

North Yorkshire County Council
Business and Environmental Services
Executive Members

24 September 2021

Proposed Speed Limit – East Heslerton

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 speed limits on various roads in East Heslerton 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 village of East Heslerton is bisected by the A64 Trunk Road.
- To the South of the A64, the U1814 Church Lane serves the village by way of a loop road with two access points onto the Trunk Road.
 - To the north of the A64 the U1813 Carr Lane provides access to a number of residential properties along its frontage.
 - Further west of Carr Lane, the U1812 East Heslerton Lane is more of a country lane providing access to two farms.
 - All three roads are subject to the national speed limit of 60mph.
- 2.2 In November 2020 Highways England who manage the A64 made a Traffic Regulation Order to introduce a 40mph speed limit on the stretch of road through East Heslerton.
- 2.3 Following the introduction of the Order and the erection of new 40mph speed limit signs a number of complaints were received from residents. This was due to the fact that the new signage included national speed limit plates on the side roads from the A64 to the residential areas.
- 2.4 A request was also received from the Parish Council that all the national speed limit signs should be removed and replaced with 30mph signs.
- 2.5 The Local Highway Office considered it was appropriate to extend the 40mph speed limit from the A64 into Carr Lane to the north.
- 2.6 To the south of the A64 it was considered that Church Lane lent itself more to a 30mph speed limit as its alignment and landscape was more akin to a village lane.

- 2.7 A copy of the location plan showing the proposed extent of the speed limit on Church Lane is shown in Appendix A and Carr Lane in Appendix B.

3.0 Consultation

- 3.1 Consultation with key stakeholders was undertaken on 14 January 2021 and no objections were received.
- 3.2 The Local Member, County Councillor Janet Sanderson was consulted on the proposal and did not raise an objection.
- 3.3 The proposed Order was advertised on 02 June 2021.
- 3.4 Only two residents responded to the consultation.
- 3.5 One of the residents provided a list of names of 27 residents of Carr Lane, who it was claimed were supporting a speed limit reduction to 30mph. However, the resident when asked admitted that they did not have an actual signed petition. The resident also stated that ideally a 20mph speed limit would be preferable.
- 3.6 One of the residents objected to the proposal on the basis that Carr Lane should be made a 20 mph speed limit and this together with your Officers comments is contained in Appendix C.
- 3.7 The response from the Parish Council was that although they are in favour of the speed limits being reduced, they considered that all roads in the built up areas should be made 30mph rather than 40mph. This would be applicable to Carr Lane.

4.0 Officer Comment

- 4.1 Based on the comments from the Parish Council and the assumption that the residents referred to in section 3.5 were genuinely in favour of a 30mph speed limit on Carr Lane it was decided to amend the proposal on this road to make it a 30mph speed limit rather than 40 mph speed limit.
- 4.2 The Parish Council were notified of the proposal to amend the speed limit on Carr Lane to 30mph and are now fully supportive of the proposals.
- 4.3 Although the proposed Traffic Regulation Order (TRO) was advertised with a 40mph speed limit on Carr Lane, it is not considered that this represents a “substantial” change under Regulation 14 (Modifications) of the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 which would require the TRO to be re-advertised. This is due to the fact that there appears to be a strong desire amongst residents and the Parish Council for a lower speed limit than the proposed 40mph.
- 4.4 Key stakeholders were consulted on the amended proposal for Carr Lane on 9 August 2021 and raise no objections.
- 4.5 The Police commented that it was a sensible solution.
- 4.6 The amended proposal for Carr Lane is shown in Appendix D.

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 E.

6.0 Finance

- 6.1 The cost of advertising the Traffic Regulation Order and installing the signs and lines is estimated at approximately £1,000 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 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 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 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 F.
- 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 24th September 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 G.

