

North Yorkshire Council

Environment Executive Members

12 July 2024

Proposed Introduction of a 40mph Speed Limit on Bishopdyke Road (B1222), Sherburn in Elmet.

Report of the Assistant Director – Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation of the outcome of the public consultation and statutory advertisement which took place with regard to this proposal and ask for a decision to be made on whether or not the proposal to reduce the speed limit to 40mph on Bishopdyke Road (B1222), Sherburn in Elmet, be introduced or set aside in light of the objection received.

2.0 BACKGROUND

- 2.1 Bishopdyke Road (B1222) is a single carriageway, rural road which leads from the A162 Sherburn in Elmet by-pass to Cawood Village. A large industrial estate and 10 residential premises are accessed directly from Bishopdyke Road. The speed limit is currently 60mph; the national speed limit for single-carriageway derestricted roads.
- 2.2 The proposal is in response to requests by residents and local business owners, to reduce the existing national speed limit on Bishopdyke Road (B1222) to 40mph, at the location shown on the attached plan Appendix A. This route has seen significant development over the years and as a consequence, the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings".
- 2.3 As part of the assessment of the proposed 40mph speed limit, one Automatic Traffic Count (ATC) survey was undertaken in order to ascertain whether a 40mph speed limit would be self-enforceable and complied with by drivers. The surveys demonstrated that the existing mean speeds were suitable for a 40mph speed limit and were within the Association of Chief Police Officers (ACPO) guideline intervention level of 46mph. The results of the ATC survey are attached in Appendix B.
- 2.4 Analysis of collision data from 30 April 2019 – 30 April 2024 (inclusive) showed 4 serious and 10 slight personal injury collisions having taken place within the investigation area, highlighted on the accident location plan found in Appendix C.

3.0 CONSULTATION

- 3.1 The proposal has been subject to consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The enabling Traffic Regulation Order (TRO) was advertised for public comment in the local press, published on North Yorkshire Council's website and by means of a legal notice placed on the relevant street in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations.
- 3.2 The TRO was advertised for public comment on 15 February 2024 as follows: North Yorkshire Council (40mph Speed Limit) (A162 & B1222, Sherburn in Elmet) Order 2024. The last date for receipt of objections was 7 March 2024.
- 3.3 Under the constitution of the council the consideration of objections to Traffic Regulation Orders (TROs) is a matter for the Executive and the role of the Area Constituency Committee has a consultative role on 'wide area impact TROs'. The consideration of objections has been delegated by the Executive to the Corporate Director of Environment in consultation with Executive Members. The decision-making process 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 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.
- 3.4 Since the objection received only relates to an individual opposed to the reduction in the speed limit, contained within one street, one community and one Council Ward, this does not have a 'wide area impact TRO' and therefore the Area Constituency Committee's views have not been sought.
- 3.5 Local Member Councillor Bob Packham (the ward member representing Sherburn in Elmet) was contacted during and after the consultation on his views to the proposals. Cllr Packham is fully supportive of the proposals.
- 3.6 In accordance with the protocol for Environment Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 12 July 2024.

4.0 OFFICER COMMENTS

- 4.1 Officers have considered the objection received and have summarised the response along with officer comments in Appendix D.
- 4.2 With regard to the objection, it is suggesting that the reduction of the speed limit to 40mph is too low, as it would increase journey times and discourage people from attending a local automotive venue (The Motorist). The speed limit is considered appropriate for the road as it reflects current usage and is expected to be self-enforcing. Setting appropriate speed limits with the aim of achieving safe and appropriate driving speeds can play an important role in improving the quality of life of those who work and live within our communities. Evidence collected by the Department of Transport (Setting Local Speed Limits), suggests that when traffic is travelling at constant speeds, even at a lower level, it may result in shorter and more reliable overall journey times. Officers do not consider that a lower speed limit will be detrimental to the local economy and increase journey times.

