

AGENDA

Meeting: Environment Select Committee
Place: Kennet Room - County Hall, Trowbridge BA14 8JN
Date: Tuesday 10 December 2013
Time: 10.30 am

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Rosemary Brown	Cllr Alan Hill (Chairman)
Cllr Brian Dalton	Cllr Magnus Macdonald
Cllr Dennis Drewett	Cllr Ian McLennan
Cllr Peter Edge (Vice-Chairman)	Cllr Horace Prickett
Cllr Peter Evans	Cllr James Sheppard
Cllr Jose Green	Cllr Bridget Wayman
Cllr Mollie Groom	

Substitutes:

Cllr Terry Chivers	Cllr Stephen Oldrieve
Cllr Tony Deane	Cllr Jeff Osborn
Cllr Nick Fogg	Cllr Ian Tomes
Cllr George Jeans	Cllr Nick Watts
Cllr Bob Jones MBE	Cllr Ian West
Cllr Jacqui Lay	Cllr Philip Whalley
Cllr Christopher Newbury	

AGENDA

PART I

Items to be considered while the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 6*)

To approve and sign the minutes of the Environment Select Committee meeting held on 29 October 2013.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so **at least 10 minutes prior to the meeting**. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above no later than 5pm on Tuesday 3 December 2013. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Community Infrastructure Levy (CIL) Task Group Report** *(Pages 7 - 22)*

To receive the report of the CIL Task Group.

7 **Wiltshire Policy on 20mph Speed Limits and Zones** *(Pages 23 - 84)*

A report from David Thomas, Traffic Engineering Manager, is attached.

8 **Drainage Byelaws** *(Pages 85 - 102)*

A report from Peter Binley, Head of Highways Asset Management and Commissioning is attached.

9 **Waste Task Group Report** *(Pages 103 - 118)*

To receive the report of the Waste Task Group.

10 **Task Group Updates**

To receive further updates on Environment Select Committee Task Group activity.

11 **Forward Work Programme** *(Pages 119 - 120)*

To note and receive updates on the progress of items on the forward work programme.

Under the revised Overview and Scrutiny (OS) arrangements there is now a single OS work programme controlled by the OS Management Committee, linked to priorities in the Business Plan.

Therefore it should be noted that, whilst any matters added by Members are welcome, they will be referred to the OS Management Committee for approval before formal inclusion in the work programme for the Environment Select Committee.

A copy of the Overview and Scrutiny Forward Work Programme for the Environment Select Committee is attached for reference.

12 **Date of Next Meeting**

To confirm the date of the next scheduled meeting.

13 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

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ENVIRONMENT SELECT COMMITTEE

DRAFT MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 29 OCTOBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Mollie Groom, Cllr Alan Hill (Chairman), Cllr Magnus Macdonald, Cllr Horace Prickett, Cllr James Sheppard and Cllr Bridget Wayman

83 Apologies

Apologies were received from Councillors Brian Dalton, Ian McLennan and Rosemary Brown.

Councillor Dalton was substituted by Councillor Nick Watts.

84 Minutes

The minutes of the ordinary meeting on 11 June 2013 and the extraordinary meetings on 4 July and 18 July 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

85 Declarations of Interest

There were no interests declared.

86 Chairman's Announcements

There were no announcements.

87 Public Participation

There were no questions or statements submitted.

Jay Gascoigne, Green Infrastructure Strategy lead, delivered a presentation on the development of the Council's Green Infrastructure Strategy.

The Green Infrastructure Project was first begun in 2009 in response to the need for a countywide open spaces strategy in light of future development and growth, with recognition on a need for emphasis on multiple benefits of green and open space. The consultation with the final stakeholders concluded in late 2011, and it was noted that Core Policy 52 of the Wiltshire Core Strategy set out the Council's current position on Green Infrastructure.

The Committee was taken through various possible definitions of what constitutes Green Infrastructure, from small scale community assets such as village greens to regional infrastructure via a network of assets throughout the county. With the initial stakeholder consultation concluded, the Committee was informed that the intention was to determine an overall Green Infrastructure Strategy, identifying key themes, issues and priorities to enable the drafting of a Green Infrastructure vision through 2026 and highlighting how these might be delivered with an action plan and a framework to inform Green Infrastructure development across the county.

It was stated that the initial draft of the Strategy was aimed for completion in January 2014, with adoption by Council planned for mid 2014.

The Committee discussed the presentation, as attached to these minutes, highlighting the need for Council services and teams to be deeply involved with the creation of a strategy, as well as the need for close partnership working with outside bodies, and it was confirmed this would be the case.

How any Green Infrastructure would be funded was raised, such as part of s.106 or Community Infrastructure Levy contributions, and possibilities of EU funding, along with the need to emphasise economic benefits of Green Infrastructure, alongside environmental and health benefits.

It was discussed how the Green Infrastructure Strategy would be designed to feed down to local community plans, town and parish council plans, local neighbourhood plans and town masterplans, and it was noted that Area Boards could be used to engage with Town and Parish Councils to identify additional details and Green Infrastructure projects.

In response to queries it was confirmed the strategy would not be a supplementary planning document.

At the conclusion of debate, it was,

Resolved:

- a) **To thank Jay Gascoigne for his informative presentation and early involvement of the Committee with the development of the Green Infrastructure Strategy;**

- b) **To note the progress and direction to date on the Green Infrastructure Strategy;**
- c) **To endorse the continued development of the Green Infrastructure Strategy;**
- d) **To encourage Area Boards to look into potential Green Infrastructure projects for local plans that will be influenced by the strategic level Green Infrastructure strategy;**
- e) **To note the commitment for the Committee to consider the draft Green Infrastructure Strategy upon its completion prior to its consideration by Cabinet.**

89 **Investing in Highways**

Investing in highways is a key priority for the Council. On 22 October Cabinet considered a programme of investment in road maintenance to improve the condition of the highway network in Wiltshire. Three options were suggested in the Highways Report accessible via the link to the Cabinet agenda:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MIId=7213&Ver=4>

Option 1 – Maintain existing conditions (average annual expenditure approx. £12.5 million)

Option 2 – Increase investment to £17 million for six years

Option 3 – Increase investment to £21 million for six years.

The Committee was informed Option 3 had been adopted by Cabinet, and that the option also allowed for the involvement of the Area Boards.

The Committee discussed the decision of Cabinet, welcoming the decision to include Area Boards in identifying areas of work required within their Community Areas. The Committee encouraged officers and the Cabinet Member for Highways and Streetscene to engage with Area Boards at the earliest opportunity, and discussed potential processes for that engagement, such as working through the Community Area Transport Groups (CATGs), but it was noted the procedure had not yet been agreed.

The Committee also welcomed that there was a focus on spreading the additional funding throughout the county in local areas as needed, and not merely with large projects which might affect only certain areas.

After discussion, it was,

Resolved:

To note the decision of Cabinet and await further plans and proposals before determining the most appropriate action from the Committee.

90 Developing the Forward Work Programme

The Chairman detailed the outcome of discussions between himself and the Vice-Chairman with the Chairman and Vice-Chairman of the Overview and Scrutiny Management Committee and separate discussions with Cabinet Members on potential items for the Work Programme for the Committee.

The Committee considered the items, the most appropriate method of scrutinizing them, and which items should be given the highest priority.

It was noted that no additional items as suggested from Councillor induction sessions following the May elections had been included, due to either being outside the remit of the Committee, were not yet developed to the state that would enable the Committee to scrutinize the issues, or would be more appropriately scrutinized by another committee.

At the conclusion of debate, it was,

Resolved:

To approve the proposed forward work programme with suggested priority and method of scrutiny as detailed below:

- 1) **Waste - Task Group (Already Established)**
- 2) **Air Quality (with Health Select Committee) - Task Group (Already Established)**
- 3) **Community Infrastructure Levy - Task Group (Already Established)**
- 4) **Investing in Highways - Committee**
- 5) **Community Speedwatch - Rapid Scrutiny Exercise**
- 6) **20mph Speed Limits - Short Term Task Group/Committee**
- 7) **Parking Review - Short Term Task Group**
- 8) **Adoptable Estates - Task Group (Already Established)**
- 9) **Review of Flood Plan - Rapid Scrutiny Exercise**

91 Task Group Updates

The Committee received updates from the currently established Task Groups as follows:

Waste

Councillor Jose Green provided an update on the progress of the Waste Task Group, which had met twice since the last meeting of the Committee, interviewing officers and other witnesses and meeting with the Cabinet member to identify details of the Waste Management Service that could be improved.

The next meeting of the Task Group would take place on 14 November 2013.

Community Infrastructure Levy (CIL)

Councillor Bridget Wayman provided an update on the progress of the CIL Task Group, which had investigated the approaches of other Local Authorities as well

as receiving presentations from developers on the approach on the rate to be applied across the county.

The Task Group had met three times since the last meeting of the Committee and the next meeting would take place on 31 October 2013.

Adoptable Estates

Councillor Peter Evans provided an update on the progress of the Adoptable Estates Task Group, which had had one meeting since the last meeting of the Committee. As much of the membership of the Task Group was new, the Task Group had assessed the action plan of the previous membership and would arrange further meetings to further investigate the issues raised.

92 **Urgent Items**

The Committee requested it be recorded that they praised the work and conduct of the Council's Media Relations Team for their continual updates to members and the public regarding the intense storms that occurred on 28 October 2013, and that the Committee's thanks be forwarded to the team.

93 **Date of Next Meeting**

The date of the next meeting was confirmed as Tuesday 10 December 2013.

(Duration of meeting: 10.30 am - 12.00 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council

Environment Select Committee

10 December 2013

Report of the Community Infrastructure Levy (CIL) Task Group

Purpose of report

- 1 To endorse the recommendations of the CIL Task Group and refer the report to Cabinet for response.

Background

- 2 CIL is a proposed new charge that local authorities can choose to impose on development in their area. Under the CIL regulations the Council is required to prepare and publish a charging schedule, which sets out the rates of CIL which will apply in Wiltshire. As part of its evidence to the independent examiner, the Council is required to produce a viability study and this work has been completed by consultants, BNP Paribas.
- 3 The CIL Task Group was established in August 2012 to test out the charging proposals for CIL and report on recommendations for the future implementation of CIL.

Main considerations

- 4 BNP Paribas presented 4 possible options for the charging schedule. The Task Group has considered these and believes that, in general, option 3 provides the best solution, although they have made some amendments to it as described within the report.
- 5 The Committee is asked to consider the attached report of the CIL Task Group and endorse its recommendations.

Proposal

To endorse the recommendations in paragraph 33 and refer the report to Cabinet for response.

Paul Kelly, Scrutiny Manager and Designated Scrutiny Officer

Report Author: Maggie McDonald, Senior Scrutiny Officer
01225 713679 maggie.mcdonald@wiltshire.gov.uk

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Report of the Community Infrastructure Levy (CIL) Task Group

Purpose of report

- 1 To present the final report of the CIL Task Group.

