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**Report to:** Southport Area Committee      **Date of Meeting:** 27 March 2013

**Subject:** Mornington Road Area – Proposed 20 mph zone – Objection

**Report of:** Director of Built Environment      **Wards Affected:** Norwood & Dukes

**Is this a Key Decision?** No      **Is it included in the Forward Plan?**

**Exempt/Confidential**      No      No

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### **Purpose/Summary**

To inform Members of an objection to the proposed 20 mph speed limit in the Mornington Road area of Southport.

### **Recommendation(s)**

It is recommended that :-

- (i) the objection against the proposed 20mph speed limits for the Mornington Road area, Southport is noted;
- (ii) the proposed introduction of the 20mph speed limits for the Mornington Road area, Southport as identified in the reports to Southport Area Committee – meetings of 21<sup>st</sup> November 2012 and 23<sup>rd</sup> January 2013 is implemented as advertised and the person raising the objection be notified of the decision of this Committee accordingly;
- (iii) a Traffic Regulation Order introducing a 20 mph speed limit on Hoghton Grove, Hoghton Place and Post Office Avenue be approved;
- (iv) the necessary legal procedures, including those of public consultation and advertising the council's intention to implement the Order be approved;

### **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being	√		
5	Children and Young People	√		
6	Creating Safe Communities	√		
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

**Reasons for the Recommendation:** The Council has the power to make Traffic Regulation Orders under Section 1 of the Road Traffic Regulation Act 1984. The Council has the power to revoke Traffic Regulation Orders under Part IV of Schedule 9 to the Road Traffic Regulation Act 1984.

**What will it cost and how will it be financed?**

**(A) Revenue Costs:** Nil

**(B) Capital Costs:** The cost of all implementation, legal and administrative procedures for the introduction of the 20 mph speed limits within the Mornington Road area, Southport amounting to £13K will be funded from 2012/13 Capital Local Safety Scheme budget.

**Implications:** The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b>	None
<b>Human Resources</b>	None
<b>Equality</b>	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery:** Nil

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance (FD2205/13) has been consulted and has no comments on the report

The Head of Corporate Legal Services (LD 1521/13) has been consulted and has no comments on the report.

**Are there any other options available for consideration?** None

**Implementation Date for the Decision:** Immediately following the Committee meeting.

**Contact Officer:** Joe Dwyer – Senior Engineer (Traffic Management & Road Safety)

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**Email:** [joe.dwyer@sefton.gov.uk](mailto:joe.dwyer@sefton.gov.uk)

**Background Papers:** There are no background papers available for inspection.

## **1.0 Introduction**

1.1 Members will recall at its meeting on 21st November 2012, Southport Area Committee received a report that gave details of the results of a public consultation on the proposed 20 mph zone for the Mornington Road area of Southport. Members resolved:-

- i) To defer the decision to enable further consideration of the roads to be subject of the 20 mph and 30 mph speed limits and to seek the views of Arriva, (Bus Company) on the proposals. Several Members suggested that the speed limit on Hoghton Street and London Street, (Chapel Street to Lord Street) should be reduced to 20 mph and that Sussex Road and Church Street remain 30 mph.

1.2 Following on from the resolution a meeting was held between Traffic Services Officers and Norwood and Dukes Ward Members at Southport Town Hall on 12<sup>th</sup> December 2012 where it was agreed to include London Street, Sussex Road and Church Street within the 20 mph speed limit area. A letter of support for the Scheme from Arriva was also shown to Ward Members.

1.3 The above inclusions were subsequently reported to Southport Area Committee at its meeting of 23<sup>rd</sup> January 2013. Members resolved that:

- (1) The revocation of all relevant speed limit Traffic Regulation Orders as described in paragraph 3.2 of the report be approved;
  - (2) A Traffic Regulation Order introducing a 20 mph speed limit within the Mornington Road area, Southport on the roads identified in paragraph 3.1, of the report to also include Hoghton Street and the upper section of London Street, be approved;
- and
- (3) The Service Manager - Traffic and Transportation be authorised to undertake the necessary legal procedures, including those of public consultation and advertising the Council's intention to implement the Orders.

1.4 Subsequently, the proposals were advertised in the Southport & Formby Champion on 6<sup>th</sup> February 2013 with the deadline for any objections to the proposals being 27<sup>th</sup> February 2013.

## **2.0 Objections**

2.1 A resident of Cleveleys Road, Southport sent a very comprehensive email to Traffic Services, dated 25<sup>th</sup> February 2013 raising a number of objections to

the proposed 20mph speed limits in Southport. A copy of his objections can be seen in Annex A.

