

<b>Subject:</b>	<b>Brighton and Hove 20mph limit - Formal SLO Consultation</b>		
<b>Date of Meeting:</b>	<b>15 January 2013</b>		
<b>Report of:</b>	<b>Strategic Director - Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Emma Sheridan</b>	<b>Tel: 29-3862</b>
	<b>Email:</b>	<b>Emma.sheridan@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Central Hove, Brunswick and Adelaide, Goldsmid, Regency, St Peters and North Laine, Preston Park, Queens Park, Hanover and Elm Grove</b>		

## **FOR GENERAL RELEASE**

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the submission of objections or other responses to the draft Speed Limit Orders did not close until 3<sup>rd</sup> January 2013. Time was needed to assess, investigate and respond to the objections received to ensure that a full report could be provided. As funding for the project is allocated in the current financial year it is essential that the report be considered at the January Committee.

### **1. SUMMARY AND POLICY CONTEXT:**

1.1 The purpose of this report is to address comments and objections relating to the draft Speed Limit Orders (SLO). The orders outline the proposed introduction of a 20mph speed limit in Central Brighton and Hove as Phase 1 of a proposed City wide roll out of 20mph speed limits.

### **2. RECOMMENDATIONS:**

2.1 That, having taken account of all duly made representations and objections, the Committee approves as advertised the following orders

- Brighton & Hove (Phase 1, Area 1) (20mph Speed Limit) Order 20\*\* (TRO-22a-2012)
- Brighton & Hove (Phase 1, Area 2) (20mph Speed Limit) Order 20\*\* (TRO-22b-2012)
- Brighton & Hove (Phase 1, Area 3) (20mph Speed Limit) Order 20\*\* (TRO-22c-2012)
- Brighton & Hove (Phase 1, Area 4) (20mph Speed Limit) Order 20\*\* (TRO-22d-2012)
- Brighton & Hove (Phase 1, Area 5) (20mph Speed Limit) Order 20\*\* (TRO-22e-2012)
- Brighton & Hove (Phase 1, Area 6) (20mph Speed Limit) Order 20\*\* (TRO-22f-2012)

- Brighton & Hove (Phase 1, Area 7) (20mph Speed Limit) Order 20\*\* (TRO-22g-2012)

2.2 It is recommended that, if the above orders are approved by the Committee, a comprehensive monitoring programme accompany and follow the implementation of the 20mph speed limits in the Phase 1 area and that should such monitoring indicate that the introduction of the reduced speed limit has had a significant negative impact in line with objections raised, that a report be brought to the Committee seeking approval for remedial actions

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 A petition, signed by 372 people, was received in February 2009 calling upon the Council to “implement measures to reduce the speed limit to 20 mph and stop dangerous and speeding cars driving through our roads [eastern end of Goldsmid Ward].” This area is included under Speed Limit Order Brighton & Hove (Phase 1, Area 1) (20mph Speed Limit) Order 20\*\* (TRO-22b-2012)

3.2 A petition, signed by 29 people, was received in February 2009 from the residents of Shirley Street calling upon the Council to address the issue of “speeding cars and motorbikes.” This area is included under Speed Limit Order Brighton & Hove (Phase 1, Area 1) (20mph Speed Limit) Order 20\*\* (TRO-22b-2012)

3.3 A petition, signed by 268 people, was received in September 2009 calling upon the Council to “implement measures to improve pedestrian safety in Clarendon road, Ellen Street, Ethel Street, Conway Street and Fonthill Road. Measures such as reducing the speed limit to 20mph.” This area is included under Speed Limit Order Brighton & Hove (Phase 1, Area 1) (20mph Speed Limit) Order 20\*\* (TRO-22b-2012)

3.4 In May 2010, following an investigation into 20mph speed limits and zones by the Environment and Community Safety Overview and Scrutiny Committee (ECSOSC), the panel produced a report containing 15 recommendations (see Background Document 1). In broad terms the main recommendation was the wider implementation of 20mph speed restrictions in residential areas and in the vicinity of community facilities to form coherent 20mph areas.

3.5 In addition to work carried out by the ECSOSC, which included a discussion at the Taxi Forum in March 2011, a presentation and discussion on the introduction of area wide 20 mph limits took place at the city’s Transport Partnership in November 2011.