9.0 Recommendation(S)

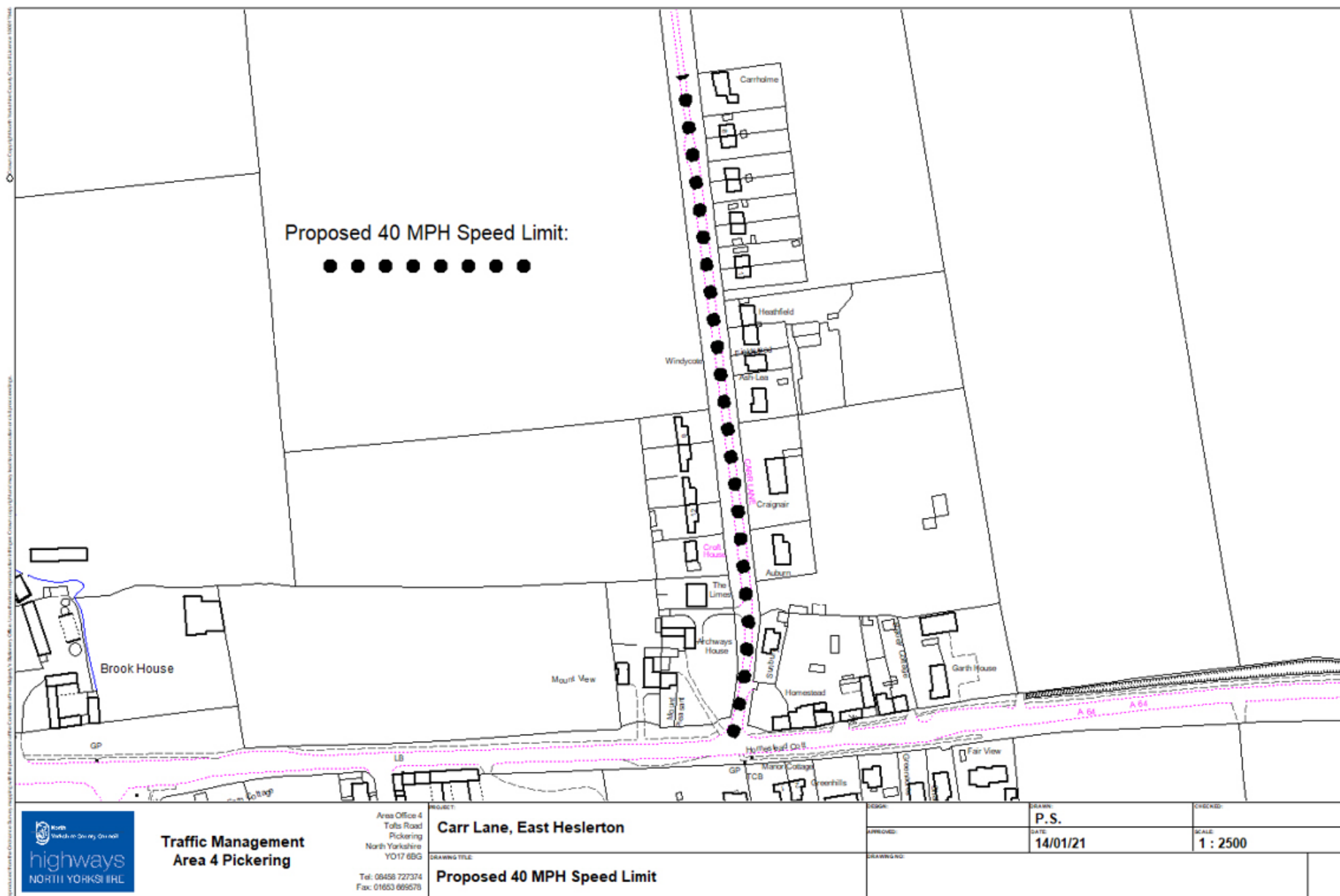
- 9.1 It is recommended that:-
- i. the Corporate Director, BES, in consultation with the BES Executive Members approves the proposed 30mph speed limit on Church Lane and Carr Lane as shown on the plans in Appendices A and C.
 - ii. the objector is notified of the decision within 14 days of the Order 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.



