

North Yorkshire County Council
Business and Environmental Services

Executive Members

14 June 2021

Proposed Extension of 30mph Speed Limit - Kneeton Lane, Middleton Tyas

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of Report

- 1.1 The purpose of this report is to advise the Corporate Director - Business and Environmental Services (BES) and the Executive Member for Access of the outcome of the public consultation and statutory advertisement which took place with regard to this proposal and to ask for a decision to be made as to whether or not the proposed amendment to the Speed Limit should be introduced.
- 1.2 A decision from the Corporate Director - BES and Executive Member for Access is sought regarding the proposed Recommendation outlined in this report.

2.0 Background

- 2.1 A new residential housing development of approximately 40 properties is presently being built to the west of Kneeton Lane adjacent to the existing limit of development in the village.
- 2.2 In order to gain access to the new development a new side road junction is being created with Kneeton Lane and this is located outside of the extent of the prevailing 30 mph Speed Limit. As such the junction is presently located in a section of road subject to the National Speed Limit which is 60 mph for a private car.
- 2.3 Whilst the new junction has been designed with visibility splays which are appropriate for the prevailing speed limit, it was felt appropriate to bring forward a proposal to extend the 30 mph Speed Limit to cover the new junction and the frontage of the new development.
- 2.4 The proposal is as shown on the map provided as Appendix A of this report.

3.0 Consultation

- 3.1 The proposal has been the subject of 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 County Council's website and by means of a Legal Notice placed on street in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations.
- 3.2 A copy of the accompanying 'Statement of Reasons' which accompanied the details of the proposal is provided with this report as Appendix B.

- 3.3 County Councillor Angus Thompson who is the local member representing Richmondshire North was contacted during the consultation and is supportive of the proposals.
- 3.4 At the conclusion of the consultation and public advertisement stages, one objection to the proposal had been received. This was from the local Parish Council and raised the following points:
- the section of road in question lies adjacent to an existing and proposed housing estate, a primary school, a turf business and two entrances to 'Middleton Lodge' which is a local hotel which also hosts events
 - the road is narrow in parts and subject to flooding
 - the existing 20 mph Speed Limit needs to be extended past the school and ideally past the new housing development
 - the existing 30 mph Speed Limit needs to be extended to the 'Coach House' entrance to 'Middleton Lodge'
 - the Parish Council is comprised of elected members who represent the people who know and use Kneeton Lane, have children at the Primary School and have witnessed the problems caused by excess speed.

4.0 Officer Comments

- 4.1 When giving consideration to a new or amended speed limit at a given location, careful reference is made to various criteria established by the Department for Transport which need to be met in order to justify a particular speed limit.
- 4.2 In the case of a 20 mph or 30 mph speed limit, there needs to be a certain level of development adjacent to the section of road in question in order that a driver may appreciate why the limit has been introduced. In this instance the 30 Mph speed limit is proposed to be extended so as to cover a section of Kneeton Lane which will be widened and have a new footway as part of the new development and its associated vehicular and pedestrian accesses and it is not considered appropriate to extend it further into what is effectively open countryside.
- 4.3 When a driver can appreciate why a particular speed limit is in place for an obvious reason then the limit becomes self-enforcing which is the key objective. If the speed limit was to be extended as far as the particular entrance to 'Middleton Lodge' suggested by the Parish Council then there would be a section of open countryside approximately 700 metres in length after drivers passed the speed limit terminal signs and before they entered the developed part of the village. In this circumstance it would be expected that there would be very limited compliance with the limit with drivers possibly then still travelling at an inappropriate speed as they entered the actual village.
- 4.4 With regard to the request for the prevailing 20 mph Speed Limit to be extended, it is understood that the access to the school in the section of road in question is not used by pedestrians in order to enter the school and that as such there is not a demonstrable need to extend the speed limit which has been in place since 2003.
- 4.5 It is considered that the proposed extension of the existing 30 mph Speed Limit will assist in the safe operation of the new side road junction at the location in question and thereby 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).

4.6 The proposed measures will also enable the County Council to carry out their 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.

5.0 Financial Implications

5.1 If the proposed extension to the 30 mph Speed Limit was to be approved then the movement of the existing 30 mph Terminal Signs which give effect to the Speed Limit would be undertaken by the developer at no cost to the Local Highway Authority.