3.6 In October 2011, the Department for Transport (DfT) set out a new policy framework for the country’s traffic sign systems. Included in this were provisions making it easier for councils to introduce 20mph schemes. This takes the form of a reduction in the need for physical traffic calming measures in 20mph zones by expanding the list of permitted traffic calming measures to include repeater signs and reducing the need for road humps and chicanes.

- 3.7 Following comprehensive speed limit reviews (see Background Documents 2 and 3), the Environment Cabinet Member Meeting in January 2012 approved the implementation of two pilot 20mph speed limit areas in Portslade and Stanford and directed officers to investigate the further possibility of the wider introduction of 20mph speed restrictions across the City. The process of evaluation of these pilots has begun with some early improvements to the scheme identified to improve compliance with the new limit. To date no accidents have been recorded in either of the pilot areas since implementation, the study period has however been very short, so it is not yet possible to properly assess the impact. A full evaluation of the pilot areas will be completed after the first year of implementation with any lessons learnt fed into the implementation of all further Phases.
- 3.8 An outline proposal for the phased introduction of 20mph speed restrictions across the City over a 4 year period was considered at the Environment Transport and Sustainability Cabinet Member Meeting in May 2012 where the principles of the proposed outline implementation programme (see Background Document 4) were agreed. Permission was granted to commence stakeholder and public consultation and preparatory research, surveys and street character assessments.
- 3.9 Public consultation on a 4 phase roll out on the introduction of a city wide 20mph speed limit took place between 17<sup>th</sup> June and 10<sup>th</sup> August 2012 with the full results shown in Appendix 1. The consultation was carried out utilising 10,000 surveys being sent out to randomly selected businesses and residences across the City. Additionally exhibitions were held at both Brighton and Hove Town Halls (3 days at each) where the public could discuss the proposals with officers; survey forms were available to those who had not received them in the post. The survey was also available on-line via the Council's website consultation portal.
- 3.10 A total of 3689 people responded as part of the consultation with 55 % in favour and 44.5% against the proposal. The most common reasons for objection were
- Not wishing to see a blanket 20mph limit across the city, just for certain areas (around schools, shops, play areas, inner areas) =8%
  - Concerns that the change will not be enforced = 8%
  - Concerns that the change will lead to increased congestion =7 %
  - Concerns about the costs of the scheme =7%
  - Concerns that the change will lead to increased emissions and pollution = 6%
  - Concerns that the change will lead to increased journey times = 6%
- 3.11 Given the majority level of support for the proposals amongst respondents, the recommendation on 27<sup>th</sup> November 2012, in the report to the Transport Committee Meeting, was to proceed with advertising and consultation on the draft Speed Limit Orders which detailed the proposals for the Phase 1 Area of the scheme, covering central Brighton and Hove.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

##### **Petitions**

- 4.1 A petition, signed by 881 people, was received in January 2013, from the Taxi trade calling upon the Council to *“Instruct the BHCC Transport Committee to defer their decision to proceed with the implementation of the 20mph Phase 1 plan and instruct the Transport Committee to consult the Taxi Trade Stakeholders as per the Sedley Requirements”*. Paragraph 4.12 below outlines the consultation that officers have engaged in with the taxi trade on the detailed proposals for Phase 1.

### **Stakeholder Meetings/Correspondence**

- 4.2 A meeting was held with Sussex Police to discuss the detailed proposals for the phase 1 area on 13<sup>th</sup> September 2012. Sussex Police reported that they would not routinely expect to enforce 20mph limits as there is an expectation that these are self enforcing having been installed in accordance with DfT guidance. The approach of data collection and the principal of the scheme to be implemented as a signing and lining scheme was accepted as being in accordance with DfT guidance. Officers have consulted by email and phone with Sussex Police and the Sussex Safer Roads Partnership with regard to any potential negative crime and disorder implications. No objections have been received from the Police regarding the proposals for Phase 1 of the 20mph scheme.
- 4.3 Meetings were held with the Brighton and Hove Bus Company to discuss the detailed proposals for the Phase 1 area on 21<sup>st</sup> September and 3<sup>rd</sup> October 2012. At the meeting and by subsequent letter the Bus Company requested the removal of a number of bus routes from the Phase 1 implementation over concerns that increased journey times would impact on the commercial viability of bus services. These roads were; Church Road, Cromwell road, Davigdor Road, Goldstone Villas, Tisbury Road, Ditchling Road, Queens Park Road and the Eastern end of Elm Grove.
- 4.4 Meetings were held between officers and representatives of the Taxi Trade to discuss the detailed proposals of the phase 1 area on, 26<sup>th</sup> November, 10<sup>th</sup> December 2012, and 9<sup>th</sup> January 2013. In addition officers attended the Taxi Forum on 6<sup>th</sup> December where the Phase 1 proposals were discussed in detail and issues raised by members of the forum were considered and noted for investigation. At these meetings officers discussed in detail with taxi representatives the concerns and objections to the scheme from the trade which focused on concerns about increased journey times and the negative impact this would have on drivers in terms of income and their personal safety.

