ Traffic Section approval.

2. Layout Considerations

2.1 Road Characteristic

- An important factor when setting a limit is what the road looks like to the road user. This is influenced by the road geometry (road width, sightlines, bends, crossings etc.) and the environment through which the road passes (rural, residential, shop frontages, schools etc). Road users will expect lower limits and drive slower where they can see that there are more potential risks
- To achieve a desired reduction in speed, measures such as traffic calming may need to be considered in order to alter the characteristic of the road so that it is compatible with the proposed limit. Advisory advanced warning may be appropriate

2.2 Length of Speed Limits

- 600m is the preferred minimum length on which to apply a limit, so that motorists will not be confused by too frequent changes in speed limit along a length of road. However, there may be circumstances where a shorter distance is suitable. The actual length adopted for a limit will depend on the limit applied and also on the conditions at or beyond the end points

2.3 Transitional Limits

- It may be appropriate to use a 40 mph or 50 mph limit (one step only) as a “buffer” transition between a length of road subject to a national limit and another length on which a lower limit is in force e.g. on the outskirts of towns with adjoining intermittent development. Transitional limits should however be restricted to sections of road where immediate speed reduction causes real difficulty. A “countdown” system of several mandatory limits at gradually decreasing speeds should be avoided, and again a route should be considered as a whole to avoid multiple changes in the speed limit.

2.4 Gradients/Bends etc.

- Where a limit would otherwise end on a steep gradient, sharp bend, hump-backed bridge or other hazard, the restriction may need to be extended so as to clear the hazard. Similarly, an extension

may be required to provide good visibility of the speed limit signs. A limit may also need to be extended so as to cover any new access to an estate. Advisory advanced warning may be appropriate

2.5 Isolated Hazards

- Mandatory speed limits should not be used to solve the problem of isolated hazards, such as a single road junction or bend

2.6 Interactive Signing

- Interactive signing can assist with reducing vehicle speeds. For the full effectiveness the use of such signs should be targeted to the most difficult areas such as approaches to unforeseen hazards

2.7 Roundabouts

- Where several roads with different limits enter a roundabout, the roundabout should be restricted at the same level as the majority of the approach roads. If there is an equal division, for example where a 30mph road crosses one restricted to 40 mph, the roundabout itself should take the lower limit. It follows that if all the approach roads have the same limit, the roundabout too should be restricted at that level. Care should be taken that approaching roads with a lower limit are not suddenly signed at a higher limit just as they reach the roundabout

3. Legal Background

- As contravention of a speed limit is an offence under the Road Traffic Regulation Act 1984, the police need to be consulted on any proposal
- Section 81 of the Road Traffic Regulation Act 1984 makes it an offence for a person to drive a motor vehicle on a restricted road at a speed of more than 30 mph. Section 82 (1) of that Act defines a restricted road as one on which there is a system of street lighting furnished by means of lamps placed not more than 183m apart
- The effect of Section 82 of the 1984 Act is that any road will become a restricted road when a system of lighting of the specified density is installed on it and will thus become subject to the restricted road speed limit of 30 mph (S.81), unless it is de-restricted by direction under S.82(2) allowing the national upper limit to apply, or some other limit as imposed by Order
- A section of road may, by Order, be given a 30mph speed limit or be designated as a restricted road so that a 30mph speed limit extends beyond a system of street lighting
- The use of repeater signs on lit 30mph roads is expressly forbidden by paragraph 11(4) (a) of the Traffic Signs (Speed Limits) General Directions 2002 (SI/3113)
- National guidance on the introduction of speed limits is given in Dft Circular 1/06, Setting Local Speed Limits

4. Signing of Speed Limits

- The regulations concerning terminal and repeater signs for speed limits are given in Directions 8, 9, 10 and 11 of TSRGD 2002
- Advice on the placement, size and frequency of speed limit signs is given in Chapter 3 of the Traffic Signs Manual.

5. Introducing a speed limit Traffic Regulation Order (TRO)

- After the initial consultations have taken place and all parties are in agreement with the proposed speed limit, it will be necessary to produce the required information / documentation in order for the County Solicitor to advertise the proposals. This includes the following:-
 - Copies of a drawing showing the extent of the limit(s)
 - A schedule of the proposals including any revocations needed
 - A statement of reasons

- The drawing should be of a reasonable scale in order for the general public to be able to identify the start and finish of the proposed speed limit(s), 1:2500 would be preferable.
- The schedule needs to identify each type of speed limit being proposed with terminal points being identified using measurements taken on site and not scaled off a map.

For a community speed limit the terminal points can be specified as a cordon of each road entering or passing through that community with the speed limit applying to all roads within that cordon.

On a single length of road each change in the speed limit needs to be identified. In both cases the terminal point needs to be defined as x metres north/south/east/west etc from a fixed point, i.e. a crossroads or a junction with another road, or can commence at a junction / crossroads.

Existing TROs would have to be checked to ensure duplication and confliction doesn't occur and revocations made as necessary.

- The statement of reasons needs to be clear and concise with links to the DLTP, a CTP or STP and any other road safety issues contributing to the decision to introduce a new speed limit.
- The schedule and statement of reasons should be entered onto DCC Traffic Orders System in the form of a memo with cost codes to the County Solicitors' office and then an e-mail sent to them with the EnvID number that the DCC system assigns to it so that they can progress the advertisement. The County Solicitors' office will check the documentation and arrange for the necessary adverts to be placed. A copy of the draft notice along with the plan will be available for viewing by the general public at the local Highway Management office and usually the local library during the advertising period. Copies are sent out by the County Solicitors' office to all consultees, i.e. police / emergency services, County Councillor and Town or Parish Council for their official view on the proposals.
- The next stage depends on the number of objections received:
If no objections are received it is possible to progress the order after notifying the local County Councillor and the chairman of the relevant HATOC.

If only a few objections are received it may be possible to progress the order with the approval of the chairman of the relevant HATOC and local County Councillor without having to wait for full HATOC approval. Approval needs to be in writing with copies of this sent to the County Solicitor.

A substantial number of objections will require a full HATOC report and committee details including date and minute number will need to be sent to the County Solicitor for their records.

All new TROs need to be reported to HATOC as works implemented under delegated powers.

- Each individual objector will require an answer in writing, giving a full explanation why the Order is to be implemented, modified or abandoned, which is sent out via the County Solicitors' office to the objector.
- When approved, the necessary signs and road markings should be ordered to coincide with the sealing of the Order. A date should be set with the County Solicitors' office to enable this. The County Solicitor will inform the relevant parties that the Order has been sealed and send them copies of the order where required.