North Tyneside Council Report to Cabinet Date: 13th August 2012

ITEM 5(a)(i) Title: Traffic Regulation Order (Proposed residential 20 mph zone – Brierdene 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	1:	St Mary's		

<u>PART 1</u>

1.1 Purpose:

The purpose of this report is to detail, and request Cabinet to set aside, three objections received to the proposal to introduce a 20 mph zone on residential streets in the Brierdene area.

1.2 Recommendation(s):

It is recommended that Cabinet:

- i. consider the objections received;
- ii. set aside the objections 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 August - 30 November 2012.

1.4 Council Plan and Policy Framework

This report does not directly relate to any of the priorities in the Council Strategic Plan 2012-2015.

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. The proposal is to introduce a 20mph zone bounded by the area of Claremont Road and The Links and is one of three remaining schemes to be completed as part of the borough-wide programme.
- 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 **OBJECTION 1:** An objection was received from Mrs A on the 12th July 2011. She has objected to the 20 mph zone on the grounds that she is not aware of any accidents and does not think that traffic is cutting through the area, and that the cost to install signs is not worthwhile in the circumstances. The full text of Mrs A's objection is included in Appendix 1.
- 1.5.3.2 Officers responded and explained that as part of North Tyneside Council's policy on the reduction of accidents and speeding, a programme of 20mph zones in residential areas is being implemented in line with national best practice. The policy to introduce 20mph zones in residential areas is part of a proactive approach to keep the numbers of accidents low. Following discussions with local ward councillors it was agreed to review the number of streets within the proposed 20 mph zone to see if there was a way to reduce the number of road signs. These changes have now reduced the number of signs and therefore reduced the cost of the overall scheme. Full text of the officer response is also included in Appendix 1.
- 1.5.3.3 Mrs A did not withdraw her objection.

- 1.5.3.4 **OBJECTION 2:** An objection was received from Mr E on the 25th July 2011. He objected on the grounds that the side streets are already self-limiting and the signage is unnecessary. The full text of Mr E's objection is included in Appendix 1.
- 1.5.3.5 Officers responded and explained that as part of North Tyneside Council's policy on the reduction of accidents and speeding, a programme of 20mph zones in residential areas is being implemented in line with national best practice. The policy to introduce 20mph zones in residential areas is part of a proactive approach to keep the numbers of accidents low. Following discussions with local ward councillors it was agreed to review the number of streets within the proposed 20 mph zone to see if there was a way to reduce the number of road signs. These changes have now reduced the number of signs and therefore reduced the cost of the overall scheme. Full text of the officer response is also included in Appendix 1.
- 1.5.3.6 Mr E withdrew his objection.
- 1.5.3.7 **OBJECTION 3:** An objection was received from Mr R on the 6th February 2012. He has objected to the 20 mph zone on the grounds that he is not aware of any accidents in the area and that the changes will increase pollution. The full text of Mr R's objection is included in Appendix 1.
- 1.5.3.8 Officers responded and explained that as part of North Tyneside Council's policy on the reduction of accidents and speeding, a programme of 20mph zones in residential areas is being implemented in line with national best practice. The policy to introduce 20mph zones in residential areas is part of a proactive approach to keep the numbers of accidents low. Following discussions with local ward councillors it was agreed to review the number of streets within the proposed 20 mph zone to see if there was a way to reduce the number of road signs. These changes have now reduced the number of signs and therefore reduced the cost of the overall scheme. Full text of the officer response is also included in Appendix 1.
- 1.5.3.9 Mr R did not withdraw his objection.
- 1.5.3.10 **OBJECTION 4:** An objection was received from Mr T on the 3rd July 2011. He feels this is an unnecessary cost, there has only been one fatal accident and the police do not have resources to fund the enforcement. The full text of Mr T's objection is included in Appendix 1.
- 1.5.3.11 Officers responded and explained that as part of North Tyneside Council's policy on the reduction of accidents and speeding, a programme of 20mph zones in residential areas is being implemented in line with national best practice. The policy to introduce 20mph zones in residential areas is part of a proactive approach to keep the numbers of accidents low. Following discussions with local ward councillors it was agreed to review the number of streets within the proposed 20 mph zone to see if there was a way to reduce the number of road signs. These changes have now reduced the number of signs and therefore reduced the cost of the overall scheme. Full text of the officer response is also included in Appendix 1.
- 1.5.3.12 Mr T did not withdraw his objection.