### **Advertisement of Draft Speed Limit Orders**

- 4.5 The draft Speed Limit Orders (SLO) were advertised on 13th December 2012 with the closing date for comments and objections the 3rd January 2013.
- 4.6 The Ward Councillors for the areas were consulted, as were the Bus and Taxi Companies operating within the City and the statutory consultees such as the Emergency Services. The notice was published in The Argus newspaper. The Orders were available to view at Hove Library, Jubilee Library, the City Direct Offices at Bartholomew House and Hove Town Hall. The documents were also available to view and to respond to directly on the Council website.

- 4.7 In total, correspondence was received from 36 individuals, businesses or organisations in response to the 7 SLOs (hard copies are available to view in the Members Room).
- 4.8 Correspondence from 3 individual residents (2 within the Phase 1 area and 1 without) was received in support of the proposals. In addition to offering general support to the Phase 1 proposals, specific comments made included the desire to see the limit on Church Road reduced to 20mph, the desire for taxis in the city to slow down and support for the wide area approach as it would reduce confusion, be easily understood and more cost effective than smaller zones approach.
- 4.9 Correspondence received from 3 organisations, 1 business and 29 individual residents (16 within the Phase 1 area and 13 without) were objections to the proposals.
- 4.10 Those who have written in objection to the SLO include Brighton and Hove Bus Company, the GMB Brighton and Hove Taxi Section, the Brighton and Hove Private Hire Association and 9 self identified taxi drivers. No resident objected to the street on which they lived.
- 4.11 The correspondence that stated an objection(s) to the SLO has been reviewed in order to understand the various reasons behind the objections. Included within the 33 objections and the issues raised via stakeholder meetings are 16 different issues. A number of submissions and discussions related to more than one issue. The number of times each issue has arisen is indicated below along with a response to each issue.

### **Consultation**

- 4.12 11 objections, 8 of which specifically referenced the taxi trade, stated a lack of appropriate and required consultation on the proposals and a prejudgement of the outcomes.
- 4.13 The level of consultation that has been undertaken on the proposals to date, from the policy concept stage through to the advertisement of the draft SLOs and the detailed proposals for Phase 1 of the scheme are detailed in this report (Sections 3 and 4). The public consultation was widespread, open to all. Officers have also held a number of meetings with stakeholders, including 4 meetings with representatives from the taxi trade to discuss the detailed proposals for the Phase 1 area. As such, officers are confident that the requirements for consultation on this stage of the scheme have been adhered to.
- 4.14 No final decision will be taken on the proposals for Phase 1 as outlined in the SLOs until it has been debated at this Committee meeting. The purpose of this report is to ensure that the Committee has the fullest possible information, including all representations and objections, when reaching its decision.

### **Impact on Journey Times/Increased Congestion**

- 4.15 16 objections, including those from Brighton and Hove Bus Company and the Taxi Trade, were made on the grounds that the scheme would have a negative impact on journey times within the area, with a number citing a 30% increase in

time and concerns that this would negatively impact on bus services and congestion levels in the city as well as having negative impact for taxi drivers in terms of a loss of income and an increase in aggression from customers.

