

HIW/17/28

Teignbridge Highways and Traffic Orders Committee  
30 March 2017

**South Devon Highway – Devon County Council (South Devon Highway & Various Roads, Abbotskerswell, Kingskerswell & Newton Abbot)(40mph & 50mph Speed Limits) Order**

Report of the Chief Officer, Highways, Infrastructure Development and Waste

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that:**

- (a) the responses to the proposed Traffic Regulation Order are noted;**
- (b) the Traffic Regulation Order as advertised, be made, sealed and implemented.**

**1. Background/Introduction**

The South Devon Highway opened to the public on 15 December 2015 following a 3 year construction period. Initially a temporary Traffic Order was utilised to apply a number of restrictions on vehicle movement, including a 50mph speed limit along the length (and slip roads) of the South Devon Highway.

Driver behaviour and speeds have been monitored during the initial opening period.

A permanent traffic Order has been advertised to make permanent those restrictions. No comment was made in relation to those restrictions, with the exception of the section of 50mph speed limit along the South Devon Highway. Therefore, with local Member support, restrictions, with the exception of the 50mph speed limit, have been sealed.

The purpose of this report is to consider the 50mph speed limit along the South Devon Highway and submissions received in relation to this during the Devon County Council (South Devon Highway & Various Roads, Abbotskerswell, Kingskerswell & Newton Abbot)(40mph & 50mph Speed Limits) Order consultation.

**2. Proposal**

Following a monitoring period since the opening of the South Devon Highway on 15 December 2015, it is proposed to make permanent the 50mph speed limit initially implemented via a temporary Traffic Order.

**3. Options/Alternatives**

The recommendation is to proceed with the sealing of the Order as advertised in respect of the 50mph speed limit along the South Devon Highway, it is considered that this is the appropriate speed limit for the new section of highway.

As previously reported (A380 South Devon Highway: Review of Traffic Speeds, Teignbridge HATOC, 14 July 2016) the early traffic speed data available for the South Devon Highway indicates that it is generally performing as anticipated. Devon and Cornwall Police felt that

occasional enforcement would be beneficial to maintain compliance with the speed limits and enforcement options are being considered separately.

Whilst the application of the 50mph speed limit on this section does not comply with the County Council's Speed Limit Policy. This states that between communities the National Speed Limit will apply; for a dual carriageway this would be 70 mph. A departure from Policy has been agreed based on designer assessment, safety audit comment, onward commitment to monitor, and support from Police to carry out enforcement (see Appendix II).

#### **4. Consultations and Representations**

One objection has been received, this relates to the application of the 50mph speed limit. The objection and the County Council's response can be seen in Appendix I.

#### **5. Financial Considerations**

The funding for this traffic order is within the scheme budget. As no material changes are proposed to the current temporary speed limit there are no costs associated with physical works.

#### **6. Environmental Impact Considerations**

A programme of acoustic surveys has recently been carried out along the length of the project to help determine compensation claims that have been received from residents. Initial analysis of this data indicates that some residential areas are experiencing noise levels similar to predicted; whilst others are significantly lower than expected. These reductions will in part be due to the 50mph speed limit. Further work is required before these figures can be published.

As previously reported driver behaviour is being monitored and managed to improve.

#### **7. Equality Considerations**

There are no negative equality impacts recognised. There is the positive effect of reducing health inequality by improving air quality.

#### **8. Legal Considerations**

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When making a Traffic Regulation Order it is the County Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 that states that it is the duty of a local authority, so far as practicable, secures the expeditious, convenient and safe movement of traffic and provision of parking facilities.

The enforcement of the traffic speeds is the responsibility of Devon and Cornwall Police.

#### **9. Risk Management Considerations**

This proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

## 10. Conclusions for Recommendations

The originally proposed traffic order to apply a 50mph speed limit to the South Devon Highway has been reviewed by designers, road safety, and the Police, it is considered appropriate to depart from Policy. Appropriate interventions are in place to monitor and manage driver behaviour on this section.

David Whitton  
Chief Officer for Highways, Infrastructure Development and Waste

**Electoral Divisions: Newton Abbot North; Newton Abbot South; and Teignbridge South**

Local Government Act 1972: List of Background Papers

Contact for enquiries: Rob Richards

Room No: Matford Lane Offices, County Hall, Exeter

Tel No: 01392 383000

Background Paper	Date	File Ref.
------------------	------	-----------

None		
------	--	--

rr210317tnh  
sc/cr/south devon highway 40mph and 50mph speed limits order  
02 220317

**Appendix I  
To HIW/17/28**

**Devon County Council (South Devon Highway & Various Roads, Abbotskerswell,  
Kingskerswell & Newton Abbot) (40mph & 50mph Speed Limits) Order**

