

North Tyneside Council Report to Cabinet Member for Environment and Transport Date: 13 August 2019

Traffic Regulation
Order – B1321, Dudley
to Fordley

Portfolio(s): Environment and Transport

Cabinet Member(s): Councillor C
Johnson

Report from Service Area: Environment, Housing and Leisure

Responsible Officer: Phil Scott, Head of Environment,
Housing and Leisure (Tel: 0191 643 7295)

Wards affected: Weetslade

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce a 40mph speed restriction on the B1321 and set aside two objections to the proposal

1.2 Recommendation(s):

It is recommended that the Cabinet Member for Environment and Transport:

- (1) considers the objections;
- (2) sets aside the objections in the interests of improving road safety, and
- (3) determines that the Traffic Regulation Order should be made unchanged.

1.3 Forward Plan:

Considering objections relating to proposed Traffic Regulation Orders is a standing item on the Forward Plan.

1.4 Council Plan and Policy Framework

The proposals in this report relate to the following priority in the 2018-20 Our North Tyneside Plan:

- Our places will:
 - have an effective transport and physical infrastructure

1.5 Information:

1.5.1 Background

The proposal to increase the existing 30mph speed limit on the B1321 to 40mph was developed following a road safety assessment which was carried out by officers following receipt of correspondence from local residents relating to traffic speeds in this area. Details of the proposal are set out in Appendix 2 and 3 to this report.

The result of a traffic survey (which was also shared with Northumbria Police) showed an 85th percentile speed of 47mph, which is not suitable for an area which falls within a 30mph speed limit.

In light of the survey result, officers felt it appropriate to review the suitability of the existing speed limit on the B1321. In accordance with the criteria for setting speed limits specified in North Tyneside Council's Travel Safety Strategy, the following factors were taken into consideration: the 85th percentile traffic speed, road function (including width), presence of bus stops/private accesses, pedestrian activity and the number of recorded personal injury collisions

When these criteria are applied to the B1321 it can be established that the speed at which 85% of the road users are travelling is 47mph and that the road is 10m wide with no private accesses. In addition there have been no recorded personal injury accidents in the last 3 years on this route and there is very little evidence of significant pedestrian activity. Taking this into account, officers feel that 40mph would be a more appropriate speed limit for this section of highway.

A proposal was consequently put forward to raise the speed limit on the B1321 from 30mph to 40mph. Letters were sent to emergency services, public transport groups and taxi organisations as well cycle groups and elected members to notify them of the proposals and invite comments.

In accordance with the statutory process, a Notice of Intention for the permanent 40mph Traffic Regulation Order was displayed on site, in the local newspaper and on the Authority's website outlining the proposed restriction.

Two objections were received in response to the statutory Notice of Intention. A summary of these objections is provided below.

1.5.2 Statutory Consultation

Speed Limit amendment proposals are subject to statutory legal process. Schemes must be advertised on site and in the local press. This enables members of the public or businesses to object to the proposal. Any objectors are first sent a detailed response and invited to reconsider their objection. Any objections not withdrawn are referred to the

Cabinet Member for Environment and Transport for consideration in accordance with the Scheme of Delegation for Cabinet Members.

1.5.3 Summary of Objections

Mr D submitted an objection to the proposed 40mph speed limit on the grounds that in his view it would not achieve anything as vehicles would travel at the same speed as before. He therefore believes that the proposal represents a waste of money.

An email was sent to Mr D stating that the current speed restriction was not appropriate and that increasing a speed limit does not automatically result in an increase in vehicles speeds. He was asked to reconsider his objection in light of this information.

Mr D responded indicating he wished to proceed with his objection and requesting further speed and collision data which was subsequently sent to him.

Mr L, a local resident, objected to the proposal on the grounds that he believed it would lead to an increase in vehicle speeds which would adversely affect road safety. He was also concerned that it would result in increased road noise which would create an issue for local residents.

Following advice from our legal team it was agreed that as another resident (Mr D) had confirmed that he did not wish to withdraw his objection and a report to the Cabinet Member was therefore required, Mr L's objection should also be included in this report as a matter of course. Mr L was therefore not asked to reconsider his objection at this stage.

1.6 **Decision options:**

The following decision options are available for consideration by the Cabinet Member for Environment and Transport:

Option 1

Approve the recommendations set out in section 1.2.

Option 2

Not approve the recommendations set out in section 1.2.

Option 1 is the recommended option.

1.7 **Reasons for recommended option:**

Option 1 is recommended as the proposal will ensure that a more appropriate speed limit is applied to the B1321 encouraging a greater level of compliance amongst road users.