Background

- 2 At present, from April 2014 the use of 'pooled' section 106 obligations will be limited. CIL is a proposed new charge that local authorities can choose to impose on development in their area. It will contribute towards bridging the funding gap between the total cost of infrastructure necessary to deliver new development and the amount of funding available from other sources. Should the Council have chosen not to adopt a CIL charging schedule it would have had significant implications with regard to funding the infrastructure in Wiltshire. A brief overview of CIL is contained in Appendix 1.
- 3 In 2012, the Cabinet and the Corporate Leadership Team identified the introduction of CIL as one of its corporate priorities. The O & S Management Committee agreed to include it in the overall work programme under the Environment Select Committee (the Committee). The CIL Task Group was established by the Committee in August 2012.
- 4 Under the CIL regulations the Council is required to prepare and publish a charging schedule, which sets out the rates of CIL which will apply in Wiltshire. The Task Group was asked to test out the charging proposals for CIL and report on recommendations on the future implementation of CIL.
- 5 The independent examiner will require the following evidence base for the charging schedule for CIL. Overall, the evidence provided should show that the proposed rate(s) would not threaten delivery of the Core Strategy.
 - An up-to-date development plan (Wiltshire Core Strategy)
 - An infrastructure Delivery Plan
 - An economic viability assessment
- 6 The Council employed BNP Paribas (BNPP) to develop the economic viability evidence base and their report was produced in August 2012. This tested the

impact of a range of CIL rates against residential developments and schemes, including affordable housing, and commercial schemes.

- 7 The Government produced guidance on CIL in March 2010, with further guidance in December 2012. The later guidance required local authorities to provide a more extensive evidence base to justify their level of CIL and the Council asked BNPP to undertake this work.
- 8 The Task Group presented a report to the Committee in April 2013, having considered a range of documents, spoken with the Cabinet member and officers, and having sought the views of a number of building developers. It was clear at this time that the Government was planning a consultation on the CIL reforms and the Task Group recommended that further work was undertaken to consider the likely new guidance and other relevant evidence, including the local consultation results.
- 9 Following the Council elections in May 2013, the CIL Task Group continued its work as a legacy topic. With the exception of one member the Task Group membership (shown below) remained the same, providing valuable continuity in the light of continuing changes to CIL guidance from Government.

Cllr Tony Trotman (chairman)

Cllr Jon Hubbard

Cllr George Jeans

Cllr Ian McLennan

Cllr Bridget Wayman.

CIL Task Group activity post May 2013

- 10 On reconvening, the Task Group received an update on the national situation in respect of CIL. The Government had published revised guidance in April 2013 and had undertaken the anticipated consultation in April/May 2013. It is understood that the Government will publish its response to the consultation in November 2013 but it has signalled its intention to move the date from when the current section 106/planning obligations will be limited from April 2014 to April 2015. It also expects to publish new guidance in January 2014.
- 11 Within Wiltshire, BNPP were continuing to compile the new evidence as required by the latest legislation, and had also been asked to take into account the results of the local consultation, the new evidence and respond to the views of the Task Group, when formulating the possible options on CIL rates.
- 12 At this time, the Core Strategy examination was underway and the Council decided to review the timetable for preparation of CIL to address the delay in

receipt of the Inspector’s report. The guidance requires a balance to be struck between securing additional investment for infrastructure to support development, and the potential economic effect of imposing CIL on development across Wiltshire.

- 13 The Task Group met on 5 occasions, post election, and received evidence from the Cabinet member and officers who provided briefings on technical issues, matters of policy and statutory responsibilities. The Task Group received a presentation from BNPP on the results of their viability work including four options for setting CIL rates.
- 14 They subsequently received the draft CIL Viability Study from BNPP and reviewed the four options presented for proposed CIL rates (Appendix 2) and supporting evidence.

Task Group conclusions

- 15 Taking into account the evidence it had gathered the Task Group considered that, of the four options presented by BNPP, Option 3 provided the best proposed levels of CIL. However, it has suggested several amendments, shown underlined below. The Task Group notes that the guidance requires the Council to use viability evidence to *inform* the draft charging schedule, but there is no requirement for the proposed rate to mirror it. Option C proposes different rates of CIL for different development types and different areas.
- 16 Option 3

Development type	CIL Charge £/sq m			
	Settlement category 1 - Marlborough & surrounding area, including Pewsey	Settlement category 2 - Bradford upon Avon, Salisbury, rural villages south of Salisbury, Wilton and Chippenham	Settlement category 3 - Corsham, Amesbury, Devizes and surrounding villages	Settlement category 4 - Melksham, Trowbridge, Westbury, Dilton Marsh, Calne and Warminster
Residential <u>and</u> <u>student</u> <u>housing</u>	£140	£110	<u>£75</u>	<u>£55</u>

Residential (Strategic sites)	<u>£70</u>	<u>£55</u>	<u>£40</u>	<u>£30</u>
High street and covered shopping centre retail in Chippenham, Salisbury, Trowbridge, Marlborough and Bradford upon Avon	£70			
Retail warehouse ¹ and superstore ² development across the County	£175			
Hotels	£70			
All other uses	£0			

Residential development

- 17 The level of contributions that can be collected via section 106 will be significantly restricted under the CIL regulations. In terms of funding from developments, the Task Group is keen to see that the Council is in no worse a position post-CIL than it is pre-CIL. Therefore, it believes that the Council should benefit as much as possible from CIL to ensure that it can deliver the infrastructure laid out in its plans, whilst acknowledging that a balance is required to be struck between securing additional investment for infrastructure to support development, and the potential economic effect of imposing CIL on development across Wiltshire.
- 18 It believes that those areas which can support a higher level of CIL should be required to do so and so supports the concept of different CIL rates for different areas, noting also that the guidance suggests differential rates are more flexible to local conditions. It agrees with the levels proposed in Option 3 for settlement categories 1 and 2, £140 and £110 respectively. These

¹ Retail warehouses: large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.

² Superstores/supermarkets are shopping destinations in their own right selling mainly food and non-food goods, which have a dedicated car park.

levels are well below the maximum level of CIL for these categories suggested by BNPP (£200 and £160 respectively), taking into account the discount the guidance requires, the level of which is not prescribed.

- 19 The Task Group considers that the levels of CIL proposed for settlement categories 3 and 4 are disproportionately high relative to the maximum CIL rates for those categories, and compared to the discounts offered to categories 1 and 2. It would like to see incentives and more support for developments in these categories and is recommending a reduction of the levels suggested by BNPP. In category 3 this would be from £85 to £75 and in category 4 from £70 to £55.
- 20 The Task Group noted that in the Service Director's report to Cabinet on the proposed rate for CIL in September 2012, a single rate was favoured for residential areas. The reason being that the areas to which the rates apply are based on an examination of the house values within settlements, which are not necessarily adjacent to one another and do not relate to easy recognisable boundaries, requiring arbitrary ones to be established. This report also suggested that the greater the complexity of rate, the more likely it was to require greater justification.
- 21 The latest guidance required the Council to provide a more extensive evidence base to justify its level of CIL and this evidence has been provided in the most recent draft BNPP report. The rates recommended by the Task Group fall within ranges considered viable by BNPP and therefore it trusts that they would hold up to examination.
- 22 The Task Group acknowledges that the initial exercise of defining the boundaries of the four charging zones may be complex but considers that, apart from possible adjustments that may arise from future reviews of the CIL rate, this would be a one-off exercise after which administration would be straightforward.

Residential development - strategic sites

- 23 The results of the draft BNPP report provide no conclusive evidence that levying a CIL would threaten the viability of strategic sites, and in options 1 - 3, they suggest a range of £0 - £70. This is not to suggest a flexible rate of CIL, but that any value within the range would not impact on viability. The Task Group acknowledges that strategic sites contribute significantly to on-site infrastructure, schools and strategic transport through section 106, and so believe that a lower rate of CIL is appropriate. It also acknowledges that the ability of individual sites to absorb CIL will vary across the county and therefore recommends that the CIL rate for strategic sites should be linked to

each settlement category and charged at approximately 50% of the standard residential rates they have suggested. Adopting different rates for each settlement category will also help to maximise the ability of sites to provide affordable housing.

High streets and covered shopping centre retail development

- 24 The Task Group agrees with the proposed rate of £70. However, it expressed concern that a charge of £70 on retail development on the high street within the named towns could be problematic if it was applied to 'neighbourhood shopping zones' ie out of centre developments within those towns.
- 25 The Task Group does not wish to see development impeded in Wiltshire's small market towns and supports the application of the charge of £70 solely in the towns named, ie Chippenham, Salisbury, Trowbridge, Marlborough and Bradford on Avon.

Retail warehouse and superstore development

- 26 The Task Group supports the proposed rate of £175, agreeing that such developments are viable throughout the county and could absorb a CIL contribution.

Student housing and hotel development

- 27 The Task Group believes that the student housing market is lucrative and that if university provision were to be established in the county, student housing development could flourish. It believes that this should be reflected in the level of CIL contribution and recommends that student housing is included in standard residential development. BNPP suggests that student housing could absorb a maximum level of £142. With allowance for a discount, the Task Group believes that the levels it is recommending would not negatively impact on viability, bearing in mind that most development is likely in categories 2 – 4.
- 28 Although BNPP suggests that hotel development could absorb a high level of CIL (£253), the Task Group believes that the level should remain at £70 across the county as suggested to encourage hotel development.

All other uses

- 29 The Task Group agrees that a nil rate of CIL should be applied to 'all other uses'.

Task Group concerns

- 30 The Task Group shared a concern over the impact on social housing on small sites following the introduction of CIL and suggests that the Committee may wish to monitor this.
- 31 Under the regulations, communities with a neighbourhood plan are entitled to 25% of CIL receipts in their area (15% for those communities without a plan). Strategic sites are not likely to yield high levels of CIL as they will make significant contributions via section 106. Although this suggests that communities may not get such a large sum from CIL as they had anticipated, the Task Group noted that, by having a plan, the community can indicate what development it would like to see and this can be included in the negotiations around section 106 obligations.
- 32 The Task Group noted that the list of strategic sites in draft BNPP report was not a comprehensive list and believed that this should be made clear.

Recommendations

- 33 **The Task Group recommends that:**
- a) **In drawing up the Preliminary Draft Charging Schedule for consultation, the Council adopts the CIL charges outlined in paragraph 16;**
 - b) **The CIL Task Group stands down after the presentation of the report to the Environment Select Committee (and Cabinet, if the Committee endorses the report), but could re-start if required by the Committee to consider any further guidance from central Government.**

Next steps

- 34 The final report will be considered by the Environment Select Committee on 10 December. Subject to endorsement by the Committee, the recommendations will be submitted to Cabinet at its meeting on 17 December when it receives the report on the preferred option.

