

Cabinet Report

Purpose: For Decision

ISLE OF WIGHT COUNCIL

Date **18 JULY 2024**

Title **A3056 SPEED LIMITS TRO**

Report of **CABINET MEMBER FOR TRANSPORT AND INFRASTRUCTURE,
HIGHWAYS PFI AND TRANSPORT STRATEGY**

Executive Summary

1. This report provides the details of recommendations for reducing some of the speed limits on the highway between Newport and Sandown (along A3056), as detailed in Appendix 1 (Plans).
2. All proposed speed limit reductions are part of the DfT's Safer Roads Fund project. This project is guided by the Safe System philosophy, where highway risk is proactively managed, rather than just responding to crashes when they occur.
3. Speed management is key in this approach, as reducing vehicle speeds significantly reduces the number and severity of collisions. Securing vehicle speeds of 20mph or below significantly improves the survival chances of vulnerable road users in vehicle impacts. Speeds of less than 40mph greatly improves the survival chances of vehicle occupants in head on collisions.
4. These changes are proposed to establish speed limits that are appropriate for all road users along the route.

Recommendation

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| <ol style="list-style-type: none">5. That all proposed speed limits on A3056 which are subject to this report are approved as proposed. |
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Background

6. The Isle of Wight Council (IWC), as a Local Highway Authority, has a duty to ensure the expeditious and safe movement of people, services, and goods on the Island's highway.

7. The Department for Transport (DfT) invited the Isle of Wight Council to submit a bid for the funding of highways improvements on the A3056, as part of their Safer Roads Fund Round 3.
8. The DfT selected the A3056 based on traffic flow and casualty data that was combined by the Road Safety Foundation (RSF) to establish an overall route risk rating. Our bid was successful and funding of £2,140,000 was awarded.
9. Following an evaluation undertaken by Island Roads' road safety engineer and Highway Authority's group engineer, changes to numerous speed limits along the A3056 from its junction with the A3020 Blackwater Hollow through to the A3055 Sandown Road, Lake were proposed.
10. The overall aim of these works is to improve road safety for all users of the route and to minimise the likelihood and risk of incidents occurring. The proposals were assessed and designed having considered the guidance contained in the DfT Circular 01/2013 (March 2024).

Corporate Priorities and Strategic Context

11. The proposed new regulations are in line with the IoWC's Corporate Plan 2021 – 2025 and more specifically with its vision and clear aim to work together openly and with our communities to support and sustain our economy, environment and people.

Responding to climate change and enhancing the biosphere

12. Due regard to the Council's commitment to the Climate and Environment Strategy 2021 - 2040 has been given at the formative stage of this proposal. The Climate and Sustainable Development Impact Assessment Tool has been used to complete Appendix 4 (CSDIA form).
13. The assessment has been reflected in the Climate and Sustainable impact assessment wheel below:



Economic Recovery and Reducing Poverty

14. It is not anticipated that the new regulations would have a direct impact on reducing the number of residents living in poverty.

Impact on Young People and Future Generations

15. The recommendation, if approved, would have a positive impact on young people and future generations living on the Island, as the safety of all road users plays a big role in citizens' wellbeing on a daily basis – as pedestrians, drivers, cyclists and public transport users.
16. In this case, some of the proposed changes on the highway will improve safety outside schools including students' road crossings, as well as school runs; thus contributing to creating safer routes to and from schools for pedestrians and cyclists.

Corporate Aims

17. The key priorities within the plan, that this report is supporting are: 'Listen to people' – a 28-day island wide consultation was conducted; 'Encourage Sustainable transport and Active travel' – the recommended option would encourage walking, cycling and use of public transport.

Consultation and Engagement

18. An informal consultation with the appropriate Town/Parish Councils and Ward Councillors took place in January 2024. The feedback was reviewed and the proposals were amended where appropriate.
19. Following the legal TRO making process and its requirement for a formal consultation, public Notice outlining the proposals and inviting public comments was published in the Isle of Wight County Press on 1 March 2024. This Notice and accompanying plans were also displayed on-street for a period of 28 days, which is a week longer than the legally required 21 days, see Appendix 2 (Public Notice). The closing date for representations was 29 March 2024.
20. 27 valid representations were received and the total number is broken down by locations in Appendix 3 (consultation results), outlining the number in support and the number of objections for each location. A summary of all representations can be found in the Appendix 7 (Representations' summaries).
21. Representations were also received from Hampshire police as a statutory consultee. Their position on each proposal is included in the respective summary in Appendix 7.

Financial / Budget Implications

22. The total estimated cost of making of the TROs and implementing all recommended changes on the highways is circa £165,000 excl. VAT, and it will be funded through the respective DfT grant.

23. All new assets will be accrued after implementation, the estimated annual maintenance cost would be approx. £4,600 excl. VAT for the next 14 years and it will be included in the Island Roads' maintenance contract's annual payment.