- 4.3 Officers use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include factors such as existing traffic speeds, history of collisions, road purpose/function, population size, expected vulnerable road users and environmental affect. These factors were all considered, and it was concluded that a speed limit of 40mph was appropriate for this part of Bishopdyke Road. This was further discussed with North Yorkshire Police, as the body responsible for enforcing speed limits, they were fully supportive of the proposal.
- 4.4 Officers consider that the proposed measures set out in this report will assist in addressing the problems identified and thereby enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise its functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs, as set out in the Statement of Reasons for proposing to make the Order attached to this report in Appendix E. The proposed measures will also enable the Council to carry out its network management duty under Section 16 of the Traffic Management Act 2004 to secure the expeditious movement of traffic on the authority's road network and both the more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The cost of advertising the Traffic Regulation Order and installing the road markings is estimated at approximately £2,500 which will be funded from the local highways (Signs Lines and TROs) budget.

6.0 LEGAL

- 6.1 In the event that the Executive Members and Corporate Director for Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make the relevant Traffic Regulation Order (with or without modifications) and publish a notice of making the Order in the local press before the Order comes into operation. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 6.2 Where an Order has been made (i.e. 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 six weeks from the date on which the Order is made.
- 6.3 In recommending the implementation of the proposed TRO, officers consider that it will enable the Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004. In light of the objection being received it has also been considered whether it would be appropriate to hold a public inquiry. As there is just a specific objection to be considered it would not be proportionate in terms of both time and costs to hold an Inquiry. The objection can be given proper regard in the report and decision making process.

7.0 EQUALITIES IMPLICATIONS

7.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A reduction in speed allows all people longer time in which to make decisions and cross roads. A screening form has been included in Appendix F

8.0 CLIMATE CHANGE IMPACT

8.1 Consideration has also been given to the potential for any adverse Climate Change impacts arising from the recommendation. The proposal is to reduce the existing speed limit by the factor, 20mph. The effects of speed limits on vehicle emissions depend upon driver behaviour. However, emissions rural areas can generally be reduced if vehicles are driven at a lower speed, and drivers observe speed limits. The speed limit changes are unlikely to increase fluctuations in driver speeds or in pollution to any significant degree. It is therefore considered that there are no significant environmental implications arising from this report. A copy of the Climate Change Impact Assessment decision form is attached as Appendix G.

9.0 REASONS FOR RECOMMENDATIONS

9.1 Bishopdyke Road, at the location shown on the attached plan Appendix A, has seen significant development over the years and as a consequence of this the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings". This allows the 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) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs, as set out in the Statement of Reasons, for proposing to make the Order.

10.0 RECOMMENDATIONS

10.1 It is recommended that: -

- i. The results of the consultation exercise are noted.
- ii. The Corporate Director, Environment, in consultation with the Environment Executive Member for Highways and Transportation, approves the introduction of a 40mph speed limit as advertised and as shown in the Plan contained in Appendix A.
- iii. That the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order by the Corporate Director, Environment and Environment Executive Member for access in light of the objections received and that the objectors are notified within 14 days of the order being made.

APPENDICES:

Appendix A – Location plan

Appendix B – Traffic Count (ATC) surveys.

Appendix C – Accident Reports plan

Appendix D – Summary of the objections received, together with officer comment.

Appendix E - Statement of Reasons for proposing.

Appendix F – Initial equality impact assessment screening form.

Appendix G – Climate change impact assessment.

Background Documents: Letter of objection received are held in the scheme file held by the Selby Area 7 Highways Office.

