

North Yorkshire County Council
Business and Environmental Services

Executive Members

21 February 2020

West Fields/West End/Tinley Garth, Kirkbymoorside - Proposed 20mph Speed Limit

Report of the Assistant Director – Highways and Transportation

1.0 Purpose Of Report

- 1.1 The purpose of the report is to advise the Corporate Director, Business and Environmental Services (BES) and the BES Executive Members of:
- the outcome following public consultation and advertisement of the proposal and for a decision to be made whether or not to introduce a 20mph speed limit on West Fields, West End and Tinley Garth, Kirkbymoorside in view of the objection received.
- 1.2 A decision of the Corporate Director, BES, is sought in consultation with the BES Executive Members regarding the recommended option.

2.0 Background

- 2.1 West Fields, West End and Tinley Garth, Kirkbymoorside are all subject to a 30mph speed limit. West Fields is located at the western end of the town and provides access to the Primary School. As the road continues eastwards it is re-named as West End and provides access to the Market Place. Tinley Garth runs parallel to West End to the north and is one-way eastbound between West End and Market Place.
- 2.2 Concerns were expressed by the Town Council and residents regarding the speed of traffic on West Fields and West End.
- 2.3 West End is primarily a residential street with terraced properties along both sides although there are also some businesses. On-street parking spaces are available along the southern side. The road narrows in places which means vehicles have to wait to give way to oncoming traffic. This does act as a traffic calming feature although the low kerbs along the street encourage impatient/inconsiderate drivers to mount the footway rather than giving way to oncoming vehicles.
- 2.4 The Town Council has requested a 20mph speed limit on West End and continuing along West Fields which provides access to the Primary School.
- 2.5 This proposal was discussed with North Yorkshire Police. Although there is not a history of personal injury accidents along on West Fields or West End the Police confirmed they would support the speed limit subject to a speed assessment being undertaken to demonstrate that it would not be dependent on an unreasonable level of enforcement.

- 2.6 A traffic survey was undertaken on West End and West Fields on 13th February 2019 for one week. The average Mean Speed was found to be 21mph on West End and 22mph on West Fields.
- 2.7 As these measured speeds are below 24mph it is considered that they comply with the criteria in NYCC's policy on 20mph speed limits in terms of:
- Compliance would not be dependent on an unreasonable level of enforcement
 - Signage alone would be sufficient without additional traffic calming measures.
- 2.8 It was considered Tinley Garth should also be included within the 20 mph speed limit. Tinley Garth provides a similar link to the Market Place as West End. But has a system of vertical traffic calming measures installed to ensure vehicle speeds are low. The road is one-way between Tinley Gardens and the Market Place. It provides access to the Doctors Surgery and the egress point from the adjacent public car park.
- 2.9 A copy of the location plan showing the proposed extent of the 20mph speed limit is shown in Appendix A

3.0 Consultation

- 3.1 Consultation with key stakeholders was undertaken on 6th June 2019 and no objections were received.
- 3.2 The Local Member County Councillor Val Arnold was consulted on the proposal and did not raise an objection
- 3.3 The proposed Order was advertised on 30th October 2019 and consultation letters delivered to residents.
- 3.4 One objection has been received to the proposal and this together with your Officers comment is contained in Appendix B.

4.0 Officer comment

- 4.1 NYCC have worked with the Town Council for a significant amount of time to try to address the highway safety issues which have been identified on West End and West Fields. Officers consider that a 20mph speed limit would reduce the dominance of the motor vehicle and send the message that these are primarily residential streets and due consideration should be given to the amenity of residents and non-vehicular users of the streets.
- 4.2 Your Officers also consider that Tinley Garth should be included within the 20mph speed limit area by virtue of its proximity to West End and its existing traffic calming features.
- 4.3 Your Officers also consider that the proposed 20 mph speed limit will enable the County Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), as set out in the Statement of Reasons for proposing to make the Order attached to this Report as Appendix D.

5.0 Equalities

- 5.1 Consideration has been given to the relevance of equality and diversity issues to the recommendation. It is the view of officers that the recommendation has no impact on

any of the protected characteristics identified in the Equalities Act 2010. A copy of the Equalities Impact Assessment Screening Form is attached as Appendix C

6.0 Finance

- 6.1 The cost of advertising the Traffic Regulation Order (TRO) and implementing the signs is estimated at approximately £2,000 which will be funded from the local highways signs, lines and TRO budget.

7.0 Legal

- 7.1 Consideration has been given to the potential for any legal implications arising from the recommendation. It is the view of Officers that the recommendation will have no legal implications other than those relating to the implementation of the Traffic Regulation Order.

- 7.2 The process for the consideration of objections to traffic regulation orders was approved by the Executive on 29 April 2014 and County Council on 21 May 2014. The consideration of objections to Traffic Regulation Orders (TROs) is now a matter for the Executive and the role of the Area Constituency Committee is changed to a consultative role on wide area impact TROs. The consideration of objections has been delegated by the Executive to the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members. The decision-making process also relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A wide area impact TRO is classed as a proposal satisfying all three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor.

This proposal is not considered to be a wide area impact TRO therefore.

- 7.3 In recommending the implementation of the proposed TRO, officers consider that it will preserve or improve the amenities of the area through which the road runs and enable the County Council to comply with its duty under Section 122 of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). A copy of the Statement of Reasons for the TRO is contained in Appendix D.
- 7.4 Where an Order has been made (sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within 6 weeks from the date on which the Order is made.
- 7.5 The relevant local member has been provided with a copy of this report and has been invited to the meeting on 21st February 2020.

8.0 Recommendation

8.1 It is recommended that:

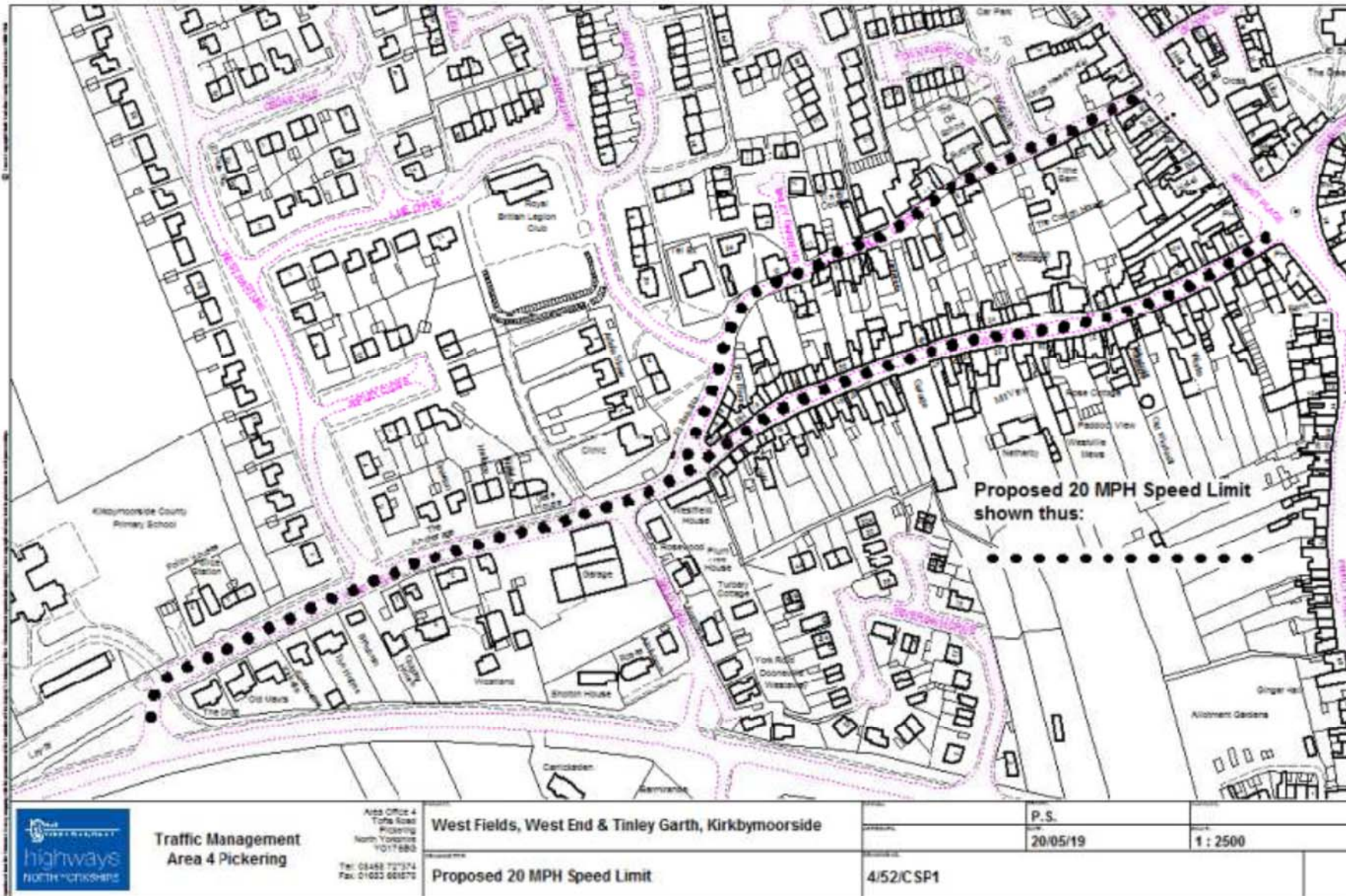
- a) The proposed 20mph speed limit on West Fields, West End and Tinley Garth as shown on Plan 4/52/C SP1 and as advertised is implemented by making a Traffic Regulation Order under the Road Traffic Regulation Act 1984.
- b) The objector is advised accordingly and notified of the making of the Order within 14 days of it being made.

BARRIE MASON
Assistant Director
Highways & Transportation

Author of Report: Tim Coyne

Background Documents:

The letters of support and objection received are held in the scheme file held by the Area 4 Kirby Misperton Highways Office.



Summary of Comments – Resident West Fields	Officer Comment
<p>Opposed to such methods being used to hinder traffic. The route has not been identified as a location where numerous collisions have occurred or persons killed/seriously injured.</p> <p>Tinley Garth already has traffic calming and is narrow to restrict traffic flow. Similarly, West End is restricted in part due to narrow carriageway and parked cars.</p> <p>The location of the school on the extreme edge of the proposed speed restriction does little to support the implementation of a 20 mph speed limit along either Tinley Garth or West End.</p> <p>If the necessity to reduce vehicular speed is to safeguard children and their parents walking to and from school, then why is this route any more important than other roads within Kirkbymoorside.</p> <p>Implementation will inevitably increase congestion due to vehicles taking longer to travel along the route, increase waiting times as opposing vehicles will take longer to clear restrictions, whilst air and noise pollution will inevitably increase.</p> <p>The erection of intrusive and unsightly posts and speed and repeater signs along the routes will seriously damage the aesthetic beauty of the town.</p> <p>NY Police will not enforce the restriction.</p>	<p>The request for the implementation of a 20mph speed limit on West End/West Fields was received via the Town Council. It was also considered prudent to extend the limit to Tinley Garth bearing in mind It runs parallel to West End and the fact that it has a system of traffic calming in place to reduce speeds.</p> <p>It is acknowledged that there is not a history of personal injury accidents along these roads. However, officers consider that a 20mph speed limit would reduce the dominance of the motor vehicle and send the message that these are primarily residential streets and due consideration should be given to the amenity of residents and non-vehicular users of the streets.</p> <p>The proposals was subsequently discussed with the Police and they raised no objection as they considered the speed limit would be self-enforcing with the restrictions the objector refers to being contributable to this.</p> <p>It is not considered that the speed limit will increase congestion as it will not result in standing traffic, it will only seek to control the speed the traffic travels. Similarly, air and noise pollution is unlikely to increase and in fact there should be a reduction in vehicle noise. It is hoped that the speed limit will create a more comfortable environment for the public who travel by foot or cycle.</p>

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Business and Environmental Services		
Service area	Highways & Transportation		
Proposal being screened	20mph Speed Limit Order.		
Officer(s) carrying out screening	Tim Coyne		
What are you proposing to do?	Introduce a 20mph Speed Limit at West Fields, West End and Tinley Garth in Kirkbymoorside.		
Why are you proposing this? What are the desired outcomes?	To reduce traffic speeds and improve road safety for all users and to comply with the County Councils duty under Section 122(1) of the Road Traffic Regulation Act 1984		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	YES	No	
Age		No	
Disability		No	
Sex		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
NYCC additional characteristics			
People in rural areas		No	
People on a low income		No	

Carer (unpaid family or friend)		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	It is not considered that the introduction of a 20mph speed limit which aims to reduce speeds within the built up area and close to a primary school will have an adverse impact on those people with a protected characteristic.		
Signed (Assistant Director or equivalent)	<i>Barrie Mason</i>		
Date	07/02/20		

PROPOSED INTRODUCTION OF A 20MPH SPEED LIMIT AT WEST FIELDS, WEST END AND TINLEY GARTH AT KIRKBYMOORSIDE

STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER

LEGAL POWERS AND DUTIES

Under Section 1(1) of the Road Traffic Regulation Act 1984 the County Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality).

Section 122(1) of the Road Traffic Regulation Act 1984 also provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

REASONS FOR MAKING THE ORDER

The County Council considers that it is expedient to make this TRO on grounds (a), (b) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-
Officers consider that a 20mph speed limit would reduce the dominance of the motor vehicle and send the message that these are primarily residential streets and due consideration should be given to the amenity of residents and non-vehicular users of the streets. It will reduce the speed of traffic adjacent to building which directly abut the road or are segregated by footways with low kerbs.

Location(s) of Proposed Order

Plan 4/52/CSP1

West Fields

The speed limit is proposed to cover the length of road approaching the school and residential properties on the road.

West End

The speed limit is proposed to cover all residential properties and businesses on the road.

Tinley Garth

The speed limit is proposed to cover all residential properties on the road including the Doctors Surgery.

Traffic Officer: Philip Sharp (Area 4 Highways, Kirby Misperton)

CONSIDERATION OF OBJECTIONS

Under the County Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director - Business and Environmental Services (BES) in consultation with the BES Executive Members. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director - BES may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Area Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined as a proposal satisfying all of the three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor

The report will seek the views of the Area Committee and these views will then be included in a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The Corporate Director - BES may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director - BES to have his decision making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director - BES has delegated powers to make decisions on TROs where there are no objections.