

**For General Release**

<b>REPORT TO:</b>	<b>Cabinet -12 December 2016</b>
<b>AGENDA ITEM:</b>	<b>6</b>
<b>SUBJECT:</b>	Croydon Area-Wide 20mph Speed Limits (Revised Engagement Procedure)
<b>LEAD OFFICER:</b>	Shifa Mustafa Executive Director - Place
<b>CABINET MEMBER:</b>	Councillor Stuart King Cabinet Member for Transport and Environment
<b>WARDS:</b>	Broad Green, Coulsdon East, Coulsdon West, Croham, Fairfield, Fieldway, Heathfield, Kenley, New Addington, Norbury, Purley, Sanderstead, Selsdon & Ballards, Shirley, Waddon, West Thornton
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>	
<p><b>This project addresses the corporate policies adopted in the Corporate Plan 2015-2018 to enable Growth, Independence and Liveability. This report helps address the Liveability strategy of the Plan with particular emphasis on the Transport vision to:</b></p> <ul style="list-style-type: none"> <li>• Implement the 20-year Transport Vision to improve safety and access for all road users, particularly pedestrians, cyclists and people travelling by public transport.</li> <li>• Implement an area-wide 20mph maximum speed limit scheme across Croydon, on an area by area basis, subject to public consultation in each area.</li> </ul>	
<b>AMBITIOUS FOR CROYDON &amp; WHY ARE WE DOING THIS:</b>	
<p>As part of Ambitious for Croydon, there are plans to improve the way that the council delivers on its roads and transport agenda, including :</p> <ul style="list-style-type: none"> <li>• Introducing 20mph speed limits to all roads except major through routes and those where there are proven reasons for them being impracticable.</li> <li>• Improve safety for cyclists and pedestrians. Ensure that these policy initiatives are embedded within the developing Transport Vision.</li> </ul>	

## **FINANCIAL IMPACT**

The cost of implementing an area-wide 20mph speed limit across the three remaining areas in the borough of Croydon is estimated to be £300,000 / area. The cost of this proposal is met from TfL funding secured through the annual Local Implementation Plan (LIP). If the recommendations in this report are agreed the council will be able to save £10,000 per area and £30,000 in total for the remaining schemes in the project.

**KEY DECISION REFERENCE.:** Not a Key Decision

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendation below:

### **1. RECOMMENDATIONS**

That Cabinet:

- 1.1 Agree that the processes previously agreed by Cabinet in March 2015 (Min reference A39/15) and used by officers to engage residents/businesses in parts of Croydon for a maximum 20mph speed limit be replaced so that the Council proceeds directly with a statutory consultation without a prior 'opinion seeking survey' in the area affected for the reasons set out in this report.
- 1.2 Delegate to the Cabinet Member for Transport and Environment the authority to decide in consultation with the Executive Director of Place the network of roads which are to remain unaffected by the maximum 20mph speed limit proposal prior to the statutory consultation.

### **2. EXECUTIVE SUMMARY**

- 2.1 The council has made a commitment to seek the introduction of area-wide 20mph speed limits across the borough so as to improve road safety through a reduction in the number of injury collisions, to encourage walking and cycling, and thereby make a positive contribution to improving health and tackling obesity, to improve accessibility and reduce congestion, and improve the local environment, quality of life and community cohesion.
- 2.2 This report details the reasons for a change in the previously approved community engagement procedures which Cabinet approved following the cabinet report dated 16 March 2015. This recommendation is for cabinet to agree a revised simpler procedure, which will be used in the remaining part of the borough which is yet to be consulted for the 'Croydon area-wide 20mph speed limit proposal' (see plan attached as Appendix A).
- 2.3 This report identifying the need to remove the 'opinion seeking surveys' for the remaining three areas of Croydon's area-wide 20mph speed limit proposal is made to Cabinet as it was Cabinet that had approved the previous procedure via the Cabinet report dated 16 March 2015.

