

# Delegated decision report

## DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE 17 APRIL 2019

TITLE **ISLE OF WIGHT COUNCIL (VARIOUS STREETS, NEWCHURCH)  
(SPEED LIMITS) TRAFFIC REGULATION ORDER NO 1 2018**

REPORT OF **CABINET MEMBER FOR INFRASTRUCTURE & TRANSPORT**

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### EXECUTIVE SUMMARY

1. This report provides the details of officers' recommendations to reduce the existing speed limits at Apse Heath/ Branstone Cross (Newport Road/ Branstone Cross roundabout/Winford Road), Newchurch (High Street and The Shute) and Whiteley Bank roundabout (Canteen Road/Shanklin Road) via a new Traffic Regulation Order (TRO) as detailed in **Appendix 1**.
2. Concerns were raised via the local Isle of Wight Council member regarding the speed and increasing volume of traffic using these roads. The speed restrictions are therefore, being proposed to facilitate the passage on the road of both vehicles and pedestrians, for avoiding danger to users of the highway and preventing the likelihood of any such danger arising, and for preserving and improving the amenities of the area through which the roads run.
3. The police representative and a member of the public have objected to the proposals.
4. In reaching a decision to recommend this TRO for approval officers have considered the points raised by the police having regard to the Department for Transport (DfT) guidance and considered a range of factors, not just speed and accident data.

### BACKGROUND

5. The proposed TRO will supersede the traffic order 'The Isle of Wight Council (Various Streets, IW) Consolidation Order No 3 2017 only in relation to the following lengths of road where the order will also implement the following:
  - (a) Revoke the 30mph speed restriction at:
    - (i) Langbridge, from a point 43 metres north of its junction with Old School Lane to its junction with The Shute;
    - (ii) The Shute, from its junction with Langbridge to its junction with High Street;

- (iii) High Street, from its junction with The Shute to its junction with Winford Road;
  - (iv) Winford Road, from its junction with High Street to a point 120 metres north-east of its junction with Wackland Lane.
- (b) Revoke the 40mph speed restriction at:
  - (i) Canteen Road, Whiteley Bank from the junction with A3020 at Whiteley Bank Crossroads to a point 300 metres north thereof;
  - (ii) A3020 Whiteley Bank, Shanklin and Shanklin Road, Godshill from its junction with Canteen Road to a point 267 metres north-west thereof;
  - (iii) A3020 Whiteley Bank, from its junction with Canteen Road to a point 100 metres east thereof,
- (c) Revoke the 50mph speed restriction on the A3056 Newport Road, from a point 185 metres north-west of the junction with Winford Road to a point 180 metres west of its junction with Ventnor Road.
- (d) Introduce a 20mph speed restriction at:
  - (i) Langbridge, from a point 43 metres north of its junction with Old School Lane to its junction with The Shute;
  - (ii) The Shute, from its junction with Langbridge to its junction with High Street;
  - (iii) High Street, from its junction with The Shute to its junction with Winford Road;
  - (iv) Winford Road, from its junction with High Street to a point 120 metres north-east of its junction with Wackland Lane.
- (e) Introduce a 30mph speed restriction at:
  - (i) Winford Road, from a point 120 metres north-east of its junction with Wackland Lane to its junction with A3056 Newport Road;
  - (ii) A3056 Newport Road, from a point 185 metres north-west of the junction with Winford Road to a point 180 metres west of its junction with Ventnor Road;
  - (iii) Canteen Road, Whiteley Bank from the junction with A3020 at Whiteley Bank Crossroads to a point 300 metres north thereof;
  - (iv) A3020 Whiteley Bank, from its junction with Canteen Road to its junction with Shanklin Road, Godshill;

- (v) A3020 Shanklin Road, Godshill from its junction with Whiteley Bank to a point 55 metres north-west of French Mill Bridge;
  - (vi) A3020 Whiteley Bank, from its junction with Canteen Road to a point 100 metres east thereof.
6. In determining whether to proceed with the proposed traffic restrictions the council as highway authority ('the authority') has considered the council's Speed Limit Policy, which is based on DfT guidance
  7. DfT guidance and the council's speed limit policy recommend that six key factors should be taken into account in any decisions on local speed limits. These factors are:
    - history of collisions;
    - road geometry and engineering;
    - road function;
    - composition of road users (including existing and potential levels of vulnerable road users);
    - existing traffic speeds; and
    - road environment.
  8. The guidance also highlights that while these factors need to be considered for all road types, they may be weighted differently in urban or rural areas. The impact on community and environmental outcomes should also be considered.
  9. The council's policy provides a framework which allows the council to set speed limits on the roads below the national limit, "in response to local risk factors and conditions". As speed and accident data alone does not indicate that speed limits on these roads necessarily need to be changed, these local factors and conditions should be fully considered in relation to the proposed TRO.
  10. The main characteristics and issues for consideration at each of the three sites are considered below.
  11. Newchurch High Street/The Shute (proposed 20mph limit, currently 30mph).
    - (a) There are indications that this section of road through the Newchurch has become part of a 'rat-run' and there has been an increase in the volume of traffic, including heavy vehicles, using the route to visit nearby businesses.
    - (b) It is understood that the majority of children at the village primary school arrive from outside of the area by car and significant congestion occurs in the immediate vicinity of the school at the start and end of the school day.
    - (c) There is no viable engineering solution to resolve the congestion problem and the school already operates a staggered start/finish time in an attempt to minimise the issues.
    - (d) The church, pub, and post-office are the hub of the village centre and the area is also popular with walkers and cyclists due to the proximity of the local walking and cycling routes.
    - (e) Some village houses are located directly adjacent to the carriageway and there are several sections on the road where a footway does not exist on both sides.
    - (f) Spicers Bridge/Langbridge to the north of the village is a narrow bridge without a footway and is on a popular pedestrian and cycle route. The bridge is subject to

an environmental weight restriction to reduce the number of heavy goods vehicles going through the village.

- (g) The local member has called for the 20mph restriction in response to concerns raised by residents of the village about the speed, volume, and nature of traffic which runs through the village.

12. Winford Road - Branstone Cross to Newchurch (proposed 30mph limit, currently national speed limit)

- (a) Locally it is reported that this road is being used as a 'rat-run' by drivers wishing to avoid the main A road (Newport Road).
- (b) The road is rural in nature but with several businesses and a small concentration of residential properties adjacent to the road, near to the junction with Forest Road.
- (c) While largely straight, the road bends in both directions near to the main residential area, before narrowing as it reaches the existing 30mph section on the approach to Newchurch village/High Street.
- (d) There is a popular caravan park on the road and therefore visitors who are unfamiliar with the area, towing touring caravans, use this section of the highway during the summer months.
- (e) There are no footways on this section of road.
- (f) If approved this section of road will adjoin an existing 30mph (approach to Newchurch village) and another section of road where a 30mph limit is proposed under this TRO (Newport Road/ Branstone Cross).

13. Newport Road – Apse Heath to Branstone Cross (proposed 30mph, currently 50mph)

- (a) If approved, the change will lead to an extension of the existing 30mph speed limit on the main Newport Road of approximately 400 metres.
- (b) There are a number of residential properties adjacent to the carriageway including several with vehicle access points located on the sharp bend to the eastern end.
- (c) There are no footways on this section of road and there has been a reported increase in pedestrians using the road to access the shops and local businesses.
- (d) High friction surfacing is already in place at the crossroads where there have been six recorded accidents in the last five years.
- (e) The crossroads is located approximately 150 metres down the hill from the sharp bend to the east.
- (f) All approaches to the crossroad are considered to be busy during the traditional rush hour periods.

14. Canteen Road/Shanklin Road – Whiteley Bank roundabout (proposed 30mph, currently 40mph)

- (a) There are a number of residential properties adjacent to the carriageway at this location with the highest concentration on Canteen Road where the road narrows and bends on the approach to the roundabout.
- (b) There are no footways on these roads where the reduction is proposed.

15. A combination of new and existing speed data for the area has been considered as part of the decision-making process.

16. It is recognised that restrictions on road users may represent an interference with an individual's human rights under Article 8 (Right to respect for private and family life) and Article 1 of the first protocol (Peaceful enjoyment of property) of the European Convention on Human Rights. Any such interference is considered necessary and proportionate due to positive enhancement of such road safety for other users of the area.

**STRATEGIC CONTEXT**

17. In line with the council's Corporate Plan, the proposed amendments to the speed restrictions at these locations link in with the corporate priority to keep the island and its residents safe and enhance the amenities/characteristics.
18. The scheme in its entirety has been considered against Department for Transport (DfT) guidelines and the Isle of Wight Council's Speed Limit Policy.

**CONSULTATION**

19. The Isle of Wight Council (Various Streets, Isle of Wight) (Speed Limits) Order No. 1 2018 was advertised on 2 November 2018 with the consultation period ending on the 30 November 2018, and all key stakeholders including the police, local town and parish council, and Isle of Wight councillors have been provided with the opportunity to comment.
20. The local authority must consider any objection that has not been withdrawn and take into account relevant representations when making the decision.
21. Two letters of representation have been received during the consultation process and these have been considered and shown in summary below, along with comments from the highway authority:

<b>Representation</b>	<b>Highway authority comment</b>
<p>At this stage paragraph 20 of Part III of Schedule 9 of the Road Traffic Regulation Act 1984 has not been complied with by the highway authority because the chief officer of police has not been consulted with regarding the order. In our opinion failure to consult with the chief officer of police will invalidate the order.</p> <p>However the objection is primarily on the grounds of road safety.</p>	<p>As part of the stakeholder consultation process, Island Roads consults as required by legislation and all stakeholders including the police are given the opportunity to comment on TROs as demonstrated by the comments received from the local police representative. However, following the comments received the Isle of Wight Council has been in communication with the local police representative with a view to clarifying the consultation requirements expected.</p>
<p>Department for Transport Circular 01/2013 is the guidance document which is to be used for Setting Local Speed Limits and I believe has been adopted in the Isle of Wight Council Speed Limit Policy in 2014. In its introduction it states that speed limits</p>	<p>The highway authority notes this comment and has used this circular as the basis of its proposals in relation to the speed limit changes. Concerns have been raised locally about the speed of vehicles on these roads and these</p>

<p>should be evidence led and seek to reinforce peoples assessment of what is a safe speed to travel.</p>	<p>concerns are shared with officers and by the local Isle of Wight Council member. Speed data also shows that on average vehicles are travelling significantly slower than the current speed restrictions on most of these roads indicating that on average drivers perceive the safe driving speed to be less than the existing limits.</p>
<p>The circular mentions important factors to be considered when deciding on an appropriate speed limit which include the history of collisions and existing traffic speeds.</p>	<p>Noted. Collision data has been considered along with all other factors recommended by the DfT.</p>
<p>The police has undertaken its own speed survey and looked at accident data at the sites. The data is divided into the five roads as detailed above (i) to (v).</p> <p>(i) There have been three injury collisions (plus two in 2018 – cyclist fell off the edge of road and motorcyclist left home, looked down for mechanical noise and ran into neighbours car) two occurred on The Shute – cars, failed to look properly/speed too great for conditions/slippery road/ sudden braking. The other accident occurred in the village centre where a motorcyclist in a queue of traffic braked and fell off.</p> <p>Speed counts in The Shute show average speed of 32mph and 85 percentile of 35mph and 36mph.</p> <p>Speed counts at the speed reactive sign in the village near Bartletts Close show mean speeds of 26mph and 27mph and 85 percentile of 28mph and 30mph</p>	<p>The authority notes the information provided by the police representative in relation to accidents and speed data. In line with the DfT guidelines the authority has also considered other factors recommended in the circular including, road geometry/engineering, road function, composition of road users, and the road environment. It is acknowledged that mean speed, which is 28mph according to the authority’s most recent survey in the area, is closer to the existing limit but when all factors recommended by the DfT circular are taken into account – in particular the number of vulnerable road users such as children, pedestrians in the road, and cyclists - the existing limit is no longer considered appropriate and a reduction in the speed limit is justified.</p>
<p>Nationally there is evidence that casualties increase following the introduction of a 20mph speed limit on a road.</p>	<p>As reported by the DfT in its most recent study in 2018, it has found “no significant change in collisions and casualties, in the short term, in the majority of case study areas” where 20mph limits have been introduced. The report also highlights that “collision and casualty rates are known to fluctuate from year to year, and</p>

	post-implementation data currently available may not be indicative of the longer-term trend”.
In our opinion 20mph limits give a false sense of security to vulnerable road users and this is why casualties increase.	Noted. However, the most recent DfT report does not conclude that casualties increase as a result of implementing 20mph limits.
With regard to traffic speed the circular states that if the mean speed is already at or below 24mph on a road, introducing a 20mph speed limit through signing alone is likely to lead to general compliance with the new speed limit (the contrary is also true if the mean speeds exceed 24mph).	The authority acknowledges the guidance that general compliance is likely where mean speeds are at or below 24mph and in Newchurch the mean speed is 28mph
International studies have shown that mean speeds can be expected to fall by one or two mph following the introduction of a 20mph speed limit.	Noted.
On The Shute, travelling uphill and downhill 100 per cent of vehicles were exceeding the NPCC enforcement speed of 24mph and in the vicinity of Bartletts Close 90 per cent of vehicles were exceeding 24mph.	The authority has recorded the mean speed in the Newchurch area as 28mph. As highlighted in this report speed data is just one factor that has been considered as part of the decision making process.
(ii) There has been one accident where a vehicle carried out a u-turn at Watery Lane crossroads into the path of another vehicle. A speed count at this crossroads show mean speeds of 36mph and 41mph and 85 percentile of 40mph and 46mph. The difference is between vehicles approaching the crossroads and those driving away (higher). A speed count to the south of the crossroads showed mean speeds of 36mph and 85 percentile speeds of 41mph and 42mph. A speed count of vehicles on Winford Road approaching and leaving the junction with the A3056 showed mean speeds of 37mph and 39mph with 85 percentile of 42 and 45mph. The higher speeds for traffic leaving the junction. Eighty-four per cent of	The reduction in speed on this section of the highway is being proposed to address local concerns about the speed of vehicles which are said to be using the route as a ‘rat-run’.  The authority’s speed data shows mean speeds of 27mph to the south of the Forest Road junction. It is acknowledged that the police survey shows higher speeds but these are also significantly lower than the current national speed limit indicating that a reduction would be appropriate.

<p>vehicles were exceeding the NPCC enforcement speed of 34mph.</p> <p>These speeds are too high to place a 30mph speed limit on the road without engineering to slow the traffic to below the limit. There is a danger that drivers on the side roads at the crossroads will expect vehicles on the main road to be complying with the speed limit and pull out into their path.</p>	
<p>(iii) There have been six accidents on the length of road. One occurred to the north-west of the crossroads due to ice on the road. The other five occurred at the crossroads involving manoeuvres at the crossroads. None involved allegations of excessive speed. Two speed counts have been carried out, one to the east of Winford Road crossroads close to the existing 30mph speed limit at Apse Heath, this revealed mean speeds of 40 and 42mph and 85 percentile speeds of 43mph and 45mph with more than 99 per cent of vehicles exceeding NPCC prosecution speeds for a 30mph speed limit. The second check was just to the west of the Winford Road crossroads. Mean speeds were found to be 42mph and 43mph with 85 percentile speeds of 47mph and 45mph. Over 99 per cent of vehicles exceeding NPCC prosecution speeds for a 30mph speed limit.</p> <p>These speeds are too high to place a 30mph speed limit on the road without engineering to slow the traffic to below the limit. There is a danger that drivers on the side roads at the crossroads will expect vehicles on the main road to be complying with the speed limit and pull out into their path.</p>	<p>The authority has considered the accident numbers at this location and notes that the objection is based on there being no evidence of excessive speed contributing to the collisions. The DfT circular advises that “it should be recognised that identification of contributory factors [to collisions] is largely subjective and is not necessarily the result of extensive investigation” and “even where contributory factors are unrelated to vehicle speed, higher speeds will often aggravate the outcome of the collision and injuries”. Therefore, the lack of evidence that speed has contributed to these accidents is not considered to be a reason to not introduce the new speed limit.</p> <p>The authority’s speed survey shows the mean speed at this location to be 35mph indicating that drivers do not feel it is safe to travel at the maximum current limit of 50mph.</p> <p>The authority notes the objector’s comments that anyone not complying with the proposed speed limit may pose an additional hazard. However, looking at all of the factors recommended by the DfT guidelines, 30mph is considered to be a more appropriate and safe speed limit at this location.</p>



<p>(iv) There has been one accident where a resident (pedestrian) was struck by a car in 2016.</p> <p>Speed checks showed mean speeds of 35mph and 36mph and 85 percentile of 40mph and 41mph.</p> <p>These speeds are too high to place a 30mph speed limit on the road without engineering to slow the traffic to below the limit. Residents already complain about excess speed of vehicles and these 'slow' speeds were a surprise to them.</p>	<p>The authority acknowledges that DfT guidance suggests if speed limits are set unrealistically low drivers may not comply but with a mean speed of 35mph, the proposed 30mph limit is considered realistic and appropriate. The authority is not aware of any regulation or guidance which states that a mean speed of 35mph is too high to place a 30mph limit on a road without additional engineering.</p> <p>The authority has provided all residents with an opportunity to comment on the proposals as part of the consultation process and these comments have been considered as part of the report.</p>
<p>(v) There have been four accidents at the mini-roundabout junction with Canteen Road, all involving failure to give way and none involving speed. There has only been one other accident nearby involving a person falling from their seat on a bus during sudden braking. Speed checks show average speeds of 38mph with 85 percentile of 42mph. Ninety per cent of vehicles were exceeding 34mph. These speeds are too high to place a 30mph speed limit on the road without engineering to slow the traffic to below the limit. There is a danger that drivers on the side roads at the crossroads will expect vehicles on the main road to be complying with the speed limit and pull out into their path.</p>	<p>As highlighted above it is acknowledged that speed may not be considered to be a contributory factor but this is difficult to determine and accidents at higher speeds may aggravate any injuries caused. There are numerous properties adjacent to the carriageway with the largest concentration on the approach to the roundabout from Apse Heath (Canteen Road). The authority's speed data shows the mean speed at this location to be 31mph indicating that a 30mph limit is more appropriate than the existing 40mph. On Shanklin Road, near to where the western terminal signs are proposed the average speed is 40mph. While this indicates the current speed is appropriate on Shanklin Road it is felt that all arms of the roundabout should have the same speed limit applied in order to avoid confusion and keep speeds consistent.</p>
<p>DfT Circular 01/2013 states that speed limits should be evidence led and seek to reinforce people's assessment of what is a safe speed to travel. The police have received no evidence as to the reason for the reduction in speed limits on the roads in question, accident data does not indicate that speed is a factor in the small or non-existent accidents on the roads and the speed data obtained by the police shows that people's assessment of what is</p>	<p>Noted. However, the authority's speed data shows that drivers are not travelling close to the maximum speed limits in some of these areas indicating that the current limits may no longer be appropriate. It is acknowledged that the police survey data differs from that held by the Isle of Wight Council. However, as set out in this report the authority has considered a range of factors as recommended by the DfT not just speed and accident statistics and the speed</p>

<p>a safe speed confirms the existing speed limits are appropriate.</p>	<p>limits proposed are considered warranted and justified.</p>
<p>These speed limit reductions contradict the council's own Speed Limit Policy as well as Department for Transport guidance in Circular 01/2013.</p>	<p>It is not clear why this view has been formed. It is acknowledged that looking at mean speeds and accident data in isolation of other factors indicates that the current speed limits may be appropriate at some locations – but not all. The Authority has considered the DfT guidance and its speed limit policy, which is based on DfT guidance, and this recommends looking at a range of factors when determining local speed limits.</p>
<p>The circular mentions appropriate and consistent speed limits and the police's other concern is that if these limits are allowed it will set a precedent on the Isle of Wight and therefore it would be difficult for the highway authority to avoid agreeing to more requests for inappropriate speed limits.</p>	<p>The authority considers the appropriateness of traffic regulation orders on a case by case basis using the guidance provided by the DfT and the council's speed limit policy.</p>
<p>The circular states that there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed.</p>	<p>Noted.</p>
<p>As a regular user of Winford Road (daily in a vehicle, several times a week on foot and occasionally on a bike), I would like to propose a 40mph limit, rather than the advertised 30mph limit between Two Firs (the Harbours Lake Lane junction) and Branstone Cross. That section of road is rural in character, particularly towards the southern end, and not particularly heavily trafficked. As such, the natural safe speed to drive along it in most conditions is around 40mph; although I have not taken any accurate speed measurements there, from experience I estimate the 85<sup>th</sup> percentile speed to the south of Winford Cross to be about 38mph in both directions. As a pedestrian I do not feel threatened by vehicles travelling at that speed – the few that cause me some concern are invariably travelling considerably faster.</p>	<p>The authority agrees that this section of carriageway is rural in nature. However, as per the council's speed limit policy and DfT guidance document many rural roads serve a mixed through traffic and local access function, as is the case here, and the current national speed limit on this road is not considered to be appropriate. The speed data available to the authority supports the view expressed locally that a reduction in the national speed limit to 30mph near to the junction with Forest Road is warranted. There are several long bends on this section of road which has a number of residential properties adjacent to the carriageway multiple access points. The authority acknowledges that a 40mph limit may be appropriate outside of this residential section. However, DfT guidelines suggest the minimum length</p>

	<p>of road subject to a speed restriction is 600 metres. The residential area is around 500 metres from the southern end of the junction at Branstone Cross and it is therefore not considered appropriate to have multiple speed limits along the road.</p>
<p>The pinch point at Two Firs can be regarded as the natural 'gateway' to Newchurch village, where the existing 30mph limit logically begins. To the south of that point I believe a 40mph restriction would be more appropriate and in accordance with the guidance in DfT circular 01/2013, 'Setting Local Speed Limits', which state (my emphasis):</p> <p><i>"136. In some circumstances it might be appropriate to consider an intermediate speed limit of 40mph prior to the 30mph terminal speed limit signs at the entrance to a village, in particular where there are outlying houses beyond the village boundary or roads with high approach speeds."</i></p> <p>The circular also states:</p> <p><i>"...if [the limit] is set unrealistically low for the particular road function and condition, it may be ineffective and drivers may not comply with the speed limit."</i> I believe that would be the case if the 30mph limit is extended all the way out to Branstone Cross, which seems unnecessary and unlikely to achieve a high rate of compliance. Therefore, <b>I object to that part of the order as published.</b></p>	<p>Please see comments provided above.</p>
<p>Turning to the proposed 20mph limit through Newchurch village, I consider that to be a reasonable restriction in High Street and part-way into Winford Road, where to a large extent it will be self-enforcing. At the southern end, while I might have suggested terminating it adjacent to the entrance to 'Grainville' (about 75 metres south of Bartletts Close), I can see the logic of</p>	<p>Noted.</p>

<p>changing it at the pinch point next to Dyers Lane, as proposed.</p>	
<p>At the northern end, I do not think it is realistic to extend it all the way down The Shute and out beyond Langbridge, simply because the road conditions are such that it will seem unnecessary and unreasonable to many motorists and is thus unlikely to achieve high compliance. It is not a 'built up village street' in the normal sense of the term and in reality the existing 30mph limit is often exceeded in both directions over much of The Shute.</p>	<p>Noted. It is considered necessary to extend the proposed 20mph limit to the bridge on the edge of the village to ensure the safety of pedestrians in the road at this location.</p>
<p>The recently published DfT /Atkins report, '20mph Research Study – Process and Impact Evaluation' (pub. November 2018), states:</p> <p><i>“The study has shown that the speed at which people drive is influenced more by the look and feel of the road, than whether a 20mph or 30mph limit is in place.”</i></p>	<p>Noted. The authority has considered all factors as detailed in the response above.</p>
<p>Quoting Circular 01/2013:</p> <p><i>“85. Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed.”</i></p>	<p>Noted. The authority has considered this within this report.</p>
<p>The DfT/Atkins report also says:</p> <p><i>“Without supporting measures to encourage compliance, there is a</i></p>	<p>Noted.</p>

<p><i>risk that non-compliance with the speed limit becomes the norm.”</i></p>	
<p>In the absence of any physical traffic calming measures (which would create different problems of their own), I doubt whether the proposed 20mph limit on The Shute will be “successful” or practically enforceable, so I question the wisdom of introducing it. In my opinion, the change from 20mph to 30mph should take place near the top of the hill, just below ‘The Square’. If that alteration was made, the 20mph limit would cover the High Street and its immediate approaches where the look and feel of the road naturally encourage greater compliance.</p>	<p>Noted. The council’s policy allows 20mph sections to be implemented in 300 metres sections but this is for exceptional circumstances only and it is recommended that speed limits are at least 600 metres in length. It is considered necessary to extend the proposed 20mph limit to the bridge on the edge of the village to ensure the safety of pedestrians in the road at this location. Therefore reducing the speed restrictions to area of the High Street and its approaches is not considered appropriate.</p>
<p>While there is a more confined section of road between Hope Mead and the bridge (including the cycleway crossing) where lower speeds are appropriate, that is an isolated stretch somewhat remote from the heart of the village and Circular 01/2013 advises:</p> <p><i>“Speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility, eg at a bend.”</i></p>	<p>Acknowledged. Pedestrians using the footbridge are considered to be a hazard but the 20mph limit is proposed to deal with a range of issues including, quality of life and community benefits, and the improving safety for all users of the highway including walkers, pedestrians, horse riders, and children attending the local school. It should also be noted that due to the geometry of the surrounding roads the school bus uses the junction with Langbridge Business Park (beyond the bridge) to turn around. Therefore, the speed limit is not being introduced to solve an isolated issue at the bridge but has been extended to include the bridge.</p>

## FINANCIAL / BUDGET IMPLICATIONS

22. The costs associated with the introduction of the proposed order have been identified and are to be covered as part of the council’s local transport plan budget.
23. The costs involved, are expected to be in the region of £15,000. All signs and/or carriageway markings will be provided in accordance with the Traffic Signs Regulations and General Directions 2016.

## LEGAL IMPLICATIONS

24. The statutory authority for adopting a traffic regulation order (TRO) imposing a speed limit is section 84 of the Road Traffic Regulation Act 1984.
25. An order should be adopted in accordance with the Local Authorities’ Traffic Regulation Orders (Procedure) (England and Wales) Regulations 1996 (‘the 1996 Regulations’).