Barrie Mason

Assistant Director – Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

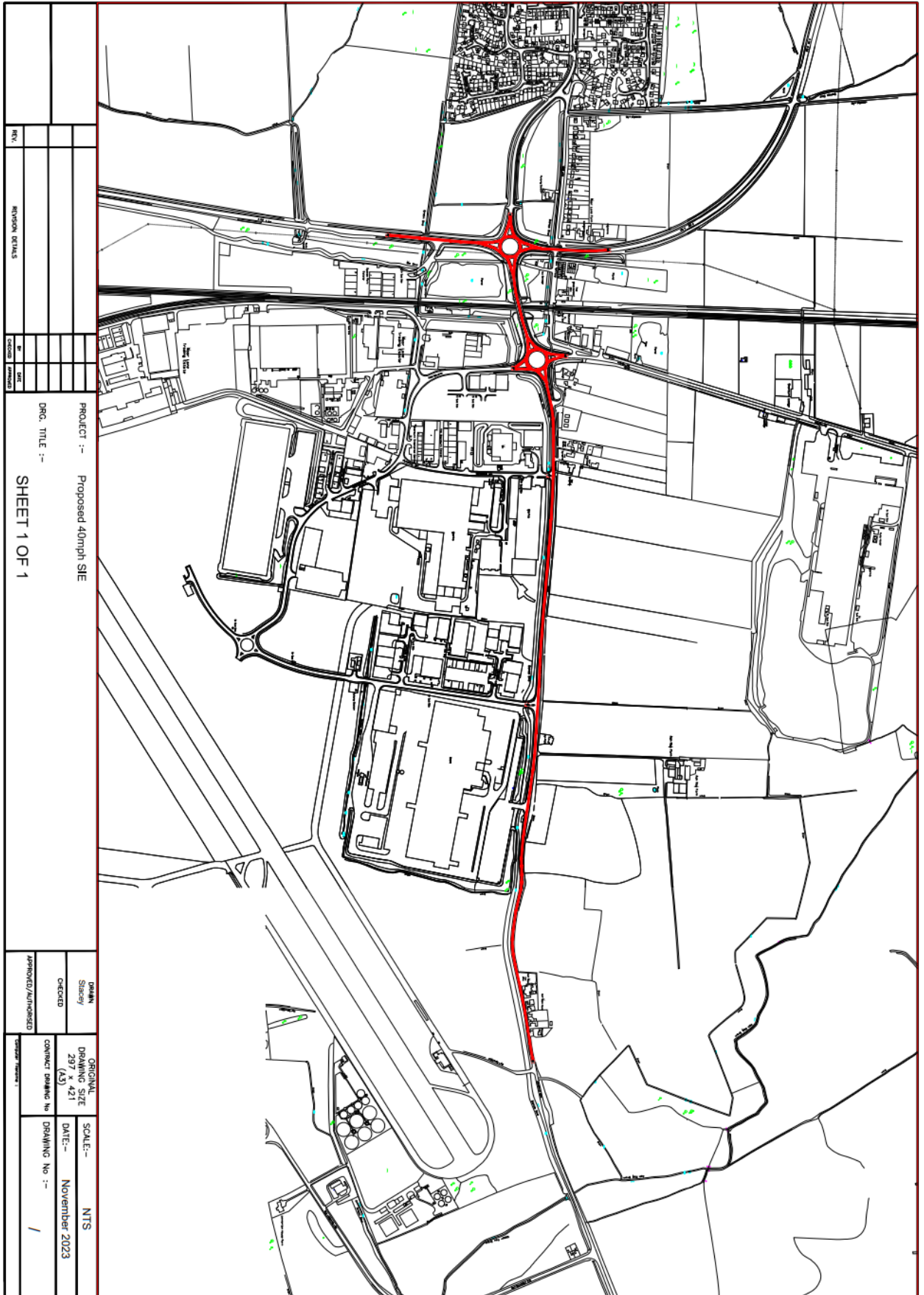
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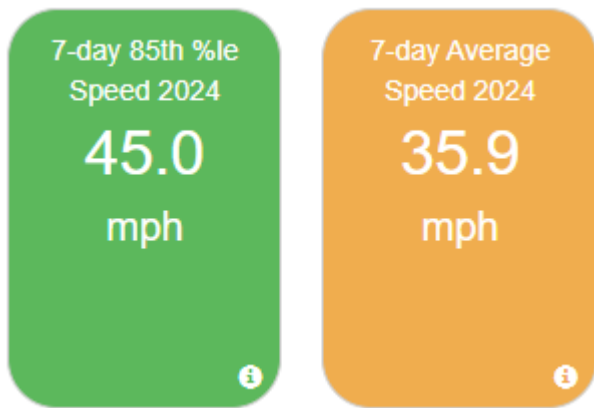
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12 July 2024