Cllr Tony Trotman - Chairman, CIL Task Group

Report Author: Maggie McDonald, Senior Scrutiny Officer
01225 713679 maggie.mcdonald@wiltshire.gov.uk

Appendices

Appendix 1 Overview of the Community Infrastructure Levy (CIL)

Appendix 2 Options on proposed CIL rates for consideration by the Council provided by BNP Paribas

Background documents

Community Infrastructure Levy: Viability Study, November 2013. Draft report prepared by BNP Paribas for Wiltshire Council

Community Infrastructure Levy, April 2013. Guidance from the Department for Communities and Local Government

Wiltshire Community Infrastructure Levy – Preliminary Draft Charging Schedule, 10 September 2012. Report to Cabinet by Alistair Cunningham, Service Director for Economy and Regeneration

Community Infrastructure Levy (CIL) - overview

- CIL is a new charge that local authorities in England can place on new development in their area. The money generated through the levy will contribute to the funding of infrastructure to support growth.
- It is designed to contribute towards bridging the 'funding gap' between the total cost of new infrastructure required to support development and the amount of funding available from other sources.
- It is charged in pounds per square metre on the net additional increase in floor space of any given development. This ensures that charging CIL does not discourage the redevelopment of sites.
- It is charged on all new build and any extensions, where the gross internal floor space is 100 square metres or more. CIL is also liable if the development involves the creation of an additional dwelling, or dwellings, even if development is less than 100 square metres. The Government has recently proposed exempting self-build development and residential annexes/extensions from CIL. They have indicated that this will be included in amended CIL regulations to be enacted next year.
- CIL can be charged on most buildings that people normally use, however a number will not be eligible for CIL. This includes buildings into which people do not normally go, changes of use that do not involve an increase in floor area and social housing, amongst others.
- It is charged on new build development granted planning permission on, or after, the date on which CIL is implemented locally. The planning permission identifies the building liable for CIL and defines the land on which these buildings stand.
- CIL is charged on new builds permitted through some form of planning permission. CIL will also apply to the following types of planning consent:
 - a) Permitted development rights under the General Permitted Development Order 1995
 - b) Local Planning Orders
 - c) Acts of Parliament.
- The CIL Regulations introduce three restrictions on the use of Section 106 agreements below:
 - a) Tightening up of Section 106 agreements to make them more directly related to specific development
 - b) No double charging for infrastructure through both CIL and Section 106 agreements
 - c) Limiting pooled Section 106 contributions towards infrastructure capable of being funded by CIL
- The Council will need to maintain a 'Regulation 123 List' which identifies infrastructure projects or types of infrastructure that it proposes to fund through CIL to avoid double charging with s106.
- It is recommended that CIL is kept under review to ensure that the charge remains appropriate over time.

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Options for proposed levels of CIL presented by BNP Paribas

Option 1

Development type	CIL Charge £/sq m
Residential	£70
Residential (strategic sites)	£0 - £70
High street and covered shopping centre retail in Chippenham, Salisbury, Trowbridge, Marlborough and Bradford upon Avon;	£70
Retail warehouse and superstore development across the County;	£70
Student housing and hotels	£70
All other uses	£0

Option 2

Development type	CIL Charge £/sq m
Residential	£70
Residential (strategic sites)	£0 - £70
High street and covered shopping centre retail in Chippenham, Salisbury, Trowbridge, Marlborough and Bradford upon Avon;	£70
Retail warehouse and superstore development across the County;	£175
Student housing and hotels	£70
All other uses	£0

Option 3

Development type					CIL Charge £/sq m				
		Settlement category 1 - Marlborough & surrounding area, including Pewsey		Settlement category 2 - Bradford upon Avon, Salisbury, rural villages south of Salisbury, Wilton and Chippenham		Settlement category 3 - Corsham, Amesbury, Devizes and surrounding villages		Settlement category 4 - Melksham, Trowbridge, Westbury, Dilton Marsh, Calne and Warminster	
Residential		£140		£110		£85		£70	
Residential (Strategic sites)		£0 - £70		£0 - £70		£0 - £70		£0 - £70	
High street and covered shopping centre retail in Chippenham, Salisbury, Trowbridge, Marlborough and Bradford upon Avon		£70							
Retail warehouse ¹ and superstore ² development across the County		£175							
Student housing and hotels		£70							
All other uses		£0							

¹ Retail warehouses: large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.

² Superstores/supermarkets are shopping destinations in their own right selling mainly food and non-food goods, which have a dedicated car park.

Option 4

Development type	CIL Charge £/sq m	
	Settlement categories 1, 2 and 3	Settlement category 4 - Melksham, Trowbridge, Westbury, Dilton Marsh, Calne and Warminster
Residential	£85	£55
Residential (Strategic sites)	£40	£30
High street and covered shopping centre retail in Chippenham, Salisbury, Trowbridge, Marlborough and Bradford upon Avon	£70	
Retail warehouse and superstore development across the County	£175	
Student housing and hotels	£70	
All other uses	£0	

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Wiltshire Council

Environment Select Committee

10 December 2013

Wiltshire Policy on 20mph Speed Limit and Zones

1.0 Purpose of report

- 1.1 To set out how 20mph speed limits and zones will be applied in Wiltshire following the publication of DfT Circular 01/13 Setting Local Speed Limits in January 2013 and the results of Wiltshire Council's own 20mph rural village trials.
- 1.2 This policy sets out the background and criteria to be used for 20mph speed restrictions.
- 1.3 This policy does not cover part time 20mph restrictions such as those outside schools.

2.0 Background

20mph zones

- 2.1 20mph "Zones" are defined as areas subject to a 20 mph speed restriction which cover a number of roads and are supported by the appropriate traffic order and signs. In order to ensure that speeds remain consistent with the posted limit these roads will typically employ traffic calming measures located at regular intervals throughout the zone. By definition, the design of 20 mph zones can vary in detail, however they should be 'self-enforcing' and comply with the Traffic Sign Regulations and General Directions 2002. Depending on the local environment, a range of vertical and horizontal engineering features, as well as other measures, may be used. Examples of vertical deflections include road humps & raised junctions. Horizontal deflections include build-outs, chicanes & pinch points. The restriction is indicated by signs at the beginning and end of the zone. Repeater signs are not legally required, however they may be used in particular circumstances.
- 2.2 Nationally 20mph zones have proved to be extremely effective in reducing both speed and road casualties. The first widespread evaluation of 20mph zones in the UK was carried out by the TRL in 1996. It found that over the monitoring period, injury accidents reduced by 60% and child injury accidents were reduced by some 67%. A similar positive picture on their use is reflected in Wiltshire, which currently has over 75 operational zones.

2.3 Its important to note that despite their advantages, 20mph zones are not welcomed by all as the features intended to slow traffic can in themselves be seen as detrimental to the character and appearance of an area, cause an increase in vehicle noise, a rise in exhaust emissions, and cause ground borne vibration to occur in adjacent properties. There are also criticisms they can increase overall response time for emergency services.

20mph speed limits

2.4 20mph limits are defined as streets where the speed restriction has been reduced to 20mph but where there physical calming measures are not employed to enforce the necessary speed reduction. Drivers are alerted to the restriction by the use of terminal and repeater signs only. Almost all of the research into 20 mph limits indicates they generally lead to relatively small reductions in 'mean' speed (1-2mph); as such they are most appropriate for roads where the average traffic speeds are already low. In order to ensure general compliance, the current guidance from the DfT (01/13) suggests they should only be considered for use on roads where mean speeds are already 24mph or less and where the layout and character of the road gives a clear indication to drivers that a lower speed is appropriate.

2.5 20mph local speed limits have to date, been normally applied to individual or a small number of roads; however they are being increasingly being applied area wide to larger residential or built up environments. Whilst there is no requirement for physical traffic calming, lighter touch engineering measures may be specified in isolated areas where average speeds consistently remain above 24mph. The likelihood of significant speed alterations remains poor, in such circumstances.

2.6 Early evidence from a number of local highway authority pilot studies appears to further reinforce the DfT findings that 20mph limits are significantly less effective in reducing speeds and road casualties than zones. Data from a number of area-wide 20mph limits without traffic calming, such as Oxford, Bristol and Warrington demonstrated an overall reduction in mean speeds of between 0.4 mph to 1.3mph where existing speeds are 24mph or less. This relatively low level of speed reduction appears to be broadly typical across all sites where 20mph limits have been introduced.

2.7 In 2011 Wiltshire undertook its own 20mph limit trials at a number of selected rural villages, all of which were previously subject to 30mph restrictions. Approximately 12 months post implementation the mean speed across all the sites reduced by an average of 1.6 mph from 24.6 mph to 23 mph. It is too early to evaluate the effect of the new limits on collision rates; however this should become clearer in the next few years following regular monitoring and trend analysis. Despite some reported reductions elsewhere in the country, there still

appears to be little conclusive or proven statistical evidence that overall casualty rates have fallen following the introduction of 20 mph limits.

3.0 Department for Transport guidance

3.1 The key points from Circular 01/13 with regard to 20mph speed limits and zones are set out below;

Para 85. Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed.

Para 86. Evidence from successful 20 mph schemes shows that the introduction of 20 mph zones generally reduces mean traffic speed by more than is the case when a signed-only 20 mph limit is introduced. Historically, more zones than limits have been introduced.

Para 95. Research into signed-only 20 mph speed limits shows that they generally lead to only small reductions in traffic speeds. Signed-only 20 mph speed limits are therefore most appropriate for areas where vehicle speeds are already low. This may, for example, be on roads that are very narrow, through engineering or on-road car parking. If the mean speed is already at or below 24 mph on a road, introducing a 20 mph speed limit through signing alone is likely to lead to general compliance with the new speed limit.

3.2 In urban areas Circular 01/13 advises that;

Traffic authorities can, over time, introduce 20mph speed limits or zones on:

- *Major streets where there are – or could be - significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic.*

This is in addition to

- *Residential streets in cities, 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.*

Where they do so, general compliance needs to be achievable without an excessive reliance on enforcement.

3.3 In villages Circular 01/13 advises that;

Para 131. Fear of traffic can affect people's quality of life in villages and it is self-evident that villages should have comparable speed limits to similar roads in urban areas. It is therefore government policy that a 30 mph speed limit should be the norm through villages.

Para 132. It may also be appropriate to consider 20 mph limits or zones in built-up village streets which are primarily residential in nature, or where pedestrian and cyclist movements are high. Such limits should not, however, be considered on roads with a strategic function or where the movement of motor vehicles is the primary function.

4.0 **Existing commitments**

4.1 The safety of Wiltshire residents continues to be the overriding concern of the Council. Improving safety is carried out by Education, Enforcement and Engineering activities and the use of 20mph limits and zones will be included in this, where the circumstances suggest that this is considered appropriate. This will be where it can, in the light of past experience, be realistically anticipated to bring about a demonstrable change in driver behaviour, resulting in a consequent improvement in the environment for pedestrians and other vulnerable users.

