

Rights of Way Committee

Report Title:	Suffolk County Council (B1062 and Various Side Roads, Barsham, Beccles, Bungay, Mettingham and Shipmeadow) (50mph Speed Limit) Order 201-
Meeting Date:	Wednesday 25 January 2017
Lead Councillor(s):	Councillor James Finch (Cabinet Member for Highways and Transport)
Local Councillor(s):	Councillor David Ritchie
Director:	Geoff Dobson, Director of Resource Management
Assistant Director or Head of Service:	Alan Thorndyke, Head of Highway Network Management
Author:	Keith Sampson, Area Highway Engineer, Tel: 01502 521407, Email: keith.sampson@suffolk.gov.uk

Brief summary of report

1. To consider an objection to the advertised Traffic Regulation Order (TRO) for the introduction of a 50mph Speed Limit on the B1062 between Beccles and Bungay.

Action recommended

2. That the Cabinet member for Roads, Transport and Planning be recommended to approve the making of the Suffolk County Council (B1062 and Various Side Roads, Barsham, Beccles, Bungay, Mettingham and Shipmeadow) (50mph Speed Limit) Order 201- as advertised.

Reason for recommendation

3. The proposed 50mph speed limit is designed to improve the safety of vehicles using the B1062 between Beccles and Bungay, especially for those vehicles entering or leaving the B1062 at junctions and private accesses along the route.

Alternative options

4. Not to introduce the 50mph speed limit thereby retaining the current national speed limit. This may have implications on road safety especially for vehicles entering or leaving the B1062.

Who will be affected by this decision?

5. All road users using the B1062 and those that live along the route or need to access side roads will be affected to some degree

Main body of report

Background

6. Three of the Parish Councils that encompass the route have been seeking a reduction of the national speed limit down to 50mph since 2004. In 2006, Suffolk County Council undertook an Anxiety Relief scheme with improved road markings and signing in an attempt to reduce speeding along the route as the route did not meet the criteria for a reduction of speed limit at that time.
7. In March 2013, Suffolk County Council undertook a further safety scheme to remove the short section of dual carriageway at Barsham.
8. In the period between 1 October 2010 and 1 October 2015 there were 20 injury accidents on the B1062. In January 2016 there was a fatality. Of the 20 injury accidents, 9 involved vehicles attempting to turn off the B1062 into a side road or private access or enter the B1062 from a side road or private access.
9. On 18 April 2016, a report was submitted to the Speed Limit Panel to consider a change in the current speed limit from the current national speed limit down to a 50mph speed limit. The Panel resolved to approve the 50mph speed limit. Members of the Panel were concerned about the collision history of this road, the number of accesses/junctions and noted the support from the Police for a reduction in the speed limit. The Panel concluded that the request met the 50mph criteria in particular due to the facilities in the vicinity, some frontage development, the collision history, the mean speed (high 40/low 50mph), the number of accesses and junctions and pedestrian and cycling activities. (A plan showing the extents of the proposed Speed Limit is shown in Appendix A)
10. The proposals were advertised between 28 October 2016 and 21 November 2016. Initially two objections were received during this period. One from Bungay Town Council and one from a resident of Bungay. Bungay Town Council has subsequently withdrawn its objection.

Objection

11. An e-mail objection was received from a resident of Bungay. (A copy of the objection is shown in Appendix B). The objector raised the following concerns as a basis for the objection:
 - (a) The road is at present 60mph. This is comfortable throughout the length of the road as a maximum speed, obviously one would slow down as and when required for side roads, corner etc. The road suffers from impatient drivers, but lowering the speed limit will result in more frustrated drivers which will result in more overtaking along the road, which would make it MORE dangerous not less
 - (b) It doesn't matter what limit you put on this road, if it is never policed then people can drive as fast as they like.
 - (c) As a driver if I am overly concerned in ensuring I am driving below 50mph then in fact I might be paying less attention to the road.
 - (d) Whist it is sad that someone was killed on the road, I have often overtaken other vehicles at this location perfectly safely. Drivers have to make these judgements every day and accidents sometimes occur. Why should a

50mph speed limit be slapped on a road, just because on one occasion someone made an error of judgement on an icy day?

Officer Comments

12. Some drivers using the B1062 between Beccles and Bungay may consider a 60mph speed limit to be a suitable limit, however, the Parish Councils through which the road passes, those that live adjacent and those that need to enter or leave the B1062 would consider that 60mph currently makes it less safe and this is supported by the number of injury accidents.
13. Enforcement of speed limits resides with Suffolk Constabulary and is outside the responsibility of Suffolk County Council.
14. Drivers have a responsibility to ensure that whilst they are in control of a vehicle they pay full attention to the road ahead.
15. The proposed 50mph speed limit is not being imposed because of one fatality but due to fact that it has met the 50mph speed limit criteria in particular due to the facilities in the vicinity, some frontage development, the collision history, the mean speed (high 40mph/low 50mph), the number of accesses and junctions and pedestrian and cycling activities.

Human Rights Act 1998

16. The objections need to be considered in the light of the Human Rights Act 1998, S. 6 of which prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights. Two specific convention rights may be relevant:

Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6) which includes property rights and can include opportunities to be heard in the consultation process; and

Peaceful enjoyment of possessions (including property), subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest (First Protocol Article 1).

Other rights may also be affected including individuals' rights to respect for private and family life and home.

Regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole. Both public and private interests are to be taken into account in the exercise of the Council's powers and duties as a traffic authority. Any interference with a Convention right must be necessary and proportionate.

The Council is required to consider carefully the balance to be struck between individual rights and the wider public interest. In this case, officers consider that the interference with Convention rights, if there is any, will be justified in order to secure the significant benefits in improving road safety.

Sources of further information

The following can be provided electronically to Councillors if required by contacting the author of the report:

- a) Report to the Speed Limit Panel
- b) Appendix A to the Speed Limit Panel Report - Speed Data
- c) Appendix B to the Speed Limit Panel Report – Accident Details
- d) Resolution of the Speed Limit Panel