

Please note that in this report, the speed limit has been reviewed using both the 85th percentile speed and the mean speed from the speed survey. The results from both reviews are the same.

Barnsley Metropolitan Borough Council

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

Report of the Executive Director, Growth and Sustainability.

2nd of June 2023:

A629 Halifax Road, Hoylandswain

Proposed Speed Limit Order.

Objection Report

1. Purpose of Report

The purpose of this report is to consider one objection received during the Public Consultation stage of the proposal of a new 50mph speed limit on A629 Halifax Road between its junction with Hoylandswaine Roundabout, and a point 40 meters north-west of its junction with Huddersfield Road, Penistone.

- 1.1** To seek approval to reconsider the proposals in light of the objection and implement the proposed speed limit as originally advertised.

2. Recommendation

It is recommended that the Cabinet:

- 2.1** Agrees that the objection received be rejected for the reasons set out in the report and the objector informed accordingly.
- 2.2** Approves the proposal to enact a Traffic Regulation Order (TRO) to introduce a 50mph speed limit on A629 Halifax Road between its junction with Hoylandswain Roundabout, and a point 40 meters north-west of its junction with Huddersfield Road, Penistone as shown on Appendix 1 of the report submitted.
- 2.3** Authorises the Head of Highways and Engineering and the Legal Service Director to the Council to make and implement the Traffic Regulation Order.

3. Introduction/Background

- 3.1 BMBC has granted planning consent for a new housing development on land south of the A629 Halifax Road and west of Well House Lane, Penistone.
- 3.2 A planning condition of the new development was to investigate options of managing vehicle speeds in the vicinity of the new housing estate access junction on the A629.
- 3.3 A review of the current 'National Speed Limit' on the A629 Halifax Road was undertaken to assess the speeds of vehicles approaching, turning in and out of, and passing, the new entrance junction. The review considered both the current construction and passing traffic, and ultimately the use by residential traffic.
- 3.4 The result of the review, which includes 2 speed surveys, has shown that the speed at which 85% of traffic is travelling at is at, or below, 52mph. It is, therefore, possible to reduce the current speed limit to a more appropriate level without adversely affecting traffic flow.
- 3.5 Based on the results of the review, it is proposed to introduce a new 50mph speed limit for the A629 Halifax Road between its junction with Hoylandswaine Roundabout, and a point 40 meters north-west of its junction with Huddersfield Road, Penistone.
- 3.6 This new speed limit will be more appropriate and proportionate to this section of Halifax Road and the presence of the new junction, the potential for slowing traffic intending to turn into the new junction, and the available visibility and sight lines at, and approaching the new junction.
- 3.7 This scheme was advertised to the public between 24th of March 2023 and the 14th of April 2023, one objection response was received and recorded.

3 Consideration of Objections

Following public consultation of the proposal, there is one (1) outstanding objection to consider. The main concerns raised are listed below along with the Head of Highways and Engineering's comments in response in **bold**.

The objector opposes the proposed 50 mph speed limit and would like the speed to be reduced to 40 mph because 3 vehicle accidents have been witnessed along A626 Halifax Road in the past 4 years and the new proposed speed limit of 50mph will be ignored. The road is frequently used by racers travelling over 80mph and there are concerns about the safety of school children crossing the A629 Halifax Road going to nearby school. It is also anticipated that the new housing estate will put pressure on the A629. The

objector request the speed to be reduced up to the junction of Lakeside View.

Response: A decision to reduce the National Speed Limit to 50mph was based on an assessment completed using the Department for Transport Circular 01/06: Setting Local Speed Limits. This provides guidance to Highway Authorities on the factors which need to be taken into consideration when appraising an appropriate speed limit.

On A629 Halifax Road, the assessment was done based on vehicles approaching, turning in and out of the new entrance junction. The review considered both the current construction and passing traffic, and ultimately the use by residential traffic.

The results of the speed survey review have shown that the mean speed of traffic is 47mph.

Circular 01/06 advises that 'The aim should be to align the local speed limit so that the original mean speed driven on the road is at or below the new proposed speed limit for that road'.

In this case the proposed 50 mph restriction will achieve this.

The collision data obtained from the South Yorkshire Police (SYP) using the 'Crash' collision reporting system shows that between Hoylandswaine roundabout and junction of A629 Halifax Road and Renald Lane, there has been four serious accidents and three minor accidents in the last five years. One of the causation factors in two incidents out of seven was inappropriate/ excessive speed.

The South Yorkshire Police have indicated that it would not support a 40mph speed limit, unless significant additional measures were in place to ensure compliance. The 50mph speed limit order is appropriate on the basis that it accords with guidance from DfT which is based on robust research and it also maintains a consistent approach to speed management across the County.

