

# Traffic Order Report:

## Proposed 30mph and 40mph Speed Limits; A435 Evesham Road, Cheltenham

Version 1 – September 2024

Revision	Description	Author
1	First Issue	HBL

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**Traffic Order Title:**

**GLOUCESTERSHIRE COUNTY COUNCIL (40 MPH SPEED LIMIT) (A435 EVESHAM ROAD) (CHELTENHAM BOROUGH) ORDER 2024**

**Case Officer: Craig Williams, Principal Engineer, Waterman Aspen**

**Senior Case Officer: Hannah Bassett-Louis, TRO Manager, Gloucestershire County Council (GCC).**

**1. Purpose of Report**

- 1.1. To provide background information on the proposed Traffic Order (TO) entitled above.
- 1.2. To provide details of any representations made in relation to the TO.
- 1.3. To make a recommendation to the Traffic & Active Travel Manager on the way forward.

**2. Recommendation**

That, for the reasons given in this report and after consideration of the representation made, GCC now:

- Makes the order as advertised in June 2024.

**3. Background and Purpose of the Scheme**

- 3.1. Gloucestershire County Council is proposing to reduce the speed limits along part of the A435 Evesham Road (between Southam Lane junction and Swindon Lane roundabout) as follows:
  - Extending the existing 30mph speed limit at the Swindon Lane roundabout by approximately 180m in a northerly direction by virtue of existing compliant streetlighting to replace part of the existing National Speed Limit (60mph); and
  - Replacing the remainder of the existing National Speed Limit (60mph) with a 40mph speed limit from the new 30mph stretch mentioned in 1 above in a northerly direction to the existing 40mph speed limit approximately 200m south of the junction with Southam Lane.
- 3.2. The speed limit is currently National Speed Limit (60mph) and recent surveys show that the mean speeds fall within the Association of Chief Police Officers (ACPO) guideline intervention levels, however, the 85th %ile speeds are approximately 47mph which is slightly above the ACPO guideline intervention level of 46mph for a 40mph speed limit but shows that the National Speed Limit (60mph) is not appropriate for this stretch of the A435.
- 3.3. Even though the 85<sup>th</sup> %ile speeds are slightly above the ACPO guideline intervention level, GCC decided that a 40mph speed limit would be the most appropriate speed along this section of road.
- 3.4. In order to ensure self-compliance, additional traffic engineering measures such as carriageway narrowing and signage will be agreed at design stage.

- 3.5. A lower speed limit will improve overall road safety. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings".

#### **4. Law and Policy**

- 4.1. The Road Traffic Regulation Act 1984 sets out the legal basis for making TOs. The proposal meets with Section 84 of the Road Traffic Regulation Act 1984 which allows GCC, as the Traffic Authority to make a TO to prohibit:
- (a) the driving of motor vehicles on that road at a speed exceeding that specified in the order.
- 4.2. Thorough consideration has been given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 in proposing this TO. This requires the local authority to secure the expeditious, convenient and safe movement of traffic (including pedestrians). In carrying out this exercise GCC must have regard to the:
- a) Desirability of securing and maintaining reasonable access to premises.
  - b) The effect on the amenities of any locality effected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the road(s) run.
  - c) The strategy prepared under Section 80 of the Environment Act 1995 (the national air quality strategy).
  - d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
  - e) Any other matters appearing to the local authority to be relevant.
- 4.3. Any changes are made in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Under this procedure authorities are expected to consult local community groups and the Police together with other organisations listed where appropriate, such as the other emergency services and transport operators.
- 4.4. GCC is required to advertise the draft TO it intends to make, to allow a period for representations of support or objection to be submitted. After this consultation, GCC must consider any representations received and having done so, to either:
- a) Resolve to make a TO in the form originally intended and advertised; or
  - b) Modify the TO from the originally advertised and re-consult where necessary; or
  - c) Abandon the proposal altogether.
- 4.5. Significant modifications to the proposed TO would need to be consulted on with those that maybe affected to provide further opportunity for representations to be made.
- 4.6. Traffic Authorities have the flexibility to implement restrictions that are appropriate for an individual road, reflecting safety and road user needs whilst taking into account all local considerations.

#### **5. Traffic Data**

- 5.1. The speed limit is currently National Speed Limit (60mph) and recent surveys were undertaken to ascertain whether this was appropriate for the road (see Appendix B).

