

Bolton Council

Report to: Executive Cabinet Member
Environmental Services

Date: 16 October 2017

Report of: Director of Place

Report No: ECMES/27/17a

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Report Title: The Bolton (Horwich North Area, Bolton)(20mph speed limit) Order
(Traffic Order 303867)
Objection and Representations Report

Non-Confidential This report does **not** contain information which warrants its consideration in the absence of the press or members of the public.

Recommendations: Having considered the objection, the representations, the views of Ward Members and the police, the Director of Place recommends the Executive Cabinet Member Environmental Services to agree to the introduction of the 20mph speed limit traffic regulation order as originally advertised.

Decision:

Background Doc(s): Copy of e-mails of objection and representations held on file in the Highways and Engineering Division.
DfT Circular 01/2013 'Setting Local Speed Limits'

Signed:

Leader / Executive Member

Monitoring Officer

Date:

Summary:

The Director of Place approved the promotion of a 20mph Speed Limit on residential roads in the Horwich North Area under the Scheme of Delegation in May 2017.

The proposal was advertised in August 2017 and one objection (to certain elements of the order) and forty six representations from members of the public and two from Ward Councillors were received. This report details and comments upon the objection and representations.

Having considered the objection, the representations, the views of Ward Members and the police, the Director of Place recommends the Executive Cabinet Member Environmental Services to agree to the introduction of the 20mph speed limit traffic regulation order as originally advertised.

Background information

1. At the meeting held on 17th April 2013 the Council agreed to the principle of introducing a mandatory 20 mph speed limit on all appropriate residential roads in the Borough. This proposal confirming the Council's policy to improve road safety, reduce the severity of casualties and improve the local environment.
2. At the meeting held on 15th February 2016 the Cabinet proposed the allocation of funding from the unallocated Capital Programme Resources for 2016/2017 (Item 39, minute (iv) refers). This expenditure was approved by Council at the meeting held on 24th February 2016 (item 60, minute (d) refers).
3. This funding is being utilised to complete the promotion and implementation of 20mph speed limits on residential roads across the Borough.
4. An area based approach has been adopted in the introduction of the 20mph speed limits. One of these was the Horwich North area. This comprised residential roads in Horwich that were not previously subject to a 20mph speed limit.
5. A notice relating to the proposed speed limit order was published, pursuant to regulation 7 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, on 11th August 2017. The latest date for objections or representations to be received was 1st September 2017 although representations received after this date have been accepted.
6. The Council received one objection relating to certain elements of the proposed traffic order and forty six representations from members of the public and one representation from a Ward Councillor

Objection

7. The objector, DA, wishes *"to contest the proposal to impose 20mph speed limits into the conservation area of north Horwich. The streets are very tight and full of parked cars and it is impossible for any vehicle to even achieve half this speed. It will be a waste of money putting up speed limit signs"*.

Observations on the Objection

8. The conservation area referred to by DA is the Wallsuches Conservation Area. Streets, included in the proposed traffic order, that fall within the conservation area, include streets in the Foxholes Road / Mill Lane area, the terraced properties south of Church Street (opposite Horwich Parish Church) and Fleet Street. A total of eighteen residential roads, included in the advertised traffic order, fall within the Wallsuches conservation area.
9. All of the roads within the Wallsuches conservation area that are included in the proposed traffic order are undoubtedly residential in nature and it is therefore Council policy to implement a 20mph speed limit on them.
10. On some of the streets that fall within the conservation area it is clear that 20mph is an unachievable speed, however a 20mph speed limit is not a target speed but a maximum speed. To exclude streets within any particular speed limit area, because of their individual characteristics, would introduce a lack of consistency in the Council's policy for the introduction of 20mph speed limits on residential streets.

11. It is proposed that, where appropriate, any new poles that are required to erect the necessary signage in the conservation area will be black to complement existing street furniture.