It is not considered that reducing the speed limit further would achieve additional benefits because of the likelihood that drivers will not adhere to it without additional measures such as fixed or mobile cameras, both of which require significant funds and strong collision justification.

It is true that the character and alignment of the road usually have most influence on driver behaviour, and that speed limits are not a panacea for reckless driving. However, signing a limit nearer the average speed can give a clearer message of appropriate speed in this location.

A pedestrian crossing Island will be introduced on A629 Halifax Road near the entrance to the new development to provide pedestrians a two-stage safer crossing.

The proposed 50mph speed limit will terminate after the junction of Halifax Road and Huddersfield Road because beyond this point past the entrance to the fishing lake carpark to the junction of Lakeside View, the mean speed is 45mph which means that drivers are not travelling close to the maximum speed limit in this location due to the road geometry and environment. This means the National Speed Limit is still appropriate.

6. **Proposal and Justification**

It is proposed and recommended to implement the TRO as advertised and as shown on the plan at Appendix 2 of the report submitted.

7. **Consideration of Alternative Proposals**

7.1 Option 1 – Overrule the objections and proceed with the restrictions as advertised and in Appendix 1; **This is the preferred option.**

7.2 Option 2 – Revise the restrictions to reduce the lengths/types of restrictions. This option is not recommended for the following reasons:

- Large vehicle manoeuvres and the free flow of traffic will still be obstructed.
- It will not improve safety at the junctions.
- It will not fully prevent visibility issues at the junctions.
- It will not fully ensure the free flow of traffic.
- It will not fully improve access to businesses.
- It will not fully prevent inconsiderate and obstructive on-street parking.

7.3 Option 3 – Decline to introduce the restrictions. This option is not recommended for the following reasons:

- Large vehicle manoeuvres and the free flow of traffic will still be obstructed.
- It will not improve safety at the junctions.
- It will not prevent visibility issues at the junctions.
- It will not ensure the free flow of traffic.
- It will not improve access to businesses.
- It will not prevent obstructive on-street parking.

8. **Impact on Local People**

8.1 The speed surveys show that reducing the speed limit to 50mph will have little or no effect on the travelling public and local residents. The new speed limit will be more appropriate and improve the safety level of the whole road environment.

8.2 There is also several residential property accesses and side roads on this section of the A629 Halifax Road; a speed reduction would improve both visibility and manoeuvring of vehicles in and out of these junctions.

9. **Financial Implications**

- 9.1 The financial implications remain the same as previously reported and signed in the TRO and Delegated Powers Report (TDPR) of the report submitted.

10. **Legal Implications**

- 10.1 The Road Traffic Regulation Act 1984 provides the appropriate powers for the Council to make the proposed TRO and the Council is satisfied it is expedient to make the Order for avoiding danger to persons or other traffic using the roads and for preventing the likelihood of any such danger arising, and for facilitating the passage of traffic on the roads.
- 10.2 In determining the extents of the proposed restrictions, the Council has had due regard to the duty imposed on it to exercise the functions conferred on it by the Road Traffic Regulation Act 1984 so as to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway (section 122 Road Traffic Regulation Act 1984) and is satisfied the traffic restrictions proposed will achieve those objectives.

11. **Consultations**

- 11.1 Internal Consultation took place between the 2nd of September and 30th September 2022 – No objections were received.
- 11.2 Public Consultation took place between the 24th of March and the 14th of April 2023 – 1 objection was received.
- 11.3 No additional consultations are required.

12. **Risk Management Issues**

Risk	Mitigation/Outcome	Assessment
1. Challenge to the proposals because they infringe the Human Rights Act	It is not considered the proposals have any interference with convention rights. Any potential interference must be balanced with the duty of the Council to provide a safe highway for people to use. The Legal Service Director to the Council has developed a sequential test to consider the effects of the Human Rights Act which are followed.	Low

<p>2. Legal challenge to the decision to make the TRO.</p>	<p>The procedure to be followed in the making of TROs is prescribed by legislation which provides an opportunity to object to proposals which must be reported for consideration by Cabinet and there is an opportunity to challenge an order once it is made by way of application to the High Court on the grounds that the order is not within the statutory powers or that the prescribed procedures have not been correctly followed. Given that the procedures are set out and the Council follows the prescribed procedures the risk is minimal.</p>	<p>Low</p>
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13. Compatibility with European Convention on Human Rights

13.1 It is not considered the proposals have any potential interference with convention rights.

14. List of Appendices

Appendix 1 - Officer Delegated Report dated 19th of August 2022
Appendix 2 - Plan showing the proposed speed limit.

15. Background Papers

15.1 File ref: 4225.

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Date: March 2023.