
**20 MPH ZONES PROPOSED FOR BANK TOP, LASCELLES, RED HALL,
CORPORATION ROAD AND OAKWOOD AREAS
CONSIDERATION OF OBJECTIONS**

Responsible Cabinet Member - Councillor David Lyonette, Transport Portfolio

Responsible Director - Cliff Brown, Director of Community Services

Purpose of Report

1. For Members to consider objections that have been received following the advertising of notices in relation to the introduction of 20 mph zones and traffic calming features within the following schemes:
 - (a) Bank Top Area
 - (b) Lascelles Area
 - (c) Red Hall Area
 - (d) Corporation Road Area
 - (e) Oakwood Drive Area.

Information and Analysis

Background

2. The Council receives many requests each year to introduce traffic calming and over recent years a register has been maintained where requests have been made. This list constantly exceeds 65 locations. Despite introducing schemes each year the list is growing due to the number of requests outnumbering the schemes delivered.
3. The register has been prioritised on set criteria. This exercise took into consideration several factors, the main ones of which, are the personal injury accident records of the road in question, traffic speeds and traffic volumes. Other factors such as the proximity of schools, shops and other pedestrian generators are also considered. Maintaining this register and updating it is very resource intensive.
4. In most cases the road safety situation does not justify immediate intervention, but the concern is based on real or perceived issues.

5. The Travel Safety Strategy within Local Transport Plan 2 (LTP2) identified this issue and the need to address actual risk and the perceived risk of danger.
6. In policy context the Travel Safety Strategy aims to deliver outcomes in line with Darlington's Community Strategies visionary goals and themes "A Place For Living Safely And Well" and "Promoting Community Safety".
7. One of the desired outcomes of the strategy is to introduce area wide 20mph zones and thus encourage a culture of driving at 20mph within residential areas. It is already established practice to ensure any new residential estates are designed to meet the physical design criteria for a 20mph zone.
8. The aim of the programme was therefore to create widespread introduction of 20mph zones and tackle areas where personal injury accidents are most prevalent.
9. The Travel Safety Strategy alluded to the introduction of schemes using signs and lines only. This is a departure from national guidance that has been used in other areas of the country. This approach was considered during the feasibility stage:
 - (a) At an early stage in dialogue with our partners at Durham Constabulary it was clear that they would not be supportive of this approach. They were insistent that traffic calming be introduced to ensure the areas are largely self-enforcing. In terms of casualty reduction we work in close partnership with the Police and rely on enforcement as one of the key drivers in reducing accidents. Their views resulted in a potential lack of support for this approach from a key partner and potential objections to the schemes from the enforcing body.
 - (b) Advice was sought from those involved in schemes nationally where this approach has been taken. The advice received was that residents were initially delighted that they were to receive a 20 mph zone. However, upon introduction there were no physical measures, other than signs, to encourage a change in driver behaviour and this resulted in no change to actual speeds or a reduced perception of danger. Residents expressed dissatisfaction and campaigned for enforcement from the Police and the introduction of traffic calming features from the Council.
10. Officers, in consultation with the portfolio holder, concluded that 20mph schemes should incorporate traffic calming but this should be at a level that both ourselves and the Police consider appropriate and sufficient to encourage a change in driver behaviour.

Selection of Areas

11. The principles and rationale behind the selection of areas considered for the programme was approached from two angles:
 - (a) New residential developments incorporate traffic calming and consideration was given to convert them into 20mph Zones. During 2006/07 20 mph zones were introduced on the Darrowby Drive estate and Harrowgate Hill estate. The Oakwood Drive Area being considered in this report also falls into this category. These areas are relatively low cost schemes to introduce and promote the culture of 20mph speeds.

- (b) The majority of funding available has been concentrated on addressing accidents and the register of streets where people have expressed a desire for traffic calming. An exercise was undertaken that assessed the whole urban area of Darlington. The analysis used accident data for three years and the register of requests. From this analysis 18 areas were identified that warranted further investigation and consideration. With the resources available 5 areas were taken forward to the consultation stages. Some of these areas are relatively high cost, as traffic calming features must be introduced to comply with guidance.
12. A phased implementation of traffic calming has been underway on Firthmoor for a number of years. The final stage of this is being implemented at the moment. Once completed this will enable a widespread 20mph zone to be considered on Firthmoor.

Consultation

13. The areas taken forward to consultation were:
- (a) Bank Top Area
 - (b) Lascelles Area
 - (c) Red Hall Area
 - (d) Fitzwilliam Drive Area
 - (e) Corporation Road Area
 - (f) Oakwood Drive Area
14. Briefing meetings with Ward Councillors and the Portfolio Holder were held to discuss the proposals and consider any local issues that should be considered. Once a scheme was agreed a covering letter, plan and questionnaire was circulated to all properties with a prepaid return envelope for responses.
15. In addition the proposals were sent to a series of other consultees. These are groups and organisations with an interest in traffic management proposals. For example, D.A.D and public transport operators.
16. The results of the consultation are summarised at **Appendix A**.
17. Approximately 4,700 letters were distributed resulting in 546 written responses representing a return rate of slightly less than 12%. Whilst the response rate is fairly low, those people who responded, in all but one area demonstrated a majority support for the schemes progressing.
18. The Fitzwilliam Drive area results suggest that those who responded feel something should be done (92 considering some physical measures should be introduced and 28 who did not). However, when asked about the specific proposal the result was 52 in favour with 55 against. Since there is not overall support for the scheme this proposal has been placed on hold to review the views and undertake further analysis. An action plan will be developed

in consultation with the Ward Councillors and the Portfolio holder.