Representations from Members of the Public

12. Forty six representations have been received on the proposed order from members of the public, all of which state their support for proposals but which request that further roads are included.
13. Twenty six of the representations, including one from St Mary's Primary School, request that the whole length of Victoria Road is included in the 20mph speed limit proposed order, eight representations, including one from the board of governors of Horwich Parish School, request that the B6226, Church Street is included, two of these additionally request that the length of Chorley Old Road from Church Street to its junction with Fleet Street is included and one requests that Chorley Old Road from Church Street to the entrance to Ridgeway Cemetery is included. Twelve representations requested that Marklands Road and part of Georges Lane are included in the proposed order.
14. Concerns raised in representations requesting that the whole length of Victoria Road is included in the proposed 20mph speed limit area can be summarised as follows;
- Current inconsiderate and dangerous driving
 - Parked vehicles near junctions
 - Speeding issues
 - Road being used as a rat run
 - Accidents and near misses
 - Developments in Horwich leading to increasing numbers of vehicles using the road
 - Significant numbers of child pedestrians use / cross the road to access schools
 - Large number of HGVs using the road
 - Difficulties when egressing drives / side streets due to speed of traffic
 - Elderly people struggling to cross the road because of vehicle speeds
15. Representations requesting the inclusion of Church Street in the proposed order can be summarised as follows;
- Speeding issues,
 - Damage to parked vehicles.
 - Child pedestrian generators (school and nurseries)
 - Difficulties experienced by the elderly when crossing the road due to vehicle speeds
 - Difficulties when exiting side streets due to vehicle speeds
16. Representations requesting the inclusion of Marklands Road and Georges Lane (between 1 Montcliffe Cottages and Marklands Road) in the proposed order can be summarised as follows;
- Speeding issues
 - No pavements resulting in pedestrians being in the single track road

- Problems arising from the interaction between pedestrians, runners, horse riders, cyclists and vehicles
 - Visibility issues when exiting driveway
 - Narrowness of carriageway
17. Those making representations feel that the introduction of a 20mph speed limit will address or go some way to alleviating the problems that they have identified.

Representation from Councillor Silvester (supported by Councillor McKeon)

18. Councillor Silvester supports the advertised 20mph speed limit order but wishes additional lengths of road to be added. He has made a personal representation and also lobbies on behalf of residents who have contacted him. Councillor McKeon has made a representation in support of Councillor Silvester's representation.
19. Cllr Silvester requests that Marklands Road and Georges Lane, from 1 Montcliffe Cottages to its junction with Marklands Road, are included in the 20mph speed limit order for the following reasons;
- There are four residential properties on Marklands Road and it should be considered a residential road at this point
 - Marklands Road is narrow with no footways and it would improve the safety of pedestrians if it became subject to a 20mph limit
 - There are 17 residential properties on Georges Lane between its junction with Marklands Road and 1, Montcliffe Cottages and this should be considered a residential road.
 - Georges Lane is narrow with no footways and it would improve the safety of pedestrians if it became subject to a 20mph limit
20. Cllr Silvester requests that Church Street from its junction with Victoria Road to its junction with Mill Lane is included in the 20mph speed limit order for the following reasons;
- There is a nursery, a primary school and Horwich Parish Church on this length of road
 - There is a significant number of residential properties along this length of road
 - The level of parking and amount of activity taking place on this road means that vehicle speeds are slower and that it would be appropriate for a 20mph limit to be introduced to improve pedestrian safety
21. Cllr Silvester requests that the full length of Victoria Road is included in the 20mph speed limit order for the following reasons;
- Speeding issues
 - Concerns regarding vehicle speeds have been expressed by both residents and St Marys primary school over many years and the introduction of a 20mph speed limit has been requested
 - Both Lee Lane, which has a higher classification than Victoria Road in the Council's road hierarchy, and Armadale Road which has the same classification as Victoria Road are both subject to a 20mph speed limit

Observations on Representations

22. Victoria Road is identified as a Local Distributor in the Council's Adopted Highway Network Hierarchy policy. The function of such roads is to expedite the movement of vehicles through an area. Generally such roads form the boundaries of the discrete 20mph speed limit areas.
23. There have been four injury accidents on Victoria Road in the last 5 years, one resulting in serious injury and three resulting in slight injury. Vehicle speed was identified as a possible contributory factor in two of the accidents including the one resulting in serious injury.
24. The two most recent traffic counts undertaken on Victoria Road indicate an average vehicle speed of 29.7 mph. There has not been any change to the geometry or character of Victoria Road that would affect this figure since the count was taken.
25. Current Department for Transport guidance recommends that 20 mph speed limit areas are most appropriate where traffic speeds are already low (mean speed below 24 mph (DfT Circular 01/2013)). It would not be appropriate to introduce a 20mph limit without measures being implemented that would lower the mean speed of traffic. Victoria Road is positioned 136th on the Council's prioritised list of site identified for traffic calming / traffic management measures. There is no mainstream budget available for the implementation of any of the roads on the prioritised list and it is unlikely that any speed reduction measures will be undertaken in the near future.
26. Church Street is a classified road (B6226) and identified as a District Distributor in the Council's Adopted Highway Network Hierarchy policy.
27. There has been one slight injury accident on Church Street and three injury accidents (one serious) on Chorley Old Road between Church Street and its junction with Fleet Street in the last 5 years. Vehicle speed was identified as a likely contributory factor in one of the slight injury accidents on Chorley Old Road.
28. The two most recent traffic counts undertaken on Church Street indicate an average vehicle speed of 28.3 mph. There has not been any change to the geometry or character of Church Street that would affect this figure since the count was taken.
29. Marklands Road is a rural road that has a system of streetlights. The speed limit is currently 30mph. Georges Lane through much of its length is unlit and thus is signed as being subject to the national speed limit. There have been no reported accidents on either Marklands Road or Georges Lane in the last 5 years.
30. There are streetlights on the length of Georges Lane between Marklands Road and Montcliffe Cottages. The erection of 30mph terminal signs at both ends of this length of Georges Lane is all that would be necessary to introduce an enforceable 30mph speed limit. However the highway boundary is the edge of the carriageway surfacing and land outside the carriageway is in private ownership. It would be necessary to reach an agreement with adjacent landowners for the erection of the terminal signs
31. It would not be possible to add further streets to the proposed 20mph speed limit order without re-advertising the proposal. The order promotion process would need to be re-run.

