

Name of meeting: Cabinet Committee - Local Issues

Date: 2 November 2022

Title of report: Speed Limit Order No 116 Order 2022, Proposed 40mph speed limit Barnsley Road, Denby Dale.

Purpose of report: To consider any objections received in relation to the above proposal.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Colin Parr – 17 October 2022
Is it also signed off by the Service Director Finance?	Eamonn Croston – 5 October 2022
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 5 October 2022
Cabinet member portfolio	Cllr Naheed Mather

Electoral wards affected: Denby Dale

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered: Yes

1. Summary

- 1.1 Planning permission was granted for a housing development at Inkerman Court, Denby Dale, and as part of that planning permission Section 106 monies were secured to reduce the speed limit on the A635 Barnsley Rd, in the vicinity of the site.
- 1.2 The speed limit order was formulated, consulted on and legally then advertised between 27 July 2022 and 24 August 2022, during which time two objections were received, one requesting the speed limit be reduced further to 30mph and one requesting it remained at 50mph.

2. Information Required to Take a Decision

- 2.1 In line with the 106 requirements, a scheme was developed to reduce the speed limit on Barnsley Road (A635) from the junction with Wakefield Road (A636) to a short distance east of the junction of A635 / Lower Denby Lane / Dry Hill Lane (Dunkirk Inn crossroads).
- 2.2 The current speed limit of 50mph is proposed to be reduced to 40mph over this section to reflect the changing environment created by the development of land for housing.
- 2.3 Any speed limit the council sets has to be consistent with other locations and for that reason the Department for Transport produces a guidance document on what appropriate speed limits should be on roads with different characteristics.
- 2.3 The Setting Local Speed Limits guidance was released by the Department for Transport, and it is still the guidance document the council is required to refer to, when setting speed limits.
- 2.4 The guidance is used for setting all local speed limits on single and dual carriageway roads in both urban and rural areas. It brings together some of the main features of other published guidance on speed limit related issues, including speed-related road traffic regulation and signing, street lighting, traffic calming, speed limits in villages, and 20 mph speed limits and zones.
- 2.5 The underlying principles of setting a speed limit is to achieve a safe distribution of speeds, consistent with the speed limit, that reflects the function of the road and the road environment. The aim of speed management policies should achieve a mean speed appropriate to the prevailing road environment, with all vehicles moving at speeds below or at the posted speed limit, while having regard to the traffic conditions.

Objection 1

"I am formally objecting to the proposed change of the above speed limit proposal to 40mph on Barnsley Road on the grounds of road safety. We have lived at xxx Barnsley Road for 44 years and have witnessed speeding traffic despite the current 50mph limit and I am campaigning for a maximum speed limit of 30mph on the entire length of the road. I have previously raised my concerns in response to the recent planning applications for housing development on Barnsley Road.

I attach a copy of my previous objection below.

The crossroads at the Dunkirk are exceptionally hazardous and culminated in several fatal collisions and serious accidents. Traffic calming, speed cameras and a 30mph limit is essential along the entire Barnsley Road to the Catch Bar. The new proposed developments have poor sight lines on bends, and I am worried about the increased traffic on an already fast road.”

In response:

As explained in section 2.5 above the principles of setting a speed limit include setting a speed limit that reflects the function of the road and the road environment. That means the council cannot simply set a speed limit without justification and taking account of the above described principles, namely the appropriateness of the speed limit in relation to the prevailing road environment. In other words, the council cannot simply impose a 30mph limit without due consideration. The consideration in this case is that notwithstanding the development of housing, with properties spaced periodically along it, this route remains rural / semi-rural in character along this length, The environment on the road has a significant bearing on what drivers believe to be the appropriate speed and not just the speed limit itself. I refer to the policy aim of achieving a mean speed appropriate to the prevailing road environment, with all vehicles moving at speeds below or at the posted speed limit, while having regard to the traffic conditions i.e. most drivers will feel comfortable with a 40mph limit (thus achieving the mean speed appropriate to the road environment) and avoiding poor compliance.

Furthermore, the personal injury collision records for this road, at the current speed limit of 50mph, over the length of the proposal, identifies only one accident recorded during the last 5 years, and this was at the Dunkirk Inn junction. This single collision was of a serious nature.

From this history it is clear the route can be travelled, and access gained to and from it, safely at the proposed 40mph.

Most drivers feel comfortable at that speed, and will comply, but will not see the rationale for a 30mph limit, and as a result compliance will be poor. Poor compliance would require enforcement. In the case of A class roads (in this case) vertical traffic calming measures could not be used to gain compliance as they are not recommended for use on an A class roads. Therefore, enforcement of the 30mph speed limit would fall to West Yorkshire Police, and they would not support this, as it is not in line with “Setting Local Speed Limits”

As the objector has pointed out, there are currently drivers who are comfortable travelling more than the current 50mph, so at 30mph, it is highly likely that a greater proportion of drivers will travel above that posted speed limit.