### **3. DETAIL**

#### **3.1 BACKGROUND INFORMATION**

- 3.1.1 On 16 March 2015, cabinet considered an officer report titled 'Croydon Area-Wide 20mph Speed Limits' which discussed details of the council's proposal to introduce a maximum 20mph speed limit in residential roads throughout the borough. The report at appendix B attached a map showing the borough broken down into five areas. Each area was to be engaged twice, through an 'opinion seeking survey' and then by a statutory consultation before the Traffic Management Advisory Committee (TMAC) makes its recommendation to the Cabinet Member for Transport and Environment that the Traffic Management Order/s should be made. The timetable for completing the consultation processes for all five areas in the borough was anticipated to be March 2018.
- 3.1.2 Cabinet agreed to the community engagement process (opinion survey) as laid out in the 16 March 2015 cabinet report and that the statutory consultation process would commence thereafter only if sufficient support from residents was established from the opinion surveys. The 'opinion seeking' process for area one was carried out in May/June 2015 followed by the statutory consultation in Nov/Dec 2015. This process was repeated for the second area with the start of the 'opinion seeking survey' in April/May 2016 and the statutory consultation in July/August 2016. Approval from TMAC to make the Traffic Management Order for area 2 was obtained in October 2016. Implementation of the maximum 20mph speed limit for area 2 is likely to be completed by March 2017.
- 3.1.3 From the experience in terms of timescales used in areas one and two, it is clear that the target date of March 2018 to engage and statutorily consult the remaining three areas cannot be met. This report sets out a recommendation to revise the previously used engagement procedures so that officers can ensure that areas three, four and five can be statutorily consulted by the target date of March 2018 as promised by the current administration. In revising the procedure, officers recommend that the 'opinion seeking process' be omitted but the regulatory requirements necessary for a statutory consultation be retained.

#### **3.2 REASONS FOR CHANGING THE ENGAGEMENT PROCESS**

- 3.2.1 A statutory consultation is the mandatory process set out in "The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996" which must be followed before the local authority can set local rules on traffic matters. The statutory consultation process involves the publication of a Public Notice that contains the details of what is being proposed in the form of a document called a Traffic Management Order (TMO). The notice invites anyone wishing to object to the TMO to do so within a set period of time. During a statutory consultation, any person wishing to object to the proposal can do so by providing valid reasons for their objection. The council has a duty to consider all objections and address those which are considered material before it can decide whether or not to implement the TMO. All material objections received on the giving of public notice will be reported to the councils Traffic Management Advisory Committee (TMAC) which will consider them before determining whether or not the TMO can be made.

- 3.2.2 Experience from the 'opinion surveys' carried out with residents/businesses in areas one and two both showed some support from within the areas to the council's proposal to lower the maximum speed limit and therefore the council proceeded with the statutory consultations.
- 3.2.3 From the experience gained from areas one and two, it is clear that there was confusion over the two stage decision making process i.e. opinion survey and then statutory consultation. The revised approach proposed in this report, seeks to remove that confusion by applying a single statutory process without a prior 'opinion survey' for the remaining areas three, four and five.
- 3.2.4 Removing the 'opinion survey' for areas three, four and five will help to ensure that the whole borough is formally consulted on the 20mph speed limit as quickly and efficiently as possible and by no later than March 2018 as was agreed through the Cabinet paper 16 March 2015.
- 3.2.5 It is worth noting that where other London boroughs have introduced area-wide 20mph speed limits, they have all, to our knowledge, carried out the statutory consultation only which provides an opportunity for anyone wishing to object to the change to be able to do so. These boroughs have not proceeded with a prior 'opinion survey' with residents/businesses to determine the level of support for their proposal. In adopting this process, Croydon are aligning ourselves with London-wide practice but maintaining the statutory process as set out in 'The Local Authorities Traffic Order (Procedure) (England and Wales) regulations 1996.