4.2 Wiltshire Council has in the past stated the following commitments:

- Continue to invest in the proven Education, Enforcement and Engineering techniques.
- Continue to invest in 20mph Zones in Town centres and residential areas where there is a high volume of vulnerable users in conflict with vehicles.
- On new estate design ensure that access and internal roads are effectively self enforcing 20 mph Zones.
- Introduce 20 mph limits where there is clear indication they will prove effective in reducing both traffic speeds and collisions.
- Fully involve the Area Boards in local decisions relating to highway improvements.
- Give due consideration of any change in the position of the Association of Chief Police Officers in enforcing 20mph limits.

5.0 **Criteria to be used**

5.1 The guidance set out in DfT Circular 01/13 further reinforces the knowledge and experience gained in Wiltshire through the use of 20mph speed limits and 20mph zones in both urban and rural environments. As such it is considered that a Wiltshire Policy should not substantially deviate from that contained in Circular

01/13. Taking into consideration the guidance and Wiltshire's own experience the following criteria are to be used.

5.2 20mph limits can be considered:

- Where mean 'before' speeds are at or below 24.0mph and in those locations where the mean speeds are just above 24mph and the use of lighter touch engineering measures are likely to result in 'after' mean speeds below 24mph.
- On roads that do not have a strategic function or where the movement of motor vehicles is not the primary function and in those areas where significant pedestrian and cycle movements are demonstrated to take place.
- In those areas set out in paragraph 84 and 97 of Circular 01/13
- In rural areas where the location, in addition to the above conditions, also meet the definition of a village as set out in Traffic Advisory Leaflet '01/04 - Village Speed Limits'

Roads which have a strategic function or where the movement of motor vehicles is not the primary function are defined as those to 'Category 4B' of the adopted Wiltshire Council Road Hierarchy as set out in **Appendix C**. Roads to Category 4B Local Access, would typically be considered suitable for 20mph limits.

5.3 20mph zones can be considered:

- On roads subject to an existing 30mph speed restriction.
- Where there is a proven history of road user conflict with vulnerable road users i.e. child pedestrians.
- In new residential housing developments.
- Where a suitable alternative route exists to enable drivers to avoid the zone.
- In those areas set out in paragraph 84 of Circular 01/13
- Where the use of traffic calming features is supported by the emergency services.

6.0 **Mechanism to enable the introduction of 20mph speed limits and zones**

6.1 It is expected there will be an initial demand from the public for 20mph restrictions, in particular for 20mph limits. Over time it is anticipated this demand will plateau until such time where their long term effect on driver behaviour and potentially limited outcomes becomes better understood within the communities. Until then clear prioritisation of the requests will be required. With the established role of the Area Boards / Community Area Transport Groups in determining local priorities for many highways improvements it is considered that they should be directly involved in any prioritisation mechanism and the decision on whether to install the limit or zone.

6.2 The mechanism would allow the Area Boards / Community Area Transport Groups to put forward two locations per Board Area per annum for assessment and potential delivery.

6.2 A flow chart setting out the mechanism is included at **Appendix A**.

7.0 **Funding**

7.1 20mph restrictions are seen as one solution within the options available to deal with improving road safety in Wiltshire. As such they would need to be considered for funding alongside other requests received by the Area Board / Community Area Transport Groups from the local community.

7.2 In order to provide an equitable service to each Area Board / CATG all assessment, design, and Traffic Regulation Order (TRO) costs would be borne by the Council. As implementation of any approved scheme would be at the discretion of the Area Board / CATG implementation costs would need to be funded from the Area Board Discretionary Highways budget or the substantive CATG fund.

8.0 **Considerations**

8.1 Safeguarding Considerations: Not applicable.

8.2 Public Health Implications: Not applicable.

8.3 Environmental Impact of the Proposal: Not applicable.

8.4 Equalities Impact of the Proposal: Not applicable.

8.5 Financial Implications: None at this time

8.6 Legal Implications: Not applicable.

9.0 **Summary**

9.1 The use of 20mph speed limits and zones is accepted as being an additional measure by which road safety concerns can be addressed. However in order to ensure they remain both credible and effective it is essential they are only be used in areas that are suitable and which meet the criteria set out above. If this is not achieved their effectiveness and public acceptance will quickly be eroded. In particular 20mph limits should not be seen as the panacea to all road safety issues in built up urban areas and villages, but considered as one of the many available solutions to address the concerns raised.

9.2 It is intended that ongoing monitoring of installed 20mph restrictions will inform how this policy develops in the future and it is fully anticipated that the criteria will be refined in light of the results recorded.

9.3 A frequently asked questions section is included at **Appendix B**

10.0 **Recommendation**

10.1 To note the report on the proposed policy and for the Committee to make any comments as appropriate.

Report Author: David Thomas, Traffic Engineering Manager, Traffic and Network, 01225 713312

Appendices

Appendix A - Wiltshire 20mph Speed Restriction Process Flowchart

Appendix B - FAQ Section

Appendix C - Wiltshire Council Road Hierarchy

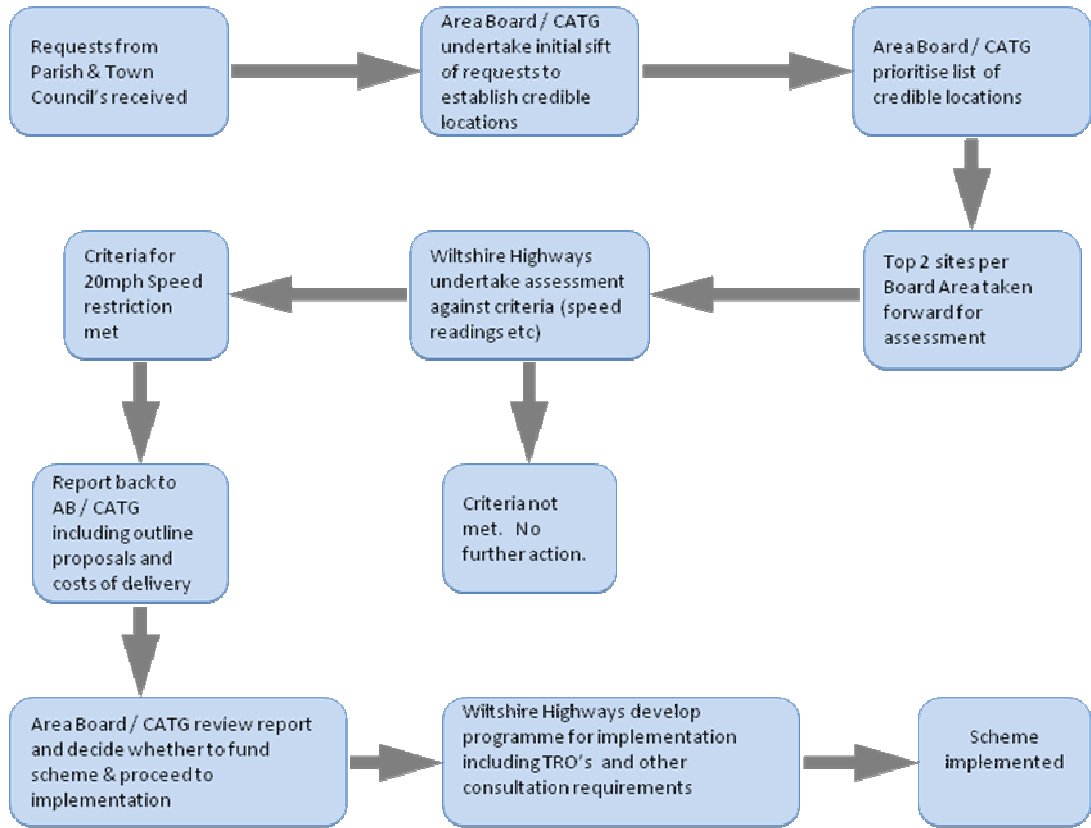
Appendix D - Traffic and Network Management Consultation Report

Background Papers

20mph Rural Speed Limit Trial – Evaluation Report (DRAFT)

APPENDIX A

Wiltshire 20mph speed restriction Process



20mph speed restrictions - Frequently Asked Questions

Q1. How effective are 20mph speed limits in reducing actual vehicle speeds?

A1. *Results from area wide 20mph speed limits introduced in Portsmouth and other areas have shown an average reduction in speed of 1 to 2mph where 'before' speeds were already low. Where before speeds were higher (greater than 25mph) speed reduction is greater but the resultant reduced speeds remain above 24mph and overall compliance remains low. The Wiltshire village trials resulted in an overall reduction in mean speed of 1.6mph which supports the advice given by the DfT. (para 95 and 96 of Circular 01/13)*

Q2. Why is a mean speed of 24mph used as the threshold level?

A2. *All speed limits are set where it can be expected that overall compliance with the limit can be expected. As demonstrated above where mean speeds are greater than 24mph the overall compliance is low and it can be considered that the limit is then ineffective. A mean speed of 24mph is considered to be the statistical level where the limit remains effective.*

Q3. What are the benefits of 20mph limits?

A3. *There is some early evidence from the sign only 20mph pilot schemes that whilst speed reduction is small there are quality of life and community benefits that can be accrued. (para 83 Circular 01/13).*

Q4. Will 20mph limits reduce the numbers of road casualties?

A4. *Whilst it is accepted and there is substantial evidence to show that reduced traffic speeds result in reductions in collisions and casualty severity (para 82 Circular 01/13) there is no clear long term evidence that 20mph limits on their own result in a reduction in road casualties. The results from pilot area wide urban 20mph in other parts of the country have proved inconclusive with reductions on some roads and increases on others. Longer term monitoring is required before definitive conclusions can be made.*

Q5. Will 20mph limits mean the introduction of road humps or other forms of traffic calming?

A5. *No. The basis of 20mph limits is that they should be self enforcing negating the need for traditional traffic calming features such as horizontal and vertical deflections. However lighter touch measures, such as carriageway roundels, are permitted at locations where speeds remain of concern.*

Q6. Will 20mph limits result in an increase in the number of signs?

A6. *Yes. There is a requirement that repeaters signs are provided at regular intervals throughout the length of road subject to a 20mph limit.*

Q7. Why won't you be implementing 20mph limits on rural main roads? - this is where the problem is.

A7. The DfT guidance is clear in that 20mph limits in rural villages should not be provided where the primary function of the road is that of through vehicle movement. (para 132 Circular 01/13). It is highly likely that in rural areas where roads are subject to significant through vehicle movements that 'mean' speeds would not be of a level that a 20mph limit can be considered.

Q8. Is Wiltshire Council implementing blanket 20mph limits in large residential areas like some other local authorities?

A8. Area wide limits will be considered as part of the adopted process.