The reduction of the speed limit to 40mph better suits the function of this road, the road, and surrounding environment.

Objection 2

I have studied this proposal and the planning documentation in detail and believe that MAG should oppose the reduction in speed limit in this location and especially the length of restriction envisaged.

I ride or drive this section of the A635 relatively often and consider the reduction to 50mph already to be sufficient to address the amount of habitation existing and now consented. The carriageway is wide and the bends are very gradual, affording good visibility of oncoming traffic and the existing access points, which do not benefit from the visibility splays that will be achieved on this development. The proposals also include white-lining to define a 2.5m right-turn pocket, which will have significant calming effect alone, so the further reduction of speed limit is considered unnecessary even in the vicinity of the new access.

It is significant that WYCA Highways do not refer to speed limits in their consultation and Kirklees Highways only make passive comment on the developer's offer to fund this consultation and possible traffic order. It therefore seems that other factors are being brought to bear in introducing the limit and extending it far beyond the local area along a section without access points and with exceptionally good visibility. The logic is difficult to deduce because the section east of the Dunkirk is much more hazardous at speed but will retain the 50mph limit, whilst the equally twisty Dry Hill Lane and Lower Denby Lane enjoy the 60mph National Speed Limit. The recent reduction to 40mph on Miller Hill and this new proposal are indicative of a progressive squeezing of speed limits, reducing opportunities to make progress safely on spacious roads with relatively low traffic volumes.

MAG is supportive of rational measures to improve road safety but regards the current blanket lowering of speed limits to be misguided and unnecessary, with this particular location lacking any sound justification.

In response:

The setting of local speed limits is as described previously guided by the Department for Transport document Setting Local Speed Limits.

While this road is predominantly rural, the development of houses at Inkerman Court and other developments along this road has begun to change nature of the road into a more urban environment.

For a rural road, the guidance recommends that a 40mph “should be considered where there are many bends, junctions or accesses, substantial development, a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road users.”

While with a more urban bias the guidance indicates “roads suitable for a 40mph limit are generally higher quality suburban roads or those on the outskirts of urban areas where there is little development. Usually, the movement of motor vehicles is the primary function.”

The change from 50mph to 40mph aligns with both of these guidance statements so the council considers the change is an appropriate one. While the speed limit change could have been centred around the development area it was felt appropriate to extend the speed limit south eastwards to beyond the junction with Dry Hill Lane. This left a section between the development area and the junction with the A636 Wakefield Road to the northwest, which is already 40mph.

This would mean there is a consistent speed limit in the area.

3 Implications for the Council

- 3.1 **Working with people** - The speed limit changes relate to a new housing development. Local Councillors and affected residents have been consulted, and with the exception of these objections, no concerns have been raised.
- 3.2 **Working with Partners** – The developer has paid for the creation of the traffic regulation order through a Section 106 agreement.
- 3.3 **Place based Working** – The changes will improve road safety here.
- 3.4 **Climate Change and Air Quality** – These proposals will not have a detrimental impact on Air Quality or Climate Change.
- 3.5 **Improving outcomes for children** – These proposals are aimed at reducing vehicle speeds along this road and improving safety including for children.
- 3.6 **Other implications** – None

4 Consultees and their opinions

The statutory consultees have been consulted and Huddersfield Motorcycle Action Group raised an objection saying they did not support the lowering of the speed limit to 40mph, they consider the reduction to 50mph already to be sufficient.

The three Denby Dale Ward Councillors have been consulted and no comments were received.

5 Next steps and timelines

Cabinet Committee Local Issues to consider the objections raised during the formal advertising period and reach a decision on this proposal.

If the Cabinet Committee Local Issues chooses to overrule the objections, the scheme will be implemented on site as per the plans provided.

If the Cabinet Committee Local Issues chooses to uphold the objections, the scheme will not be implemented, and the expected benefits would not be realised. The balance of the 106 monies paid for this speed limit order, not already spent on processing the legal order, will be returned to the developer.

6 Officer recommendations and reasons

The proposed scheme has been developed to support local housing provision, and the safe passage of traffic on the highway network within which it sits. It aims to reduce vehicle speeds to a level appropriate for the changing road network, and its surrounding environment.

For these reasons, the Officer recommendation is that the objection is overruled, and the proposals are implemented as advertised, to allow the benefits to be realised.

7 Cabinet portfolio holder's recommendations

The Cabinet portfolio holder supports the officer recommendation.

8 Contact officer

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9 Service Director responsible

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