

North Tyneside Council Report to Cabinet Date: 11 June 2012

ITEM 7(a)
Title: Traffic Regulation
Order (Proposed
residential 20 mph zone –
East Bailey Area)

Portfolio(s): Transport and the
Environment

Cabinet Member(s): Cllr E Hodson

Report from Directorate: Chief Executive's Office

Report Author: Ken Wilson, Head of Regeneration,
Development and Regulatory Services (Tel: 0191 643 6091)

Wards affected: Killingworth

PART 1

1.1 Purpose:

The purpose of this report is to detail, and request Cabinet to set aside, one objection received to the proposal to introduce a 20 mph zone on residential streets off East Bailey in Killingworth.

1.2 Recommendation(s):

It is recommended that Cabinet:

- i. consider the objection received;
- ii. set aside the objection in the interests of road safety; and
- iii. approve the proposals as shown on the plan attached as Appendix 3.

1.3 Forward Plan:

This report appears on the Forward Plan for the period 1 June 2012 – 30 September 2012.

1.4 Council Plan and Policy Framework

This report has no direct link to the Council Strategic Plan 2012-15.

1.5 Information:

1.5.1 Background

- 1.5.1.1 The Council is now in the final year of a five-year programme to introduce 20mph zones in residential areas and outside schools in the borough. The introduction of 20mph zones is a key element of the Council's Road Safety Strategy, approved by Cabinet on 11 January 2010, as are other road safety measures including education, enforcement and infrastructure works as appropriate. North Tyneside has a long and successful history of addressing road safety issues and since the late 1990s the Council has introduced numerous traffic calming measures, including 20mph zones, in response to concerns about road casualties and speeding problems. As a result the long-term trend in the borough shows a continuing decline in the number of deaths and serious injuries on our roads despite rising levels of car ownership and use in the borough.
- 1.5.1.2 When an area is to be designated as a 20mph zone, traffic speed surveys are first undertaken to determine the existing average speeds. Using the standard national assessment criteria, if the average speed is over 24mph then measures such as road markings or physical traffic calming may be included in order to reduce the average speed below 24mph.
- 1.5.2 Statutory Consultation
- 1.5.2.1 Regulations made under the Road Traffic Regulation Act 1984 require that all schemes involving a change in speed limit must be advertised on site and in the local press. This enables members of the public 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 Cabinet for its consideration.
- 1.5.2.2 A copy of the statutory notice as advertised on site is attached as Appendix 2.
- 1.5.3 Summary of Objectors
- 1.5.3.1 An objection was received on 3 October 2011 from Mr R. He objected to the extension of this speed limit throughout the East Bailey area on the grounds that it was unwarranted and unnecessary; that the costs to erect the signs could be spent elsewhere, e.g. refilling potholes; and that he saw no justification for the proposals. There were a series of questions asked which were related to traffic and accident data. The full text of Mr R's objection is included in Appendix 1.
- 1.5.3.2 Officers responded and explained that as part of North Tyneside Council's adopted Road Safety Strategy, a programme of 20mph zones in residential areas is being implemented in line with national best practice and that the policy to introduce 20mph zones in residential areas is part of a proactive approach to keep the numbers of accidents low. Officers noted Mr R's additional points in his objections and responded accordingly. The full text of the officer response is included in Appendix 1.
- 1.5.3.3 Mr R sent a second response disagreeing with our comments and did not wish to withdraw his objection. The full text of Mr R's second response is included in Appendix 1.

1.6 Decision options:

Cabinet may:

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 in the interests of road safety recognising that the proposals are part of the Council's adopted Road Safety Strategy.

1.8 Appendices:

Appendix 1: Letters / emails of objection and associated correspondence

Appendix 2: Copy of statutory notice as advertised on site

Appendix 3: Plan of scheme (drawing name ESTBAIL) is available on the Council website, will be displayed in each group room and will be available for inspection at the Cabinet meeting.

1.9 Contact officers:

Derek Smith, Senior Manager, Regeneration, Development and Regulatory Services,
(0191) 643 6106

Kevin Ridpath, Network and Transportation Manager, (0191) 643 6089

Paul Fleming, Team Leader, Traffic and Network Management, (0191) 643 6116

Alison Campbell, Financial Business Manager, (0191) 643 7038

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) North Tyneside Road Safety Strategy 2010 - 2013

(2) Tyne and Wear Local Transport Plan 2011 onwards (LTP3)

(3) Plan of scheme is available on the Council website.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the Council's 'Urban Safety Schemes' programme within the Local Transport Plan capital allocation for 2012/13, which was approved by Cabinet on 12 March 2012.