19. Following analysis of the individual comments from both residents and statutory consultees minor modifications have been made to some schemes. These have not been significant.
20. A consultation report was produced that formed the basis of discussions with the Portfolio holder and allowed the Director to consider exercising delegated powers to proceed with processing the required Traffic Regulation Orders.
21. All residents were sent a letter advising them of the results and answering issues that were raised. The letter also detailed any modifications and the next stages of the process, including their right to object formally to the proposals when advertised. The letter advised residents of the date of the notice and the date it was to appear in the Darlington Advertiser. Ward Councillors were consulted with regards to the final proposals and the draft information letters prior to them being circulated.
22. The residents of Fitzwilliam Drive area were also advised of the outcome and the need for further investigation.

Objections

23. For each scheme two statutory notices were required.
 - (a) Road Humps Notice - Section 90A of the Highways Act 1980 is required prior to the implementation of any raised features in the highway (e.g. speed humps and cushions).
 - (b) 20 mph Speed limit Order – A notice under sections 81 to 85 of the Road Traffic Regulation Act 1984 is required to introduce a 20 mph speed limit.
24. Two formal objections were received during the advertising period:
 - (a) An objection from the resident of 4 Waverley Terrace, Darlington. The resident does not reside within any of the 5 areas proposed as 20 mph zones but in an area relatively close to the Bank Top Area. This objection is a general objection to the methods of traffic calming that are proposed rather than an objection to the 20 mph zones. It includes comments on enforcement and effectiveness of the introduction of 20 mph zones. The resident has also written to Durham Constabulary enclosing a copy of his objections and suggesting that they will need to increase staff in order to undertake additional enforcement duties resulting from the proposed 20 mph zones.
 - (b) The second objection from the residents of 6 Whitebridge Avenue, Darlington (Oakwood Drive Area) is specifically on grounds that the provision of a feature near to their dwelling will adversely affect access to their driveway.

Consideration of Objections

25. Although neither objection appear to be formal objection to the 20mph zones it may be prudent to consider the objections in relation to all statutory notices.
26. The basis of the objections and comments raised by the objectors are considered below.

(a) Restriction of vehicular access

The schemes have been designed to ensure that vehicular access and parking will not be unduly restricted even though more driving care may be necessary. Discussions did take place with the residents of Whitebridge Avenue (second objector) regarding their concerns during the advertising period. The proposals were marked out on the ground to indicate the arrangements. These were adjusted to try and ease concerns but the residents felt that the feature would still hamper access to their driveway and submitted a formal objection.

The features proposed are cushions that can be driven across from all angles. The maximum height of these features is 75mm with gradients on all sides that the Department for Transport consider to be suitable for vehicles to negotiate. Engineers have looked at the concerns and do not consider the introduction of the feature will restrict vehicular access to the property.

(b) Environmental considerations, ie increased air and noise pollution

The proposed scheme, which includes speed cushions and road hump features will reduce traffic speeds outside the properties in question and generally over the area thus resulting in a reduction in the noise generated by vehicles. On the matter of environmental effects, the Department of Transport has undertaken studies to ascertain the effects on vehicle and traffic noise following the installation of road hump and speed cushion schemes. The research shows that measurements of vehicle noise (noise of individual vehicles) taken at speed cushion locations and at 'between' cushion locations before and after installation indicated for both light and heavy vehicles noise level reductions of between 2.7 and 3.8 dB(A) at cushions and 1.6 and 4.1 dB(A) between cushions. Hourly traffic noise exposure levels outside adjacent residential properties were found to be consistently lower during the daytime and night-time periods by between 1.9 and 4.7 dB(A). In terms of maximum noise there has been no consistent increase or decrease in maximum hourly traffic noise levels during the hours 0500-1900.

Regarding the effect on atmospheric pollution it is generally accepted that free flowing traffic results in lower emissions than in conditions where deceleration/acceleration conditions occur. However, the number of deceleration/acceleration movements would have to be very large in number to have any significant effect. Most of the time drivers would not be faced with a deceleration/acceleration situation, rather it would be a case of them proceeding at a reduced speed to enable them to negotiate the traffic calming features comfortably.

(c) Damage to vehicle suspension/steering

Although there have been general claims of damage to vehicles by traffic calming features, we have never received any conclusive evidence, when a vehicle is driven correctly and at an appropriate speed for the prevailing road conditions, that damage has been caused. The Department of Transport undertakes considerable levels of research before allowing any features to be introduced on the highway. All of the features proposed will be constructed to the requirements of the Highways (Road Humps) Regulations (1999).