32. The function of local distributor roads and district distributor roads is to expedite the movement of traffic through an area whereas residential streets whose purpose is to enable residents to access their homes.
33. Greater Manchester Police have stated that the appropriateness of a road for the introduction of a 20mph limit on a road is the overriding factor to be considered when drawing up proposals. Consideration of the appropriateness of a road entails an assessment of the character and geometry of the road amongst other things. If, post-implementation, there are community concerns regarding drivers not adhering to a new 20mph speed limit then there would likely be a public expectation that the police would carry out enforcement, however the police have stated that this would only be undertaken as a last resort when all other measures have been exhausted. The physical measures that the police would expect to be undertaken would be at a significant cost for which the Council does not currently have funding. The current low accident record along Georges Lane, Marklands Road, Church Street and Victoria Road would make these roads a low priority for the introduction of physical measures even should funding become available.
34. The Council has recently introduced advisory 20mph limits outside the schools on Church Street and Victoria Road which warn drivers of the presence of schoolchildren at school start and finish times by means of flashing lights.

Consultation

35. Representatives of the Chief Constable, County Fire and Rescue Service, Greater Manchester Ambulance Service and Transport for Greater Manchester were consulted on the currently proposed 20mph speed limit order and no adverse comments were received.
36. Representatives of the Chief Constable of Police have been consulted on the content of this report and have no issues with it or the officer recommendation.

Views of Ward Members on this Report

37. The views of Ward Members have been requested on the content of this report and Councillor Pickup has confirmed his support for the introduction of the 20mph speed limit in the Horwich North Area as originally advertised. Councillor Silvester has commented at length on this report. Councillor Silvester's comments are contained within Appendix 1 to this report. Councillor McKeon has reiterated his support for Councillor Silvester's representation.

Financial Implications and Implementation

38. The estimated cost for the advertised legal traffic order and associated signage is £28,000. If the objection to the elements of the proposed order falling within the Wallsuches conservation area is supported then the removal of these streets from the order would yield a saving of £2,500. The inclusion of the additional roads that have been requested in their entirety would deliver an overall saving of £7,000.

Recommendation

39. Having considered the objection, the representations, the views of Ward Members and the police, the Director of Place recommends the Executive Cabinet Member Environmental Services to agree to the introduction of the 20mph speed limit traffic regulation order as originally advertised.

Appendix 1: Councillor Silvester's Comments on this Report

It is excellent that 45 representations have been made all supporting the proposals, however I also note that all 45 representations in support, all ask for the proposed area advertised to be increased to include either the whole length or stretches of 4 other residential roads in this immediate area where the representations were made from. This in itself is excellent as well and should be applauded and seriously taken into consideration by the Executive Cabinet Member. I do not know of any other consultation where this has occurred and 3 of these representations were made from major key partners in the area; 1 from the Head and Governing body of St. Mary's Primary School on Victoria Road, 1 from the Governing body of Horwich Parish School on Church Street and 1 (which is not mentioned in the report) from the Parochial Church Council (PCC) of Holy Trinity (Horwich Parish Church) on Church Street.

As a ward Councillor, I take all of these representations very seriously indeed and I support the 45 representations for the 4 other roads or stretches of roads to be included as 20mph.

Marklands Road and George's Lane from 1 Montcliffe Cottages to its junction with Marklands Road – 12 representations were received from residents here and there are 21 properties covering Marklands Road and the stretch of George's Lane from 1 Montcliffe Cottages to its junction with Marklands Road. This means the response rate was 57% and all of those responding were in favour of including Marklands Road and the stretch of George's Lane from 1 Montcliffe Cottages to its junction with Marklands Road becoming 20mph, with no representations against. Indeed this is a 100% response rate in favour of 20mph.