2.2 Legal

Introduction of local highway schemes such as 20mph zones is carried out in compliance with the relevant statutory process under the Road Traffic Regulation Act 1984.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The views of Ward Members are sought at the initial stage of the development of a scheme for a 20mph zone and are taken into account.

2.3.2 External Consultation/Engagement

Consultation carried out with residents during the development of the scheme is detailed in paragraph 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. There are potential positive equal opportunity implications in that physical accessibility, particularly for people with disabilities, may be improved.

2.6 Risk management

There are no adverse risk management implications arising from this proposal.

2.7 Crime and disorder

There are no direct crime and disorder issues arising from this report.

2.8 Environment and sustainability

There are no direct environment and sustainability issues arising from this report.

PART 3 - SIGN OFF

- Chief Executive X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Strategic Manager for Policy and Partnerships X

3rd October 2011

Ms V Geary
Head of Legal, Governance and Commercial Services
North Tyneside Council
c/o Democratic Services, Quadrant – 3FL
Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

By E- Mail (democraticsupport@northtyneside.gov.uk) and By Post

Dear Ms Geary,

**OAKFIELD DRIVE (AND ASSOCIATED ROADS/CUL DE SACS), KILLINGWORTH -
20 MPH SPEED LIMIT ORDER 2011**

Please accept this letter as a formal objection to the Council's proposed speed reduction measures for the following reasons:

- a. In my opinion reducing the speed limit is unwarranted, unnecessary and is not supported by any statistics to reflect an unacceptable rate of road traffic accidents, injuries or fatalities. In other words if there is not a problem why expend valuable money unnecessarily?
- b. The expenditure associated with the proposals could be better spent elsewhere. Ironically traffic calming measures introduced on East Bailey in recent times increased road traffic accidents and injuries and resulted in newly formed chicanes and roundabouts having to be eliminated! Proof that not all measures are effective and can be counter productive. That work reflected a serious mis-judgement, a waste of money and resulted in accidents and injuries!
- c. Any expenditure currently being considered is best re-directed towards the numerous pot holes and extensive poor surfacing on East Bailey. Significant 'rutting' is appearing around chicanes (and caused by them) which is an unacceptable risk to motor cyclists, particularly in bad weather. These defects are more likely to create road traffic accidents, injuries or fatalities and should therefore be much more of a priority in relation to the limited (and probably reduced) amount of public funds available.
- d. If money is 'ring fenced' for the reduction of speed limits/traffic calming measures, when full expenditure of the 'ring fenced' money is unwarranted, it is much better to redirect those funds towards more demanding needs. Unspent 'ring fenced' money should be returned back to the Department of Transport/Central Government to be put (globally) to better use.

e. There is no concrete evidence that reducing speed limits will reduce road traffic accidents/injuries/fatalities (if there are any in the first place). **Blanket** Council policies, in respect of the reduction of speed limits, are not in accordance with Department of Transport criteria.

f. Your 'Statement of Reasons' which reads:

'To reduce vehicular speeds and ensure the safety of all highway users'

is too bland and generic and is not supported with any evidence to imply there is any current problem with excess speed and/or inadequate safety.

g. A lowering of the speed limit, which applies around the clock, will not be respected.

In addition to the above could you please provide me with answers to the following questions:

1. In the last three years can you state how many **road traffic accidents** there have been and which have been taken into consideration?
2. In the last three years can you state how many **vehicle speed related injuries** there have been and which have been taken into consideration?
3. In the last three years can you state how many **vehicle speed fatalities** there have been and which have been taken into consideration?
4. Have Northumbria Police made a specific request for the speed limit to be reduced?
5. How will the speed reduction measures be 'policed' and how often? What will be the annual cost to the (Local and/or Central) tax payer?
6. What is the gross cost (labour, materials, plant, overheads/administration costs, professional fees, VAT, etc.) of what you are proposing?
7. What cost/benefit analysis has been undertaken to support the speed reduction proposal, what assumptions have been made and what are the full details of the conclusions arrived at?

As you may have detected from the above points and questions I believe that what you are proposing is grossly unjustifiable and extremely poor value for money, particularly in a period of austerity.

My objection will not be withdrawn unless you can a) satisfy me in respect of good reasons for your proposals and b) provide me with answers to the questions I have raised above.