1.6 Decision options:

Cabinet may:

Option 1 Approve the recommendations set out in section 1.2.

<u>Option 2</u> 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 BRIER 02/03) A1 sized version 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, (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, will be displayed in each group room and will be available for inspection at Cabinet.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the Council's Road Safety 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 speed limits is carried out in compliance with the relevant statutory process under the Road Traffic Regulation Act 1984 and associated regulations.

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

Х

Χ

X

- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer

Χ	

 Strategic Manager for Policy and Partnerships
X

Appendix A – Letters of objection received and officer response

Objection 1 - Mrs A, 12th July 2011

Dear Sir / Madam

I understand the council is considering restricting the speed limit on most roads within the Brierdene Estate, Whitley Bay to 20 miles per hour, and putting up signage to this effect.

I live on this estate (Gorsedene Road), and am unaware of the speed of passing vehicles being a particular problem. I haven't heard of any accidents to either people or property where vehicular speed has been the major cause (though have seen/heard some near misses). And as far as I am aware none of the roads cited are being used by motorists cutting through to avoid traffic calming measures elsewhere.

Most of the roads normally have a scattering of non-permanent traffic calming measures in place, namely parked cars and skips. Most traffic is the existing residents who (except for a few boy racers) have learned to be cautious and are unlikely to speed out of consideration for their neighbours. Most visiting vehicles are generally cautious due to cluttered residential nature of the roads and their sharp corners. Most road surfaces are such that people that value their car's suspension won't be speeding anyway.

I have nothing against changing the speed limit on the estate - I rarely get above 25mph on the estate anyway, so it will make little difference to me. I just think the cost of installing and maintaining the signage is not worth the limited results I would expect these to achieve. The type of people who drive too fast now are still likely to drive too fast in a 20mph speed limit zone, and I can't imagine you'll be funding traffic patrols to enforce the speed limit.

Personally I think any money would be better spent converting the dual carriageway on the Links (where speeding is common and there has been accidents) into two single carriageway roads - one for the local traffic and busses, and one for through traffic.

Yours faithfully

Objection 1 Response 30th March 2011

Re: Brierdene Area Proposed Installation of 20mph Zone

I refer to your correspondence outlining your objection to our proposals to implement a 20mph speed restriction within the Brierdene area

The implementation of the 20mph speed restriction within the Brierdene 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 proactive measure will help keep speeds low and reduce the chance of a serious incident occurring. Research shows that the speeds at which a vehicle travel is directly linked to the severity of injuries sustained in the event of an accident. Reducing the speed limit to 20mph should have a direct impact on general road safety for all users of the highway whether they choose to walk, cycle or drive.

The 20mph speed limit policy has been adopted by most local authorities across the country and is seen as a measure that will, overtime, have a positive effect on speeds. 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 mph speed limits is seen as a simple and cost effective way of help achieving this objective.

With regard to the objections received to the proposed scheme the major concern from residents was the cost, aesthetic nature of the signs and whether the scheme is necessary.

These issues have been discussed with your local ward councillors and as a consequence modifications to the proposals have been made. The changes we have made to the Brierdene proposal is to include Astley Drive and Westely Avenue as a part of the proposals, this will allow us to reduce the number of signs required on all of the side streets. The proposal will now mean that this has reduced the cost of the scheme but increase the overall size of the zone. The changes should make the 20mph zone clearer to the driver and have less of an environmental impact.

Whilst the majority of drivers do drive sensibly within residential estates it is the next step to try and change driving habits within residential streets (just like the seatbelt is now accepted as normal).

Whilst I appreciate that this action will not address all your concerns regarding the proposals I hope we have demonstrated that we have looked at alternative options to reduce the cost and number of signs but still try and meet our road safety objectives.