Q9. Will a 20mph limit / zone be enforced by the Police?

A9. Up until recently ACPO have said that all 20mph restrictions should be self enforcing and as such they will not receive routine enforcement. However this position is being reconsidered and targeted enforcement by Neighbourhood Policing Teams is likely to be undertaken in the future based on local intelligence.

Q10. Can Community Speed Watch (CSW) operate in areas covered by 20mph limits?

A10. Revisions to the way in which CSW operates in Wiltshire are due to be announced in the near future and this is likely to allow CSW in both 20mph limits and zones.

Q11. Can the temporary Speed Indication Device (SID) be deployed in a 20mph limit / zone?

A11. Yes. As an addition to support CSW activities.

Q12. Will existing 20mph limit / zones be reviewed to find out if they meet the criteria? Will action be taken to make changes to those that do not?

A12. No, however if concerns are raised locally through the Area Board issues system and supported by the Community Area Transport group a reassessment could be considered.

Q13. How much do 20mph speed limits and zones cost?

A13. 20mph zones and limits vary considerably in size and nature. As such it is difficult to provide definitive costs at this stage. Typically the on ground delivery cost of a 20mph limit covering a village is in the order of £8,000 to £10,000. A typical area wide 20mph zone with physical calming features would cost in the region of £80,000 to £250,000. These estimates exclude the upfront assessment and design costs.

Q14. How can you tell if a newly implemented 20mph limit has been successful?

A14. We will undertake ongoing monitoring.

Q15. Will 20mph simply lead to increased delays to traffic and driver frustration?

A15. *By carefully choosing the areas for 20mph restrictions additional delays to motorists are not anticipated.*

Q16. **You are only allowing 20mph limits in streets where average speeds are already below 24mph – what's the point?**

A16. *Whilst further speed reduction is likely to be small, the presence of the limit is likely to bring about an overall change in driver attitude and introduce positive community benefits.*

Q17. **I do not want a 20mph limit / zone to be implemented where I live – how do I object?**

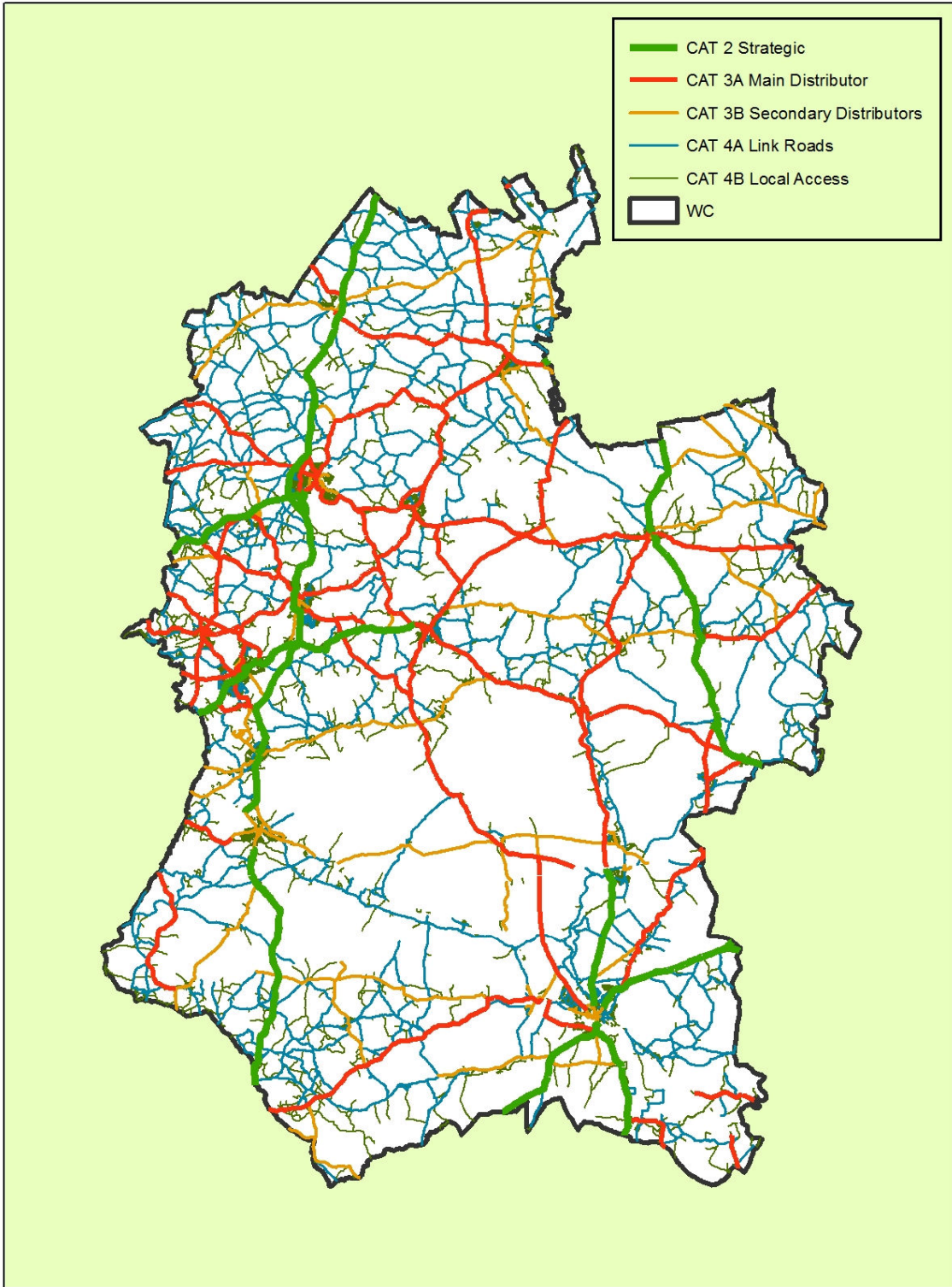
A17. *Any change in the speed limit will be subject to a formal traffic order advertisement at which time objection can be made.*

Wiltshire Council Road Hierarchy

Table taken from the 'Code of practice for Maintenance Management' DETR 2001.

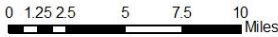
Hierarchy Description	Type of Road / General description	Detailed Description
Motorway	Limited access motorway regulations apply.	Routes for fast moving long distance traffic. Fully grade separated and restrictions on use.
Strategic Route Category 2	Trunk and some Principal "A" roads between Primary Destinations.	Routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions. Pedestrian crossings are either segregated or controlled and parked vehicles are generally prohibited.
Main Distributor Category 3A	Major Urban Network and Inter-Primary Links. Short – medium distance traffic.	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access. In urban areas speed limits are usually 40 mph or less, parking is restricted at peak times and there are positive measures for pedestrian safety.
Secondary Distributor Category 3B	Classified Road(B and C class) and unclassified urban bus routes carrying local traffic with frontage access and frequent junctions	In rural areas these roads link the larger villages and HGV generators to the Strategic and Main Distributor Network. In built up areas these roads have 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra

Hierarchy Description	Type of Road / General description	Detailed Description
		crossings. On street parking is generally unrestricted except for safety reasons
Link Road Category 4A	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions.	In rural areas these roads link the smaller villages to the distributor roads. They are of varying width and not always capable of carrying two way traffic. In urban areas they are residential or industrial inter- connecting roads with 30 mph speed limits random pedestrian movements and uncontrolled parking.
Local Access Road Category 4B	Roads serving limited numbers of properties carrying only access traffic	In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGV. In urban areas they are often residential loop roads or <i>cul de sac</i> .



Maintenance Road Class

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TRAFFIC & NETWORK MANAGEMENT

20mph speed restriction policy

Report on Consultation

November 2013

Document Control Sheet

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2.0 Response to consultation

3.0 Status of Circular

4.0 Analysis

5.0 Conclusions

6.0 Recommendations

Appendix 1 – Summary of comments received

Appendix 2 – Summary or requests

1.0 Introduction and background

- 1.1 In January 2013 the Department for Transport (DfT) published Circular 01/13 'Setting Local Speed Limits'. The Circular provides updated guidance to local highway authorities on how to set the appropriate level of speed limit in both urban and rural environments. In comparison to the previous DfT guidance, Circular 01/13 includes additional information on the use of 20mph speed restrictions (zones and limits) and provides guidance on the criteria used to determine those locations where their use can be considered.
- 1.2 In advance of the publication of Circular 01/13 and in recognition of the likely increase in the number of requests for rural 20mph limits, Wiltshire Council carried out its own trial of a small number of 'sign only' 20mph limits at selected village locations across the county during the 2010/11 financial year. The results of the trials have been used in conjunction with the DfT guidance to develop an overall draft policy for Wiltshire.
- 1.3 The draft Wiltshire Policy on 20mph speed limits and zones sets out the proposed eligibility criteria and a mechanism to allow assessment and delivery of received requests for 20mph restrictions. The draft policy was subject to an eight week consultation via the council's website to allow comments to be received before a final policy is formally adopted.
- 1.4 The consultation period commenced on 1st August and closed on the 21st September 2013.

2.0 Response to consultation

- 2.1 In total 78 responses have been received. Of these 46 refer to and make comment on the draft policy with the remaining responses relating to new requests for 20mph restrictions. A summary of the comments received to the draft policy along with officer responses is included at Appendix 1. A list of those locations requesting a 20mph restriction is included at Appendix 2.
- 2.2 The response received from Wiltshire Police indicates support for the draft policy.

3.0 Status of Circular 01/13

- 3.1 The following statement is from the DfT and clarifies the status of Circular 01/13.

The DfT circular 01/2013 is guidance to local authorities on setting local speed limits. The guidance is designed to assist local authorities with their decision making process, but is not mandatory.

Departmental guidance is invariably based on best practice and it is hoped that local authorities take note of the advice provided. However, guidance is by its very nature, optional.

The Department would much rather local authorities have the flexibility to introduce speed limits that are appropriate for the local environment. This reflects the wider Government belief in localism and, wherever practicable, in the right of local authorities to make decisions that best reflect the needs of their communities.

4.0 Substantive comments

Funding

- 4.1 The draft policy sets out at paragraph 7 a proposed funding mechanism for 20mph restrictions in Wiltshire. A number of respondents to the consultation have commented the CATG's have insufficient funds to review and implement 20mph speed restrictions and that the assessment and delivery of the schemes should be funded centrally by the council. Comment is also made regarding additional sources of potential funding, i.e Section 106 monies, public health funding and the local sustainable transport fund (LSTF).

