

## Rights of Way Committee

<b>Report Title:</b>	B1122 Leiston Road, Aldeburgh, Speed Limit TROs
<b>Meeting Date:</b>	Tuesday 7 March 2017
<b>Lead Councillor(s):</b>	Councillor James Finch - Cabinet Member for Highways and Transport
<b>Local Councillor(s):</b>	Councillor Richard Smith
<b>Director:</b>	Geoff Dobson, Director of Resource Management
<b>Assistant Director or Head of Service:</b>	Alan Thorndyke, Head of Highway Network Management
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### Brief summary of report

- To consider the objections and support to the advertised traffic regulation order (TRO) for the proposed traffic speed restrictions along the B1122 Leiston Road, Aldeburgh. The Rights of Way Committee will then submit a recommendation to the Cabinet Member for Highways and Transport.
- Following concerns from local residents over traffic speed and safety along the B1122, Suffolk Highways formally advertised the TRO detailed in Appendix A. The proposals included an extension of the existing 30mph in Aldeburgh and a conversion of the de-restricted speed limit to a 40mph speed limit. In response to the advertised order there were 24 objections and 20 formal representations of support.

### Action recommended

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| <ol style="list-style-type: none"> <li>That the Cabinet Member for Highways and Transport be recommended to approve the Suffolk County Council (B1122 Leiston Road, Aldeburgh) (40 MPH Speed Limit and Revocation) Order 201- as advertised.</li> </ol> |
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### Reason for recommendation

- These 40mph and 30mph speed limits are intended to reduce vehicle speeds and improve road safety for all road users along the B1122.
- The proposed 30mph speed limit on Leiston Road, Aldeburgh runs through a built-up area with a footpath and a system of street lighting.
- The proposed 40mph speed limit runs through an area with developments on both sides of the road and forward visibility is reduced from blind summits and

hidden dips, as a result traffic speeds are more appropriate to 40 mph than higher speed limits.

7. These proposals were requested following concerns from local residents and have been considered by Suffolk County Council speed limit case panel who consider that they meet the county council's speed limit policy.

### **Alternative options**

8. Leave the B1122 speed limits as existing and allow current highway conditions to prevail or implement in part.

### **Who will be affected by this decision?**

9. Local residents, visitors, commuters, cyclists and tourists to the east coast.

### **Main body of report**

#### **Background**

10. This section of the B1122 consists of a 30mph speed limit in Aldeburgh, a 40mph buffer to the north and a 2km derestricted section adjoining the 40mph at the southern end of Aldringham.
11. It is a relatively straight section of road with undulating vertical alignment, blind summits and hidden dips with trees, hedges and vegetation either side. It is on average 6.1m wide with no footpaths, forward visibility is limited due to the nature of the carriageway.
12. No overtaking (double white lines) were added to the carriageway either side of the North Warren estate (totalling 800m).
13. Residents who live along the B1122 have requested a reduction in the speed limit on numerous occasions.
14. This request was last presented in front of the Speed Limit Panel and accepted in July 2016. It was felt that the number of properties and forward visibility was more appropriate to a 40mph speed limit. Additionally, the existing 40mph limit approaching Aldeburgh was more consistent with a 30mph limit.

#### **Consultation**

15. The design detailed in Appendix A was formally advertised between 17 January 2017 - 8 February 2017.
16. Suffolk Legal received 24 formal objections, these are detailed in full in Appendix B. There were 20 formal representation of support, these are detailed in full in Appendix C.

#### **Objections**

The objections are detailed in full in Appendix B, the recurring reasons are listed below:

17. **Against the Proposed 30mph**
  - a) There is no evidence / recorded accidents attributed to speed.
18. **Against the Proposed 40mph**
  - a) There is no evidence / recorded accidents attributed to speed.

- b) More accidents will occur as frustrated drivers attempt to overtake slower moving vehicles.
- c) Cost of implementing the scheme cannot be justified.
- d) Residents refer to other roads in the area that they see as more problematic.

### **Support**

19. The representation of supports are detailed in full in Appendix C, the recurring reasons included:
- a) Many properties and tracks (some hidden) adjoin the road.
  - b) Due to the nature of the carriageway forward visibility limited, this is especially apparent when vehicles are turning onto or from the highway. The excessive speed of vehicles reduces the time drivers have to react to oncoming traffic.
  - c) Residents have experienced numerous near misses.
  - d) There have been accidents (not listed in the speed limit report) resulting in injury and insurance write-offs.
  - e) The double white lines (no overtaking) are being ignored.
  - f) The road is currently unsafe for cyclists and pedestrians.
  - g) Residents have been campaigning for a reduce speed limit since 2000.

### **Officers Comments**

20. Both speed limit amendments are supported by the recommendations of the speed limit panel.

### **Proposed 30mph Speed Limit**

21. Only a few residents objected to the extension of the 30mph speed limit. The 30mph was proposed due to the number of adjacent properties, the footpath and the system of street lighting.
22. There were no recorded accidents in the period between January 2011 and January 2016.

### **Proposed 40mph Speed Limit**

23. The residents who claim there is no evidence or accident data are referring to the speed limit report which references two injury related collisions which occurred over a five year period between January 2011 and January 2016.
- The first was when a wing mirror struck a cyclist who was wearing dark clothing. The second was attributed to aquaplaning on a section of standing water.
  - However, the number of near misses and the unrecorded accidents (some are detailed in Appendix C) are not mentioned within the speed limit report.
24. Drivers should travel at speeds suitable for the layout of the carriageway. Frustrated drivers should only overtake when it is safe to do so and outside of the double white lines (as per the current restriction).
25. Forward visibility is restricted and this can become a serious issue with slow moving vehicles and especially cyclists. A main concern is when vehicles are

trying to turn off or onto the carriageway and the fact that these vehicle need to manoeuvre at low speeds.

26. The scheme is being funded by Cllr Richard Smith's Local Highways Budget fund who supports the proposals.
27. The different roads listed in the objections and the various problems associated with them are outside the remit of the Rights of Way Committee.
28. The proposals result from repeated campaigning from residents who live in close proximity to the B1122. The proposals are mainly opposed by people who regularly commute on the B1122.

### **Human Rights Act 1998**

29. 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**

- a) Appendix A – Advertised Design
- b) Appendix B – Objections
- c) Appendix C – Formal Support
- d) Speed Limit Cases Panel Report (2016) available on request