#### **4 PROPOSED PROCESS FOR CONSULTATIONS IN AREAS 3, 4 and 5**

##### **4.1.1 CONSULTATION PROCESS**

- 4.1.2 The council will publish separate Traffic Management Orders for each of the three remaining areas. As required by regulations the notices will be published in the local paper and in the London Gazette.
- 4.1.3 All properties within the areas will be sent a newsletter/copy of the public notice (relevant to their area) which will inform the property holder about the proposal and how they are able to make objection.
- 4.1.4 The statutory requirement is to allow anyone wishing to object to the proposals 21 days. However it is recommended that a longer period than the minimum required by regulations be given for the three areas. It is proposed that a minimum period of 28 days is allowed for the receipt of objections. During this period the council will also consult other relevant organisations. The consultation period will run during 18 January 2017 till 15 February 2017. The consultation report will be prepared for TMAC to consider following the close of the statutory consultation.
- 4.1.5 Street notices which are relevant to the area will also be placed on site.
- 4.1.6 The council also proposes to ensure that libraries in the area obtain a copy of the order together with the proposal drawing for the public to review.

- 4.1.7 The scheme webpage [www.croydon.gov.uk/20mph](http://www.croydon.gov.uk/20mph) will contain details of the scheme proposal and inform the public on how they can object if they wish to do so.
- 4.1.8 In order to publicise the statutory consultation, the council's Communications team will carry out the following activities:
- Publish the consultations on the council's Get Involved website
  - Publish on the main website

## 5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

### Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2016/17 £'000	2017/18 £'000	2016/17 £'000	2017/18 £'000
<b>Revenue available</b>				
Expenditure	0	0	0	0
Income	0	0	0	0
<b>Effect of decision from report</b>				
Expenditure	0	0	0	0
Income	0	0	0	0
<b>Remaining budget</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Capital available</b>				
Expenditure	0	300	300	300
<b>Effect of decision from report</b>				
Expenditure	0	290	290	290
<b>Remaining budget</b>	<u>0</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>

#### 1. The effect of the decision

This scheme is funded by Transport for London (TfL) from the Council's 2016/2017 Local Implementation Plan allocation which is allocating £300k per annum over four years. A decision to proceed will result in a saving of £10k per annum/area, subject to successful outcome of the statutory consultations for areas three, four and five. The current year (2016/2017) scheme has already gone through consultation so will not be affected by this decision.

#### 2. Risks

There is a risk that if the current recommendation relating to the change in consultation strategy is not agreed, the remainder three areas in the borough may not all be provided the opportunity for the statutory consultation relating to Croydon's area-wide 20mph speed limit proposal by March 2018.

### 3. Options

The alternative option to the recommendations in this report is to continue with the engagement and consultation procedures as agreed by Cabinet in March 2015. The above risk would apply if the recommendations made by this report are not approved.

### 4. Future savings/efficiencies

There is no anticipated direct future savings as a result of this report other than those detailed above. There may be indirect savings within the council and with partner organisations if casualty rates are reduced as a result of implementation.

Approved by: Zulf Darr, Interim Head of Finance, Place & Resources

## **6 COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

6.1 The Council Solicitor comments that the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations provide general consultation and publication requirements. Regulation 7(c) provides that before making an order the authority shall take other steps as it may consider appropriate for ensuring that adequate publicity about the order is given to persons likely to be affected by its provisions.

6.2 As local authority and Highway Authority for the roads within the Borough, has the power under s84 of the Road Traffic Regulation Act 1984 ("the 1994 Act") the Council may make TMO's imposing a 20 mph speed limit. Section 89 of the 1994 Act makes it an offence for the driver of a vehicle to exceed the speed limit imposed under s84.

6.3 The Council also has a duty under s122 of the 1984 Act to exercise its functions (including setting speed limits) to "secure the expeditious, convenient and safe movement of vehicular and other traffic...". Factors that it must have particular regard to are: (a) maintaining access to premises; (b) effect on amenities the area; (c) facilitating the passage of public service vehicles; (d) and other relevant matters. There are also strict requirements on the Council over the erection and maintenance of speed limit signs as set out in the Traffic Signs Regulations and General Directions 2016 which must be complied with. This is particularly important to successful enforcement action

Approved on behalf of Jacqueline Harris-Baker, Acting Council Solicitor and Monitoring Officer.

## **7 HUMAN RESOURCES IMPACT**

7.1 There are no human resources implications arising from this report  
Approved by: Jason Singh, HR Business Partner on behalf of the Assistant Director of Human Resources.

## **8 EQUALITIES IMPACT**

- 8.1 The Council is proposing the introduction Croydon Area Wide 20mph Speed Limits to improve road safety through a reduction in the number of injury collisions, to encourage walking and cycling, thus making a positive contribution to improving health and tackling obesity, improving accessibility, reducing congestion, improving the local environment, improving the quality of life for all groups (including those that share a protected characteristic) and strengthening community cohesion.
- 8.2 The proposal is likely to improve conditions for all the protected groups and has the potential to ease community severance by aiding the development of healthy and sustainable places and communities. In reducing the perception of road danger the scheme should enable the protected groups to make more and better use of their local streets
- 8.3 The proposal is likely to benefit in particular, certain groups that share a “protected characteristic such as people with a disability, older people and children in providing additional road safety (as pedestrians), whilst in comparison the more able pedestrians would benefit to a lesser degree.
- 8.4 An initial equalities impact assessment has been carried out on this proposal and it is considered that a full assessment is not necessary at this stage, as the changes are likely to benefit a number of groups that share a “protected characteristic” as detailed in the initial assessment. However the scheme if implemented should be monitored as it progresses and if any negative impact on the protected groups is identified, the council will look to address them.

## **9 ENVIRONMENTAL IMPACT**

- 9.1 Road casualty reduction is a Public Health priority. It is anticipated that the reduction in speed limits to 20mph in residential and commercial areas will help to reduce collisions and the severity of the outcome of some collisions. It is estimated that over 95% of pedestrians involved in a collision at 20mph survive, compared with only 80% at 30mph (ROSPA factsheet). A review of the impact of introducing 20mph zones in London over a twenty year period (Grundy et al 2009) demonstrated a reduction in road casualties particularly amongst young children. It is likely that the scheme will support people to choose more physically active lifestyles by opting to make healthier active travel choices such as walking and cycling which in turn will help to reduce emissions and improve air quality by reducing congestion.

## **10 CRIME AND DISORDER REDUCTION IMPACT**

- 10.1 There are no direct implications arising from the proposals.

## **11 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 11.1 The revised consultation procedure meets the minimum regulatory requirements for statutory consultations and will ensure that the council is able to consider the maximum 20mph speed limit for the remaining areas of Croydon by March 2018.

## 12 OPTIONS CONSIDERED AND REJECTED

- 12.1 The option of continuing with the previously agreed processes of consultations will not allow all areas of Croydon to be consulted for Croydon's area-wide 20mph speed limit proposal by March 2018.

### **CONTACT OFFICERS:**

Mike Barton-Service Manager Highway Improvement ext61977  
Waheed Alam-Traffic &Highways Engineer ext52831

### BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

- 1) **Croydon Area-Wide 20mph Speed Limits** (Cabinet report 16 March 2015).

*Report can be accessed from*

<https://secure.croydon.gov.uk/akscroydon/users/public/admin/kab14.pl?operation=SUBMIT&meet=34&cmte=CAB&grpId=public&arc=1>