- 4.2 Across the eighteen community areas in Wiltshire there is a current total funding allocation of £400,000 available directly to the Area Boards / CATG's for use at their discretion on Highway matters. In addition there is a centrally held amount of £250,000 for what is known as 'Substantive' CATG schemes to which groups can bid on an annual basis. As such there is a total of £650,000 of funding available that could be used to implement 20mph restrictions if groups choose to do so. In addition the draft policy makes clear that assessment, design and traffic regulation order costs would be borne centrally by the Council. It is estimated that this could amount to approximately £100,000 per year. All of this funding comes from the Council's Integrated Transport block which for 2014/15 will stand at £3.66million. This level of funding is considered to be appropriate given the other demands on this budget
- 4.3 The Integrated Transport Block supports schemes that are principally intended to address casualty reduction and encourage walking, cycling and the use of public transport. This is in line with the Government's objectives of promoting alternative forms of transport and reducing road collision casualties, for which there are a number of national targets.
- 4.4 The opportunity to make use other funding sources, including Area Board grants, Section 106 monies etc can and will be taken as individual circumstances allow.

Number of assessments

- 4.4 A number of respondents have commented that two assessments per year per community area will not be enough to facilitate demand.
- 4.5 There are 18 community areas across the County which means there is potential in year one that 36 locations would be subject to review. In year two this may result in a potential roll out of '36' 20mph restrictions whilst another 36 are assessed. This level of commitment is considered to be commensurate with the available resource and future funding. It is accepted however that the situation will need to be closely monitored (as set out at paragraph 8.2) and the policy be reviewed after an agreed period in light of achieved progress.

Enforcement

- 4.6 Concern is raised about lack of enforcement of existing 20mph restrictions and how any new 20mph restrictions will be enforced moving forward.
- 4.7 Under the relaunched Community Speedwatch (CSW) initiative the volunteers are now able to undertake speedwatch activities in 20mph speed limits and zones.
- 4.8 ACPO speed enforcement guidelines include thresholds for enforcement across all speed limits, intended to underpin a consistent policing approach. Within that framework local police forces will take a responsible and proportionate approach to enforcement of 20mph limits based on their assessment of risk to individuals, property and the seriousness of any breach. Where drivers are regularly and wilfully breaking the law we would expect that the police will seek to enforce the limit and prosecute offenders.
- 4.9 Wiltshire Police have stated that Local Neighbourhood Policing Teams (NPT's) can conduct speed enforcement activities within 20 mph limits/zones where deemed appropriate. In essence, if NPT's are seeking to address a reported speeding issue they can conduct targeted enforcement where necessary, however enforcement will not be routinely undertaken on 20mph roads. The approach of Neighbourhood Policing Teams in every community is built around ensuring that local crime and disorder issues and concerns are identified, to which the police deliver an appropriate policing response. This applies to enforcement of 20mph restrictions as to any other area of policing.

24mph Average speed threshold for 20mph restrictions

- 4.10 Comment is made regarding the use of a 24mph mean speed as a determining threshold level for 20mph limits. The suggestion being the draft policy is not within the spirit of the guidance and the view expressed in Circular 01/13 indicates that an appropriate speed limit should be set

along with other measures (such as engineering, publicity, education etc) in order to achieve the appropriate level of compliance.

- 4.11 Circular 01/13 advises that 20mph limits need to aim for general compliance with no expectation on the police to provide additional enforcement. With average speed reductions of approximately 1mph for 'sign only' limits the introduction of 20mph limits on those roads where speeds are in excess of 24mph is unlikely to be sufficient on its own to make the limit generally compliant.
- 4.12 The interim evaluation report on the Portsmouth 20mph speed limit concluded that within an area wide application of 20mph sign only limits, those roads with average speeds in excess of 24mph did benefit from greater speed reductions but not to the extent that the 20mph speed limit was considered self enforcing.
- 4.13 It is accepted that where 'before' mean speeds are marginally above 24mph, the introduction of 20mph limits in conjunction with lighter or soft touch engineering measures is likely to result in general compliance. As such it is fully expected that a degree of flexibility will be required in determining whether a 20mph restriction can be introduced. However where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.

Area wide 20mph speed restrictions

- 4.14 The view is expressed that the draft policy is out of kilter with DfT advice and does not support the use of area wide 20mph limits. This is incorrect. The use of area wide 20mph limits is supported but it is accepted that clearer reference to this should be included at paragraph 5.2 of the Policy.
- 4.15 A number of respondents from Bradford on Avon have expressed a desire to see a town wide 20mph limit covering all roads. This is considered impractical and would not be in compliance with DfT guidance. Paragraph 84 of Circular 01/13 sets out those areas that are considered suitable for 20mph restrictions. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. Radial routes into the town centre (Bradford Road, Frome Road, Winsley Road etc) and internal distributor roads (Moulton Drive, Springfield etc) would not be suitable. However other areas of the town, predominantly the residential areas are highly likely to be suitable and could be subject to area wide 20mph limits.

Road hierarchy

- 4.16 Comment is made that the Circular does not preclude consideration of other roads for 20mph limits whilst the draft policy limits their use to those roads classified as Category 4B of the adopted Wiltshire Council Road Hierarchy. As set out in paragraph 5.2 of the draft policy it is considered that Category 4B roads are likely to be the most suitable for 20mph limits. It is however accepted that some of the areas set out at paragraph 84 of the Circular, while not being Category 4B roads, may be suitable for 20mph limits. Consequently a more liberal interpretation of the terms of reference may be appropriate in some circumstances.

5.0 Conclusions

- 5.1 There is evidence that 20mph limits, where appropriately applied, can bring about a number of positive effects on road safety, quality of life, and encourage healthier modes of transport such as walking and cycling. In order to be successful, speed limits require the respect of drivers and this can only be achieved where the reasons for the limit are unambiguous and where broad compliance is achieved without excessive reliance on police enforcement or widespread engineering measures. The Wiltshire policy seeks to build upon the evidence provided by its use of 20mph zones, the rural 20mph limit trials and DfT guidance in Circular 01/13 to provide a robust policy which encourages their use in areas where the benefits are tangible, measurable

and supported by the police. To do otherwise will result in poorly considered 20mph limits in which overall driver compliance is low and where public acceptance of all 20mph limits is gradually eroded.

- 5.2 The draft policy is considered to be robust and compliant with the DfT guidance. It seeks to introduce 20mph restrictions into those areas that are credible and where the benefits are real, true and measurable and not just done for popularist or political gain.
- 5.3 The delivery mechanism set out in the draft policy is considered to be fair, equitable and commensurate with the available funding and resource available.
- 5.4 Some revision to the draft policy is required to aid clarification in relation to the speed threshold, area wide restrictions, and road hierarchy.

6.0 Recommendations

- 6.1 It is recommended that the following changes be made to the draft policy:
 - i. Paragraph 5.2 should be amended to include reference to paragraphs 84 and 97 of the Circular to aid understanding of those areas where 20mph limits may be applied.
 - ii. At paragraph 5.2 the requirement for before speeds to be at or below 24mph be amended to cover those locations where speeds are just above this threshold and the use of lighter engineering measures are appropriate to bring speeds down to 24mph or less.
 - iii. Paragraph 5.2 should be amended to allow consideration of roads that are not Category 4B where it can be demonstrated that significant pedestrian and cycle movements take place.

20mph speed limit restrictions policy
Results of Consultation

	<u>RESPONDEE</u>	<u>COMMENTS</u>	
C1	Resident of Bottlesford	Is concerned about motorists exceeding 30mph restrictions and the lack of meaningful enforcement. Considers that this should be addressed first rather than lowering limits to 20mph	The enforcement of any speed limit is the responsibility of the Police rather than the Council. Communities can get involved in dealing with speeding issues through the Community Speedwatch (CSW) initiative that has recently been relaunched by the Police. The volunteer CSW groups are now able to be supported by targeted enforcement activities undertaken by the Police.
C2	Resident of Foxley Road, Malmesbury	Considers blanket 20mph speed limits in town centres an excellent idea.	Comment noted
C3	Wiltshire resident	Considers 20mph limits unenforceable as there are not enough community cameras, and that speed cameras are not calibrated for less than 30mph. Asks if enforcement would be done by the community or the Police.	See response to substantive comments
C4	Resident of Tisbury	Supports 20mph limits without traffic calming but does not support vertical deflections. Limits should be supported by cameras and speed detecting signs	<p>The type of traffic calming feature used will be the one that is considered to be the most suitable and effective taking into account local conditions. The use of vertical features would be included in this. However before any measures are introduced local consultation would be undertaken and this would give residents and others the opportunity to comment on the form of any feature proposed.</p> <p>The use of cameras and speed detecting signs is not considered practical. Enforcement – see response to substantive comments.</p>
C5	Resident of Trowbridge	Supports full time 20mph limits outside schools due to their longer opening hours. Suggests 20mph limits on side roads to prevent rat running.	The use of 20mph speed limits outside schools is subject to a separate review.

C6	Resident of Britford Lane, Salisbury	Considers that there is a wide held belief that 20 limits are not legally enforceable but that enforcement is needed. Prefers chicanes to speed bumps due to damage to vehicles.	Enforcement - See response to substantive comments The type of traffic calming feature used will be the one that is considered to be the most suitable and effective taking into account local conditions. The use of vertical features would be included in this. However before any measures are introduced local consultation would be undertaken and this would give residents and others the opportunity to comment on the form of any feature proposed.
C7	Pewsey CATG	Considers that CATG's do not have enough funds to review and implement any schemes and that this should be paid for centrally.	See response to substantive comments
C8	Resident of Dauntsey Wharf	Does not support 20mph restrictions at all except outside schools. Considers that road safety training would be a better way of improving road safety.	The use of 20mph speed limits outside schools is subject to a separate review. The Council through its Road Safety Unit already carries out road safety training activities with a range of age groups and different types of road user. It is the combination of Engineering, Enforcement and Education that brings about better road safety for all.
C9	Resident of Wiltshire	Considers that 20mph zones should be used on rat runs and on routes to schools	Comment noted.
C10	Resident of Spirhill, Calne	Is against the use of 20mph limits. Believes the broad application of 20mph limits is flawed and will be ignored by most drivers over time. Believes that educating drivers would be far more beneficial. Believes that efforts should be directed to rural roads as this is where the serious collisions take place not the roads in urban areas that are already subject to 30mph restrictions.	20mph restrictions are seen as one solution within the options available to deal with improving road safety. They sit alongside the driver education activities already undertaken by the Council. The Wiltshire Policy seeks to only introduce 20mph restrictions where they will be adhered to and respected by motorists
C11	Resident of High street Cricklade	Concerned about lack of enforcement of existing 20mph restriction and considers that more creative solutions are needed	See response to substantive comments
C12	Resident of Lower Bemerton Salisbury	Considers that the policy is cautious and does not refer to other benefits such as noise reduction and encouragement of walking and cycling. Is concerned that the budget for scheme delivery is very small. Considers the policy will introduce 'satellite' 20mph zones but the route between not benefitting from a 20mph restriction.	The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together. Budget matters – See response to substantive comments
C13	Malmesbury Town Council	Support the Policy	Comment noted
C14	Monkton Farleigh Parish	Fully support the introduction of 20mph restrictions but question the logic of only	24mph Threshold - See response to substantive comments

