

**Report to:** Lead Member for Transport and Environment

**Date of meeting:** 26 June 2023

**By:** Director of Communities, Economy, and Transport

**Title:** Notice of Motion to review and update policy PS05/02 Local Speed Limits

**Purpose:** To consider the Notice of Motion requesting the County Council to review and update policy PS05/02 and demonstrate that it is in line with Department for Transport Circular 01/2013 to include a full audit of speed limit assessments completed in the last two years.

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**RECOMMENDATIONS:** The Lead Member is recommended to recommend that the County Council rejects the Motion.

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## 1 Background Information

1.1 The following Notice of Motion has been submitted by Councillor Denis and Councillor Georgia Taylor:

*Policy PS05/02 sets out the Council's policy on local speed limits. It claims to be in line with Government best practice guidance and legislation on road safety. (Road Traffic Regulation Act, and more recently the Department of Transport Circular Roads 01/2013.)*

*The Policy sets out speed limits in section 5 of this policy with average speed limits and it states that if average speeds are above that level then, subject to "available resources", where injury or crashes at a site justify the necessary expenditure, engineering measures will be implemented first and, if this is not possible, then a lowering of the speed limit may be introduced.*

*This policy oversimplifies an approach to road safety and speed limits that is not consistent with the guidance outlined in the Department of Transport Circular Road 01/2013.*

*The above Circular sets out that "Local traffic authorities are responsible for determining speed limits on the local road network".*

*It continues: "The underlying aim should be to achieve a 'safe' distribution of speeds. The key factors that should be taken into account in any decisions on local speed limits are:*

- *history of collisions*
- *road geometry and engineering*
- *road function*
- *composition of road users (including existing and potential levels of vulnerable road users)*
- *existing traffic speeds*
- *road environment*

*While these factors need to be considered for all road types, they may be weighted differently in urban or rural areas. The impact on community and environmental outcomes should also be considered" [my emphasis].*

*The following parts of the policy PS05/02 are not consistent with national Circular 01/2013: specifically:*

- *Paragraph 5. Speed limit table is an over simplification of a complex assessment and as such is only one part of the overall process. Using this table in this way means that the views and experiences of residents are not being taken into account when assessing speed limits as set out in the Circular. (ref 23 Circular 01/2013)*

- *Paragraph 6. Refers to speed limits being investigated will be subject to “available resources”. The Circular outlines a cost benefit analysis that includes a wide range of non monetary benefits that have to be considered including quality of life factors and fear of speeds [my emphasis]. (ref: 31 Circular 01/2013)*
- *Paragraph 7a: casualty reduction: The Circular further sets out that the assessment is not simply about casualties on a road or killed or seriously injured, but is a more complex process of assessment that has to include the experience of other road users, pedestrians, cyclists, horses and riders [my emphasis] (ref 32 Circular 01/2013)*
- *Paragraph 7c: The self enforcing requirements of PS05/02 is not a defacto requirement. It is a factor to consider and as such the danger is that policy is used to uphold existing speed limits rather than consider why compliance might be an issue and how to address compliance. (ref 26 Circular 01/2013).*
- *Appendix A outlines an approach to speed limit criteria that is equally outwith of the national guidance, which requires local traffic authorities to perform an assessment that includes listening to local residents, and introduce 20mph speed limits in towns AND villages, “particularly where the streets are being used by people on foot and on bicycles, there is community support and the characteristics of the street are suitable” (ref 84 Circular 01/2013).*

*Such priorities are given further emphasis in the January 2022 revisions to the Highway Code, in particular, the clear notation on the ‘Hierarchy of Road Users’, which “places those road users most at risk in the event of a collision at the top of the hierarchy. ... [These are] pedestrians, cyclists, horse riders and motorcyclists, with children, older adults and disabled people being more at risk.”*

*This Council agrees:*

- To request the Lead Member for Transport to demonstrate that PS05/02 and its operational implementation is fully in line with the Circular 01/2013 with a full audit of speed limit assessments completed in the last 2 years.*
- To request that the Lead Member shares the results of this audit with Full Council within two months.*
- That PS05/02 be reviewed within the next two months and be presented to Full Council to ensure it is fully in line with all aspects of Circular 01/2013*
- That community and resident experience, quality of life and fear of speeds are included as explicit criteria in PS05/02 as clearly indicated in Circular 01/2013.*

1.2 In line with County Council practice, the matter has been referred by the Chairman to the Lead Member for Transport and Environment for consideration to provide information and inform debate on the Motion. The Lead Member’s recommendation on this Notice of Motion will be reported to the Council at its meeting on 11 July 2023. A copy of the Notice of Motion is included as Appendix 1 to this report.

## **2 Supporting Information**

2.1 Adopted Policy PS05/02 Local Speed Limits (included as Appendix 2 to this report) was approved by the Lead Member for Communities and Safety on 16 March 2018. It is based on a range of national guidance issued by The Department for Transport (including Circular 01/2013 that provides guidance to local authorities for assessing and setting speed limits), best practice, and is informed by the Council’s experience of achieving effective speed limits. Circular 01/2013 is government guidance and whilst it provides high level advice about what should be considered when setting effective speed limits, it is not definitive.