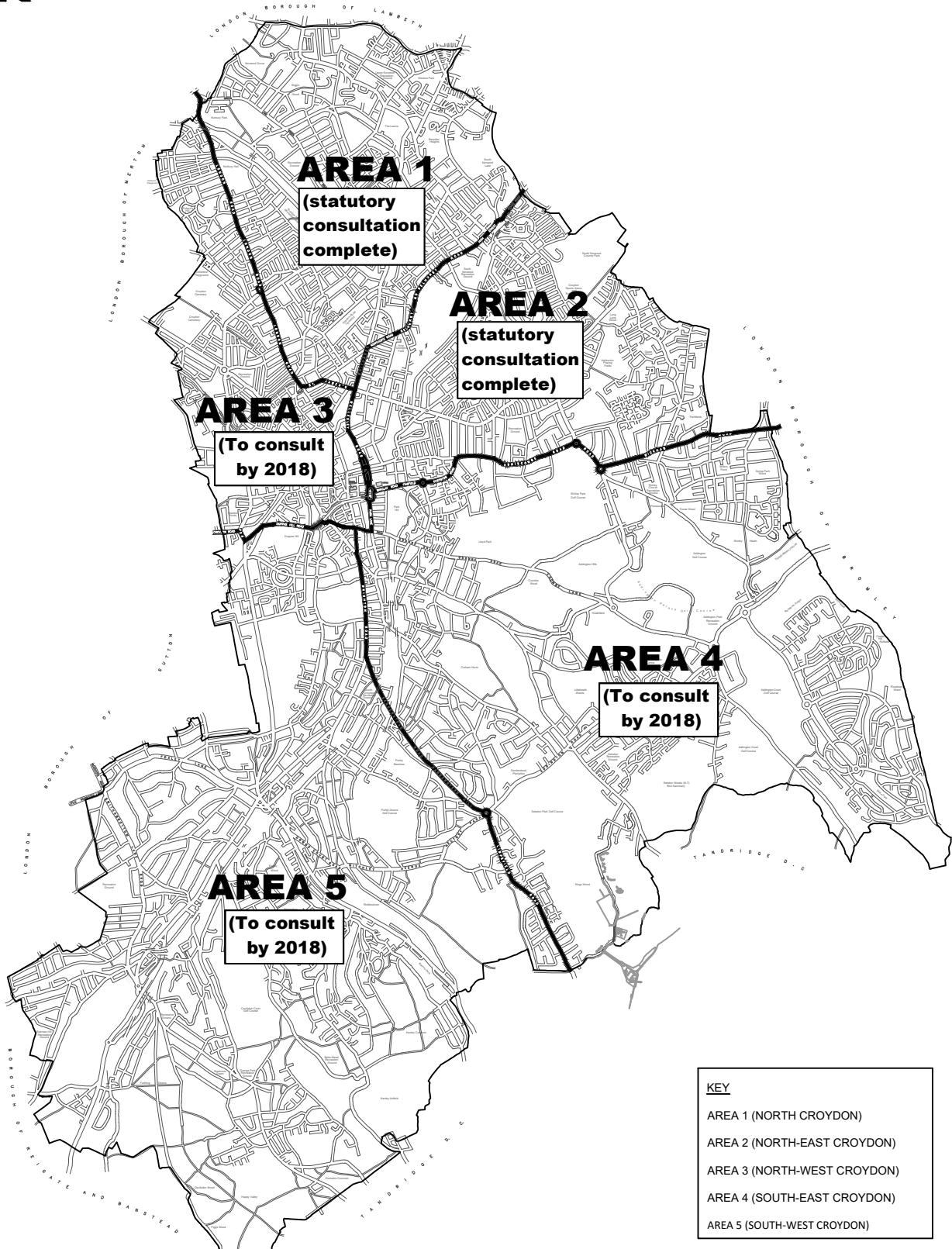
### APPENDICES PUBLISHED AS PART OF THIS REPORT

*Appendix A -*





PLAN SHOWING AREAS 3, 4 and 5  
TO BE CONSULTED BY March 2018



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JOB NAME CROYDON AREA-WIDE 20mph SPEED LIMIT				PLACE DEPARTMENT STREETS DIVISION DIRECTOR - STEVE ILES		DRAWING NO Appendix A	REVISION -
DRAWING TITLE PROGRAMME OVERVIEW				HIGHWAY IMPROVEMENTS		STATUS -	
DESIGNER WA	VERIFIED MB	SCALE AT A4 NTS	DATE 15/11/16	CROYDON   Delivering www.croydon.gov.uk   for Croydon			