I would be grateful if you would withdraw your objection to the proposals, if so could I have it in writing by 10th April, if we do not hear from you before then we will assume that you still object to the proposed scheme. If you do not withdraw your objection it will be taken to a forthcoming Council Cabinet meeting where a decision will be made on whether the proposals will be implemented. Following the Cabinet meeting a letter will be sent notifying you of the outcome.

Yours sincerely

Objection 2 – Mr E, 25th July 2011

Further to the public notices I would comment on the proposals as follows.

The proposal seems to include most of the side streets but seems to exclude the through main through road of Astley Drive/Westley Avenue.

While the intent of improving road safety to residential areas, is a very laudable idea, generally the side streets are self-limiting due to constrictions of layout, width and parking. So in practical use 20 mph is difficult to exceed and the proposed signage seems unnecessary. However the main through road is wider and higher speeds easily achieved, so this would benefit from being included in the scheme.

Having seen the detrimental effect of environmental clutter due to superfluous signage in other areas of North Tyneside, I would request that superfluous signage be carefully considered and avoided.

Some examples of this in other areas are: -

'FOR A REASON' this type of sign is superfluous as all speed limits are for a reason.

30 MPH (END OF 20 MPH) This is totally unnecessary.

Objection 2 Response 30th March 2011

Re: Brierdene Area Proposed Installation of 20mph Zone

I refer to your correspondence outlining your objection to our proposals to implement a 20mph speed restriction within the Brierdene area

The implementation of the 20mph speed restriction within the Brierdene 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 proactive measure will help keep speeds low and reduce the chance of a serious incident occurring. Research shows that the speeds at which a vehicle travel is directly linked to the severity of injuries sustained in the event of an accident. Reducing the speed limit to 20mph should have a direct impact on general road safety for all users of the highway whether they choose to walk, cycle or drive.

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Yours sincerely

Objection 2 – Mr E, 4th April 2012 Objection withdrawal

Dear Sirs,

Re: Brierdene Area - 20 mph Proposals

Thank you for your letter dated 30th March 2012.

I note that the changes you propose include increasing the size of the zone, whilst reducing signage to a minimum, to lessen environmental impact.

Therefore as requested I withdraw my objections to the proposals. Thank you for considering my comments.

Objection 3 – Mr R, 6th February 2011

I object most strongly to the proposal to impose a 20mph speed limit on Astley Drive and Westley Avenue, Whitley Bay.

It would mean the residents would have to put up with increased pollution and noise from vehicles travelling in low gear. It would also mean a plethora of new street signs, wasting resources.

When was the last road accident in either of these streets? Even if there ever has been one, was it caused by someone driving at more than 20mph? That is very unlikely. The statistics about improving safety may apply to busy city streets but not to the quiet good-visibility roads around here. An accident rate of zero per year cannot be reduced further.

Surely the real increase in pollution and noise should outweigh the probably imaginary risk of accidents due to speed. Vehicles run much more quietly and efficiently when they can get into fourth gear, which the present 30mph limit sensibly allows.

This proposal looks too much like trying to fix a problem that does not exist, throwing money away and making our environment worse in the process.

Or are we all to suffer because a few people cannot obey the law with respect to the present 30mph limit? If that is the reason, a non-polluting solution must be sought.

Objection 3 Response 30th March 2011

Re: Brierdene Area Proposed Installation of 20mph Zone

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The implementation of the 20mph speed restriction within the Brierdene 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 proactive measure will help keep speeds low and reduce the chance of a serious incident occurring. Research shows that the speeds at which a vehicle travel is directly linked to the severity of injuries sustained in the event of an accident. Reducing the speed limit to 20mph should have a direct impact on general road safety for all users of the highway whether they choose to walk, cycle or drive.

The 20mph speed limit policy has been adopted by most local authorities across the country and is seen as a measure that will, overtime, have a positive effect on speeds. 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 mph speed limits is seen as a simple and cost effective way of help achieving this objective.

With regard to the objections received to the proposed scheme the major concern from residents was the cost, aesthetic nature of the signs and whether the scheme is necessary.

These issues have been discussed with your local ward councillors and as a consequence modifications to the proposals have been made. The changes we have made to the Brierdene proposal is to include Astley Drive and Westely Avenue as a part of the proposals, this will allow us to reduce the number of signs required on all of the side streets. The proposal will now mean that this has reduced the cost of the scheme but increase the overall size of the zone. The changes should make the 20mph zone clearer to the driver and have less of an environmental impact.

