

## **CABINET MEMBER DECISION**

### **Decision:**

Speed Limit: A245 Stoke Road, Stoke D'Abernon

#### **(i) Details of decision**

That the Elmbridge Local Committee request for a reduction of the current speed limit on the A245 Stoke Road, Stoke D'Abernon, from its existing 40 mph, to 30 mph, between the existing 30 mph limit near Leigh Hill Road to a suitable point just east of the Chelsea Football Club training ground, not be endorsed.

#### **(ii) Reasons for decision**

A 30 mph speed limit does not comply with the Speed Limit Policy and is not supported by the Police.

#### **(iii) Details of any alternative options considered and rejected**

None.

#### **(iv) Details of any consultation and representations received not included in the published report**

The Local Member for Cobham, Mr John V C Butcher, attended the meeting.

The Cabinet Member tabled additional information. Copies of the information tabled are attached as Appendix 1 and Appendix 2.

### **Conflicts of Interest and any Dispensations Granted**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)**

None

### **Decision taken by:**

- (i) Name:** John Furey
- (ii) Portfolio:** Transport and Environment

**Date of Decision:** 21 November 2012

**Date of Publication of Record of Decision:** 22 November 2012

**Date decision effective (i.e. 5 working days after date of publication of record of decision unless subject to call-in by the Environment and Transport Select Committee):** 30 November 2012

## **A245 Stoke Road, Stoke D'Abernon**

A Liner route feasibility study was carried out on the A245 from Blundell Lane to Painshill Interchange in 2002.

The report was taken to the Local Committee on the 22 September 2003 to approve the recommendations and pursue the package of measures.

These included the following within the current length of the proposed speed limit reduction.

- Improvements to the junction of Stoke Road, Blundell Lane and Station Road.
- Pedestrian facilities near Mizen Way.
- New footway between Blundell Lane and Leigh Place
- Improvements to Fairmile Lane junction including pedestrian facilities

The cost of the entire package (£1.2m) was far in excess of the Committee funds, so it was agreed to break the measures down into smaller sections and fund them over a number of years.

The first phase was to introduce a pedestrian crossing in the vicinity of Vincent Road.

This was constructed during 2005/06 and approved by the Local Committee on the 26<sup>th</sup> September 2005

Phase 2 followed, which included

- Widening at the Fairmile Lane junction to create a right turn Lane
- New footway between Fairmile Lane and Ravenswood Close.
- Pedestrian refuge and traffic islands.

This was constructed during 2008/09 and approved by the Local Committee on the 21<sup>st</sup> January 2008.

2 number vehicle activated signs were also erected at either end to warn drivers travelling in excess of the posted maximum speed limit to slow down.

All of the identified schemes have now been constructed with the exception of the junction improvement at Stoke Road/Blundell Lane/Station Road, due to its cost which was estimated in excess of £300,000. However during the intervening period the accident history has now been reduced to zero (last 3 years plus 2012 to end of August) possibly as a direct result of the additional measures introduced.

## Appendix 2

Dear John,

We have researched this matter extensively, including new information that has only come to light since I wrote to Mr Elbourne, and so I am able to answer your questions now.

Following the Local Committee's approval in June 2011 to seek Cabinet Member approval for the departure from policy necessary for the 30mph speed limit, a site meeting was arranged in September 2011 between Cllr Lake, Cllr Mitchell, Surrey Police and the Area Team Manager. At this meeting Cllr Lake decided to defer a decision and review in a year's time. The reasons for this decision at the time were:

- The collision data gathered showed only 4 speed related collisions in the previous 3 years. The remaining collisions were spread along the route with little trend to them.
- A 30mph limit was unlikely to be self enforcing given the data recently gathered and therefore would require increased enforcement to generate compliance, which the Police could not guarantee.
- 30mph would not be in keeping with character of road, this was demonstrated by driving the route at 30mph.
- Discussion took place as to whether a short section of 30mph could be appropriate in the central section with 40mph each side but it was considered this could be confusing to drivers due to inconsistency of speed limits.
- All involved were mindful of the ongoing works to construct the new Services on the M25, and that this had resulted in unusual traffic conditions.
- With the approaching Olympics and the cycle race route passing nearby, we didn't want to risk any undue disruption.
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The next steps agreed by Cllr Lake were:

- 1) We continue to monitor the link through Casualty Reduction Working Group with any appropriate schemes being developed if it is considered necessary.
- 2) We repeat the surveys undertaken in 2011 in 2012 post the utility works and review once more.