- 4.16 Detailed investigations have concluded that for journeys within the Phase 1 area a significant proportion of journey time ( 71% off peak and 79% in peak hours) is the result of delays at junctions, traffic signals, crossing points, general congestion and in the case of buses passengers boarding and alighting at bus stops. Only a small proportion of the journey time stems from how long it mathematically takes to drive the distance at a given speed. Consequently it is not anticipated that there will be significant negative impacts to journey times within and through the Phase 1 area as a result of the proposals.
- 4.17 In addition, research has shown that where speed limits are reduced (for example from 30mph to 20mph) that traffic flows can be improved as cars more easily turn into and out of traffic at junctions and flow at a more constant speed without the need for excessive acceleration and braking at junctions, traffic signals and crossing points. This would have the result of making improvements on journey times which could offset any small increases stemming from the reduction in speed limit and easing congestion.
- 4.18 Officers have sought advice from other Local Authorities who have implemented similar schemes on the issue of journey times. No significant issues have been reported from other Authorities with monitoring data from Bristol showing that the introduction of 20mph did not adversely affect Bus Times which resulted in First Bus Company in the city withdrawing their objection to the scheme.
- 4.19 The concerns raised by the Brighton and Hove Bus Company and the taxi trade refer in the main to peak and off peak journey time differences and in the case of the Bus Company across entire bus routes. Officers have investigated these differences and have made provision for them in the proposals through the exclusion in Phase 1 of the A259 (Seafront) and A270 (Old Shoreham Road). In addition proposals for the later stages of the 20mph programme, should approval for the scheme be given will include the exclusion of main roads and strategic bus routes; New Church Road, Ditchling Road (north of the railway line), A23 (north of the railway line), Lewes Road (North of Bear Road) and A270 (Old Shoreham Road)
- 4.20 There is no desire to negatively impact on the excellent bus and taxi services that are provided to users across the city and the Council has been and will remain committed to the implementation of bus and taxi priority measures where possible and practical. Officers recognise that evidence from other Authorities can only give an indication of what may be expected to happen in Brighton and Hove and that the city's experience may differ.
- 4.21 It is recommended, therefore, that a comprehensive monitoring programme accompany and follow the implementation of the 20mph speed limit in the Phase 1 area and that should such monitoring indicate that the introduction of the reduced speed limit has had a significant negative impact in line with objections raised, that a report be brought to the Committee seeking approval for remedial actions.

## **Impact on Road Casualties and Collisions**

- 4.22 Objections suggested that the scheme would not reduce casualties and would result in more accidents.
- 4.23 There is significant and robust evidence, recognised by Department for Transport, Department for Health, Public Health England, and many other national and international bodies that a reduction of speeds from 30mph to 20mph can and does result in a reduction in both the frequency and severity of collisions and casualties. Vulnerable roads users (pedestrians and cyclists) are more likely to be killed or seriously injured at speeds of 30mph than at 20mph. Stopping distances of cars travelling at 20mph are much shorter than for those travelling at 30mph making it more likely that drivers will have time to react to accidents and even if not entirely prevent a collision taking place, reduce its severity.
- 4.24 The Phase 1 area of the scheme contains the location of 43% of all pedestrian casualties and 48% of all cyclist casualties in the City. Even a small decrease in these numbers would represent a significant reduction. Research conducted for the Department for Transport suggests that a reduction of just 1mph in average speed could result in a 6% reduction in casualties.
- 4.25 In addition to reducing the casualty numbers across the city it is important to consider that increasing safety should be regarded not simply as an absence of collisions but as related to perception and use of the street. In a recent city wide survey, when asked about their levels of satisfaction with regards to the street where they lived respondents cited the road safety of their street as having the highest level (21%) of dissatisfaction. Research has shown that a reduction in traffic speed can have a positive impact on the perceived safety of an area.

## **Air Quality, Pollution and Emissions**

- 4.26 8 objections related to a perceived reduction in air quality that would result from the scheme and included assertions that cars would need to drive in lower gears.
- 4.27 Evidence is limited in this area with the majority of research conducted in to the impacts of speed on emissions having been undertaken at motorway speeds. German research has shown that driving at a speed of 20mph over an area results in a reduction of idling engines, gear changes and accelerations and braking all of which can reduce vehicle emissions. Austrian research has shown that driving at 20mph can result in a 24% reduction in some emissions (NOx) but can also result in a slight rise in Carbon Monoxide (CO) and Hydrogen's (H).
- 4.28 A key aim of the scheme proposals are, however, to create streets that are perceived to be more attractive and safer for walking and cycling. The potential increase in active travel modes that could be achieved from the scheme would lead to a reduction in car journeys, particularly those which are short and local in nature ( which are the most polluting) and consequently would have a positive impact on air quality and pollution levels.