- 5.2. The surveys show that the mean speeds fall within the ACPO guideline intervention levels, however, the 85<sup>th</sup> %ile speeds are approximately 47mph which is slightly above the ACPO guideline intervention level of 46mph for a 40mph speed limit but shows that the National Speed Limit (60mph) is not appropriate for this stretch of the A435.
- 5.3. There have been 3 slight and 1 serious collision on this stretch of road in the past 3 years (see Appendix B).
- 5.4. Several site observations were made by the GCC Major Projects Team when considering the most appropriate speed limit proposal prior to the TO process being started. Careful consideration was given to the design of the proposed speed limit in order to achieve the most appropriate scheme.
- 5.5. A 40mph speed limit and a slight extension of the existing 30mph speed limit by virtue of streetlighting close to the Swindon Lane Roundabout was proposed with a view to consider additional traffic engineering measures at design stage in order to ensure compliance to a lower speed limit.

## 6. Consultation on the proposed TO

- 6.1. Statutory consultation for the proposed 30mph and 40mph Speed Limits was undertaken between 9<sup>th</sup> and 31<sup>st</sup> May 2024. A plan and explanation was emailed to the Statutory Consultees and stakeholders detailing the proposals and the reasoning behind them. Consultees were able to respond via email or post.
- 6.2. Public consultation (Notice of Proposal) was undertaken between 6<sup>th</sup> and 28<sup>th</sup> June 2024 with Notices placed on site, in the local newspaper (Gloucester Citizen/Echo), on GCC's website and hard copies were placed on deposit at Shire Hall and Prestbury Library (see Appendices A & C). Following the conclusion of the consultation, any objectors were provided with a response to their objection and given a further 21 days to uphold their objection.

## 7. Objections/Support

- 7.1. The Statutory Consultees responded as follows:

Name	Comments
County Councillor	Supports the proposal
Lead Cabinet Member for Environment and Planning	Supports the proposal
District Council	No comments received
Cheltenham Borough Councillor	No comments on the proposal itself but wanted more roads included which fell outside the remit of this scheme
Freight Haulage Association	No comments received
Road Haulage Association	No comments received
Police	Supports the proposal in principle but want speed surveys undertaken post-completion to ensure speeds are
Bishops Cleeve Parish Council	Confirmed they had no objection to the proposal
Southam Parish Council	Objects to the proposal
Fire & Rescue	No comments received
Ambulance Service	No comments received
Cheltenham & Tewkesbury Cycling Campaign	Supports the proposal but had concerns about design

Parking Enforcement Team	No comments received
Local Highway Manager	No comments received

## 7.2. Other responses received during the Public Consultation (Notice of Proposal):

One comment of support for the proposal was received. Two objections were received.

The objections to the proposal were upheld.

## 8. Details of Objections and Case Officer's Response

- 8.1. During the statutory consultation stage, four representations of support, two non-committal and one objection were received.
- 8.2. Two of the representations of support raised concerns about the narrowing of the road design and whether speeds would fall enough to be self-enforcing.
- 8.3. The Council have agreed to undertake further speed surveys once the relevant scheme works have been completed. If the speed survey data shows the 85<sup>th</sup> %ile speeds have dropped to the required self-enforcing limit, no further action will be required. If the data shows that the 85<sup>th</sup> %ile speeds are still above the threshold of a self-enforcing speed limit, the Council will liaise with the Police and consider further traffic calming features or engineering measures to bring the speeds down.
- 8.4. With regards to road narrowing, this is a requirement for the scheme and speed limit reduction for several reasons:
  - Enables a good standard of width for the footway, cycleway and buffer zone, within the extent of the land available.
  - Will aid reducing vehicle speeds to support a 40mph speed limit.
  - The 40mph speed limit is required as part of current highway design standards due to the proximity of the cycleway and footway to the carriageway, even with a 1m buffer in place for most of the route.
  - The road narrowing and reduction in speed limit will create a much safer road environment for all road users, whether cycling, walking or in vehicles, also encouraging more people to walk and cycle this route.
  - The new cycleway will provide a high standard of safe cycle route, with priority across accesses and safer crossings of junctions, meaning it will be attractive to less confident cyclists and children along with more experienced confident cyclists. Many cyclists, including the more experienced and confident, have spoken or written to the Council saying how they don't feel safe using the current road, or are put off using it entirely, but would feel much safer or more likely to use the route with this cycleway in place.
- 8.5. One of the non-committal representations wanted a speed limit reduction on another road within the Borough of Cheltenham.
- 8.6. This request falls outside the remit of this scheme and the objector was advised to contact their local County Councillor to raise the subject.
- 8.7. The objection primarily refers to the narrowing of the road and reduction in speed limit which may encourage motorists to use New Road and other residential roads in Southam

instead. These roads have little traffic calming features or footways. There were also concerns raised about the funding for this scheme.