2.2 As can be seen the Objector goes into great detail regarding his objections, The four main core objections are commented on in the following paragraphs.

2.3 **1. ‘Sussex Road and Church Street should not be included in within the 20 mph scheme’**

As explained in the introduction, the issue of the speed limit on Sussex Road and Church Street was raised at the meeting of Southport Area Committee of 21<sup>st</sup> November 2012 where it was discussed at some length. It was resolved to defer the decision to enable further discussions to take place with Members regarding whether the speed limit on both these roads should be reduced to 20 mph. Following on from this, and through discussions with Ward Members, it was agreed by Southport Area Committee at its meeting on 23<sup>rd</sup> January 2013 to include Sussex Road and Church Street within the 20mph speed limits area. This was on the basis that 20mph speed limits areas should be kept as large as possible and if Sussex Road and Church Street were to remain as 30mph roads then the area would be split into smaller areas

2.4 **2. ‘Certain roads originally included in the boundaries of the scheme zone had been omitted’**

An administrative error was made whilst drawing up the original boundary plan in that the Lord Street Service Roads had wrongly been included within the Schedule of 20 mph roads as presented to Members at their meeting in November 2012. Consequently, a new Schedule was produced and included in the report to Southport Area Committee at its meeting in January 2013. Paragraph 3.1 showed the new list of roads that would be converted to 20 mph.

The reason for excluding these roads is that vehicle speeds are currently low due to the layout and nature of the roads. Whilst the Objector is correct in his comments that additional street signs could be accommodated within the Lord Street Conservation Area, signage of the speed limits would result in the provision of an extra eight signs and signposts on Lord Street. The council has a duty of responsibility to reduce ‘sign clutter’ as much as possible, especially in a conservation area. As a result, it is recommended that the service roads are not included within the 20 mph speed limit area.

2.5 **3. ‘The Order is flawed by an administrative error.....’**

A number of small roads were unfortunately omitted from the legal advert and Traffic Regulation Order. These omissions do not affect the legal standing of the Order because the Order relates to individual speed limits for individual roads, and has not been described as a “20 mph zone”. Members have already been informed that these ‘missing roads’, i.e. Houghton Grove, Houghton Place and Post Office Avenue will be included in a future legal advert for 20 mph speed limits. The other two roads mentioned by the Objector,

Hoghton Street and London Street have already been advertised and included in the 20 mph speed limit Order.

2.6 ***4. 'Omission of Holy Trinity Infant and Junior School from the 20 mph scheme'***

2.7 The main entrance to the school is off Manchester Road which is a main distributor road that currently remains at 30 mph. The objectors suggestion for the introduction of variable 20 mph speed limit outside the school may be considered at a later date as 20 mph speed limit areas are rolled out throughout Southport.

**3.0 Recommendation**

3.1 Due to the overall support for the proposed 20 mph speed restricted area from residents and businesses of the Mornington Road Area, Southport, it is recommended that Members approve the scheme and overrule the above objections. The above responses to the objections explain the administrative errors and omissions of certain roads that have now been addressed. Ward Members have also previously agreed that both Sussex Road and Church Street should be included in the 20 mph speed limit area. On this basis it is recommended that Members overrule the objection.

3.2 In order to address the issue of the three roads missed from the Traffic Regulation Order, authorisation is now sought to advertise these additional roads for inclusion within the 20 mph speed limit Order.

## Annex A

**Sent:** 25 February 2013 00:10

**Subject:** Objection - M.B.S (Various Roads)(20mph speed limit)(no 2) Order 2013

For the attention of the Traffic Services Manager, Magdalen House, 30 Trinity Road, Bootle L20 3NJ

Dear Sir,

This is a formal objection to the making of the Metropolitan Borough of Sefton (Various Roads)(20 mph Speed Limit)(No 2) Order 2013, in so far as it refers to the roads in Southport, previously referred to as the Mornington Road Area - Proposed 20 mph Zone.

The grounds for objection are detailed under the below headings.

- 1) in respect of specific roads being included in the scheme,
- 2) certain roads originally included in the scheme being removed without discussion involving elected Members of the Council,
- 3) administrative omissions of roads within the scheme area, which should have been included,
- 4) failure to provide appropriate speed limit reduction for a school within the scheme area.

1) Sussex Road and Church Street, should not be included within the 20 mph scheme and should remain as 'restricted roads' namely 30 mph roads.