## **Enforcement and Compliance**

- 4.29 9 objections were on the basis that the new limit would be unenforceable/unenforced and that drivers would not comply with it and potentially face criminal charges as a result.
- 4.30 It is recognised that police resources are limited, however, enforcement levels will be at the levels currently undertaken for the 30mph limit. The proposals comply with the Department for Transport guidance for self enforcing schemes but monitoring of the area during and after implementation would reveal any problem area in relation to compliance. Further intervention may be required for individual roads to ensure compliance and this can range from the use of vehicle activated signage, additional traffic calming measures, community speed watch activities as well as active police enforcement and if necessary a review of appropriateness of the limit itself.
- 4.31 The scheme will be accompanied with an education and communication campaign which will further make the public aware of the merits of the scheme and its potential impacts as well as encouraging compliance and empowering people to drive within the limit.
- 4.32 With regards to the issue of criminalising drivers who break the limit, it is expected that drivers would obey the legal speed limits in force on any road whether they be 30mph or 20mph.

#### **Request for variable speed limits for evenings**

- 4.33 5 objections requested that variable speed limits be implemented such that the 20mph limit would not apply on certain roads at night-time. Several of the roads specifically identified by the GMB Taxi Section indicated a desire to see the road remain, under a variable limit, 30mph in the evenings. These roads were; Blatchington Road, Church Road, Clarendon Villas, Cromwell Road, Dyke Road ( Old Shoreham road Junction to Seven Dials), New England Road, Preston Road ( New England Road Junction to Viaduct), Queens Road (Railway station to North road Junction), Western Road (St Johns road to Montpelier Road Junction), Gloucester Place, Grand Parade, Grand Parade Mews, Old Steine, Pavillion Parade, Beaconsfield Road (Viaduct Road Junction to Railway Bridge), Ditchling Road (St Peters Place to railway Bridge), Lewes Road ( St Peters Place to Bear Road Junction), London Road ( St Peters Place to Preston Circus), Dyke Road ( regent row Junction to western Road/Queens Sq), North Road, Queens Road (North Street to North Road) and Elm Grove.
- 4.34 Officers have investigated the possibility of variable speed limits at length. The Government's Strategic Road Safety Framework allows an advisory part-time 20mph speed limit sign, with flashing school warning lights, for use in the proximity of schools. As such under current traffic regulations variable limits such as those requested by the GMB would not be legally enforceable without specific authorisation from the Department for Transport. In addition, and in consideration of the fact that the rules may in future change it is worth noting that the provision of the Variable Message signs that would be needed would increase the cost of the programme exponentially such that the Phase 1 area alone would run to millions of pounds not just in terms of implementation but in ongoing maintenance costs making it unaffordable for the Council. It is considered also that the introduction of widespread variable limits would create confusion for all road users.

#### **Mandate for the scheme**

- 4.35 1 objection stated that the Council had no mandate to implement the scheme.
- 4.36 Whilst the results of the previous consultation demonstrated a significant level of support for the proposals, it also highlighted the fact that some people are strongly opposed to the scheme and the principles that underlie it. However, the majority of respondents to the public consultation were in favour of the proposals. In consideration of this and the evidence of the benefits of the scheme there is a clear mandate to continue with implementation of the scheme as proposed.

#### **Failure to have regard to DfT Guidance**

- 4.37 1 objection, received from the GMB Taxi Section, stated that the Council had not taken account of the Department for Transport Circular Roads 1/93 when developing the scheme.
- 4.38 The guidance referred to in the objection has been cancelled and replaced by DfT Circular 1/2006 *Setting Local Speed Limits*. The proposals presented for approval comply with this most recent guidance. Officers will continue to have regard to the most update and current DfT guidance on speed limits.

#### **Deviation from the example of other Authorities**

- 4.39 2 objections stated that the proposals, particularly in so far as they included A and B roads, were in contrast to schemes introduced by other Local Authorities.
- 4.40 An increasing number of traffic authorities in England have or are in the process of implementing area wide 20 mph speed limits. These include but are not limited to Portsmouth, Newcastle, Bristol, Oxford, Islington, Camden, Hackney, Waltham Forest, Liverpool, and York. Local, regional and national media has increasingly, and positively, been giving coverage to such schemes and as such Brighton and Hove with this scheme are very much in tune with national practice.
- 4.41 With regard to the inclusion of A and B roads within the Phase 1 proposals, this is not an unusual practice for such schemes in central city areas (of which Phase 1 is). For example, Newcastle City Council reduced the speed limit on their inner ring road (a large A road) to 20mph in 2004, Bristol City Council have confirmed that it is their intention to include all their main roads in their 20mph programme unless there is a specific case made not to and Cambridge City Council include Maids Causeway and a section of Newmarket Road, both main roads, in their initial phase of 20mph speed limits. In response to consultation, the proposals for Phase 1 and indeed later stages of the scheme which are still in development, have excluded main roads from the new speed limit, these roads are detailed in paragraph 4.17 above. Where main roads have been included with the phase 1 area I is due to them being either predominately residential or high street in nature or to ensure the creation of a coherent 20mph area.

#### **Waste of Money**

- 4.42 3 objections were on the grounds that it represented a waste of money or that funds would be better spend on other traffic calming measures.
- 4.43 The proposals for Phase 1 are considered to be cost effective and are significantly less expensive that it would be to implement separate 20mph zones each of which would require traffic calming measures. This is recognised in the

Department for Transport changing the requirements for such schemes as described in paragraph 3.4 above.

### **Negative impact on local business**

- 4.44 4 objections stated that the scheme would have a negative economic impact on the area or the city as a whole.
- 4.45 There is no evidence that this would be the case. By encouraging people to feel safer on their local streets and encouraging more active modes of travel particularly for local journeys it is likely that local businesses will benefit from the proposals through increased footfall on local high streets. The concerns regarding journey times and congestion which have led to some of the objections under this theme have been addressed under paragraphs 4.15 to 4.20 above and paragraph 4.37 above provides an indication of the positive publicity, which in turn can attract visitors to an area, that could be gained from implementing the scheme proposed.

### **Lack of comprehensive research**

- 4.46 2 objections, both from the taxi trade, insisted that evidence and research undertaken by officers and provided to the Transport Committee was not comprehensive, misleading or inaccurate, particularly with regard to the benefits and dis-benefits of the scheme as evidenced from other cities where similar schemes have already been implemented.
- 4.47 Officers have made extensive investigations in the issues raised by the proposed introduction of this scheme. This has involved not only extensive research into the local data available but also the collection of a significant amount of new data on the city that will be of use not simply for this scheme but for other transport schemes. In addition an extensive review has been undertaken of academic research and the experiences and monitoring of other Local Authorities. At no time has misleading information been presented to the Transport Committee and the recommendations presented by officers are based on a thorough and comprehensive research of the available evidence locally, nationally and internationally. Monitoring of the effectiveness of the scheme will be carried out, as set out in Recommendation 2.2.

### **Equalities**

- 4.48 1 objection stated that the scheme contravened equality laws
- 4.49 The scheme should improve conditions for vulnerable road users and has the potential to ease community severance by aiding the development of healthy and sustainable places and communities. In reducing the perception of road danger the scheme should enable children, young people and adults to make more and better use of their local streets. As such the scheme is supportive of the Council's Equality and inclusion policies.

### **Legality of Speed Limit Order**

- 4.50 1 objection questioned the legality of the draft Speed Limit Orders advertised
- 4.51 The orders have been prepared in accordance with the Road Traffic Regulation Act 1984 and the relevant procedural regulations.

### **Scheme is anti-car**

- 4.51 2 objections stated that the proposals were anti-car
- 4.53 The scheme is not anti-car and is intended to improve the street environment for all road users including car drivers by reducing the number and severity of collisions and casualties on the City's roads, improving traffic flows and making the city a better place to live in.

### **Scheme should not include main/arterial routes (Inclusion/Exclusion of Specific Roads)**

- 4.54 A number of submissions objected to the inclusion of specific roads within the Phase 1 area. The roads identified are detailed below together with a response to each:
- 4.55 Church Road and Blatchington Road – these roads were specifically objected to by 3 residents, the GMB Taxi Section, Brighton and Hove Bus Company. Church Road was objected to by the Private Hire Association. The reasons for the objections given were that the roads are arterial and are bus routes.
- 4.56 Both Church Road and Blatchington Roads are residential roads (54% and 65% respectively) which also operate as high street environments for their local communities. Average speeds recorded on these roads are below the 24mph limit recommended in Department for Transport Guidance on 20mph speed limits and this together with the residential/high street nature of the roads. The objection to these roads from the GMB Taxi Section related onto the inclusion of these roads in the evening and this issue is deal with above under paragraph 4.33 above.
- 4.57 The inclusion of Church Road was specifically supported by 1 resident submission.
- 4.58 1 resident objected to the inclusion of London Road, Ditchling Road, Eastern Road and Lewes Road away from the City Centre. These roads were also objected to by the GMB Taxi Section and the Private Hire Association in addition to Dyke Road .
- 4.59 The inclusion of these roads (with the exception of Eastern Road which is not in fact included) in only partial with the central area which comprises Phase 1. As these roads leave the city outside of Phase 1 there are no proposals for them to be 30mph as outlined in paragraph 4.17 above.
- 4.60 A number of residential roads were specifically objected to by the GMB Taxi trade, and the Private Hire Association for the reason that they are arterial roads. The roads specified are; Cromwell Road, Cheapside, Denmark Villas, Eaton Gardens, Eaton Road, Goldstone Villas, Grand Avenue, Holland Road, The Drive, Chatham Place, Davigdor Road, Denmark Terrace, Landsdowne Road, Motefiore Road, Montpelier Road, Montpelier Place, Bath Street, Buckingham Place, The Upper Drive, Egremont Place, Lower Rock Gardens, Upper Rock Gardens, Queens Park Road.
- 4.61 All of the roads listed in paragraph 4.52 are predominantly residential in nature i.e. 90% or more residential and as such are recommended for inclusion in the scheme under Phase 1 as the speed of traffic along them is likely to have an effect on the communities who live on them. A road that appears as just a through route for someone driving is a neighbourhood street where people live and should feel safe.

- 4.62 The GMB and Private Hire Association objected to a small number of additional roads for the reason that they are arterial roads. The roads specified are; Station Approach, New England Street, Terminus Road, Edward Street, Union Road, Upper Lewes Road, Viaduct Road, North Road, Tenantry Down Road and Warren Road.
- 4.63 As individual, isolated, roads within a wider 20mph area it is necessary to include these roads in order to create a coherent 20mph area. To exclude these roads would create confusion for drivers and other roads users and reduce the likelihood of compliance with the area as a whole. Many of the roads are short in distance and for example Station Approach are unlikely to see speeds over 20mph anyway. The inclusion of Warren Road in the proposals is only for a very small section as the road joins Elm grove and Freshfeild. The remainder of the road is not proposed for inclusion in later stages.
- 4.64 2 objections were received which related to the belief that traffic levels would increase on Old Shoreham Road and Kingsway (1 objection each) as a result of their exclusion from the scheme.
- 4.65 It is not considered that there will be any appreciable increase in traffic on these roads due to the area wide nature of the scheme it is not anticipated that there will be any significant displacement of traffic from existing routes. Indeed a successful outcome of the scheme is likely to be a decrease in traffic levels across the city as a whole as walking and cycling become more appealing options for those who feel safer on the streets.
- 4.66 It is recommended that, having taken account of all duly made representations and objections, the Committee approves as advertised the Speed limit Orders for the Phase 1 area of the City 20mph speed limit.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 Capital: It is anticipated that the project will extend over at least 3 years. The sum of £0.5million has been allocated for the introduction of 20mph speed reductions in the city, out of the Local Transport Capital Budget for 2012-13. In addition, an indicative sum of £0.5million has been identified for each of the subsequent two years. The overall project cost is expected to be approximately £1.5m but will be reviewed on an annual basis.
- 5.2 Revenue: The introduction of new signs and markings will impact on future revenue maintenance budgets, which may therefore require further funding.

Finance Officer Consulted: Name: Karen Brookshaw Date: 10/01/13

### Legal Implications:

- 5.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. Procedural regulations require public notice of orders to be given and any person may object to the making of an order. Any unresolved objections to an order must be considered by the Transport Committee before it can be made.

- 5.3 The Council is under a duty to exercise its powers under the Act secure the safe and convenient movement of traffic and the provision of adequate on and off-street parking facilities. It must also take into account any implications that orders would have for access to premises, local amenity, air quality, public transport provision and any other relevant matters.
- 5.4 In carrying out consultation the Council is under a general duty to ensure that any consultation is fair. This means that it must be carried out when proposals are being formulated, that adequate time and information about proposals must be given to consultees to ensure that they can provide a proper response, and that any consultation responses must be properly considered in reaching the decision.
- 5.5 The Council is under a legal duty as a public authority to consider the human rights implications of its actions. Parking and traffic restrictions have the potential to affect the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them where this is necessary, proportionate and for a legitimate aim.

Lawyer Consulted:

Name: Carl Hearsom

Date: 11/01/2013

Equalities Implications:

- 5.6 The scheme should improve conditions for vulnerable road users and has the potential to ease community severance by aiding the development of healthy and sustainable places and communities. In reducing the perception of road danger the scheme should enable children, young people and adults to make more and better use of their local streets.

