Motion to review and update Policy PS05/02

Background

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 simplifcation 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:

1. 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.
2. To request that the Lead Member shares the results of this audit with Full Council within two months.
3. 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
4. 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.

Proposer: Cllr. Johnny Denis

Seconder: Cllr. Georgia Taylor

Notes:

PS05/02 Local Speed Limits policy

https://democracy.eastsussex.gov.uk/documents/s26511/Speed%20Limit%20Policy%20PS05.02%20Appendix%202.pdf

Dept of Transport Circular 01/2013

https://www.gov.uk/government/publications/setting-local-speed-limits/setting-local-speed-limits#section-6-urban-speed-limits

Highway Code, Hierarchy of Road Users

https://www.gov.uk/guidance/the-highway-code/introduction