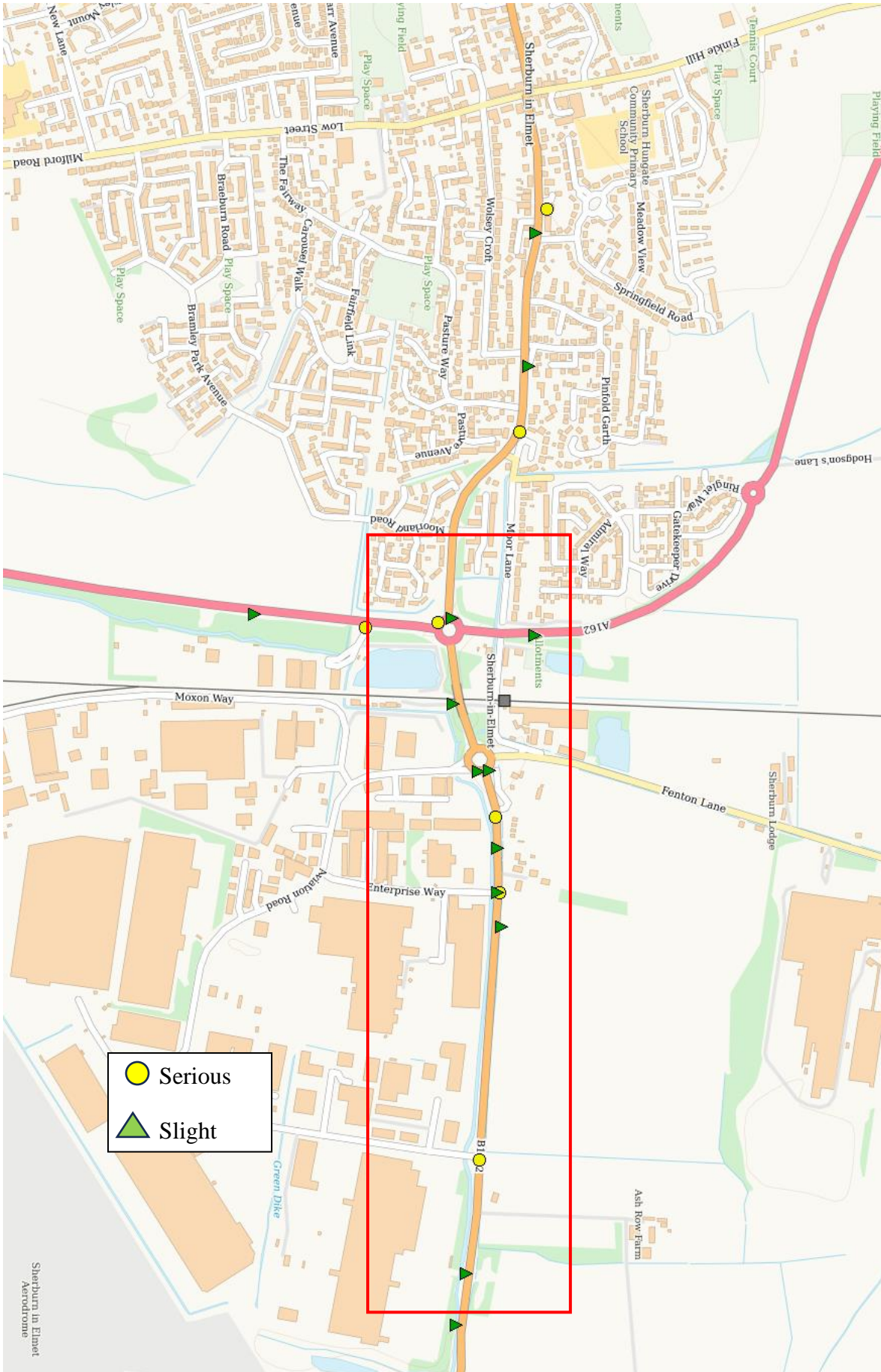
Author of Report - Gary Lumb

Presenter of Report - Gary Lumb





Vehicle Classification		
Car Car		30.46%
HGV HGV		14.08%
PSV Public Service Vehicle		0.67%
LGV Light Goods Vehicle		47.72%
MCL Motorcycle		5.72%
PED Pedestrian		0%
Other Non-Vehicle		0.25%



Summary of Comments	Officer Comments
Resident of Bishopdyke Road (A19)	
The reduction of the speed limit to 40mph is too low, this will increase journey times and discourage people attending the local automotive venue (The Motorist).	The speed limit is considered appropriate for the road as it reflects current usage and is expected to be self-enforcing. Officers do not consider that a lower speed limit will be detrimental to the local economy and increase journey times.

<p>STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER:</p>	<p>The County Council as the traffic authority for North Yorkshire considers that it is expedient to make the traffic regulation order:-</p> <ul style="list-style-type: none"> 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 b) for preventing damage to the road or to any building on or near the road c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) 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. e) for preserving or improving the amenities of the area through which the road runs
	<p>Proposal location: Bishopdyke Road (B1222), Sherburn in Elmet. Introduction of 40mph Speed Limit for road safety reasons due to the changing environment of the road to a mainly industrial and more heavily trafficked route.</p>

<p>Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')</p> <p>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.</p>			
Directorate	Business and Environmental Services		
Service area	Highways & Transportation		
Proposal being screened	Proposed 40mph Speed Limit.		
Officer(s) carrying out screening	Gary Lumb		
What are you proposing to do?	Introduce a 40mph Speed Limit on Bishopdyke Road, Sherburn in Elmet.		
Why are you proposing this? What are the desired outcomes?	Bishopdyke Road, at the location shown on the attached plan Appendix B, has seen significant development over the years and as a consequence of this the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings". This allows the County Council's to comply with its duties under Section 122(1) of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004		
Does the proposal involve a significant commitment or removal of resources? Please give details.	NO		
<p>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</p> <p>As part of this assessment, please consider the following questions:</p> <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? <p>If for any characteristic it is considered that there is likely to be a significant 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.</p>			
Protected characteristic	Yes	No	Don't know/No info available
Age		√	

APPENDIX F

Disability		√	
Sex (Gender)		√	
Race		√	
Sexual orientation		√	
Gender reassignment		√	
Religion or belief		√	
Pregnancy or maternity		√	
Marriage or civil partnership		√	
NYCC additional characteristic			
People in rural areas		√	
People on a low income		√	
Carer (unpaid family or friend)		√	
Are from the armed forces community		√	
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:	√	Continue to full EIA:
Reason for decision	It is considered that all classes of road user will benefit from the proposed 40mph Speed Limit Order. Officers use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include factors such as existing traffic speeds, history of collisions, road purpose/function, population size, expected vulnerable road users and environmental affect. These factors were all considered, and it was concluded that a speed limit of 40mph was appropriate for this part of Bishopdyke Road, achieving a safe environment for all types of road users.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	27/06/2024		

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Proposed waiting restrictions
Brief description of proposal	Introduce a 40mph Speed Limit on Bishopdyke Road (B1222), Sherburn in Elmet.
Directorate	Environment
Service area	Highways and Transportation
Lead officer	Gary Lumb
Names and roles of other people involved in carrying out the impact assessment	None
Date impact assessment started	11/06/2024

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

None. It is considered that the proposed restriction will assist in addressing the road safety problems which have been observed to occur on site and thereby enable the 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) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The cost of advertising the Traffic Regulation Order and installing road signs and markings will be funded from the local highways (Signs Lines and TROs) budget.

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		x				
	Emissions from construction		x				
	Emissions from running of buildings		x				
	Other		x				
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		x					
Reduce water consumption		x					
Minimise pollution (including air, land, water, light and noise)		x					

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>x</p>				
<p>Enhance conservation and wildlife</p>		<p>x</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>x</p>				
<p>Other (please state below)</p>		<p>x</p>				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The proposed speed limit order will require the installation of traffic signs and new road markings but will not otherwise have an impact on the Environment. However, steps will be taken to ensure that construction emissions are reduced as far as possible.

Sign off section

This climate change impact assessment was completed by:

Name	Gary Lumb
Job title	Improvement Manager
Service area	Highways and Transportation
Directorate	BES
Signature	
Completion date	11/06/2024

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 27/06/24