Sustainability Implications:

- 5.7 The proposed scheme should assist the Council in encouraging more sustainable transport use such as walking and cycling by reducing vehicle speeds and improving safety and the perception that the streets are safer and more user-friendly. Any modal shift to more sustainable transport achieved as a result of the wider implementation of 20mph speed limits will also assist in improving air quality and reducing carbon emissions contributing to the Council's 'One Planet Living' programme.

Crime & Disorder Implications:

- 5.8 Issues relating to the prevention of crime and disorder were raised through consultation with the taxi trade. In particular the issues of personal attacks on taxi drivers (as a result of customers complaining that the driver is travelling at too slow a speed) and the implications of the revised speed limit on the ability of taxi and bus service to “clear taxi ranks in the evenings, particularly on weekend nights.
- 5.9 Officers have discussed these issues with Sussex Police and the Safer Roads Partnership and with other Local Authorities who have implemented similar schemes and, whilst understanding the concerns and the reasons behind them, have been unable to find any evidence that suggests these concerns will be realised.
- 5.10 It is recommended that officers continue to work closely with the taxi trade and the Police to monitor these issues such that should the concerns be realised remedial actions can be put in place. In addition that the plans for road safety and general communications on the scheme include provision to make it clear that taxi drivers are required to drive within the legal speed limits and should not be criticised for doing so.

Risk and Opportunity Management Implications:

- 5.11 If approval not given at this meeting it is unlikely that the allocated budget for this scheme will be spent within the current financial year.
- 5.12 There is a risk that the desired outcomes of the proposed scheme will not be realised. Comprehensive monitoring of the scheme as and after it is implemented will ensure that any issues can be addressed and where necessary remedial action taken.

Public Health Implications:

- 5.13 Road casualty reduction is a Public Health priority. It is anticipated that the reduction in speed limits to 20mph in residential and commercial areas will help to reduce collisions and the severity of the outcome of some collisions. It is estimated that over 95% of pedestrians involved in a collision at 20mph survive, compared with only 80% at 30mph (ROSPA factsheet). A review of the impact of introducing 20mph zones in London over a twenty year period (Grundy et al 2009) demonstrated a reduction in road casualties particularly amongst young children. It is likely that the scheme will support people to choose more physically active lifestyles by opting to make healthier active travel choices such as walking and cycling which in turn will help to reduce emissions and improve air quality by reducing congestion.

Health Officer consulted: Name: David Brindley on behalf of Dr Tom Scanlon,  
Director of Public Health

Corporate / Citywide Implications:

- 5.14 The proposed scheme will assist the Council to meet its strategic objectives and will contribute to the Council's and partners' wider objectives, including those set out in the Corporate Plan and the Sustainable Community Strategy
- 5.15 Brighton and Hove Bus Company have raised concerns about the impact of the introduction of 20mph speed restrictions in the off peak hours on a number of bus routes which cross the City. Research carried out whilst preparing the proposals, together with the growing evidence base of actual impacts of such schemes in other areas, indicate that such concerns are unlikely to be realised as a result of the implementation of Phase 1, much of which is already subject to a 20mph limit. Monitoring will, however, be undertaken should the scheme progress to implementation, which will include bus journey times

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

The following courses of action have been explored

- 6.1 Introduction of part time speed limit restrictions. This option is explored in paragraph 4.33 above
- 6.2 Removal of A and B roads from the proposals. This is explored in paragraph 4.38 above.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To seek approval to proceed to implementation of Phase 1 of the introduction of a 20mph limit in the city centre after taking into consideration of the duly made representations and objections. These proposals recommended to be taken forward for the reasons outlined within the report.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Objections / representations Summary

### **Documents in Members' Rooms**

1. Objections / representations

### **Background Documents**

1. Environment and Community Safety Overview and Scrutiny Committee (ECSOSC) report on 20mph (2010)
2. Speed Limit Review – A & B Class Roads (September 2010)
3. Speed Limit review – 20mph Pilot Schemes (June 2011)
4. Environment and Transport Sustainability Cabinet Member Meeting – “Brighton & Hove – A 20mph City” report (May 2012)

5. Item 32 – Transport Committee Report - “Brighton & Hove – A 20mph City?”  
(November 2012)