

North Yorkshire County Council

Business and Environmental Services

Executive Members

23 April 2021

Proposed 30mph Speed Limit – Cold Kirby

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 in regard to this proposal and;
 - for a decision to be made whether or not to introduce a 30mph speed limit through the village of Cold Kirby in view of the objections 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 The county road C189, which then becomes the unclassified U13 provides the route through the village of Cold Kirby. The road is subject to the national speed limit.
- 2.2 Concerns were expressed by local residents regarding the speed of vehicles travelling through the village and that the village is not subject to a reduced speed limit.
- 2.3 It was agreed that a speed survey would be arranged with a view to the implementation of a 30 mph speed limit. The speed survey identified mean speeds of 29.9 and 28.7 mph.
- 2.4 The results of the speed survey were discussed with NY Police who confirmed that they were agreeable to the introduction of a 30mph speed limit.
- 2.5 A copy of the location plan showing the proposed extent of the 30mph speed limit is shown in Appendix A.

3.0 Consultation

- 3.1 Consultation with key stakeholders was undertaken on 21 October 2020 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 13 January 2021 and consultation letters delivered to residents.

3.4 Four objections have been received to the proposal and these together with your Officers comments are contained in Appendix B.

4.0 Officer Comment

4.1 Three of the four objections commented that the road signs would have a detrimental impact aesthetically on the village, which is within a conservation area.

4.2 It is the intention that the 30mph repeater signs within the village itself will be sited on small wooden posts rather than traditional metal poles to lessen the aesthetic impact. See example below of signs used elsewhere in the county.



4.3 In terms of the impact on the conservation area North York Moors National Park Authority (NYMNP) was consulted as a statutory consultee. In their response they considered the addition of seven new signs would erode this natural rural character by introducing visual clutter into an area which is totally void of similar structures and as such would be harmful. However, they did not raise an objection to the proposal. They acknowledged that as there are speeding issues in the village and local support, then there is sufficient public benefit to outweigh the harm being caused. However, the NYMNP did ask if the number of signs could be reduced.

4.4 The response to NYMNP explained that central government guidelines need to be followed with regard to the signing of speed limits and these state that in addition to the signs being required on entry to a speed limit, small repeater signs within the village will be required for a speed limit of this length. We therefore would not be able to reduce the number of signs but will try to locate them as sensitively as possible.

5.0 Equalities

5.1 Consideration has been given to the potential for any adverse 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 copy of the Equalities Impact Assessment Screening Form is attached in Appendix C.

6.0 Finance

6.1 The cost of advertising the Traffic Regulation Order and installing the signs and lines is estimated at approximately £2,000 which will be funded from the local Signs Lines and TRO budget held by the Kirby Misperton Highways Area Office.

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 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 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.

- 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 In accordance with the protocol for reports to the Corporate Director, BES and the BES Executive Members, the relevant local member has been provided with a copy of this report and has been invited to the meeting on 23rd April 2021.

8.0 Climate Change

- 8.1 The proposals are not considered to have an impact on climate change. A climate change assessment is attached in Appendix E.