This decision was confirmed in writing (by e-mail) between the Area Team Manager and Cllr Lake; the Local Partnership Office and Democratic Services were Cc'd in the exchange. The Area Team Manager recalls updating the Elmbridge Local Committee verbally at its meeting in September 2011, although this is not specifically recorded in the minutes.

The new speed limit policy, with its new facility for Local Committees to request departures from the policy from the Cabinet Member, was very much in its infancy, and no-one involved at the time understood the process. Those involved in the site meeting were labouring under the misapprehension that the site meeting itself constituted a formal decision of the Cabinet Member. This was not the case: Cabinet Member decisions could only be made and recorded in the context of formal Cabinet Member decision meetings. The officers involved at the time believed they could act on the decision made at the site visit, and the matter was never considered in a Cabinet Member decision meeting.

Notwithstanding the misunderstanding of process, the decision at this time was to defer the scheme and review in a year's time.

Then in early February 2012, in view of the developing circumstances in Stoke Road, Cllr Lake decided that a 30mph limit would be beneficial for Stoke Road, and instructed officers to implement the change. This was not possible as by that time the budgets for the Financial Year 2011-12 were fully committed: the scheme had to wait for the new budgets in the new Financial Year. Again the officers involved did not understand the process, and believed they could act on the instruction of the Cabinet Member; the matter was not considered in a Cabinet Member decision meeting. The Area Team Manager subsequently listed the scheme in the programme for 2012-13, and it was only when the design team were about to draft the Traffic Regulation Order for the change of speed limit that the error in process was realised.

When the Area Team Manager became aware of the situation, we immediately arranged for the matter to be considered formally by the Cabinet Member in a Cabinet Member decision meeting.

I note that you wish to see the documents relating to this matter. There is no need to set up a meeting in County Hall for this, as all documents relating to this project are published externally on our website. Here is a complete history.

A petition was submitted to the September 2009 meeting of the Local Committee, concerning the existing 40mph speed limit along the A245 Stoke Road. The petition requested a reduction of the speed limit from 40mph to 30mph from Tilt Road to Woodlands Lane. A formal response to the petition was brought to the next meeting in December, and the Committee agreed to reconsider the matter after further investigation had taken place.

The minutes of the meeting in September can be viewed by clicking the following link:

<http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/796b0ca5ce30cac3802576f8003dfbf9?OpenDocument>

The minutes of the meeting in December can be viewed by clicking the following link:

[http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/1e141652bfd3550f802576a2003e99cc/\\$FILE/Minutes%2007.12.09.pdf](http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/1e141652bfd3550f802576a2003e99cc/$FILE/Minutes%2007.12.09.pdf)

It would seem that there was not enough money in the highways budget to fund this assessment until December 2010 when the local member agreed to fund the assessment work from his individual allocation. This agreement can be found in the minutes of the December 2010 below:

[http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/007379526dbf7efc8025783a003cd5f7/\\$FILE/Item%2002%20-%20Minutes%206.12.10.pdf](http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/007379526dbf7efc8025783a003cd5f7/$FILE/Item%2002%20-%20Minutes%206.12.10.pdf)

In June 2011 the results of the assessment were put in front of the Local Committee. The officer's report stated that there was little justification to introduce a 30mph speed limit. The officer report can be found below:

[http://www.surreycc.gov.uk/legcom/councilp.nsf/f5fb086c73d64f3000256954004aed25/51c025ae081ca271802578aa004bddb1/\\$FILE/Item%2015%20-%20Stoke%20Road%20Assessment.pdf](http://www.surreycc.gov.uk/legcom/councilp.nsf/f5fb086c73d64f3000256954004aed25/51c025ae081ca271802578aa004bddb1/$FILE/Item%2015%20-%20Stoke%20Road%20Assessment.pdf)

Despite the officer recommendation, the Committee stated that they wished to introduce a 30mph speed limit. Members were advised that should they wish to put forward a resolution that was contrary to the officer's recommendation, then the matter would need to be referred to the Cabinet Member for Transport for decision. This is what was agreed and this is recorded in the minutes of the meeting below:

[http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/3d8983e16239b02280257913002f5be8/\\$FILE/2.%20Draft%20Minutes%2020.06.11.pdf](http://www.surreycc.gov.uk/legcom/CouncilP.nsf/f5fb086c73d64f3000256954004aed25/3d8983e16239b02280257913002f5be8/$FILE/2.%20Draft%20Minutes%2020.06.11.pdf)

The history subsequent to June 2011 (described above) is not documented formally.

Please let me know if you need anything more on this.

Thanks, Nick

Yours sincerely,  
Nick Healey  
Area Team Manager (NE)  
Surrey Highways  
Surrey County Council  
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