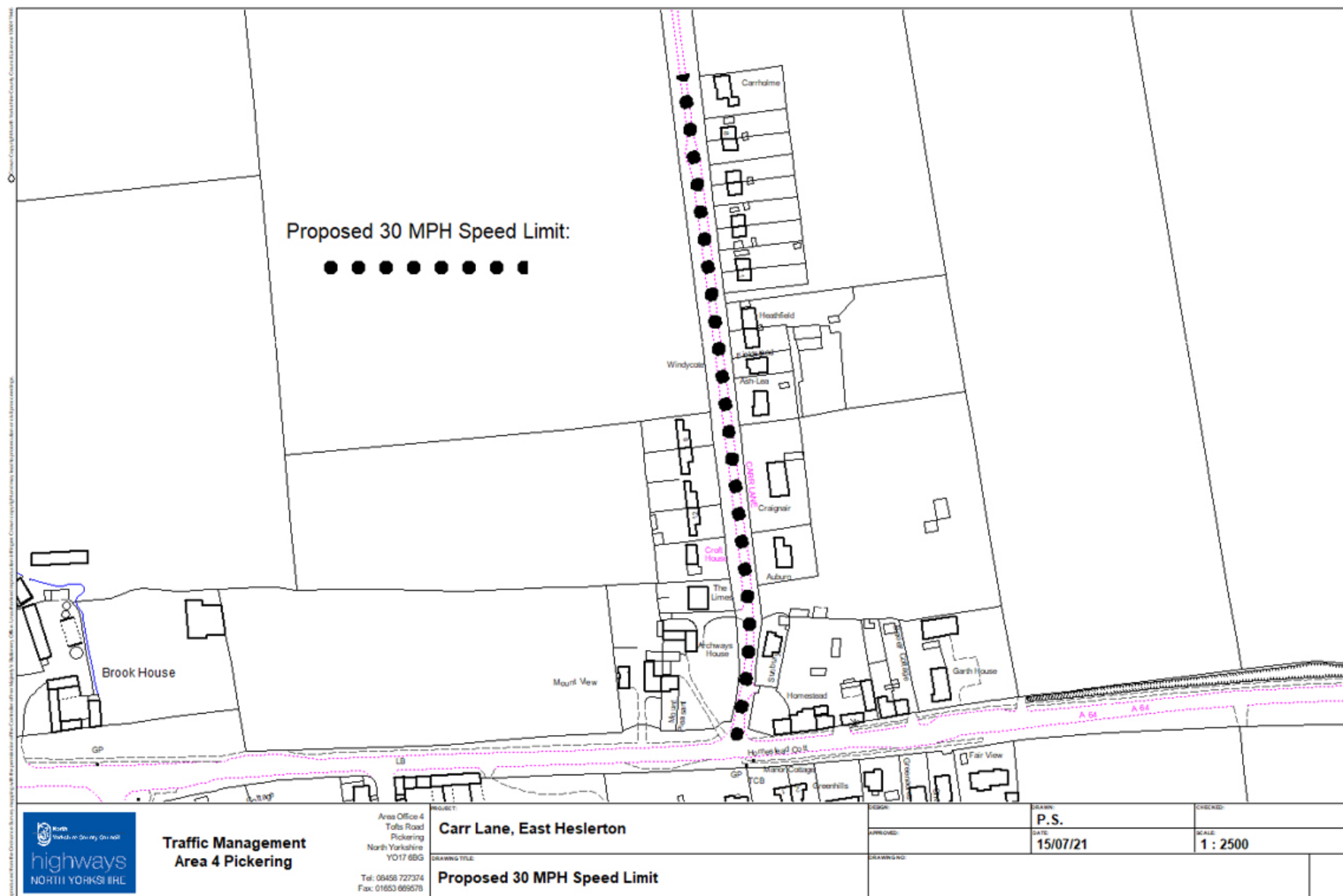
Objectors Comment

The speed limit should be reduced to 20mph on Carr Lane not 40mph.
 A near miss from a car and van happened with a child nearly being run over in the past couple of months. A family pet a Cat, was run over and killed by a van this week June 2021 which belonged to another resident on the street.
 The A64 has been reduced to 40mph, and Carr Lane should never be the same a major trunk road. Because it is as it says, a Lane.
 2 cars find it difficult to pass each other on Carr Lane.
 Artic lorries are a daily use on the Lane.
 A caravan park has now opened on Carr Lane Delivery drivers are a daily use on Carr Lane.
 Workers who are non-residents are constant speeders in vehicles on Carr Lane on a daily use.
 Young families with children of all ages live on the Lane.
 Elderly residents on Carr Lane are in constant danger to the amount of lorries vans caravans and cars being driven down the Lane.

Officers Response

The County Councils current 20mph speed limits policy states that –
20mph speed limits / zones should be restricted to residential areas, roads fronting schools, main shopping streets of town centres and “honeypot” locations where a high concentration of pedestrian traffic is generated. They might also be suitable for rural minor roads that have been designated as ‘quiet’ routes by virtue of their appropriateness and suitability for recreational use by large numbers of vulnerable road users such as cyclists, pedestrians and horse riders.

It is not considered that Carr Lane has the characteristics that meet these requirements.
 Additionally a speed survey was undertaken in June which demonstrated that the mean traffic speed on Carr Lane in the vicinity of the houses was 24.6mph. The County Councils current 20mph speed limits policy states that –
20mph speed limits by signs alone should only be used where mean vehicle speeds are 24mph or lower, where mean vehicle speeds are in excess of 24mph traffic calming measures must be introduced to reduce mean vehicle speeds to 24mph or below for a 20mph limit or zone to be introduced.
 Although the measured mean speed is only slightly above 24mph, in accordance with Policy, traffic calming measures would be required with an aim of reducing speeds to 24mph or below. This would require significantly greater funding than simply erecting signs and as such consideration must be given to the history of personal injury accidents which identify the road as an area requiring intervention. It is noted that Carr Lane does not have a history of personal injury accidents which could justify the implementation of traffic calming measures



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		30mph Speed Limit Order.	
Officer(s) carrying out screening		Tim Coyne	
What are you proposing to do?		Introduce a 30mph Speed Limit on Church Lane and Carr Lane in the village of East Heslerton.	
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? <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	24 th September 2021		

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
U1813, Carr Lane.	From its junction with the A64 trunk road, northwards for a distance of 350 metres.
U1814, Church Lane.	Its whole length.

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 the summary section of the form below.

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

Title of proposal	Proposed 30mph Speed Limit, East Heslerton
Brief description of proposal	Introduction of a 30mph speed limit on Church Lane and Carr Lane
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	24th September 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, and providing signs is £1,000 which will be met from the budget of the local Highways Office.

APPENDIX G

How will this proposal impact on the environment?		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale?	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
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.					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 		
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				

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Minimise pollution (including air, land, water, light and noise)		X				
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		X				
Enhance conservation and wildlife		X				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		X				

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<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>	Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	<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>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.

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	BES
Signature	
Completion date	14 August 2021

Authorised by relevant Assistant Director (signature):

Date: