



08/17

Purpose: For Decision

Delegated decision report

DELEGATED MEMBER DECISION

Date	DECISION CANNOT BE TAKEN BEFORE 30 OCTOBER 2017
Title	THE ISLE OF WIGHT (VARIOUS STREETS, IW) (SPEED LIMITS) ORDER NO. 2 2017 (RELATING TO VARIOUS ROADS IN GODSHILL AS DETAILED IN PARAGRAPH 1 AND APPENDIX 1 TO THIS REPORT)
Report to	CABINET MEMBER FOR INFRASTRUCTURE AND TRANSPORT

EXECUTIVE SUMMARY

1. To approve the proposals contained within the Isle of Wight Council (Various Streets, IW) (Speed Limits) Order No. 2 2017 relating to Godshill (a copy of which is attached at Appendix 1 this report) which shall revoke the provisions of the Isle of Wight Council (Various Streets, IW) (Speed Limits)_Consolidation Order No. 1 2017 and shall re-enact the provisions contained therein subject to the following amendments:
 - 1.1 To revoke the 30 mph speed limit on West Street, in Godshill from its junction with School Road to a point 46.5 metres west thereof and,
 - 1.2 To introduce a 20 mph speed limit in the following lengths of road in Godshill:
 - a. Church Hill, from its junction with High Street to a point 10 metres south thereof.
 - b. Church Hollow, from its junction with High Street to a point 22 metres west thereof.
 - c. High Street, from its junction with School Road to a point 126 metres east of its junction with Hollow Lane. A distance of approximately 610 metres.
 - d. High Street (service road), from its junction with School Crescent to its junction with High Street for its entire length.
 - e. Hollow Lane, from its junction with High Street to a point 10 metres south-west thereof.
 - f. Newport Road, from its junction with School Road to a point 35 metres north thereof.
 - g. School Crescent, from its junction with High Street to a point 25 metres north thereof.
 - h. School Road, from its junction with Newport Road to its junction with High Street. A distance of approximately 140 metres.
 - i. West Street, from its junction with School Road to a point 46.5 metres west thereof.

1.3 Further detail of the proposals are described in the notice contained at Appendix 1 to this report and shown on the plan contained at Appendix 2 to this report.

BACKGROUND

2. The proposal for a 20mph speed restriction in Godshill was raised as a network integrity request from the local member and residents who were concerned with pedestrian safety in the village of Godshill due to high tourist pedestrian traffic in the village.
3. The public notice was advertised during April and May 2017 following consultation with the police, the local parish council, local councils and stakeholders. Objections have been received to the proposal from the police and these objections have been considered as part of this report.

The restrictions proposed by these orders should be reasonable and should not go further than necessary to deal with the highway problems identified.

4. 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

5. The proposal set out in the order is intended to aid pedestrian safety due to limited footways in Godshill and the implementation of the speed restrictions contained within the order supports priority one of the Corporate Plan 2015-17 – Supporting Growth in the Economy making the Island a better place and keeping it safe.
6. The scheme in its entirety has been considered in relation to Department for Transport (DfT) guidance notes.

CONSULTATION

7. A public notice outlining the draft proposals, and inviting public comment, was published in the Isle of Wight County Press on 21 April 2017 and notices were displayed on-street for a period of 28 days. The closing date for representations was 19 May 2017. A copy of the notice is enclosed at Appendix 1 to this report.
8. The local authority must consider any objection that has not been withdrawn and take into account relevant representations when making the decision.
9. Godshill Parish Council and the local councillor have both supported the proposals.

10. Five letters of representation and one letter of objection have been received regarding the proposals. The consultation representation received is reproduced in full in Appendix 3 of this report.
11. The full analysis of the consultation responses received is contained in Appendix 3 to this report.

FINANCIAL / BUDGET IMPLICATIONS

12. 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.
13. The costs involved, are expected to be £12,537.64. However, this amount may be subject to minor variation should site conditions dictate. All signs and/or carriageway markings will be provided in accordance with the Traffic Signs Regulations and General Directions 2016.

LEGAL IMPLICATIONS

14. The statutory authority for adopting a traffic regulation order (TRO) imposing a speed limit is section 84 of the Road Traffic Regulation Act 1984.
15. An Order should be adopted in accordance with the Local Authorities' Traffic Regulation Orders (Procedure) (England and Wales) Regulations 1996 ('the 1996 Regulations').
16. The statutory authority for signs and road markings are by virtue of the Traffic Signs Regulations and General Directions 2016.
17. 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.
18. 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.

19. 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.
20. 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; and
 - b. Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
21. This report considers representations received with regard to the proposed 20mph speed restriction in Godshill, Isle of Wight. The roads affected are parts of West Street, Church Hill, Church Hollow, High Street, Hollow Lane, Newport Road, School Crescent and School Road in Godshill. Paragraph 1 of this report and the public notice at Appendix 1 depicts the exact lengths.

EQUALITY AND DIVERSITY

22. 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.
23. 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.
24. 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 4.

OPTIONS

25. Options have been considered in respect of this report as follows:

- Option 1: To approve the advertised proposals contained in the Isle of Wight Council (Various Streets, IW) (Speed Limits) Order No. 2 2017.
- Option 2: Not to approve the advertised proposals contained in the Isle of Wight Council (Various Streets, IW) (Speed Limits) Order No. 2 2017.

RISK MANAGEMENT

26. The introduction of the proposed 20 mph speed limit in Godshill is intended to aid pedestrian safety in the village as there is a lack of footway and walkway in parts of the centre of the village along with high volumes of pedestrian traffic particularly in the summer months and at weekends due to tourist attractions in the village. In addition accident statistics support the introduction of a reduced speed limit. There have been two slight and one serious personal injury collisions recorded within the area proposed for the introduction of the 20mph speed limit within the last three years.

EVALUATION

27. A decision to implement the recommendation under option 1 will improve road safety in Godshill. This will be particularly advantageous to pedestrians. There are a large number of pedestrians within the village, particularly in the summer months and at weekends visiting the various tourist attractions. These attractions are located at various points on either side of the road that will be affected by the speed restriction. There is also a lack of footway at a number of points within the village meaning that persons are forced walk on the carriageway for periods.
28. Although it is noted that an objection to the proposal as set out in option 1 has been received from the police it is considered that there are particular local circumstances within the village of Godshill as an important tourist centre with a large number of visitors and pedestrians having to walk on the carriageway that support the implementation of the recommendation under option 1 within this village.
29. Option 2 means that the current risks to pedestrians in the village of Godshill are not addressed.

RECOMMENDATION

30. Option 1. To approve the advertised proposals contained in the Isle of Wight Council (Various Streets, IW) (Speed Limits) Order No. 2 2017.

APPENDICES ATTACHED

31. [Appendix 1](#) – Public notice
[Appendix 2](#) – Plan of proposed 20mph Speed Limit No. 2 2017.
[Appendix 3](#) – Consultation responses including a summary of the consultation responses.
[Appendix 4](#) – Equality Impact Assessment

BACKGROUND PAPERS

32. Department for Transport Circular 01/2013 – “Setting Local Speed Limits”
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/63975/circular-01-2013.pdf

Isle of Wight Council – Speed Limits – Executive Committee Report and Speed Limits Policy
<https://www.iwight.com/Meetings/committees/Executive/9-9-14/PAPER%20I.pdf>
<https://www.iwight.com/Meetings/committees/Executive/9-9-14/PAPER%20I%20-%20APPENDIX%20A.pdf>

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WENDY PERERA
Head of Place

COUNCILLOR IAN WARD
Cabinet Member for Infrastructure and Transport

Decision

Signed

Date