Could you please acknowledge receipt of this letter and provide me with information as to how my points will be considered and decided upon by Council representatives and Councillors?

19th November 2011

Ms V Geary
Head of Legal, Governance and Commercial Services
North Tyneside Council
c/o Democratic Services, Quadrant – 3FL
Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

By E- Mail (democraticsupport@northtyneside.gov.uk) and By Post

Dear Ms Geary,

**OAKFIELD DRIVE (AND ASSOCIATED ROADS/CUL DE SACS), KILLINGWORTH -
20 MPH SPEED LIMIT ORDER 2011**

I have received a response, dated 3rd November and from your colleague Gary Walker, to my letter dated 3rd October, which I thank you both for.

Regrettably the response I have received does not result in me wishing to withdraw my objection. I wish to add the following points for consideration by the appropriate Council parties, viz:

1. The detailed points I previously made in my paragraphs a. to g. inclusive seem to have been glossed over and each one has not been responded to, to any reasonable degree.
2. The questions I have previously raised have been answered by Gary Walker. My responses to his reply are as set out hereunder.
3. **Questions 1, 2, and 3:** Over the last three years there have been no accidents whatsoever. Also, over the last 22 years I cannot recall any accidents whatsoever. History, which should never be ignored when considering the future, suggests there is not a problem. Applying a blanket policy is therefore grossly wasteful.
4. **Questions 4:** Northumbria Police have not made a specific request for a speed reduction because there is not any evidence of any problems or any accidents or injuries.
5. **Questions 7:** The figures you quote have been taken in isolation. There is another cost which should be assessed. The additional time in entering into and exiting our estate, due to the lower proposed speed limit, needs to be calculated. My charge out rate to my business is £80 per hour. A value therefore needs to be calculated for the lost productivity to businesses and the value of lost leisure time, as a result of the longer time taken in cars.

A calculation could be:

90 [houses on the estate] x 4 [average persons per house] x 2 [entry and exit per day] x 7 [days per week] x 52 [weeks per year] x 25 [years of speed reduction] x 5 minutes [extra length of time in car] x £20 [per hour as a bare minimum hourly allowance] = **£10.92m!!**

I accept that both your figures and my figure are somewhat academic but the additional time factor is a cost which needs to be considered. Whatever the value assessed, I still come back to the point that £zero (counter) benefits, to set against my £10.92m, have been incurred over the last 22 years because no accidents have occurred!

6. Gary Walker makes reference to *'the government providing each local council with a budget every year for the implementation of road safety schemes'*. This comment smacks of the attitude that if money is centrally awarded and is ring fenced it should be expended but only wisely! If there is not a need to make the expenditure any excess allowance should revert back to the Treasury for much better use elsewhere.
7. In conclusion I found the response very poor in its ability to support the case of reducing the speed limit and therefore that is why I still wish to express my objection.

Could I please request that my original letter, Gary Walker's reply and this letter be made available to the voting parties prior to the vote being taken.

Response to Mr R
Date: 3rd Nov 2011

Dear Mr R

Re: East Bailey Area, Killingworth
Proposed 20mph Zone

Thank you for your E-Mail outlining your objection to our proposals to implement a 20mph speed restriction within the East Bailey area of Killingworth.

The implementation of the 20mph speed restriction within the East Bailey area forms part of council policy to reduce accidents and vehicle speeds within residential estate's and create a safer environment for the local community. The implementation of this restriction is a measure by which we are trying to keep accident numbers low and reduce the chance of a serious incident occurring. Research proves the speeds at which vehicles travel is directly linked to the severity of injuries sustained in the event of an accident. For example, a pedestrian, if struck by a vehicle driving at 20mph, is likely to suffer slight injuries. At 30mph they would be severely hurt and at 40mph or above are likely to be killed. Reducing the speed limit to 20mph will have a direct impact on general road safety for all users of the highway whether they be walking, cycling or driving.

The policy has been adopted by most local authorities across the country and is seen as a proactive measure. The local authority is often criticised for waiting for the accident to happen before taking positive steps. The government provides each local council a budget every year for the implementation of road safety schemes with the intention of reducing accidents. The provision of 20mph zones is seen as the most simple and cost effective way of achieving this objective.

In response to the points raised in your letter: -

- 1. In the last 3 years can you state how many road traffic accidents there have been and which have been taken into consideration?*
- 2. In the last 3 years can you state how many vehicle speed related injuries there have been and which have been taken into consideration?*
- 3. In the last 3 years can you state how many vehicle speed fatalities there have been and which have been taken into consideration?*

Over the last 3 years there have been no recorded accidents on the residential streets exiting East Bailey.