2.2 East Sussex County Council (ESCC) is committed to working with all stakeholders to improve road safety across East Sussex, including our partners on the Sussex Safer Roads Partnership.

### Setting effective speed limits

2.3 The principal aim in determining appropriate speed limits is to provide a consistent message between the speed limit and what the road looks like, and for changes in the limit to be reflective of changes in the road layout and characteristics.

2.4 The use of average speeds to help define the level of a new speed limit recognises that most road users drive at a speed that they consider to be safe and appropriate for the road characteristics. A limit should therefore seek to reinforce what an average driver sees as the safest speed for the environment, thereby achieving the highest level of compliance and a 'safe distribution' of vehicle speeds.

2.5 The 'Key points' section to Circular 01/2013 includes that 'speed limits should be evidenced, self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance'.

2.6 It also states that the guidance should also 'be used as the basis for assessments of local speed limits, for developing route management strategies and for developing the speed management strategies which can be included in Local Transport Plans'.

2.7 National and international studies have indicated that reducing a speed limit with traffic signs and road markings alone only reduces the average speed of traffic by about one or two mph at most, and only then when a driver can readily see the reason for the lower limit. This replicates the Council's own findings from before and after studies when lower speed limits have been introduced.

2.8 This is reflected in the guidance which states 'unless a speed limit is set with support from the local community, the police and other local services, with supporting education, and with consideration of whether engineering measures are necessary to reduce speeds; or if it is set unrealistically low for the particular road function and condition, it may be ineffective and drivers may not comply with the speed limit'. In addition, evidence indicates that where signed only speed limits are introduced which do not match the average speed of traffic, there can be increased overtaking and conflict between drivers, which increases the likelihood of collisions.

2.9 Sussex Police have confirmed that they will not support any lower speed limits that cannot demonstrate that they will be self-enforcing and that they will not provide any additional enforcement over that which would have been provided prior to the introduction of any lower limit.

2.10 It is therefore important that any consideration relating to a lower speed limit must consider the prevailing conditions and existing average speed of traffic, as this will demonstrate what is likely to be an effective speed limit. If a lower speed limit is deemed desirable but is not reflected in the road's characteristics or average speeds, then traffic management or engineering measures will be required to ensure that the imposed limit is effective.

### Review of relevant national guidance

2.11 Following receipt of the Notice of Motion, a review was undertaken of the relevant national guidance issued by The Department for Transport (including Circular 01/2013 and the January 2022 revisions to the Highway Code) and this concluded that adopted Policy PS05/02 continues to reflect national guidance and best practice.

### Wider policy and operational context

2.12 It is important to clarify that the purpose of Local Speed Limit Policy PS05/02 is to clearly set out the key criteria required to ensure that speed limits are effective and should not be considered in isolation when considering how ESCC assesses and prioritises road safety concerns including requests for lower speed limits. It is important to consider the wider policy and operational context, including the County Council's Local Transport Plan, and the processes and criteria followed when setting the annual Capital Programme for Local Transport Improvements, the Annual Road Safety, Community Focused Road Safety and the Speed Management Programmes.

### Capital Programme for Local Transport Improvements

2.13 Each year the County Council develops and implements numerous local transport improvements funded through its capital programme of local transport improvements. In 2022/23 total funding of £11,776m was allocated (a combination of funding from the County Council, Local Growth Fund secured via the South East Enterprise Partnership and development contributions) which delivered over 50 schemes and studies across the county which include a number of road safety and active travel improvements.

2.14 All requested road safety and local transport improvements, including requests to change the speed limits are assessed against the established Local Transport Plan (LTP). The content of the capital programme is considered by the Lead Member for Transport and Environment on an annual basis. Key objectives against which requests are assessed include the extent to which it will:

- Improve the economy
- Improve public safety and health
- Tackle climate change
- Improve accessibility to employment, education, health facilities and other services
- Improve quality of life

2.15 A review of ESCC's Local Transport Plan commenced in Summer 2022. The Government's guidance on developing Local Transport Plans is due imminently and it is expected to indicate the need to focus on decarbonising transport as well as integrating the Government Levelling Up, Bus Back Better and Gear Change strategies into the Council's transport strategy for the county. A key element of the development of the new LTP has been to engage with members, stakeholders, local communities and businesses early and throughout the process to actively seek their views and comments. This was initially through public and stakeholder consultation on issues, opportunities and priorities in autumn 2022 and at present via a series of workshops on the vision, objectives, preferred strategy and potential interventions to deliver the strategy. A LTP Reference Group comprising members of the Place Scrutiny Committee and chaired by Councillor Redstone has been established to provide Member input and challenge throughout the LTP's development.

2.16 Consultation on the draft LTP strategy, which will include an updated scheme assessment process, will be undertaken in autumn 2023 with final adoption of the strategy programmed for early 2024.

