



## **OFFICER REPORT TO LOCAL COMMITTEE (SURREY HEATH)**

### **Proposed Updated Speed Limit Policy for Consultation With Local Committees**

**15 July 2010**

#### **KEY ISSUE**

Local Committees already have delegated authority to set speed limits. However, they must take decisions within the overarching Speed Limit Policy set by the Cabinet. The Leader and relevant Portfolio Holders have made a commitment to introduce greater flexibility into the Speed Limit Policy to enable Local Committees to take more account of situations where local residents are concerned about traffic conditions and safety on a particular road.

#### **SUMMARY**

The local committee is asked to consider and comment on a proposed amended county council's policy on the setting of speed limits.

#### **OFFICER RECOMMENDATIONS**

**The Local Committee is asked to agree any comments to be considered in finalising the report and policy to cabinet.**

#### **1 INTRODUCTION AND BACKGROUND**

- 1.1 On 1 December 2009, the Cabinet considered a report on "Speed Limit Order Objections" which had been called in from Surrey Heath Local Committee. The Cabinet agreed to a proposal by the Cabinet Member for Transport that officers should develop changes to the County Council's policy on the setting of speed limits. The intention was that Local Committees should have more control over the setting of speed limits, with suitable safeguards to ensure that any decisions are properly assessed and justified. On the 2<sup>nd</sup> February 2010 the Cabinet asked for a wider consultation on the proposed amended policy to be carried out with the Transport Select Committee and Local Committees prior to a final version being brought back for approval.

- 1.2 The national policy context for road safety and speed limits is currently in a state of flux. On 15 December 2009, the Department for Transport issued a consultation document on possible changes to the national speed limit policy. It will be some months before the result of that consultation exercise is known. Alongside the national review of speed limit policy, Surrey County Council are undertaking a Council public value review of road safety which will commence in June 2010, including the role played by speed limits.
- 1.3 It is therefore proposed that the changes to the existing policy proposed in this report should be kept under review. It is possible that the speed limit policy may need to be amended as a result of changes to national policy or legislation, or by the County Council's own safety policy.

## **2 DISCUSSION/ANALYSIS**

- 2.1 The County Council's current policy on speed limits is that they should only be lowered if there is a good chance that motorists will observe the new lower limits. The rationale for this policy is that drivers will often ignore a speed limit if it is set much lower than the natural speed for that road. This could lead to a general lack of respect for speed limits, which could in turn increase the number of casualties on Surrey's roads.
- 2.2 National research clearly indicates a direct correlation between reduction in traffic speeds and reductions in overall casualty numbers and severity. The current policy states that speed limits should only be lowered as a single measure if both the police and Surrey Highways agree that the new limit will bring the average speeds "down to a level approaching the new limits". Alternatively, speed limits may be lowered as part of a package of measures, such as physical traffic calming, if the combined effect of the measures is that the average speed is reduced to this level.

## **3 OPTIONS**

- 3.1 There are arguments both for and against the existing policy. Experience has shown that an ineffective or unrealistic speed limit can be worse than no speed limit at all. It can raise expectations for residents without actually reducing speeds or improving road safety. There is also a cost associated with changing speed limits, which may be hard to justify under current budgets.
- 3.2 On the other hand, increasing the role of Local Committees is consistent with the county council's policies on localism. The County Council's Drive SMART initiative is based on the premise that people's perceptions and quality of life do need to be taken into account when making decisions on deploying road safety resources. The County Council's new Local Transport Plan is being developed to place a greater emphasis on the views and the needs of the public as customers of the services that we provide. This requires a greater respect for the views of residents who are concerned about the safety of a particular road.
- 3.3 On balance we recommend that the policy should be changed. There should be a general presumption that speed limits should be realistic and should be implemented in situations where they will reduce average speeds and reduce the risk of accidents. But we recommend that the policy should no longer

require that speed limits must bring the average speed down to a level that approaches the proposed limit. Instead, Local Committees would have the power (with approval from the portfolio holder) to implement speed limits that it would be hoped would reduce average speeds to some extent, but not necessarily to a level close to the new speed limit. The policy requires all speed limits to be effective in making some reduction in average speeds, and for the police to be consulted on all proposals.