- 8.8. The narrowing of the carriageway is required as part of the A435 Section 2 Cycleway scheme to provide new segregated cycling and walking facilities. It will also act as a traffic calming measure to keep the speed to the desired 40mph. The proposed carriageway lane width in the 40mph area is 3.25metres which follows Local Transport Note 1/20 design principles. The reduction in speed limit will create a much safer overall road environment for all road users, whether cycling, walking or in vehicles.
- 8.9. It is unlikely that drivers would choose a less direct route to avoid the newly reduced speed limit. Taking into consideration the measured mean speed is already 47mph or lower along the consulted section of A435 Evesham Road, any additional delay would be minimal compared to the existing conditions. It is therefore not expected that local traffic behaviour will change if the speed limit reduction is implemented.
- 8.10. The funding for this scheme has been secured mainly from Department for Transport and S106 developer contributions.
- 8.11. All other requests fall outside the remit of this scheme and the objector was advised to contact their local County Councillor to raise the issues.
- 8.12. During the formal public consultation stage, two objections were received and upheld.
- 8.13. The objections refer to pedestrian safety and conflict with cycles and the impact the scheme may have on countryside belt land as well as low collision data and no speeding issue to warrant a speed reduction.
- 8.14. The 40mph speed limit for this scheme is required as part of current highway design standards, due to the proximity of the proposed cycleway and footway to the carriageway, even with the accompanying 1m buffer zone in place for most of the route. The reduction in speed limit will also create a much safer overall road environment for all road users, whether cycling, walking or in vehicles.
- 8.15. Current 85<sup>th</sup> %ile speeds have been recorded at approximately 47mph on the fastest most open section of the road and the mean speeds are just over 40mph on other sections. This shows that the current speed limit is not appropriate.
- 8.16. The changes to the road, including road narrowing, traffic calming features such as the new pedestrian island and crossing point outside the garden centre, street lighting and the change in character of the route should all act to bring vehicle speeds in line with the 40mph speed limit, without the need for speed camera enforcement.
- 8.17. The current mean vehicle speeds also show that a reduction in speed limit to 40mph would have little impact on journey times. More consistent speed limits over routes can actually reduce journey times as traffic flows better.
- 8.18. For the majority of the route cyclists and walkers are fully segregated in separate footway and cycleway, with kerbing separation between them.
- 8.19. The Council have, where possible, provided segregated facilities for cyclists and pedestrians which are fully compliant with LTN 1/20 Cycling Infrastructure Design standards.

Unfortunately, in localised areas such as Hyde Brook and the GWSR Bridge, it has not been possible to provide segregated facilities due to existing site conditions as well as restrictive third-party permissions.

8.20. The design team did look into providing an additional pedestrian facility behind the existing Hyde Brook parapet wall and a new footbridge over the GWSR land, however these were discounted for several reasons:

- Hyde Brook is classified as an Environment Agency (EA) main river within Flood Zone 3, and any construction in this location is dependent on strict permission from the EA, due to loss of capacity within the flood plain.
- The construction, design and land purchase costs associated with this additional footbridge were substantial, with landowners not wishing to sell further land.
- As design standards for a Shared Use Path (SUP) width can be met across the bridge, which fits in line with cycleway and footway design guidance for SUP in such locations, it is not felt a separate footbridge is vital.
- This bridge and associated path footprint would have required the removal of several mature trees, which was viewed unfavourably by ecologists.
- An additional footbridge would require land purchase from GWSR and the Jockey Club, with both unwilling to sell further land.
- The construction and design costs associated with this additional footbridge would be substantial.
- As design standards for a SUP width can be met across the bridge, which fits in line with cycleway and footway design guidance for SUP in such locations, it is not felt a separate footbridge is vital.

8.21. The cycleway will be set higher than the carriageway, separated from the carriageway by raised kerbing and a 0.5 – 1m buffer zone. The cycleway will be surfaced in green. The footway will be set further away from the carriageway and traffic to the east of the cycleway and will be separated from the cycleway with raised trapezoidal kerbs.