The two roads are not residential access roads, but are clearly recognised by the public as distributor roads, notwithstanding that the Authority does not consider them to be strategic roads. Comment has been made in the January Agenda at item 2.8 that if Sussex Road remains as a 30 mph road, then Sussex Road between St Lukes Road and Norwood Road would also remain as a 'restricted road'. I see that comment as entirely logical, but would support it as the whole of Sussex Road is recognised as a distributor road and the character of the street is not that of a residential access road. Sussex Road is the designated HGV route to Central 12 Shopping Centre and a bus route. Traffic survey information for 2010 shows average 24 hour traffic flow as 4881 vehicle with an average speed of 29.4 mph. Whilst the average speed over the eight years of 11 surveys shows an average speed which fluctuates, the volume remains high, clearly indicating that Sussex Road is used as a distributor road by the public. The volume of traffic is greater than Roe Lane (2010) which is a strategic route.

I have very real concerns that if the roads are included in the scheme, this will lead to unrealistic expectation by the public and demands for police enforcement, when such time is severely constrained and can be better used in other areas where there is higher collision data to support such enforcement. Speed limits should be evidence led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. Speed limits should encourage self compliance and not be seen by drivers as a maximum rather than a target speed. [DfT C 1/2013 Sec 1 key points]. It does not follow that by leaving the roads at 30 mph, that is the speed the majority of drivers will drive at. There is significant scope between 20 and 30 mph, to select a speed that is appropriate to the prevailing road conditions. Setting a 20 mph limit inappropriately will result in the limit being taken as either a target speed or ignored, which then increases the danger to pedestrians and cyclist who may not be able to tell the vehicle is travelling at a higher speed than the posted limit.

Successful 20 mph zones and 20 mph speed limits are generally self enforcing. 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. [DfT C 1/2013 -6.1, 85] Signed only speed limits have shown that they only lead to a small reduction in speed\*. If the mean speed is at or below

24 mph then introducing a signed only 20 mph limit is likely to lead to compliance. The converse is that where the mean speed is more than 24 mph, (police enforcement threshold), signed only limits will not be effective in making the resulting speed generally compliant with a 20 mph limit.[DfT C 1/2013 -6.1, 85]. The Authorities own statistics show that the average speed on the two roads is above 24 mph in many of the counts it is in the around 28 mph. Traffic calming would therefore be required, which need not be road humps, but unless physical calming, would lead to requests for police enforcement. The character of Sussex Road and Church Street meet the definition of a 30 mph road shown in Table 1, DfT C 1/2013 at the end of section 6.

The speed scheme has been consulted on as a Zone and passed through the Area Committee as a Zone. Speed Zones require traffic calming measures or repeater speed limit signs and/or roundel markings at regular intervals, so that no point within the zone is more than 50 metre from such a feature.[DfT C 1/2013 -6.1, 80]. The advertised scheme will only use signage. Department for Transport advice is that the use of speed limit signs only should be restricted to those roads where speeds are already low, i.e. 24 mph or less. Sussex Road and Church Street do not fall into that category. It would therefore be incumbent on the Local Authority to provide traffic calming measures, which need not be road humps, so that the engineering brings about the necessary reduction in speed.

In terms of police enforcement the initial Agenda item contains a comment the Chief Inspector Roads Policing, which has been used to support the particular scheme. I have to doubt that the comments related to the Mornington Road Scheme, as there are clear statements from Merseyside Police published on the Wirral MBC web site (as a letter sent to all Merseyside Local Authorities) and of Whatdotheyknow.com web log which do not support the introduction of 20 mph schemes which will not be self enforcing. In particular one statement is that the Chief Inspector RPU comment was not provided in respect of the Mornington Road Scheme. It is my understanding that Merseyside Police take the view expressed by the ACPO Secretariat (2007) namely that, "***Whilst the benefit of reduced speed limits in residential areas is recognised, the means by which such a speed limit is achieved clearly rests with the advice provided by the department of the Environment, Transport and the Regions (DETR). This advice to local authorities should ensure that sufficient engineering works are in place to result in an average speed of 20 mph or less. It is not acceptable for the Police service to enforce such speed limits as a matter of routine***".

This stance was again stated to be the ACPO position to the House of Commons Transport Committee in February 2012, by the ACPO Lead, DCC Davenport. '*ACPO advises that 20 mph zones should be instituted only in areas where other measures had been taken to make them largely self-policing because if "it does not feel or look like it should be a 20 mph limit, then the vast majority of drivers will not self-police."*' At the present time Sussex Road and Church Street do not look or feel like 20 mph streets, in part due to the extensive use of yellow line road markings and the long straight nature of the streets.