- 3.4 The proposed new policy is indicated in **ANNEXE A** with the main changes to the current 2006 indicated in bold type. In addition to further assist Members to see the critical changes paragraphs 36 to 40 show the new wording (in bold) along side the existing wording.
- 3.5 It is recommend that the operation of any new policy should be regularly reviewed in the light of practical experience and any changes to national policy and legislation.

#### **4 LEGAL ADVICE FROM THE HEAD OF LEGAL SERVICES**

- 4.1 Local Committees can exercise their discretion within an approved Speed Limit Policy, incorporating national guidelines. In exercising that discretion they may take into account the committee's own knowledge of local issues and the concerns of their residents. However, an irrational or unreasonable decision could be challenged in the courts. It is therefore important that the reasons for any decision and the factors which were taken into account are clearly recorded in the report or minutes of the decision.

#### **5 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS**

- 5.1 The cost of progressing traffic orders and associate measures can vary from £10,000 to implement a lower speed limit with the minimum of additional measures, to over £500,000 for limits where extensive physical traffic calming is required. Local Committees can choose to fund more schemes from their approved budgets but future year's capital budgets have not yet been approved and may reduce.
- 5.2 Using the Department for Transports 2007 average values for prevention of road accidents of £104,900, which includes an allowance for damage only accidents, allows the value of casualty prevention in Surrey to be calculated. In 2009 a total of 5755 people were reported as injured in road collisions in Surrey (41 fatalities, 530 serious casualties and 5184 slight casualties). This equates to approximately £604 Million as a cost to the community.
- 5.3 The Section 151 officer confirms that all material financial and business issues and risks have been considered in this report. While individual changes to speed limits may have future financial implications, these will be reported at the time and there are no direct implications as a result of this report.

## **6 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES, COMMUNITY STRATEGY AND LAA TARGETS**

- 6.1 The new policy will help to address National Indicator 21 (percentage of people who agree the police and other local services are successfully dealing with local concerns about anti-social behaviour and other crime issues) and National Indicator 24 (percentage of people who agree the police and other local public services seek people's views about anti social behaviour and crime issues)

## **7 RISK IMPLICATIONS**

- 7.1 If drivers perceive that the character of the road does not justify the lower limit then there is a risk that speed limits generally will lose credibility, which could result in a general increase in road traffic casualties. This risk will need to be balanced against the casualty reduction and environmental benefits when deciding on individual cases.

## **8 EQUALITY IMPLICATIONS**

- 8.1 There is direct correlation between the numbers of people driving and riding at inappropriate speeds for the road conditions and the number and severity of casualties that occur. Surrey casualty data indicates that people from the 10% most-deprived areas of Surrey have a casualty rate per head that is significantly higher than the rest of the population – especially where pedestrians under 16's are concerned. This may have encourage Local Committees to give a higher priority to speed reducing measures in local areas where casualty risk are potentially higher.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1 Crime and disorder surveys often identify driving at inappropriate speeds as one of the main reasons local resident feel unsafe I the road they live in. This is currently being addressed through the DriveSMART project.

## **10 CONCLUSION AND RECOMMENDATIONS**

- 10.1 The proposed policy changes would give increased flexibility to Local Committees to implement speed limits, with the approval of the portfolio holder being needed in exceptional circumstances.

It is recommended that Members:

- (a) Provide comments on the proposed speed limit policy indicated in **ANNEXE A**.

## **11 REASONS FOR RECOMMENDATIONS**

- 11.1 The proposed new policy balances the need to reduce road safety casualties against the importance of increasing the powers and flexibility of local committees. Cabinet has asked that the views of the Transport Select Committee and the local committees inform the new policy.

## 12 WHAT HAPPENS NEXT

12.1 All local committees are being given the opportunity to comment on the proposed policy change. Once all views have been received the final amended policy will be taken to cabinet for approval.

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<b>CONSULTED:</b>	Surrey Road Safety Board, which consists of the Transport and Community Safety portfolio holders and the Chairmen of the Transportation Select Committee and Safer and Stronger Communities Select Committee as well as senior officers of Police and the Highways Agency, The Head of Surrey Highways and the Head of Legal and Democratic Services and Finance were also consulted.
<b>INFORMED:</b>	Surrey Road Safety Programme Group that consists of representative of all partners responsible for casualty reduction and prevention in Surrey including Local Highway Managers.
<b>BACKGROUND PAPERS:</b>	Department for Transport consultation dated 15 December 2009 requesting comments on possible revisions to the current speed limit circular.