1.8 **Appendices:**

- Appendix 1 Details of objections and associated correspondence
- Appendix 2 Traffic Regulation Order advertised on site
- Appendix 3 Copy of Proposed Plan
- Appendix 4 Traffic Surveys

1.9 Contact officers:

Andrew Flynn, Integrated Transport Manager, 0191 643 6083
Nicholas Bryan, Highway Network Manager, 0191 643 6622
Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598
Cathy Davison, Principal Accountant Investment (Capital) and Revenue, 0191 643 5727

1.10 Background information:

(1) [North Tyneside Transport Strategy](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the 2019/20 (Road Safety Initiative) Local Transport Plan capital budget.

2.2 Legal

Speed limit amendment proposals that involve revocations or amendments to existing traffic regulation orders are subject to statutory legal process set out in the Road Traffic Regulation Act 1984 and the Regulations that flow from that Act, namely, the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. All schemes are formally advertised and include a 21-day period for objections. Before making a Traffic Regulation Order the Authority must consider all objections made and not withdrawn, and can decide whether to make the Order unchanged, to make the Order with modifications or not to proceed with the Order.

In accordance with the Authority's scheme of Delegation to Cabinet Members, if any objections cannot be resolved, then the Cabinet Member for Environment and Transport is asked to consider those objections made and not withdrawn and to determine the Traffic Regulation Order

The legal Notice of Intent was published in the local press and may be cited as the North Tyneside Council B1321, Dudley – Proposed 40mph Speed Limit Order 2018.

2.3 Consultation/community engagement

2.3.1 Internal consultation

Ward members' views on the proposal were sought as described in section 1.5.1.

2.3.2 Community engagement

Local residents' views on the proposal were sought as described in section 1.5.1. The proposal was advertised in line with statutory process as described in section 1.5.2.

2.4 Human rights

The proposals within this report do not have direct implications in respect of the Human Rights Act 1998.

2.5 Equalities and diversity

There are no adverse equalities or diversity issues arising from this report.

2.6 Risk management

There are no risk management implications directly arising from this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive
- Head of Service
- Mayor/Cabinet Member
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy and Customer Service

Details of Objection – Mr D (dated 19 July 2018)

Please advise, What does the Council hope to achieve by increasing the speed limit on the above-mentioned road.

A recent survey carried out by the Council identified that the average speed of vehicles travelling on the road is 49 mph, so what is the point of by changing the current speed limit. Road users will still exceed the new limit.

This exercise is a complete red herring, the Council should be enforcing the speed limit currently in place. This proposal is a total waste of Tax Payer money, nothing is being achieved by the proposed change, apart from road users exceeding the speed limit by 9 mph rather than 19 mph ??????????

I would have thought that the Council had better ways of spending it's limited funding. The Mayor of North Tyneside Council is always stating the funding is limited due to Government cut backs.

Get a grip and start spending wisely.

Council Response (dated 15 November 2018)

Dear Mr D

Thank you for your recent E-mail which was forwarded to ourselves via our democratic support team regarding the proposals to increase the speed restriction on the B1321 from 30mph to 40mph

Our investigations revealed speeds of 47mph, which is clearly not suitable for an area which falls within a 30mph speed limit and due to these recorded high speeds we forwarded the survey data onto Northumbria Police for their own investigations. .

The normal process in determining the correct speed limit for a road is to use the 85th percentile speed, consider the road width, bus stops, pedestrian activity, the presence of private access, the function of the road and the number of recorded personal injury collisions.. When these criteria are applied to the B1321 they would reveal the speed at which 85% of the road users are travelling is 47mph, and the road is 10m wide with no private accesses off it. There have been no recorded injury accidents in the last 3 years on this route and very few pedestrians use this route. Taking this into account, we feel 40mph would be a more appropriate speed limit for this section of highway. Investigations have shown that motorists will usually adhere to a speed restriction when an appropriate limit is set

With regards to your comments relating to enforcement, this is an issue which would fall within Northumbria Police's remit. We have been liaising with them regarding this issue and they have confirmed their support for the introduction of a more realistic speed restriction.

For your information we are currently reviewing all speed limits across the borough and creating a speed limit hierarchy based on recorded speeds and accident data. The speed limit hierarchy will be:

- 20mph (Residential and areas of high pedestrian activity)
- 30mph (Distributor roads between estates)

40/50/60/70mph (Main roads, classified roads, bypasses, dual carriageways and primary routes)

We also propose to carry out works to the mini-roundabout on the western end of the B1321 and will install signs to create a gateway feature where the change in restriction occurs which will reduce vehicle speeds at the approach to the B1319.