8.22. The hedgerow which was in place was made up of both native and non-native species, which as a consequence does not support biodiversity in the best way. In building the cycleway, the opportunity has been taken to not only relocate the hedgerow but in doing so plant a new UK native/non-invasive species rich mix of shrubs and trees. A species-rich mix is defined as one containing 6 or more species. Species may include: Hawthorn, Field Maple, Guelder Rose, Hazel, Spindle, Crab Apple, Holly and Honeysuckle. This will provide an improved hedgerow over time, both visually and in terms of biodiversity and benefits to a wide range of wildlife species.

8.23. Species have been chosen in collaboration with an ecologist and adjacent landowners. The hedgerow species selected will support a wider range of biodiversity than the previous non-native species. In addition to the hedgerow, many new trees will be planted along the route with locations on both sides of the road currently being looked at.

8.24. These road changes, along with the new native species mix hedgerow and many new trees, should create a much more walking and cycling friendly, pleasant and safe environment.

8.25. Many pedestrians/walkers have commented that they don't currently feel safe using the existing footway, with it being narrow and alongside vehicular traffic. With the footway being only around 1m wide, it is not wide enough for two people to pass without someone walking across the verge or in the carriageway, particularly if that includes children, dogs, wheelchairs or pushchairs. Pedestrians are currently very much in danger of vehicle strikes, particularly

with the maximum speed limit set at 60mph. Additionally, no push button crossings are currently in place across junctions and to key destinations, meaning poor crossing safety.

8.26. The scheme provides improvements for pedestrians/walkers in many ways:

- A wider and improved footway (almost double the current width).
- A footway set away from the carriageway and vehicular traffic.
- Lower vehicle speeds making an overall safer road, including for people crossing.
- Less traffic noise due to lower vehicle speeds and being further away from the traffic.
- Segregation from cyclists for much of its length, including at crossing points.
- Currently some cyclists use the footway as they don't feel safe in the carriageway. The new cycleway will mean they no longer need to use the footway.
- Good width sections of required SUP, allowing safe passing between pedestrians and cyclists.
- New push button crossings at roundabouts and junctions, along with priority crossings of accesses.
- Improved pedestrian links to key destinations on the route including multiple racecourse accesses, the garden centre, rugby club, large employers, schools and university campuses, sports and leisure centres, public parks and the urban areas of Bishop's Cleeve and Cheltenham.
- An overall more pleasant walking environment away from traffic and alongside improved hedgerows and further trees.

8.27. The new cycleway will provide a high standard of safe cycle route, with priority across accesses and safer crossings of junctions, meaning it will be attractive to less confident cyclists and children along with more experienced confident cyclists. Many cyclists, including the more experienced and confident, have spoken or written to us saying how they don't feel safe using the current road, or are put off using it entirely, but would feel much safer or more likely to use the route with this cycleway in place.

8.28. To gain a better understanding of how the route will look, the 3D visuals are located in the Section 2 section of the scheme webpage  
[www.gloucestershire.gov.uk/highways/a435cycleway](http://www.gloucestershire.gov.uk/highways/a435cycleway)

8.29. The scheme has been designed to meet highway standards including over the bridge where widths required between carriageway and bridge parapets have been met, with a Vehicle Restraint System barrier to be included. The lower vehicle speeds resulting from the lower speed limit will also contribute to a safe situation over the bridge.

8.30. The scheme design has been through design stage road safety audits and will be subject to a Stage 3 Road Safety Audit once complete.

## **9. Equality Impact Assessment**

GCC has had due regard to the 3 aims of the general equality duty under the Equalities Act 2010 in relation to the 9 groups (Age, Disability, Sex, Race, Gender reassignment, Marriage and Civil partnership, Pregnancy & Maternity, Religion and/or Belief and Sexual orientation, along with other groups (such as long term unemployed, socio-economical deprived groups, community cohesion, human rights)) with protected characteristics and its decision to make this TO permanent does not adversely affect any of the groups with those protected characteristics (please see Due Regard Statement in Appendix D). A reduction in speed allows all people longer time in which to make decisions and cross roads.