	Council	doing so when the speed is already 24mph or less. Considers the 8 week consultation period to be too short	A Cabinet Member decision is normally available for a 10 day consultation period. The consultation period for the draft 20mph policy was extended to 8 weeks to allow full public comment to be made. All Parish and Town Councils were notified of the opportunity to comment via the Area Board /CATG mechanism.
C15	Resident of Wiltshire	Considers 20mph zones to be silly and a waste of time and that the Council has better things to do.	Comment noted.
C16	Resident of Patney	Does not consider that lowering a speed limit to 20mph will have a significant effect. Those who drive fast will continue to ignore a lower limit. Considers lower limits to be a driver irritation. Promotion of responsible driving is the key, not rules that penalise the great majority of sensible drivers. Lots of speed limit changes cause scepticism and irritation. Better to have fewer but necessary limits	Comment noted. The Wiltshire Policy seeks to only introduce 20mph restrictions where they will be adhered to and respected by motorists Comment noted The setting of speed limits in Wiltshire is done by following the guidance contained in Circular 01/13 Setting Local Speed limits. This guidance has been written on the basis of best practise across the United Kingdom.
C17	Ham Parish Council	Support the policy	Comment noted
C18	Resident of Wiltshire	Supports 20mph speed limits	Comment noted
C19	Resident of Malmesbury	Supports 20mph restrictions on housing estates and back roads but considers that 30mph should be retained on A & B class roads. Is concerned about the design of some speed humps and the damage they do to some types of vehicles.	The draft policy proposes that the function of a road is one of the determining factors in deciding whether a 20mph restriction can be introduced. This is explained further in paragraph 5.2, 5.3 and at Appendix C. Speed humps are designed to be in accord with the DfT guidance. As such they should not damage the majority of vehicles if driven over at an appropriate speed.
C20	Baydon Parish Council	Supports the policy but considers that two assessments per year is not enough. Requests a 20mph restriction on Manor Lane.	See response to substantive comments Request noted.
C21	Easton Royal Parish council	Support the policy	Comment noted
C22	Cricklade Town Council	Is concerned about lack of enforcement of its existing 20mph limit and considers that the Police and Wiltshire Council are obstructive to enforcement activities and the use of SIDS/CSW. Considers that simply saying that 20's need to be self	See response to substantive comments

		enforcing is not good enough.	
C23	Bradford on Avon Town Council	Considers that the policy is out of kilter with DfT advise and support the use of area wide 20mph limits.	See response to substantive comments
C24	Hindon Parish Council	Supports 20mph limits in Hindon but considers that they will only succeed as part of a wider strategy of traffic calming, better support of CSW, more frequent SID deployment and better driver education	See response to substantive comments
C25	Resident of Chain Lane Warminster	Supports the policy and suggests closing roads that are unsuited to through traffic use.	Comment noted. The closing of a road can be considered and is possible. However the impact on the wider road network and other residential areas would need to be taken into account. Suggestions of this nature need to be considered by the Area Boards / CATG's in the first instance
C26	Resident of Teffont Ewyas	Supports the use of lower speed limits but considers the draft policy to be over cautious particularly the limit of two locations per board area per year.	See response to substantive comments
C27	South Wiltshire Agenda 21	Supports 20mph restrictions in all residential areas of Salisbury but is concerned that the CATG funding allocation will not be enough and that the schemes should be funded centrally.	See response to substantive comments
C28	Resident of Westwood	Considers that the 20mph speed limit through Lower Westwood does not work and that further measures are required to reduce vehicle speeds. Is concerned about future enforcement of 20mph limits by the Police.	Additional physical measures to reinforce the 20mph limit could be provided if they can be shown to be justifiable and have community support. The resident should approach the Parish Council in the first instance to discuss this further. It is understood that a Community Speedwatch team is being set up in Westwood and this should help adherence to the 20mph limit. Police enforcement - See response to substantive comments.
C29	Calne Community Matters Blogsite	Wants measures to reduce speed introduced through Quemerford particularly around Holy Trinity School. Supports 20mph but asks who will enforce it and deal with illegal parking Suggests all of Calne should be 20mph and that number plate recognition cameras at each entry and exit be used rather than Policemen.	The use of 20mph speed limits outside schools is subject to a separate review. See response to substantive comments A town wide 20mph limit covering all roads is impractical and would not be in compliance with DfT guidance. Paragraph 84 of Circular 01/13 sets out those areas that are considered suitable for 20mph restrictions. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. Radial routes into the town centre and internal distributor roads would not be suitable. However other areas of the town, predominantly the residential areas are

			highly likely to be suitable and could be subject to area wide 20mph limits.
C30	Salisbury City Council	<p>The proposed Wiltshire policy on 20mph speed limits and zones gives too narrow a focus on existing speeds and is based on trials in Wiltshire's rural villages which have limited applicability to an urban area such as Salisbury. It provides a very limited budget for what can potentially be a highly cost-effective road safety measure giving multiple additional benefits in terms of improving safety, making communities better places to live and providing a better walking and cycling environment.</p> <p>We would like to see the policy radically revised to include the following:</p> <ul style="list-style-type: none"> • A strategy to implement 20mph speed limits and zones in Salisbury, in line with the recommendations in the Cycle and Pedestrian Access Study report (June 2013) which resulted from Wiltshire's LSTF bid. This report proposed, as a key part of the development of town cycle networks in Wiltshire, the implementation of 20mph zones across all urban areas, if necessary beginning with residential roads and in town centres and where necessary supporting 20mph speed limits with traffic calming measures. It was noted that the scheme in Laverstock which had seen the central line removed and cycle lanes added in each carriageway had been very successful in slowing traffic and making a safer environment for cyclists. • A recognition of the need for public engagement, education and publicity as part of the package of measures which is needed within a 20 mph policy • Consideration of the benefits which can accrue in urban areas from reduced speeds, noting that the implementation of Salisbury City Centre's 20mph zone was shown to have reduced casualties by 46% when comparing the 3 years before and after implementation • The wider benefits of 20 mph zones, in terms of a safer environment for walking and cycling and the health benefits of these active travel options should be mentioned. • Wider sources of funding should be sought rather than restricting funding of 20mph limits and zones to the existing CATG budget. Further funding from the integrated transport block allocation, developer funding, public health funding and other sources such as LSTF should be considered to enable a more far-reaching policy to be implemented. 	<p>The report referred to was produced by Sustrans as part of looking at cycling routes to the railway station. Whilst the report did recommend 20mph restrictions in some areas it did not propose 20mph zones across all urban areas in Salisbury.</p> <p>The LSTF project parameters and associated funding is set by the bid application. In essence this means, the enhanced Trans Wilts rail service, rail station and associated sustainable transport link improvements (e.g. walking and cycling routes), and supporting wider initiatives (e.g. Connecting Wiltshire website and personalised travel planning). There is no provision in the project to support the development or implementation of 20mph zones.</p> <p>Any proposal to introduce a 20mph restriction would be supported by appropriate consultation and public engagement.</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>See response to substantive comments</p>
C31	Woodborough Parish Council	<p>General Conclusions Appendix 1 (2.1 > 2.3) indicates that the resulting reductions in both speed and collision rates from implementing a 20 mph zone are demonstrably higher than similar reductions in 20 mph speed limits. Bearing this in mind it would seem likely that, assuming various other conditions are, in the main, met (5.3), that the use of</p>	Comment noted

	<p>zones may probably be preferable to limits in most cases.</p> <p>Criteria WPC appreciates the comments in Appendix 1 (5.1 and 8.1), and would urge WC to consider each rural situation on its merits, taking evidence not only from published collision data, but also from the local Neighbourhood Policing Team, the parish council, and any other organisations that could be categorised as having 'vulnerable residents' (such as care homes, schools etc). WPC also appreciates that Circular 01/13 must always be the starting point for setting 20 mph speed limits but, arguably unlike many urban situations, such as housing estates that probably tend to be more standard in their requirements, the 'one size fits all' approach to rural situations would not be realistic.</p> <p>For example, if only 4 or 5 of the criteria for a 20 mph zone (possibly less in the case of a 20 mph limit) were met, then the 'missing' 1 or 2 criteria would not necessarily mean that a 20 mph zone could not be implemented.</p> <p>The 'Residents Comments' section in each of the five 'test villages' would seem to indicate that strict adherence only to the DfT criteria may be seen as supporting the case for a more flexible assessment of requests for 20 mph zones and limits.</p> <p>'Joined – up Thinking' Whilst Circular 01/13 is likely to be generally used as the informed basis for assessing 20 mph zones and limits, WPC would urge WC to consider a number of other pressures on the roads infrastructure, principally;</p> <ul style="list-style-type: none"> -It is apparent that there is constant pressure on schools (including church / faith schools) by the LEA to increase school roll capacity. According to government net immigration statistics published recently, and the forecasts for the next few years, this is likely to increase the pressure for places in both rural and urban schools, and especially so where there may be further closure of some very small rural / village schools. -It is also apparent that, when school roll capacity is increased, little or no consideration is ever given to the impact of the inevitable increase in traffic (whether school buses or parent vehicles) on rural communities in terms of increased congestion at peak times, drop-off / pick-up areas, or longer term parking. <p>To a lesser, but nonetheless relevant, extent consideration should be given to a school's specific 'Travel Plan', and advice or comment should be sought from 'Taking Action on School Journeys – TAOSJ' during the assessment period for any additional or enhanced traffic management projects, which would include assessments for 20 mph zones and limits, be they full time or part times zones or limits.</p> <p>WPC considers that the result of not having employed 'joined-up thinking', and with</p>	<p>20mph restrictions would only be taken forward when Parish Council and community support can be clearly demonstrated.</p> <p>It is fully expected that some flexibility will be required in determining whether a 20mph restriction can be introduced on Area wide schemes.</p>
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C32	Tollard Royal Parish Council	<p>Generally: Tollard Royal Parish Council has considered and discussed this proposed policy, in conjunction with the DfT Circular 01/13 "Setting Local Speed Limits", and I have been instructed to write to make the council's representations.</p>	