I do hope this response addresses any concerns you may have and we request that you reconsider your objection in light of this information. However if you would still like to proceed with the objection, please notify our legal and democratic services team in writing by 26 October

at which time the matter will be referred to the Cabinet Member for Environment & Transport for consideration. You will of course be informed of the decision in due course

Regards
John

Further correspondence from Mr D (15 November 2018)

Dear John,

Further to your e-mail, could you please forward me an e-mail address for the relevant department I need to contact, in order to proceed with my objection to the proposed amendment to speed restriction. I submitted my objection in July 18, receiving this notification which needs to be actioned by the 26 October is impossible, bearing in mind you only sent me this info as of the 15 Nov 18.

Please be advised, regarding the accident numbers, this summer a cyclist was knocked off his bike, six police vehicles attended the incident and an ambulance also attended, taking the injured party to hospital??????

Further correspondence from Mr D (29 November 2018)

John,

Still awaiting some kind of reply to my e-mail dated 15 Nov 18. I would like to follow up with my objection to the proposed changes. Please read e-mail trail, the Council is failing in its commitments to local residents. I will proceed further up the chain if no contact is made. Informing the local press of the Council's failure to conduct its self in a proper manner.

Council response to Mr D (29 November 2018)

Dear Mr D

Thank you for your e-mail confirming you would still like to proceed with your objection, and firstly please accept my apologies for the delay with our response.

Following receipt of your e-mail outlining your intentions, we will now prepare a report on the proposal which will include your objection and this will be presented to our cabinet member for consideration and a decision will be made on whether to proceed with the scheme.

We hope to present it to the cabinet member before the end of the calendar year and we will of course keep you updated with any decision that is made and its outcome

Regards

Objection received from Mr L (dated 29 July 2019)

To whoever it may concern I object to the increase from a 30mph to a 40mph on that stretch of the road because of safety reasons, I live close to that road and I use it daily as a road user and walk near it as a pedestrian.

The increase would be bad because.

Increase of road noise especially at night for the residents that live close to the road.

The lamps get turned off at night on that road for energy saving, I think leaving the junction from March Road on to the B1321 there would be more risk at night or foggy winter conditions if vehicles were allowed to travel faster.

There is a curve both directions looking both ways on the B1321 departing from the junction at March Road, it's hard to pull out if vehicles were encroaching faster than 30mph and they often overtake at the point opposite the junction.

The nature of people is if the speed is set at 20 generally people do 30 and if the speed limit is set at 30 they will do 40, I am worried that if that road becomes as 40 mph they will do 50+.

Over the years I have removed many dead pets and wildlife from the road I think the chances of survival would increase if it stayed a 30mph and was signed up as a 30mph because up to now I think outsiders not from the area think it's a 60mph road because of lack of signs, I always get overtaken when I am obeying the 30mph limit so people do speed and kill pets.

Cyclists constantly use the road, I think it would be safer for them to be over taken at 30mph+ than it would be at 40mph+

Learning drivers of cars trucks bikes and buses use that road daily and often do manoeuvres, it would be risky for them if the speed was increased.

When walking along footpath next the road during wintery or rainy conditions the spray from vehicles increases significantly if they are allowed to travel faster and pedestrians get dirty from said spray.

The part of the road that is adjacent to march road is liable to shallow water flooding during the wetter parts of the year from run off from the field opposite, the water runs across the road and down the street on to march road, I often see cars speeding up to this hazard without noticing and start to aquaplaning and then panic break, I see this every time a car passes, I think if this road is signed up to be 30mph this wouldn't happen.

I think if the confusion because of lack of speed signage was rectified and it was set at 30mph people would be ashamed to travel that road at excess of 30mph, I have seen people who I estimate doing up to 100mph easy on a daily basis on that road, I think signage should be put up to stop people getting confused.