9.0 Recommendations

9.1 It is recommended that:-

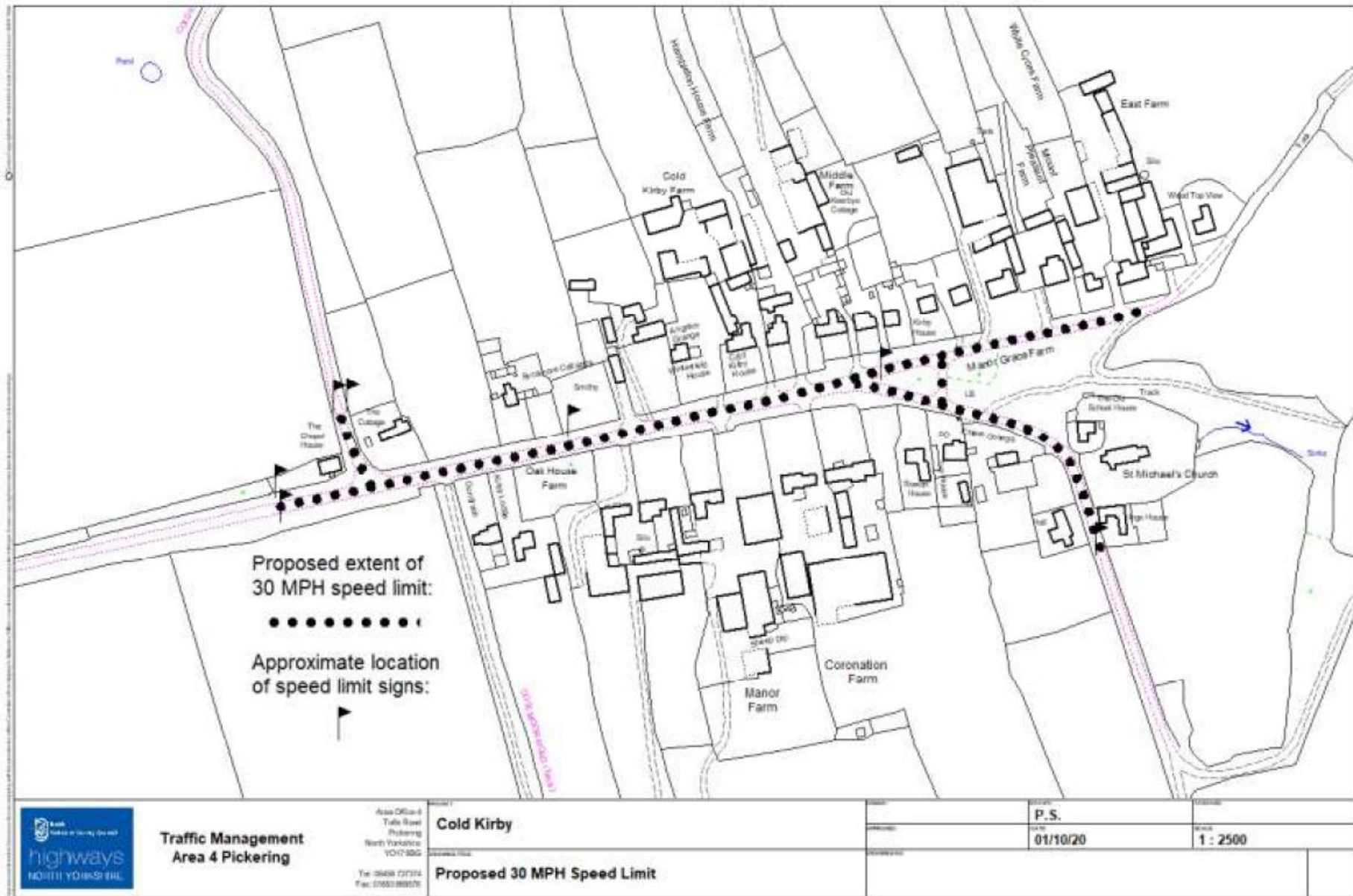
- i. the Corporate Director, BES, in consultation with the BES Executive Members approves the proposed 30mph speed limit as shown on the plan in Appendix A and as advertised, to be implemented by making a Traffic Regulation Order under the Road Traffic Regulation Act 1984
- ii. the objectors are notified of the decision within 14 days of the Order 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.



Appendix B

Resident	Proposals are unnecessary, out of keeping and pointless and the signs will do little to reduce speeds through the village.	It would appear from the consultation exercise that the majority of residents in the village are supportive of the proposal. Contravention of the speed limit can be reported through NYCC's Speed Management Protocol.
Resident	Signs will have a negative impact on the appearance of the village. The signs will make little difference to the speed of traffic and there is no way to enforce	Rather than metal posts it is proposed to mount the signs on wooden posts to lessen the visual impact. It is hoped that drivers will abide by the speed limit. Contravention can be reported through NYCC's Speed Management Protocol.
Resident	Signs are an unnecessary intrusion to the conservation village. Cost of the scheme and aesthetic impact outweighs the dubious impact on speeds within the village.	Rather than metal posts it is proposed to mount the repeater signs on wooden posts to lessen the visual impact.
Resident	Signs would be obtrusive and detract from the historic nature and visual impact of the village.	Rather than metal posts it is proposed to mount the repeater signs on wooden posts to lessen the visual impact.

Initial equality impact assessment screening form			
<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	30mph Speed Limit Order.		
Officer(s) carrying out screening	Tim Coyne		
What are you proposing to do?	Introduce a 30mph Speed Limit through the village of Cold Kirby.		
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		
<p>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 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.</p>			
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 30mph speed limit which aims to reduce speeds through the village will have an adverse impact on those people with a protected characteristic.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	14/04/21		

PROPOSED 30 MPH SPEED LIMIT, COLD KIRBY

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 ground (a), (b) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act , for the following reasons:-

Presently the national speed limit applies through the village. It is the government policy that a 30mph speed limit should be the norm in villages. The village is primarily residential in nature and Officers consider that a 30mph speed limit would reduce the dominance of the motor vehicle and send the message that due consideration should be given to the amenity of residents and non-vehicular users of the village street.

Location(s) of Proposed Order

Road	Length
C189, Cooper Cross to Cold Kirby	From the centreline of its junction with Main Street, westwards for a distance of 55 metres
C189, Cold Kirby Road.	From the centreline of its junction with Main Street, northwards for a distance of 42 metres.
U13, Main Street.	Its whole length.
U13, Low Field Lane.	From the centreline of its junction with Main Street, south-eastwards for a distance of 177 metres.

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.



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 30mph Speed Limit, Cold Kirby
Brief description of proposal	Introduction of a 30mph speed limit through the village
Directorate	BES
Service area	Highways & Transportation
Lead officer	Tim Coyne
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	23 February 2021

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.

No

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.

Approximate cost of making the order, providing signs is £2000 which will be met from the budget of the local Highways Office.

<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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>		X				
<p>Enhance conservation and wildlife</p>		X				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		X				
<p>Other (please state below)</p>		X				

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

No

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 proposal is not considered to have an impact on climate change.

Sign off section

This climate change impact assessment was completed by:

Name	Tim Coyne
Job title	Improvement Manager
Service area	Highways & Transportation
Directorate	Business & Environmental Services
Signature	Tim Coyne
Completion date	14 April 2021

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 14/04/21