The report states that George's Lane is currently National Speed Limit, which includes the residential stretch of 17 properties and that 30mph signs could be erected to cover this residential stretch.

This would actually need a separate Traffic Regulation Order to introduce a 30mph speed limit on this stretch of George's Lane. This would mean a further cost. It would seem more sensible in order to save costs to simply introduce 20mph on a re-advertised order and the most important thing is that it is residents themselves who want 20mph – this is the major factor here and the report does not give any reason why 20mph cannot be achieved.

The report also states, 'To exclude streets within any particular speed limit area, because of their individual characteristics, would introduce a lack of consistency in the Council's policy for the introduction of 20mph speed limits on residential streets'. I believe to exclude Marklands Road and George's Lane from 1 Montcliffe Cottages to its junction with Marklands Road would introduce a lack of consistency in the area and therefore to include them makes total sense.

Church Street from its junction with Mill Lane to the existing 20mph zone on the B6226 – again all of the representations received wish for Church Street to be included in the 20mph area. Indeed it is sensible to link Church Street from its junction with Mill Lane to the existing stretch of 20mph which covers the whole length of Lee Lane (since I made my original representation, I believe this is further down Church Street than the junction with Victoria Road). The report states that Church Street as part of the B6226 is a District Distributor in the Council's Adopted Highway Network Hierarchy policy however so is Lee Lane which joins up and is a continuation of Church Street and the whole length of Lee Lane is 20mph, causing no problems at all. Two major stakeholders on Church Street, Horwich Parish School and Holy Trinity Church have made representations for Church Street to become 20mph at all times. If all of Church Street from its junction with Mill Lane was made 20mph to link up with where the existing 20mph zone starts further down Church Street, then this would cover an area where there is a Primary School, Nursery, Parish Church and Leisure Centre which would make all of this road much safer for users and directly link into the existing 20mph stretch of the B6226.

Further, there would be a saving in terms of costs as 20mph signage would not be necessary on any of the side street junctions off Church Street as motorists would enter the 20mph zone on Church Street at its junction adjacent to Mill Lane, where signage would only be needed and no further signage would then be necessary for any of the side streets at their junctions with Church Street. Therefore overall, a cost saving would occur.

Victoria Road for its whole length – on Friday 8th September, the day the public consultation ended and the day of writing of the report, another serious accident occurred that morning so is not included in the report. In this latest accident, Police, Fire and Ambulance all attended. This accident occurred because of a car exiting Arkwright Street into Victoria Road and because sight lines were restricted, the car exited directly into the approach of an oncoming vehicle which was speeding. This caused the car to skid across the road into a parked car. This is the second time this year an accident has occurred in the exact same place and a residents car was written off previously as a result. In Friday's incident, the front end of a parked car was seriously damaged.

Twenty five representations were received from residents of Victoria Road calling for its whole length to become 20mph including a major stakeholder, St. Mary's Primary School. There is a definite problem occurring on Victoria Road and speed needs to be reduced. I cannot foresee any problem for motorists if a reduction to 20mph occurred and traffic flow along Victoria Road would not be inconvenienced by a lowering of the speed limit. A lower speed limit has not inconvenienced traffic flow along Lee Lane which has a much higher amount of traffic flow.

There is funding available, contrary to what the report states in terms of available funding for road safety / speed reduction measures for Victoria Road from the Section 106 agreement for the former Horwich College residential development site, which is now underway and this is written into that Section 106 agreement. There would also be a cost saving if the whole length of Victoria Road was made 20mph as there would not be a need for any 20mph signage at any of the side street junctions running off Victoria Road as motorists would immediately enter a 20mph area at the start of either end of Victoria Road, and no further signage at any of the side street junctions would then be required. This therefore would be a considerable reduction in cost and that cost saving in itself could also be put if necessary towards any road safety / speed reduction measures with the Section 106 monies available.

In conclusion, there is actually no reason why any of the above roads or stretches of road cannot become 20mph as residents wish. Although the order would need to be re-advertised, this in itself is not a problem. Firstly a cost saving would occur overall with less signage being required if both Church Street and Victoria Road were included, and secondly a previous 20mph order was re-advertised to then cover the whole of the Lever Park area of Horwich, Green Lane up to Pennine Road as previously all of that area of Horwich was not in the original order. There was absolutely no problem in that case of re-advertising an order to include further roads in an order. In that case the re-advertised order was a success and in this present case, I also believe a re-advertised order to include the above 4 roads / stretches of them as residents are asking to be included, would also be a success.