## **10. Summary**

- 10.1. The proposal is to reduce the existing national speed limit on the A435 Evesham Road between Southam Lane junction and Swindon Lane roundabout by extending the existing 30mph speed limit at the Swindon Lane roundabout by approximately 180m in a northerly direction by virtue of existing compliant streetlighting and replacing the remainder of the existing National Speed Limit (60mph) with a 40mph speed limit from the new 30mph stretch in a northerly direction to the existing 40mph speed limit approximately 200m south of the junction with Southam Lane.
- 10.2. The speed limit is currently National Speed Limit (60mph) and recent surveys show that the mean speeds fall within the Association of Chief Police Officers (ACPO) guideline intervention levels, however, the 85th %ile speeds are approximately 47mph which is slightly above the ACPO guideline intervention level of 46mph for a 40mph speed limit but shows that the National Speed Limit (60mph) is not appropriate for this stretch of the A435 and needs to be reviewed.
- 10.3. Even though the 85th %ile speeds are slightly above the ACPO guideline intervention level, GCC decided that a 40mph speed limit would be the most appropriate speed along this section of road.
- 10.4. In order to ensure self-compliance, additional traffic engineering measures such as carriageway narrowing and signage will be agreed at design stage.
- 10.5. A lower speed limit will improve overall road safety. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings".
- 10.6. 1 objection was received during the Statutory Consultation process from a Parish Council with regards to the proposal.
- 10.7. 2 objections were received and upheld during the Notice of Proposal (Public Consultation) process with regards to the proposal.
- 10.8. The objections have been outlined and responded to within this report in section 8 in alignment with GCC's duty under the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 10.9. In considering the assessment under Section 122 of the Road Traffic Regulation Act 1984, the proposed speed limits meet GCC's obligations in that they would ensure the expeditious, convenient, and safe movement of vehicular and other traffic, manage their road network and to improve road safety.

## **11. View of the Case Officer**

- 11.1. This report demonstrates that the introduction of the proposed extended 30mph speed limit and new 40mph speed limit is consistent with DfT "Setting Local Speed Limits" National Guidance and has been fully consulted upon in accordance with GCC procedures and followed necessary statutory procedures, as set out in the Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996.

- 11.2. One objection was raised during the Statutory Consultation process. This objection has been responded to in Section 8.
- 11.3. Two objections were raised and upheld during the Notice of Proposal (Public Consultation) process. These objections have been responded to in Section 8.
- 11.4. The proposal (as shown in Appendix A) has been designed to create a more appropriate speed limit after reviewing the speed data along with the environment of the road, but also balancing this with GCC's duties under Sections 84 and 122 of the Road Traffic Regulation Act 1984 and with the Department for Transport criteria for a 30mph/40mph speed limit.
- 11.5. The Police support the proposal but would like confirmation that post-implementation, the recorded mean and 85<sup>th</sup> %ile speeds are within the Association of Chief Police Officers (ACPO) guideline intervention level of 46mph for a 40mph speed limit
- 11.6. It is considered that the extended 30mph speed limit and the new 40mph speed limit proposed meets GCC's objectives and therefore, it would be beneficial that the TO be made as advertised in June 2024.

## **12. Recommendation by the Senior Case Officer**

- 12.1. I am satisfied that the TO has been correctly advertised and consulted upon in accordance with the Road Traffic Regulation Act 1984 and the procedures laid down in that Act.
- 12.2. The necessary statutory procedures as set out in the Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996 have been followed, and guidance, including the DfT Setting Local Speed Limits Guidance and Traffic Signs Regulations and General Directions 2016 have been considered.
- 12.3. Although three objections to the TO were received and upheld, I am satisfied that they have been duly considered and that a balance has been drawn between the upheld objections and safety of all road users.
- 12.4. A reduction in the speed limit will lessen the impact of any collisions which accords with GCC's Road Safety pledge to reduce KSIs by 50%.
- 12.5. Further engineering measures can be considered as part of the scheme design if deemed appropriate by the designer based on the post-implementation speed data.
- 12.6. After considering all background information, the objections and data supplied in this report, I recommend that the upheld formal objections are considered as minor in nature.
- 12.7. I recommend that the TO is made permanent as originally advertised in June 2024, under delegated authority.

## **13. Decision By the Traffic & Active Travel Manager**

- 13.1. I have considered the report, recommendations and whether to hold a Traffic Regulation Committee. I have also considered the representations that we received in relation to this matter in making my decision. I have decided that Gloucestershire County Council should:

- Make the TO as advertised in June 2024.

13.2 As a result of the above I give authorisation for the Assistant Director of Legal Services to act on my decision pursuant to delegations approved in accordance with the Local Government Act 1972 and subsequent legislation.

Name: Nathaniel Davis

Title: Traffic & Active Travel Manager



Signature:

Date: 14/10/2024

## **Appendices**

**Appendix A** – Plan of Advertised 30mph/40mph Speed Limits

**Appendix B** – Traffic Data (Speed Survey and Collision History)

**Appendix C** – Notice of Proposal Legal Documents

**Appendix D** – Statement of Due Regard