Whilst the majority of drivers do drive sensibly within residential estates it is the next step to try and change driving habits within residential streets (just like the seatbelt is now accepted as normal).

Whilst I appreciate that this action will not address all your concerns regarding the proposals I hope we have demonstrated that we have looked at alternative options to reduce the cost and number of signs but still try and meet our road safety objectives.

I would be grateful if you would withdraw your objection to the proposals, if so could I have it in writing by 10th April, if we do not hear from you before then we will assume that you still object to the proposed scheme. If you do not withdraw your objection it will be taken to a forthcoming Council Cabinet meeting where a decision will be made on whether the proposals will be implemented. Following the Cabinet meeting a letter will be sent notifying you of the outcome.

Yours sincerely

Objection 4 – Mr T, 3rd July 2011

Dear Sir,

Reference : Brierdene Speed Limit to be reduced to 20MPH

I object to this happening for the following reasons.

- 1. The cost to do this in my view is not a priority of council spending at this time. There are more important things to do if any money is to be spent.
- In 40 years there has been one fatal accident in this area and I believe that was due to drink driving.
- 3. It is virtually impossible to do 30MPH in the streets due to parked cars.
- 4. Your nor the police have the resources or the means to enforce any reduction.
- An example of this is what the council have done in Tynemouth, it has NOT WORKED Travel up Percy Park and you will find that 99% of cars DO NOT stick to the 20MPH and that includes Police Cars. I see it every day.

You have not said how much this will cost nor who is asking for this to be done, I would appreciate you advising the public of these questions

I will not be put off objecting by your statement that this will be available to the public. Under the Data Protection Act 1998 you can show the above reasons but my details must be blanked out.

Objection 4 Response 30th March 2011

Re: Brierdene Area Proposed Installation of 20mph Zone

I refer to your correspondence outlining your objection to our proposals to implement a 20mph speed restriction within the Brierdene area

The implementation of the 20mph speed restriction within the Brierdene 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 proactive measure will help keep speeds low and reduce the chance of a serious incident occurring. Research shows that the speeds at which a vehicle travel is directly linked to the severity of injuries sustained in the event of an accident. Reducing the speed limit to 20mph should have a direct impact on general road safety for all users of the highway whether they choose to walk, cycle or drive.

The 20mph speed limit policy has been adopted by most local authorities across the country and is seen as a measure that will, overtime, have a positive effect on speeds. 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 mph speed limits is seen as a simple and cost effective way of help achieving this objective.

With regard to the objections received to the proposed scheme the major concern from residents was the cost, aesthetic nature of the signs and whether the scheme is necessary.

These issues have been discussed with your local ward councillors and as a consequence modifications to the proposals have been made. The changes we have made to the Brierdene proposal is to include Astley Drive and Westely Avenue as a part of the proposals, this will allow us to reduce the number of signs required on all of the side streets. The proposal will now mean that this has reduced the cost of the scheme but increase the overall size of the zone. The changes should make the 20mph zone clearer to the driver and have less of an environmental impact.

Whilst the majority of drivers do drive sensibly within residential estates it is the next step to try and change driving habits within residential streets (just like the seatbelt is now accepted as normal).

Whilst I appreciate that this action will not address all your concerns regarding the proposals I hope we have demonstrated that we have looked at alternative options to reduce the cost and number of signs but still try and meet our road safety objectives.

I would be grateful if you would withdraw your objection to the proposals, if so could I have it in writing by 10th April, if we do not hear from you before then we will assume that you still object to the proposed scheme. If you do not withdraw your objection it will be taken to a forthcoming Council Cabinet meeting where a decision will be made on whether the proposals will be implemented. Following the Cabinet meeting a letter will be sent notifying you of the outcome.

Yours sincerely

Objection 4 – Mr T, 2nd April 2012 confirmation of not withdrawing objection

Dear Sir,

Thanks for your letter regarding the above. I refuse to withdraw my objections on this matter for the reasons already submitted to you. I take it that my objections will be put forward to the council and not modified.