**Summary of Submission**

Comment	Devon County Council Response
<b>First Respondent</b>	
<p>These comments relate to the 50MPH speed limit to be imposed on the South Devon Highway. I have no comments about the 40MPH limit in Kingskerswell Road.</p> <p>While I understand that it may be perceived that the lower speed is safer for the road user, the current speed limit is not policed and is regularly broken by not only Car Drivers but cars towing caravans/trailers, HGV, Bus's and Coaches. There is no difference in the quality of the road between the top of Telegraph Hill and the Penn Inn roundabout yet this is a 60/70PHM highway and it contains far more junctions with far worse acceleration/deceleration lanes for joining/leaving traffic. The Torbay Ring Road (Hellevoetsluis Way) has the same issues yet is also a 60/70MPH road. I note Torbay Council has applied for a Northbound 50MPH limit to Hamlin Way, yet the southbound road is 60/70MPH, but I cannot see that it will make the road any safer. I am concerned that vehicles that actually travel at 50MPH are quite regularly prone to being almost rear ended because they are travelling at 50MPH. The fact that the road is not street lit (not that I am suggesting that the road should be lit) makes the issue worse are drivers do have difficulties in estimating road speed in darkness and could easily get caught out because of a slower moving vehicle. I know it is the drivers responsibility to ensure they are aware of the speed of the their vehicles as well as those around them.</p> <p>The 50MPH limit does not appear to have improved the traffic flows, as at peak hours it is still quicker to use the slip roads to Penn Inn and then re-join the main A380. This is because cars are slowing to go over Penn Inn roundabout at 50MPH in the correct lane and then you get the "latecomers" travelling at the road speed on the inside lane and the try and join at the last minute causing the speed to drop because of the breaking effect.</p> <p>If the 50MPH speed limit is to be effective it needs to be policed.</p> <p>If the 50MPH limit is kept and policed I can see an increase in the traffic using the St Marychurch Road because it will still be quicker at peak hours. This road is not really suitable for the traffic it carries today.</p> <p>If the concern is about the road layout at Penn Inn (which I personally think is fit for purpose), why not impose the 50MPH limit from the Junction with Kingskwerswell Road and the current start / end near the river teign bridge. This section of the road could also be improved if the lane segregation is supplemented with a permanent barrier up to 200M on the approach to the actual split in the road. There are too many people making last minute decisions because their SAT NAV has not been updated. I really do not understand why the lane segregation starts so early as this also leads to the issues surrounding congestion and hence the requirement for a speed limit away from 70MPH.</p> <p>There are very few duel carriageway roads in a location such as this that have a 50MPH speed limit.</p>	<p>Comments noted. The application of the 50mph speed limit has been monitored and reviewed. A departure from Policy (Appendix II) has been supported based on designer assessment, safety audit comment, onward commitment to monitor, and support from Police to carry out enforcement.</p>

Departure from Policy



# TRAFFIC ADVICE NOTE

## Departures from Policy Application Form

**DTA**  
**01/05**

Section 1: To be completed by the Designer:

Policy Number:	DTP34/05
Policy Title:	Local Speed Limits
Lead Team:	Devon County Council, Engineering Design Group
Date Submitted:	3 <sup>rd</sup> October 2016

Policy Clause Reference:	This departure refers to 'Between communities the National Speed Limit will apply'.
Proposed Departure:	<p><b><u>South Devon Link Road Mainline (Drawings 61030325–DR–H–1100–01 to 26 rev 2 provided with Departures from Policy-Application Form rev A)</u></b></p> <p>It is proposed that the South Devon Link Road be nominated a 50mph in its entirety. This is appropriate for the geometric design and continuity of the road. This is also supported by observations made through initial monitoring periods.</p> <p>Nominating the whole of the road with a 50mph limit is in accordance with DCC's Local Transport Plan Objectives; to have a positive effect on safety, economy, environmental and accessibility.</p> <p>This document refers to the mainline only.</p>
Justification:	<p><b><u>1. DESIGN CONSIDERATIONS</u></b></p> <p><b><u>Approved Best and Final Funding Bid (provided with Departures from Policy-Application Form rev A) signed by Head of Economy and Enterprise confirms approval of reduced carriageway cross-section with removal of hard shoulders/strips</u></b></p> <p>The South Devon Link Road (A380) has been constructed between Penn Inn Roundabout and Hamelin Way. Heading south from Penn Inn; a new single carriageway flyover has been constructed over Penn Inn Roundabout which then becomes a dual carriageway terminating at a signal traffic</p>

controlled junction on Hamelin Way. The road is approximately 6km long and carries vehicles heading in both the north and south bound direction.

#### **Penn Inn to Aller Cross**

This section of road is from chainage 350m to 2700m, a distance of approximately 2350m. The land constraints on the South Devon Link Road from Penn Inn Roundabout to approximately Aller Cross (double roundabout) has led to it being geometrically designed for 50mph (85kph) design speed in accordance with TD9/93. In keeping with the character of the location the geometry of the road defines it as urban dual carriageway in accordance with TD27/05 – Figure 4-4a: Dimensions of Cross-Section Components for Urban All-Purpose Roads Mainline. In both the north and the south bound direction the proposed road has 2x3.65m wide traffic lanes with verges and no hard strips. The cross-sectional width constraints suggest 50mph is appropriate in accordance with TD27/05; which states urban all-purpose dual-carriageways should have a speed limit of 60mph or less.