- 4. Have Northumbria Police made a specific request for the speed limit to be reduced?*
- 5. How will the speed reduction measures be 'policed' and how often? What will be the annual cost to the (local and/or Central) tax payer?*

Northumbria Police have not asked for the speed limit to be reduced in this area. However, they are consulted during the initial stages of the scheme to see if they have any objections to the proposals. As with any speed restriction the enforcement of the 20mph zone will be the responsibility of the police, as this is the case I am unable to comment of the frequency and cost of their operations. Prior to the implementation of the 20mph zones checks are undertaken to ensure that the area conforms to the Department for Transport's guidelines on the matter. If an area is found not to comply works are carried out to ensure the scheme is self enforcing.

6. What is the gross cost (labour, materials, plant, overheads/administration costs, professional fees, VAT etc) of what you are proposing?

7. What cost/benefit analysis has been undertaken to support the speed reduction proposal, what assumptions have been made and what are the full details of the conclusions arrived at?

It is envisaged that the total cost of the proposed 20mph scheme in the East Bailey area is £5200. The Department for Transport, transport analysis guidance (TAG) estimate the total cost of an accident as follows: -

Fatal - £1,906,154

Serious - £218,114

Slight - £22,633

These costs are applicable to 2008 and include the loss of output, medical, human costs, emergency services, property damage etc. When comparing the cost of the scheme with the cost of an accident we consider the initial expense to be minimal in comparison with an accident of any level. As stated earlier the speed at which a vehicle travels is directly linked to the severity of the injuries sustained. If we can reduce the severity of an accident or the chance of an accident occurring we would deem the scheme successful.

I hope this response has answered your queries. However, If you still wish to proceed with your objection to our proposals could you please inform us in writing by 25th November 2011, if no response is made we will assume that your objection has been withdrawn and you are happy for the scheme to proceed as advertised? If you wish to uphold your objection to the scheme, it shall be presented to the Council's Planning Committee for consideration in the near future, a decision will be made by the committee and you will be notified of the outcome.

Yours sincerely

Appendix 2 Copy of statutory notice as advertised on site

NORTH TYNESIDE COUNCIL EAST BAILEY, KILLINGWORTH 20 MPH SPEED LIMIT ORDER 2011

North Tyneside Council gives notice that it proposes to make an Order under Section 82, 83 and 84 of the Road Traffic Regulation Act 1984, as amended.

The effect of the Orders, if made, will be to impose a speed limit of 20 mph along the full length of the following roads:

1. Stratford Close
2. Garth Twenty
3. Garth Twenty Two
4. Garth Twenty Four
5. Garth Twenty Five
6. Garth Twenty Seven
7. Ullswater Drive
8. Thirlmere Close
9. Rydal Close
10. Goodwood
11. Brookland Drive
12. Silverstone
13. Garth Thirty Two
14. Garth Thirty Three
15. Oakfield Drive
16. Cherrytree Close
17. Greenwood
18. Applewood
19. Hazelwood
20. Downswood
21. Rosewood
22. Orchard Close
23. Harwood Drive
24. Garleigh Close
25. Blueburn Drive
26. Darden Close
27. Cragside Gardens
28. Alderley Drive
29. Cranham Close
30. Ashley Close
31. Berkeley Close
32. Ashmead Close
33. Foxley Close
34. Garth Twenty One
35. Longstone Court
36. Crumstone Court
37. Knivestone Court
38. Megstone Court
39. Goldstone Court
40. Amberley Chase
41. The Croft

The proposed Order is necessary to reduce vehicular speeds and ensure safety of all highway users.