Local speed limits should not be set in isolation. They should be part of a package with speed management measures including engineering and road geometry that respects the needs of all road users and raises the driver's awareness of their environment; education; driver information; training and publicity. Within these overall network management responsibilities, these measures should enable traffic authorities to deliver speed limits and as importantly, actual vehicle speeds that are safe and appropriate for the road and its surroundings. The measures should help drivers to be more readily aware of the road environment and to drive at an appropriate speed at all times.[DfT C 1/2013 -2, 18]. To include these roads in the scheme therefore means that engineering solutions other than signage should be provided.

2) The issue was first placed before the Southport Area Committee on 21st November 2012 and a map showing the extent of the Scheme appeared on page 83 of the Agenda. There was also a worded list of streets. At the Area Committee meeting there was debate by elected Members about certain streets omitted from the scheme being included and that Sussex Road and Church Street should remain at 30 mph. [Agenda item 9, para 1.3. 23/01/2013]. The matter was deferred for further consideration in relation to the four streets discussed and to obtain the views of Arriva Transport. When the issue returned to the Area Committee on 21/01/2013, as Agenda item 9, certain roads originally included within the boundaries of the scheme zone had been omitted. There was no

statement in the Agenda item clearly referring to the removal of the roads from the scheme. The reference to the meeting with the Ward Councillors relates only to Hoghton Street, London Street, Sussex Road and Church Street. The elected members in voting in relation to the inclusion or exclusion of Sussex Road and Church Street would be unlikely be aware that they were voting on an a scheme which differed in area from that originally proposed, namely the removal of the Lord Street service roads. In terms of the central Lord Street service roads there is a heavy pedestrian use of these roads which is precisely the reason the town section of London Street was included within the scheme and why the roads, particularly St. Georges' Place, Lord Street service road should remain within the scheme. The pedestrian use of the service roads being along both footway and carriageway around the supermarket and hackney rank and in the region of the Crown Post Office and bank. In seeking approval for the progression of the traffic regulation order, the elected members were also asked to note the potential 20 mph speed limit areas in Southport and agree with the boundaries and methodology that is used to form 'blanket' 20 mph speed limit areas. [Recommendation (iv) page 55 Agenda item 9, 23/01/2013] The boundaries shown on the map on page 62 include the Lord Street service roads and the other roads missed off the worded list. The vote to agree the boundaries was therefore a vote to include the Lord Street service roads. A decision to remove roads from the scheme should not be made on the basis of the roads being in a conservation area and therefore aesthetics take precedence over safety. All the roads that have a junction with Lord Street are in the conservation area and will require signs .Therefore to take out the service roads shows lack of logic. It is not appropriate to remove the service roads as a 'neat' solution to the reduction of signs required. The Lord Street & Promenade Townscape Heritage Initiative Area Management Plan, whilst recognising that uncoordinated street furniture can cause clutter, also notes that high quality street furniture can also create a distinctive identity and that new street furniture should be elegant but simple and functional and easy to maintain.[Par. 5.29]. The THI does not therefore argue against traffic signs.

3) The order is flawed as by administrative error as there are roads within the scheme boundaries which should be included in the 20 mph scheme but are not named. It is not appropriate to state in correspondence to an elected member, that the roads, five in total, will be included with a future order. A traffic regulation order seeking to create a zone of reduced speed should include all the streets in the zone unless individually omitted by name, as they are to retain a 30 mph speed limit.

4) In the agenda of 23/01/2013, much is made of protecting vulnerable road users, namely students at Southport College as a reason for Church Street being a 20 mph road. Students at Southport College in many case will be drivers in their own right and due to that fact and their age, as young adults, will be street aware in terms of traffic hazards. By contrast, it is generally recognised that infant and junior school children are vulnerable. Even where junior children are allowed to make their own way to school, they will be less aware of traffic dangers and therefore more in need of protection. To therefore leave Holy Trinity Infant and Junior School, on the opposite side of the block, out of the scheme raises an issue of hypocrisy. Whilst Manchester Road is one of the Authorities strategic roads, which is to remain at 30 mph, there is no reason why a variable 20 mph speed limit cannot be used to provide protection to these vulnerable users. Such a limit should be created as part of the overall scheme, would enhance the scheme and demonstrate that the scheme really was based on road safety were actual risk had been considered.

Note:

DfT C 1/2013 = Department for Transport Circular 1/2013

\* The Transport Research Laboratory conducted a study for the DfT in 1998 which brought together a series of findings from local authorities and international case studies of traffic calming measures abroad.

It found that the use of speed limit signs alone only had a small effect on the mean average speed, by around 1-2 mph, whereas more extensive traffic calming measures such as speed cameras produced greater speed reductions.

Yours Faithfully