‘National Speed Limit’ would mean the road’s geometrical design would be two steps below Desirable Minimum Standard. The speed would also be excessive for the carriageway’s cross-section, reducing driver confidence.

The route is signed in accordance with The Traffic Signs Regulations and General Directions for a 50mph speed limit.

Therefore this section of road should be nominated as 50mph; as per its design.

#### **Aller Cross to Hamelin Way**

This section of road is from 2700m to 5550m, a distance of approximately 2850m. From chainage 5550m to 5900m there is a 40mph (70kph) speed limit to allow vehicles to decelerate from the link road to the signalled controlled junction at Hamelin Way; in accordance with TD9/93.

The stopping sight distance for this section of road is in accordance with the Desirable Minimum Standard for TD9/93 for a 50mph (85kph) design speed. The removal of hard-strips and a reduction in carriageway width has led to this section of the road being classified as an urban dual carriageway in accordance with TD27/05.

‘National Speed Limit’ would mean the road’s stopping sight distance would be two steps below Desirable Minimum Standard. The speed would also be excessive for the carriageway’s cross-section, reducing driver confidence.

The route is signed in accordance with The Traffic Signs Regulations and General Directions for a 50mph speed limit.

Therefore this section of road should be nominated as 50mph.

#### **Social and Environmental Impacts**

The proposed 50mph speed limit helps to minimise environmental emissions, including air quality and noise pollution. Nominating the road as ‘National Speed Limit’ would have a detrimental impact on the local community, particularly those located in close proximity to the road.

## **2. MONITORING**

Based on design considerations an opening speed limit was introduced utilising a Temporary Traffic Order.

Findings from the initial monitoring period were reported to Teignbridge HATOC on 14<sup>th</sup> July (<http://democracy.devon.gov.uk/documents/s3596/HCS%2016%2058%20A380%20south%20devon%20highway.pdf>) The early traffic speed data available for the A380 South Devon Highway indicates that speeds are higher than expected. However, Devon and Cornwall Police anticipate occasional enforcement will help maintain compliance with the speed limits. Whilst road noise data is not yet available, the reduced speed limit and higher quality surfacing materials indicate that emissions should be in line with predictions produced for the Public Inquiry in 2009. Preliminary air quality data shows that Nitrogen Dioxide pollution levels along the A380 through Kingskerswell have dropped by almost 50% with a moderate increase at locations adjacent to the new road. On this basis, TDC hope to be able to revoke the Air Quality Management Area in Kingskerswell in the future.

After completion of the project permanent counters monitoring vehicle speed and volume have been installed, reports being prepared for Department for Transport after 12 months and 5 years. Collisions are monitored as elsewhere on our network,

## **3. SAFETY AUDIT COMMENT**

After review with the Road Safety Team the following statement has been provided: "Road safety does not feel that there is sufficient information to consider a change from the posted speed limit previously made utilising a Temporary Traffic Order."

Prior to introduction of the Temporary Order, Police Road Casualty Reduction/Traffic Management Officer supported the selection of 50mph speed limit on the basis that this would enhance road safety.

## **Conclusion**

The proposed road geometry and road environment will give the driver the feeling that driving in excess of 50mph (85kph) is not appropriate. Therefore the highway's attributes seek to self-enforce driver's compliance with the proposed limit, a methodology which runs throughout highway design codes. Nominating the road as 'National Speed Limit' would not be deemed appropriate for the vertical alignment, horizontal alignment and more critically the stopping sight distance.

By designating the route as 50mph throughout ensures route continuity. The proposed 50mph is based on the safety of the road user throughout the whole route. This provides a targeted approach to manage traffic speeds for the prevention of speed related incidents. The 50mph speed limit is appropriate when considering continuity through the scheme and geometric constraints.

The proposed 50mph speed limit helps to minimise environmental emissions, including air quality and noise pollution. Nominating the road as 'National Speed Limit' would have a detrimental impact on the local community, particularly those located in close proximity to the road.

	Monitoring and review with Road Safety Team further supports retention of the 50mph limit.
Risks and how they will be mitigated:	<p>After completion of the project permanent counters monitoring vehicle speed and volume have been installed,</p> <p>Reports on the performance of the new section will be prepared after being prepared 12 months and 5 years for Department for Transport. Any issues identified during the monitoring period will be reviewed and appropriate interventions taken by the Authority.</p> <p>Collisions are monitored as elsewhere on our network, Any issues identified during the monitoring period will be reviewed and appropriate interventions taken by the Authority</p>
Comments:	

Section 2: HQ Traffic Team Comments:

Comments	Support based on designer assessment, safety audit comment, onward commitment to monitor, and support from Police to carry out enforcement.
----------	---

Section 3: Authorisation:

Authorisation Signature:		Date:	13/02/2017
--------------------------	---	-------	------------