Legal Implications

24. Traffic Regulation Orders can be made under Section 84 of the Road Traffic Regulation Act 1984 where it appears to the traffic authority that it is expedient to make the order:
25. Speed limits on roads other than restricted roads.
- (1) An order made under this subsection as respects any road may prohibit—
- (a) the driving of motor vehicles on that road at a speed exceeding that specified in the order,
 - (b) the driving of motor vehicles on that road at a speed exceeding that specified in the order during periods specified in the order, or
 - (c) the driving of motor vehicles on that road at a speed exceeding the speed for the time being indicated by traffic signs in accordance with the order.
- (1A) An order made by virtue of subsection (1)(c) above may—
- (a) make provision restricting the speeds that may be indicated by traffic signs or the periods during which the indications may be given, and
 - (b) provide for the indications to be given only in such circumstances as may be determined by or under the order; but any such order must comply with regulations made under subsection (1B) below, except where the national authority authorises otherwise in a particular case.
- (1B) The national authority may make regulations governing the provision which may be made by orders of strategic highways companies or local authorities under subsection (1)(c) above, and any such regulations may in particular—
- (a) prescribe the circumstances in which speed limits may have effect by virtue of an order,
 - (b) prescribe the speed limits which may be specified in an order, and
 - (c) make transitional provision and different provision for different cases.
- (2) The power to make an order under subsection (1) is exercisable by the traffic authority, who shall before exercise it in any case give public notice of their intention to do so.
- (3) While an order made by virtue of subsection (1)(a) above is in force as respects a road, that road shall not be a restricted road for the purposes of section 81 of this Act.
- (4) This section does not apply to any part of a special road which is open for use as a special road.

- (5) Section 68(1)(c) of this Act shall apply to any order made under subsection (1) above.
 - (6) Any reference in a local Act to roads subject to a speed limit shall, unless the contrary intention appears, be treated as not including a reference to roads subject to a speed limit imposed only by virtue of subsection (1)(b) or (c) above.
26. The speed limit regime enables traffic authorities to set local speed limits in situations where local needs and conditions suggest a speed limit which is different from the respective national speed limit. Local speed limits are determined by traffic authorities having regard to guidance issued by the DfT in Circular 01/2013 (revised March 2024).
27. Any orders should be progressed in accordance with the Local Authority's Traffic Regulation Order (Procedure) (England and Wales) Regulations 1996.
28. The authority must consider all objections made and not withdrawn before making a Traffic Regulation Order (regulation 13) and, where it does not "wholly accede" to any objection, provide reasons for this in its notification of the making of an order to any person that has objected (regulation 17(3)).
29. The Statutory Authority for signs and road markings are by virtue of the Traffic Signs Regulations and General Directions 2016.
30. Consideration must be given to the duty under Section 122 of the Road Traffic Regulation Act 1984 when deciding whether to make, or to refuse to make a traffic regulation order.
31. 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.
32. The validity of any traffic regulation order made by the council can be challenged by application to the High Court within six weeks following the date the order on the grounds identified in paragraphs 35-36 of Schedule 9 to the Road Traffic Regulation Act 1984.

33. The Court has the power to suspend an order or any of its provisions until the final determination of the proceedings.

Equality And Diversity

34. 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 people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
35. 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.
36. Due regard to the Council's responsibilities under the Equality Act 2010 has been given at the formative stage of this proposal. An Equality Impact Assessment form has been completed in Appendix 5 (EIA form).

Options

37. Option 1: That all proposed speed limits on A3056 which are subject to this report are approved as proposed.
38. Option 2: Not to approve the proposed speed limits on A3056 that are subject to this report and to abandon the proposal.
39. Option 3: To approve the proposed speed limits on A3056 that are subject to this report with amendment.

Risk Management

40. A risk has been identified to the safe movement of traffic and to the safety of other road users: pedestrians, cyclists etc. The TRO proposals, if implemented, will ensure safety for all road users, whilst securing the safe movement of the traffic – by reducing the speed limits where appropriate.
41. The extent of the restrictions was recommended by the Island Roads' road safety and highways engineers after careful consideration of the existing traffic data in the respective locations. The road safety and highway engineers in Island Roads strongly advised the approval of all proposals (Option 1) on grounds of safety.
42. The Authority will monitor the impact of the changes and review the restriction if necessary.
43. Option 2 is not recommended on grounds of safety: once a safety risk on the highway has been identified, the Local Highway Authority has an obligation to address it.
44. Option 3 is not recommended on grounds of safety: once a safety risk on the highway has been identified, the Local Highway Authority has an obligation to address it.

Evaluation

45. The council is under a duty pursuant to Section 16 of the Traffic Management Act 2004 to manage their road network, whilst having regard to their other obligations, policies and objectives at the same time, with a view to facilitate the passage on the road or any other road of any class of traffic (including pedestrians) and for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.
46. The speed management proposals were developed using the assessment tool provided by the DfT specifically for the Road Safety Fund Project. This modelling exercise considered the highway criteria as recommended in DfT Circular 1/2013:
 - (1) history of collisions, including frequency, severity, types and causes
 - (2) road geometry and engineering including width, sightlines, bends, junctions, accesses and safety barriers
 - (3) road function (for example, strategic through traffic or local access)
 - (4) composition of road users including existing and potential levels of vulnerable road users
 - (5) existing traffic speeds
 - (6) road environment, including level of road-side development and possible impacts on residents (for example, severance, noise or air quality)
47. The highway characteristics at each of the locations where changes are proposed match the recommended speed limits in sections 114 and 131 of DfT Circular 1/2013.
48. Appendix 6 (Rationales) contains the rationale for changing the speed limits in each location it sets out the respective reasoning for the TRO proposals made by Island Roads as the Isle of Wight Council's Highways Service Provider, as laid out in the Legal Implications' and evaluation's sections of this report. It is on this basis that the recommendation have been developed in respect of this report and should be considered when arriving at a decision on each proposal.

Appendices Attached

49. Appendix 1 – Plans
50. Appendix 2 – Public Notice
51. Appendix 3 – Consultation results
52. Appendix 4 – CSDIA form
53. Appendix 5 – EIA form
54. Appendix 6 – Rationales
55. Appendix 7 - Representations' summaries

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