### Annual Road Safety Programme

2.17 All road safety concerns that are raised by Members and residents are assessed by a member of the Road Safety Team and where appropriate improvements introduced. In addition, annually the Road Safety Team identifies sites that have the most personal injury crashes (PIC's) and put in place a programme of works to help reduce the number of casualties on these roads. As part of this year's Road Safety Programme, 49 locations have been identified where four or more PIC's have occurred in the three-year assessment period of 01/01/2020 to 31/12/2022.

### Community Focused Road Safety Schemes

2.18 The Council receive many requests for small scale road safety improvements to be made, including changes to speed limits, which do not meet the requirements to be considered as part of the Annual Road Safety Programme. To address these concerns £750,000 has been allocated from the Community Match underspend to deliver community focused road safety interventions. Selected schemes address identified road safety concerns and are identified by considering a range of issues and specific site characteristics, weighted to define their relative priority. Current funding will enable a three-year programme of works to be delivered. Approval has also been given

for any future underspends from the Community Match allocation to be allocated to support further Community Focused Schemes to be delivered.

#### Community Match Initiative

2.19 Where requests from Members or residents do not meet the criteria for inclusion in the above Programmes, the Community Match Initiative provides residents with the opportunity to take forward schemes to lower the speed limit where appropriate when these are funded locally. Where possible, the Council will support and assist local communities and town/parish councils to implement such schemes, if they are funded externally, or match funded through Community Match.

#### Notice of Motion

2.20 The Notice of Motion highlights extracts from Circular 01/2013. The Road Safety Team have regard to and consider the guidance as a whole during their assessment of sites for potential inclusion within the annual Road Safety Programme, the Capital Programme for Local Transport Improvements, the Community Focused Road Safety Programme and will do so when considering schemes for the Speed Management Programme. Appendix 3 sets out the sections of guidance referred to in the Notice of Motion and provides further clarification on when the Road Safety team consider these.

2.21 In order to undertake the assessment and analysis requested it would be necessary to divert officer resource away from delivering our annual road safety programmes as detailed above in this report.

#### Review of Speed Limits

2.22 Following the release of updated national guidance by the Department for Transport in 2006 the Road Safety Team completed a review of rural speed limits. As a result of this review, and in line with the guidance, several lower speed limits were introduced on rural roads. The speed limits met the guidance in terms of visual characteristics. The opportunity was taken to undertake some 'before and after' studies to help us understand the effect that introducing lower speed limits had on driver behaviour. The results of this study are included as Appendix 4 to this report.

2.23 The results demonstrate that producing lower vehicle speeds is more complex than solely relying on the introduction of a new speed limit and associated signing.

2.24 The Council is aware that neighbouring authorities have, or are considering, amendments to their adopted policies relating to the introduction of local speed limits and will assess the effectiveness and impact of these policy changes when outcomes are known.

2.25 A £500,000 budget has been allocated to undertake a new Speed Management Programme with additional on-going funding identified within future Capital Programmes.

2.26 As part of the Speed Management Programme a review will identify lengths of the main road network that would benefit from a reduced speed limit. It will also check that existing speed limits are effective and producing the desired reductions in vehicle speeds using available speed data and new in-vehicle telematics. The review will also identify sites of greatest need and local concern where proven traffic management measures would have a positive effect and enhance the effectiveness of the speed limit. Over the next three years, more than 25 stretches of road will benefit from speed limit reductions or measures that will increase the effectiveness of existing speed limits.

### **3 Conclusion and Reasons for Recommendations**

3.1 ESCC is committed to working with all stakeholders to improve road safety across East Sussex, including our partners on the Sussex Safer Roads Partnership.

3.2 Speed limit policy PS05/02 is based on national guidance issued by the Department for Transport, best practice, local experience, the views of Sussex Police as the appropriate

enforcement authority, and is reflective of what is required to produce an effective speed limit. The policy will continue to be reviewed regularly to ensure that it complies with the latest national guidance available.

3.3 The policy is not prescriptive and allows for lower speed limits to be considered for those locations deemed appropriate if the necessary traffic management or engineering measures are implemented to ensure compliance.

3.4 The policy has been found to be fit for purpose. It does not commit the Council to fund speed limits that are not an identified priority or linked to an approved scheme funded from alternative sources.

3.5 Following receipt of the Notice of Motion, a review was undertaken of the relevant national guidance issued by The Department for Transport (including Circular 01/2013 and the January 2022 revisions to the Highway Code) and this concluded that adopted Policy PS05/02 continues to reflect national guidance and best practice. Therefore, it is not recommended that valuable resources are diverted to undertake the review requested by this Notice of Motion.

3.6 The new Speed Limit Programme will assess the potential for lower speed limits across all A and B class roads within the County and identify a programme for improvements. Over the next three years, more than 25 stretches of road will benefit from speed limit reductions or measures that will increase the effectiveness of existing speed limits.

3.7 The Lead Member is recommended to recommend that the County Council rejects the Motion.

**RUPERT CLUBB**

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LOCAL MEMBERS

ALL

BACKGROUND DOCUMENTS

None