As you rightly say you have not addressed all of the objections I put forward to you and they themselves are quite relevant.

In addition to this **not one person** has written to the council in favour of this project, others have written in to object.

You are already falling into the same into the same trap as you have done in the disastrous job carried out in Tynemouth. Daily, cars doing 20MPH are pushed and shoved and persons getting out of their cars shouting at each other. The Police **refuse to police** a 20MPH speed limit so what is the point, in addition to this Lynda Arkley is calling for redundancies, hello.

Appendix B – Legal notice displayed on site

NORTH TYNESIDE COUNCIL

BRIERDENE AREA, WHITLEY BAY

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 Order, if made, will be to impose a speed limit of 20 mph along the full length of the following:

- 1. Brierdene Crescent
- 2. Hastings Avenue
- 3. Gorsedene Road
- 4. Gorsedene Avenue
- 5. Linton Road
- 6. Gerrard Close
- 7. Gerrard Road
- 8. Garsdale Road
- 9. Westley Close
- 10. Brierdene Road
- 11. Craneswater Avenue
- 12. The links service road outside Cemetery

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 emailed to DemocraticSupport@northtyneside.gov.uk by 12 July 2011. Any objections received will be placed in the working file and can be viewed by the public if requested.

Dated 21 June 2011

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

www.northtyneside.gov.uk

NORTH TYNESIDE COUNCIL

ASTLEY DRIVE AND WESTLEY AVENUE, WHITLEY BAY

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.

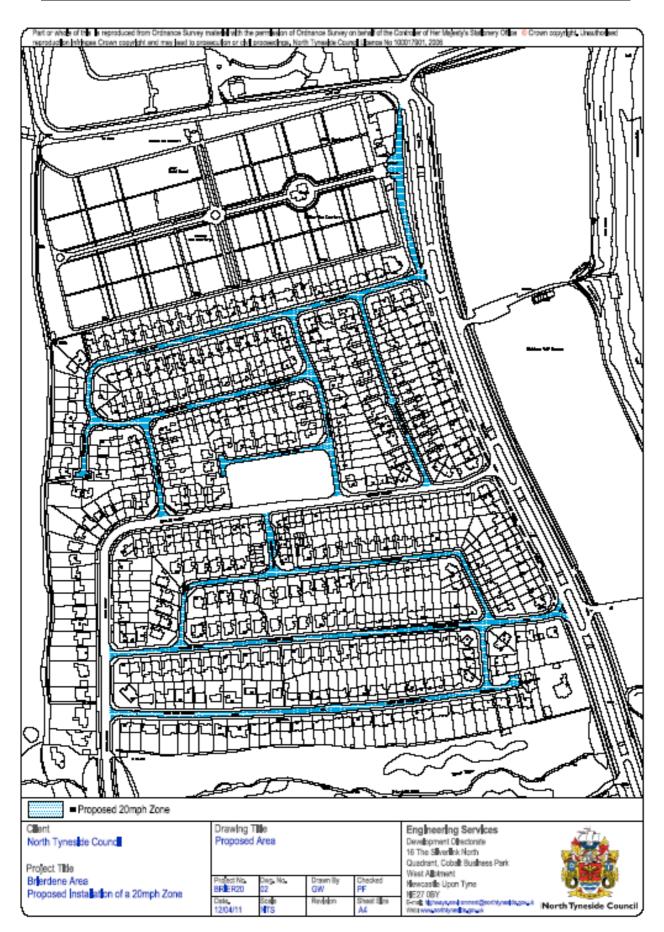
The effect of the Order, if made, will be to impose a speed limit of 20mph on along the full length of Astley Drive and Westley Avenue. The proposed Order is necessary to reduce vehicular speeds and ensure safety of all highway users

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 emailed to DemocraticSupport@northtyneside.gov.uk by 23 February 2012. Any objections received will be placed in the working file and can be viewed by the public if requested.

V Geary - Head of Legal, Governance and Commercial Services c/o Democratic Services(PW) Quadrant Silverlink North Cobalt Business Park North Tyneside NE27 0BY

www.northtyneside.gov.uk



Appendix C – Plans of Proposed Zones (larger plans will be available to view)