26. The statutory authority for signs and road markings are by virtue of the Traffic Signs Regulations and General Directions 2016.
27. Consideration will need to be given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 in proposing these traffic orders. Section 122 requires the local authority to secure the expeditious, convenient and safe movement of traffic (including pedestrians) and the provision of adequate parking facilities. In carrying out this exercise the council must have regard to the:
- (a) desirability of securing and maintaining reasonable access to premises;
  - (b) the effect on the amenities of any locality effected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the road(s) run;
  - (c) any strategy prepared under section 80 of the Environment Act 1995 (the national air quality strategy);
  - (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles;
  - (e) any other matters appearing to the local authority to be relevant.
28. The 1996 Regulations also set out the procedure to be adopted following publication of the proposed TROs and the approach the council should adopt in considering the orders.
29. Regulation 13 of the 1996 Regulations confirms that before making an order, the traffic authority shall consider all objections duly made to the TROs that have not been withdrawn.
30. The council is under a duty pursuant to Section 16 of the Traffic Management Act 2004 to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:
- (a) Securing the expeditious movement of traffic on the authority's road network.
  - (b) Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

## EQUALITY AND DIVERSITY

31. The council, as a public body, is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and those who not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

32. Under the Equality Act 2010 the council is required to have due regard to its equality duties when making decisions, reviewing services, undertaking projects, developing and reviewing policies.
33. Due regard to the council's responsibilities under the Equality Act 2010 has been given as part of this process. An equality impact assessment has been completed which is annexed to this report at **Appendix 2**.

## OPTIONS

34. **Option 1:** Not to approve the proposed restrictions that are subject to this report in relation to The Isle of Wight Council (Various Streets, Isle of Wight) (Speed Limits) Order No. 1 2018.
- Option 2:** To approve the proposed restrictions that are subject to this report in relation to The Isle of Wight Council (Various Streets, Isle of Wight) (Speed Limits) Order No. 1 2018.
- Option 3:** To approve the proposed restrictions that are subject to this report in relation to The Isle of Wight Council (Various Streets, Isle of Wight) (Speed Limits) Order No. 1 2018, with amendment.

## RISK MANAGEMENT

35. The introduction of the proposed changes to speed restrictions at this location is intended to promote safety for both motorists and pedestrians.
36. The local police representative has raised some concerns about compliance with the proposed speed limits and there is a risk that drivers will ignore the new restrictions if introduced. However, the proposed speed limits are considered to be warranted and appropriate for the reasons set out in this report.

## EVALUATION

37. **Option 1:** This was rejected because there has been strong local support for a reduction in speeds at these locations as shown by the limited number of letters of representation. The views of the local police have been fully considered as part of this report and while it is acknowledged that based solely on accident statistics and speed data not all of the locations would require a reduction as proposed, on balance and taking into account all other factors recommended by DfT guidance, the existing speeds are considered to be too high.
- Option 2:** This was approved because there is deemed to be a need to reduce the speed limits in the interests of road safety as set out in this report.
- Option 3:** This was rejected because while it is accepted that there are sections where a reduction in speed may not be required based on speed and accident data alone, or at some locations speeds could be reduced by less than those proposed, overall a 30mph limit is considered to provide a consistent safe driving speed without multiple changes over a relatively small area.

RECOMMENDATION

38. **Option 2:** To approve the proposed restrictions that are subject to this report in relation to The Isle of Wight Council (Various Streets, Isle of Wight) (Speed Limits) Order No. 1 2018.

APPENDICES ATTACHED

[Appendix 1 – Draft TRO Details](#)

[Appendix 2 – Equality Impact Assessment](#)

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COLIN ROWLAND  
*Director of Neighbourhoods*

CLLR IAN WARD  
*Cabinet Member for Infrastructure and Transport*

Decision  
Signed  
Date

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