6.0 Equalities Implications

6.1 An initial equality and impact assessment screening form has been completed for the proposed waiting restrictions and a copy is provided with this report as Appendix C.

7.0 Legal Implications

7.1 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.

7.2 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 – BES in consultation with BES Executive Members.

7.3 The new 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.

7.4 The proposed TRO for Kneeton Lane has not been classed as a 'wide area impact TRO' and therefore the Area Constituency Committee's views have not been sought.

7.5 In the event that the Corporate Director – BES and Executive Member for Access resolves to follow the Recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the County Council will be required to make the relevant Traffic Regulation Orders (with or without modifications) and publish a notice of making the Orders in the local press before the Order comes into operation. The County 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.

7.6 In accordance with the protocol for BES Executive Member reports, the Local Member will be provided with a copy of this report and be invited to the meeting on 14 June 2021.

7.7 Where an Order has been made (ie 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.

7.8 In recommending the implementation of the proposed TRO, officers consider that it will enable the County 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, as detailed in Section 4 of this report.

8.0 **Climate Change**

8.1 A climate change impact assessment has been carried out, see Appendix D. The impact of any changes to the waiting restrictions will be mom-existent as parking is available on the adjacent highway

9.0 Recommendations

9.1 It is recommended that:

- i) the proposal to extend the existing 30 mph Speed Limit as outlined in Appendix A under the delegated authority of the Corporate Director - BES, is approved;
- ii) the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order to give effect to the proposed extension of the existing 30 mph Speed Limit as identified in Appendix A, (subject to the amendments and recommendations approved by the Corporate Director – BES in consultation with the Executive Member for Access in light of the objections received) and that the objectors are notified within 14 days of the Order being made.

BARRIE MASON
Assistant Director – Highways & Transportation

Author of Report: Ian Beighton

Background Documents: None



PROPOSED EXTENSION OF 30 MPH SPEED LIMIT

KNEETON LANE - MIDDLETON TYAS

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

Location(s) of Proposed Order

A residential housing development is to be built shortly on land to the west of the section of road in question.

The proposed extension to the 30 Mph Speed Limit comes in order to ensure that the Speed Limit covers all appropriate residential development on the length of road in question.

The proposal is as illustrated on Plan A1.803 (a)

Project Engineer - Ian Beighton - Area 1 Highways, Brompton On Swale

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.

Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
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	BES		
Service area	H&T		
Proposal being screened	Speed limit, Kneeton Lane Middleton Tyas		
Officer(s) carrying out screening	Neil Linfoot		
What are you proposing to do?	Proposed extension of the current speed limit to cover the new development entrance		
Why are you proposing this? What are the desired outcomes?	New development with access to highway that is currently within the derestricted limit		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
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?			
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 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.			
Protected characteristic	Yes	No	Don't know/No info available
Age		✓	
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)		✓	

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 impact			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	The proposed speed limit extension will have no negative impact on people with protected characteristics (or NYCCs additional characteristics) and will enable the County 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			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	03/06/21			

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 extension of speed limit, Kneeton Lane Middleton Tyas
Brief description of proposal	Extension of existing 30mph limit
Directorate	Business and Environmental Services
Service area	Highways and Transportation
Lead officer	Neil Linfoot
Names and roles of other people involved in carrying out the impact assessment	Ian Beighton
Date impact assessment started	19/04/21

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.

The area could be left within the derestricted speed limit area as the entrance has been set up accordingly but felt that it would be safer for all highway users if the location was within a reduced speed limit

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 implementation costs, if approved, will be met by the developer

<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				
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		X				
<p>Reduce water consumption</p>		X				
<p>Minimise pollution (including air, land, water, light and noise)</p>		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.

The works will comply with the Traffic Signs Regulations and General Directions 2016 and in addition will utilise

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 proposals will be utilised to reduce the speed limit at a new point of access on to the highway and improve the visibility of the access

Sign off section

This climate change impact assessment was completed by:

Name	Neil Linfoot
Job title	Improvement Manager
Service area	Highways and Transportation
Directorate	Business and Environmental
Signature	<i>N Linfoot</i>
Completion date	19/05/21

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 03/06/21