**NORTH TYNESIDE COUNCIL
B1321, DUDLEY - PROPOSED 40MPH SPEED LIMIT**

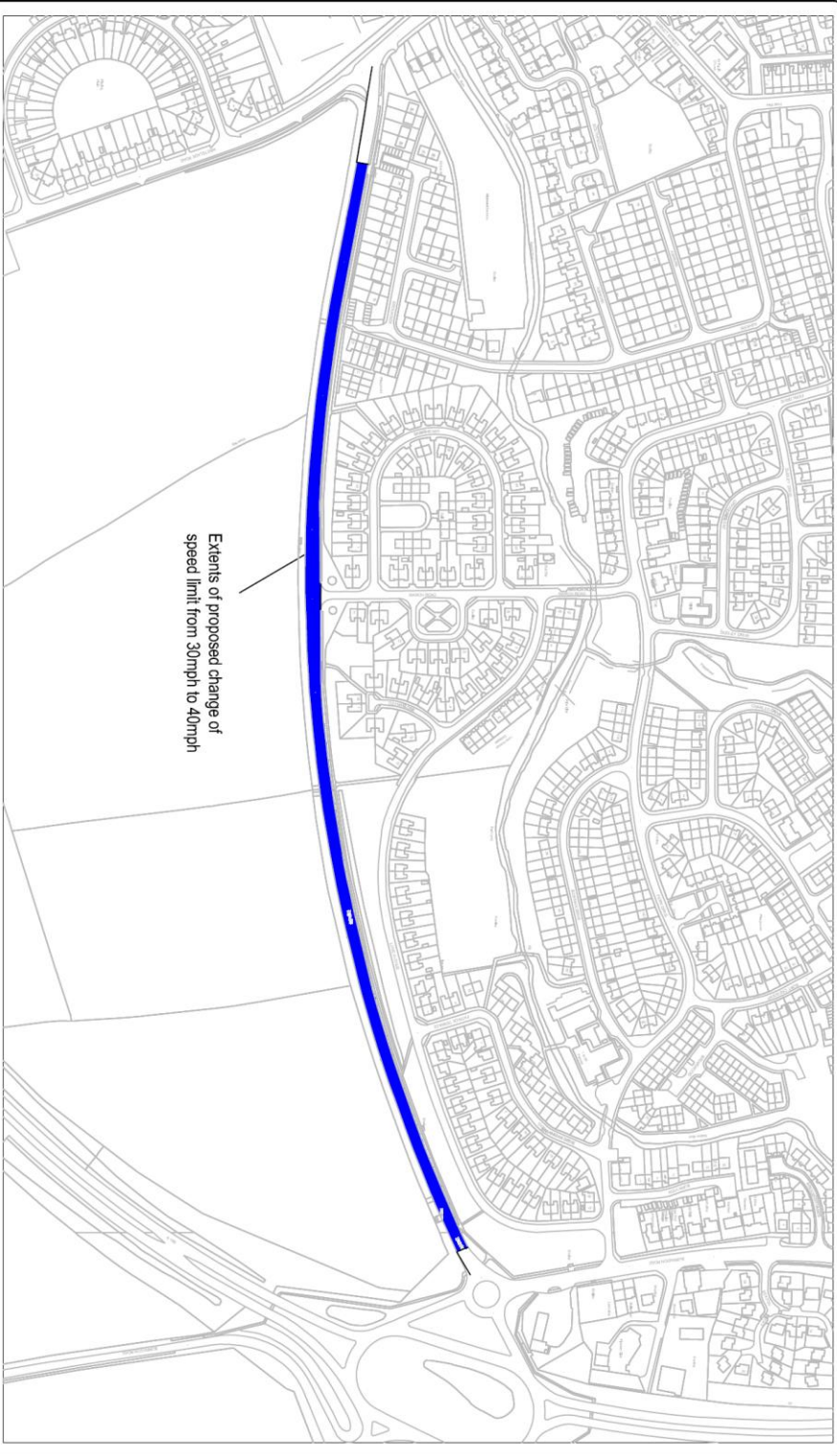
North Tyneside Council gives notice that under Sections 82, 83, 84 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, it proposes to make a Variation Order to vary the North Tyneside (Speed Limits) (Consolidation) Order 2011 so that a 40mph speed limit be introduced on the B1321 from a point 75m east of its junction with Weetslade Road, Dudley in an easterly direction until a point 20m west of its junction with Burradon Road, Annitsford.

Details of the proposals may be examined at the address below between 8.30am and 4.30pm on Mondays to Fridays or on the Council's website www.northtyneside.gov.uk (Statutory Notices). If you wish to object to the proposals you should send the grounds for your objection in writing to the undersigned by 3 August 2018 or to democraticsupport@northtyneside.gov.uk. Any objections received may be viewed by the public if requested.

13 July 2018

V Geary, Head of Law & Governance

Quadrant East, Silverlink North, Cobalt Business Park, NE27 0BY



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- The Contractor is to take all reasonable precautions for the location and protection of any public or private apparatus in the vicinity of the works.

Client		Drawing Title	
North Tyneside Council		Extents of Proposed Works	
Project Title		Project No.	
B1321 Fordeley to Dudley Link Road		B1321DUD	
Proposed change in speed limit from 30mph to 40mph		Date	
		March 2018	
Dwg. No.	Drawn By	Checked	Street Size
01	JK	NS	
Scale	Revision		
NTS			
Engineering Services			
Registration, Development and Regulatory Services 16 The Silcock Way Chalfont, Central Business Park West Aldean Havant, Hampshire E27 0BY E-mail: engineering@northtyneside.gov.uk Web: www.northtyneside.gov.uk			