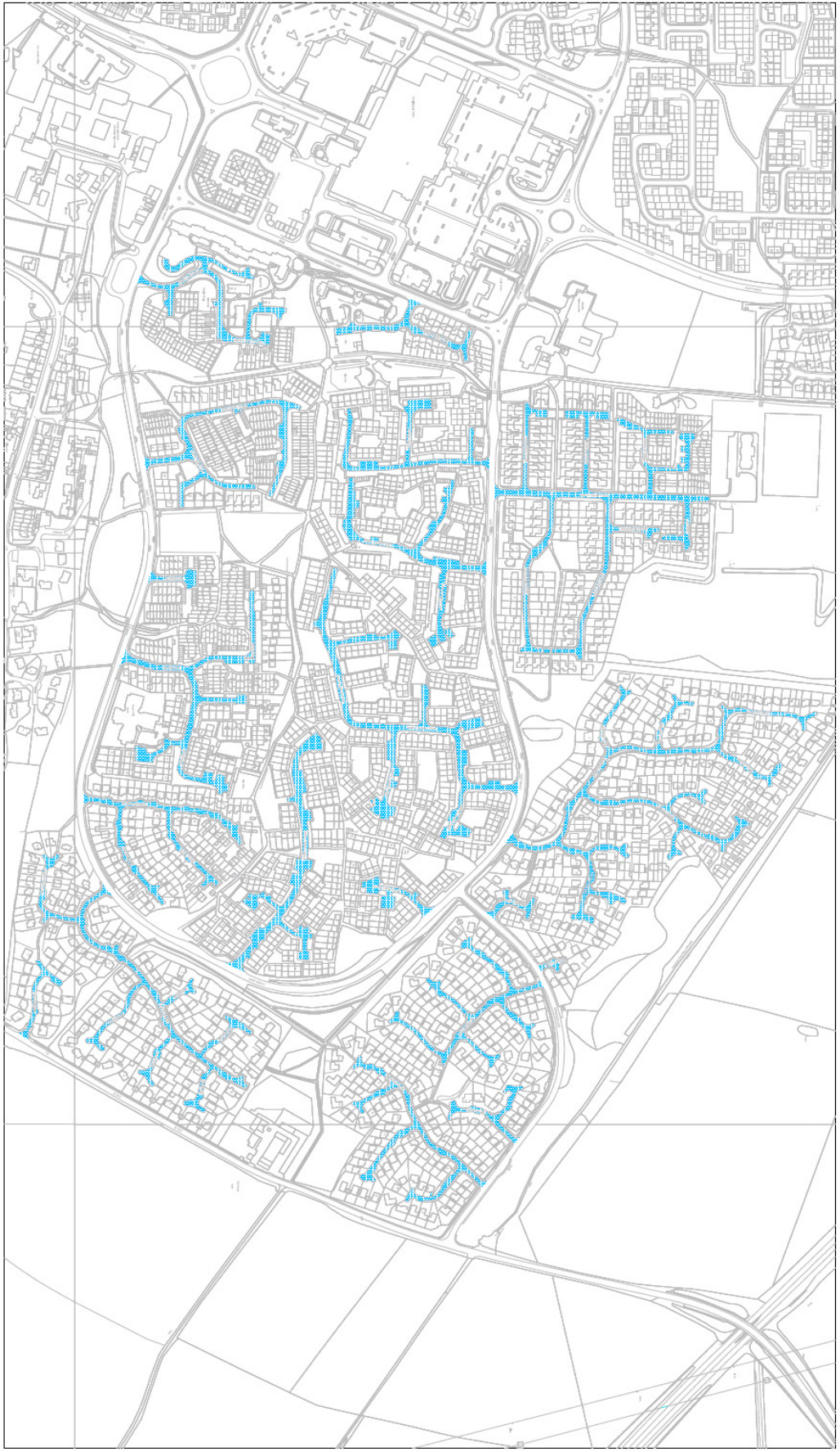
Full details of the proposals, together with a map showing the restriction, may be examined at the Quadrant, Silverlink North, Cobalt Business Park between 8.30 am and 4.00 pm on Mondays to Fridays, except Public Holidays.

If you wish to object to the proposed Order, you should send the grounds for your objection in writing to the undersigned, or email to democraticsupport@northtyneside.gov.uk by 10 October 2011. Any objections received will be placed in the working file and can be viewed by the public if requested.

16 September 2011

V Geary
Head of Legal, Governance and Commercial Services
c/o Democratic Services, Quadrant – 3FL
Silverlink North
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Appendix 3 Copy of 20mph zone extents



 = Proposed 20mph Zone

- NOTES**
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 2. All dimensions are in millimetres and all levels are in metres unless otherwise stated.
 3. 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.
 4. The Contractor is to satisfy himself that all levels, dimensions and other information shown on this drawing are correct. If any discrepancies are found they are to be reported to the Designer immediately.

Engineering Services
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Drawn	GW	Client	North Tyneside Council	Project No.	ESTBALL
Checked	PF	Project Title	East Bailey, Killingworth	Drawing No.	01
Scales	NTS	Proposed Installation of 20mph Zone		Revision	
Date Drawn	11/07/11	Drawing Title	Initial Design	Sheet Size	A3