(d) Difficulties experienced when 3-wheeled vehicles, including motorcycle combinations, traverse road hump features

All Traffic Calming featuring road humps are designed to comply with the requirements of the Highways (Road Humps) Regulations (1999) and the associated guidance. The Department for Transport has undertaken considerable research prior to the introduction of the regulations to ensure features are safe for all road users. The schemes have been designed to take into account the guidance in relation to these users.

(e) Poor maintenance of road markings and linings

The Council has an ongoing cyclical maintenance programme for road markings and linings, backed up by a formal inspection regime. Specific fault reports by members of the public are also followed up.

(f) Ineffectiveness against motorists/drivers who deliberately set out to speed

The schemes are proposed to encourage a culture change and slower driving in residential drivers. It is accepted that there is an element of inconsiderate drivers who will not adjust their driver behaviour without other forms of intervention. These drivers may not alter their speeds or be deterred by these types of measures. Where complaints of this nature are received, intelligence is gathered and an appropriate package of action is formulated with partners at Durham Constabulary.

(g) Lack of effective enforcement of both 20mph and 30mph speed limits

The introduction of physical measures is intended to ensure the schemes are substantially self-enforcing, freeing up resources to concentrate on locations where intelligence has identified a speeding issue. The Casualty Reduction Forum, which consists of Durham Constabulary, Darlington Borough Council, Durham County Council, the Fire and Rescue Service all work together to target appropriate resources to problem areas. In terms of speeding we have effective partnership working under the Speed Management Strategy, whereby Darlington Borough Council gather the intelligence and the Police target appropriate resources at the right time to achieve results. Durham Constabulary, who are the enforcing body for speed limits, has been involved in the design process and support the proposals.

(h) Danger caused by drivers being distracted by constantly needing to observe speedometer

This comment could be applied to any speed limit. All motorists are expected to drive with due care and attention at all times.

(i) Query in respect of risk assessments before provision of Traffic Calming measures

Risk assessment procedures are implicit in all the Council's highway/traffic design works. All Traffic Calming featuring road humps are designed to comply with the requirements of the Highways (Road Humps) Regulations (1999) and the associated guidance. The Department for Transport has undertaken considerable research prior to

the introduction of the regulations to ensure features are safe for all road users. The schemes have been designed to take into account the guidance in relation to these users.

(j) Query in respect of accident reduction results

Accident statistics are monitored on an ongoing monthly basis in conjunction with Durham Constabulary. In general accident severity and frequency are linked with speed, albeit other factors have an influence. Lower speeds result in fewer and less severe accidents. Accident statistics indicate that when hit by a vehicle at 20mph, 10% of pedestrians will die. If the vehicle speed is 30mph this rises to 50% and at 40mph this rises still further to 90%. For vehicle occupants the relative risk again rises steeply with speed, with the risk of serious injury being five times greater at 40mph than at 20mph.

Darlington Borough Council is on course to achieve the accident reduction targets that have been set by the Government in their 10 Year Road Safety Strategy "Tomorrow's Roads – Safer for Everyone (2000 to 2010)".

(k) Query in respect of ongoing monitoring for both accident reduction and pollution

There is currently no specific provision for environmental monitoring at Traffic Calming locations. However, casualty reduction is under constant review by both the Police and Council.

Legal Implications

27. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

28. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

29. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

30. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Key Decisions

31. This is a key decision because the Traffic Orders cover a number of schemes across a number of Wards in Darlington.

Recommendation

32. It is recommended that the objections from the residents of 4 Waverley Terrace and 6 Whitebridge Avenue are set aside.

Reasons

33. To allow the implementation of traffic calming and comprehensive 20 mph zones in the areas identified.

Cliff Brown
Director of Community Services

Background Papers

- (i) Plan showing overall scheme and location of humps/cushions.
- (ii) Consultation letters and questionnaire.
- (iii) Press advertisement for Road Humps & 20 mph Zones.
- (iv) Notification letter in respect of advertisements.
- (v) Letters of objection.

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cc

The summarised results of the consultation:

		Eastbourne Area	Lascelles Area	Coombe Drive Area	Fitzwilliam Drive Area	Corporation Road Area	Oakwood Drive Area
Number of Questionnaires distributed		900	775	625	600	1510	245
Response (rate)		118 (13.1%)	82 (10.5%)	48 (7.7%)	131 (22%)	121 (7%)	46 (18.7%)
Q1 - Are you aware of dangers associated with vehicles using this road?	Yes	109	78	46	115	112	36
	No	4	4	1	15	7	9
Q2 -If yes, do you consider that physical works should be carried out to reduce/eliminate the problem?	Yes	101	74	39	92	98	30
	No	9	6	6	28	19	9
Q3a - If yes, do you consider that the proposals indicated would be helpful in reduction/elimination of the problem?	Yes	92	68	35	52	82	25
	No	12	8	6	55	21	9
Q3b - If no, what other measures would you see as suitable?	Individual comments were considered as part of the analysis						
Q4 - Are there any other comments that you would like to make relating to this proposal?	Individual comments were considered as part of the analysis						