	<p>The council believes that the overall thinking behind this policy is flawed in that speed limits should be set with the prime purpose of ensuring the safety of all road users and not just the desires of drivers of motor vehicles. Speed Limits should not be set by relation to mean speeds, but should be used where those actual mean speeds need to be brought down to a level which is safe for pedestrians and other road users, as well as motorists, and which improves the quality of life for local residents.</p> <p>Villages have generally been here far longer than motor vehicles and the roads through them tend to be narrow, often single track, and with no pavements or street lights. They are bordered by village houses and are used by local pedestrians and walkers. These roads are dangerous and generally need mean speeds bringing down to circa 20 mph for the safety of local residents and visitors. These are absolutely situations where the speed limits should not be set by relation to mean speeds, but are situations where mean speeds need to be brought down to a level which is safe for pedestrians to emerge from concealed gateways and to walk up the street. It is simply not safe to drive through many of them at 30 mph but, with the sophistication of today's motor vehicles, many drivers believe they are. The limits need enforcing, both by changing the "streetscene" and by the police.</p> <p>Tollard Royal will be very similar to many rural villages across Wiltshire. Whilst not one of the experimental Wiltshire villages, it has had a 20 mph limit for many years. The village Community Speed Watch team has actually recorded one motorist driving at 53 mph! and during a session this week 21% of drivers were driving at 25 mph or faster, which is not unusual. No limits are "self-enforcing" these days.</p> <p>It would be very easy to be cynical about large parts of this report. The DFT emphasises that 20 mph limits should not be set in isolation, but as a package with other measures to manage vehicle speeds and improve road safety (ie changing the streetscene) but this will involve cost, so the council is concerned the desire will be to follow the "mean speed route" and that appropriate 20 mph limits will be avoided to avoid the cost of these extra measures.</p> <p>Specifically: I set out below this council's representations specifically related to individual sections in the appendices:</p> <p>Appendix 1 Section 2.4 - Speed limits should be set for safety reasons. The DfT circular 01/2013, in para 18, makes it clear that actual vehicle speeds should be <u>safe and appropriate for the road and its surroundings</u>. Despite what drivers think, the existing mean speed may be too high and totally inappropriate for the location. For example, the mean speed may be 32 mph suggesting a limit of 30 mph when, for residents' safety it ought to be brought down to less than 24 mph by setting a 20 mph limit and incorporating traffic calming. Otherwise, what limit would "mean speeds" suggest as appropriate for motorways and various dual-carriageways?</p>	<p>With the publication of Circular 01/06 Setting Local Speed Limits in 2006 the DfT introduced the concept of linking speed limits to recorded mean speeds of traffic. This applies to all levels of speed limit not just 20mph limits. The reasoning and underlying principles behind this is fully explained in the Circular. Circular 01/06 was superseded in January 2013 by Circular 01/13 and this again reiterated that mean speeds should be used as the basis for determining speed limits.</p> <p>Circular 01/13 advises that if a speed limit is set unrealistically low for the particular road function and condition, it may be ineffective and driver may not comply with the speed limit.</p> <p>See substantive response</p> <p>Circular 01/13 is clear in that the 20mph limit will only be successful when the character and environment of the road is suited to the a lower limit. It is unreasonable to expect drivers to adhere to any posted limit if there is a mismatch between the limit and the environment or if there is insufficient visual information to reinforce the level of limit in place. Whilst traffic calming and other engineering features can be used to help control vehicle speeds they should not be relied upon to ensure compliance.</p>
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	<p>Section 2.7 – but what about the quality of life and perceived safety of the inhabitants? Wiltshire’s trial should not be viewed in isolation. Statistics produced elsewhere are just as valid in Wiltshire. Consideration should be given to the way in which 20 mph limits are used, for example, in Somerset.</p> <p>Section 3.1 – zones have traffic calming measures which make the difference. Para 95 states the obvious! If a mean speed is already at or below 24 mph on a road, introducing a 20 mph limit through signing alone is obviously going to lead to general compliance. It’s already happening! What Para 95 doesn’t do is suggest remedies for roads where mean speeds are too high and need to be brought down for the safety of pedestrians and other road users.</p> <p>Section 3.3 – Para 132 – quote <i>“Such limits should not, however, be considered on roads with a strategic function or where the movement of motor vehicles is the primary function.”</i> Villages historically sprang up along such roads long before motor vehicles made them dangerous. Are modern residents simply expected to have to take their chances?!</p> <p><u>West Coker, in Somerset, is on the A30, a road with a strategic function if ever there was one, and has a 20 mph limit in the centre of the village on the A30. Somerset County Council obviously takes a different and less mean speeds orientated approach than Wiltshire Council.</u></p> <p>Section 4.1 – Quote <i>“The safety of Wiltshire residents continues to be the overriding concern of the council.”</i> This is good to hear but hard to believe if motorists are to be allowed to set the speed limits through council usage of their mean speeds when, for residents’ safety, the mean speed ought to be brought down to less than 24 mph by setting a 20 mph limit and incorporating traffic calming and police enforcement.</p> <p>Section 4.2 – The Association of Chief Police Officers has decided unilaterally not to enforce 20 mph limits. This is surely unacceptable and must amount to the condoning of crime. They go hammer and tong for motorists doing 105 mph on a safe motorway, but ignore one doing 50% over a 20 mph limit! The police and the courts should adopt a process where the lower the speed limit, the greater is the infringement.</p> <p>Section 5.2 - The criteria for considering 20 mph limits should not only be <i>“where mean “before” speeds are at or below 24.0 mph.”</i> This is too easy. It favours the motorist and does not take into account the safety of residents living with mean speeds of 30 mph, or more, which, for safety, should to be brought down below 24 mph.</p> <p>Section 8.1 – Road safety concerns will not be addressed, and the Wiltshire Council will have no credibility, if 20 mph speed limits are only introduced where mean speeds are already less than 24 mph (that is, where there seems no need</p>	<p>Wiltshire’s trials have not been used in isolation in preparing the draft policy but have been used in addition to other information available at a national level. The way in which Somerset have introduced 20mph limits is not a material consideration in the drafting of a Wiltshire policy.</p> <p>Comment noted.</p> <p>It is not for us to comment on the reasons why Somerset have gone against the advice provided in Circular 01/13. This is their decision and one that they have to take responsibility for.</p> <p>With the publication of Circular 01/06 Setting Local Speed Limits in 2006 the DfT introduced the concept of linking speed limits to recorded mean speeds of traffic. This applies to all levels of speed limit not just 20mph limits. The reasoning and underlying principles behind this is fully explained in the Circular. Circular 01/06 was superseded in January 2013 by Circular 01/13 and this again reiterated that mean speeds should be used as the basis for determining speed limits.</p> <p>See substantive response.</p> <p>The Circular advises that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit.</p> <p>It is accepted that where ‘before’ mean speeds are marginally above 24mph, the introduction of 20mph limits in conjunction with lighter or soft touch engineering measures is likely to result in general</p>
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	<p>for such a signed limit!). They must be used where there is a need to bring down higher mean speeds to a more responsible and safe level and the council must accept that money will need to be spent on changing the “streetscene” to produce traffic calming as an integral part of the new speed limit.</p> <p>The police must also accept that they have to play their part in reducing what is probably the most frequent cause of crime in many of Wiltshire’s villages by enforcing the limits, rather than just sitting on motorways and dual-carriageways which are a lot safer than village roads, which are often little more than lanes through village centres. As mentioned earlier, the lower the limit, the greater the infringement.</p> <p>Appendix A How will Area Boards/CATG groups prioritise credible locations? What will be the criteria used? Why will only 2 sites per Board Area be taken forward for assessment? -This has all the signs of ignoring residents (ie voters/rate payers) wishes If criteria are not met a <u>full explanation</u> must be given to the town/parish council for publication.</p> <p>Appendix B A2 - this is cannot really be true. It means the road needs traffic calming and police enforcement! A4 - This could probably also be said of 70 mph limits! A5 - How should they be self-enforcing? A7 - This guidance is patently silly. If Speed Limits should be set for safety reasons then appropriate limits should be applied – as they are on the A30 in the centre of West Coker, Somerset, where a 20 mph limit operates very successfully. A9 - Will they prosecute? They are loath to get involved at the moment A10 - Will they get the same follow up of persistent offenders that 30 mph limits are supposed to get? A16 – This is a generalisation and the same thing could be said of all limits.</p> <p>Conclusion Speed limits should <u>not</u> be set by relation to mean speeds, but should be used where mean speeds <u>need to be brought</u> down to a level which is safe for pedestrians and other road users. With the sophistication of today’s motor vehicles no limits are “self-enforcing”. Setting limits to suit the existing mean speed simply allows drivers to set the limit and does not recognise that many believe they can drive faster than they should. No road through a village, where the road is single track, or narrow, and where there are no pavements, should have a speed limit higher than 20 mph. These limits should be supported by traffic calming and different “streetscene” measures and the police, and the courts, should adopt a policy where “the lower the speed limit, the greater is the infringement” and spend far more time ensuring that these limits are observed.</p>	<p>compliance. As such it is fully expected that a degree of flexibility will be required in determining whether a 20mph restriction can be introduced. However where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.</p> <p>See substantive response.</p> <p>See substantive response.</p> <p>See responses above</p> <p>Comment not understood See responses above What evidence does the objector have that the West Coker scheme is successful? It goes against all the advice in the Circular.</p> <p>See substantive response. See substantive response.</p> <p>Comment noted</p> <p>The Circular advises that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit.</p> <p>It is accepted that where ‘before’ mean speeds are marginally above 24mph, the introduction of 20mph limits in conjunction with lighter or soft touch engineering measures is likely to result in general compliance. As such it is fully expected that a degree of flexibility will be required in determining whether a 20mph restriction can be</p>
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			introduced. However where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.
C33	Calne Area Transport Group	<p>The general concern with this proposed policy is that it is insufficiently ambitious and lacks strategic vision. The benefits of 20mph limits and zones are becoming much more widely recognised and accepted by other local authorities who have seen the benefits of introducing area wide 20mph limits as a default on residential streets. However those local authorities have agreed to allocate very considerable funds from their transport budgets for programmes which would ensure implementation of 20mph speed limits and have put the public consultation and completion of statutory processes at the forefront of their approach to the issue.</p> <p><u>Detailed concerns with the proposed Wiltshire policy.</u> The policy focuses on existing speeds and signage. It does not consider the need for public engagements, education and the importance of publicity which are an essential part of any process involving a wide ranging public use of roads. The public have to understand the need for and benefits of lower speeds. An issue which is concerned with behavioural change and how society values different transport modes must be accompanied by considerable serious engagement.</p> <p>If traffic authorities see wide-area use of 20mph limits and zones as a serious means of achieving the aspiration for safer and calmer streets and roads then it must be understood this is very much more than simply an interaction between drivers and signs.</p> <p>We fail to understand how the idea of appropriate speed limits be rationed to a maximum of two locations per Area Board per annum (6.1 – 6.2). It is not consistent with the statutory responsibility to set appropriate speed limits for all roads.</p> <p><u>Funding.</u> It is proposed that the funding for 20mph limits is paid for through the CATGs. The Community Area Transport Groups receive only a small proportion of the integrated transport budget which Wiltshire Council receives from central government. Will Wiltshire seek funding from other sources such as Public Health, s106, and Local Sustainable Transport fund in order to be able to implement serious and visible changes on the ground or merely deliver a watered down version of what should be a realistic and deliverable aspiration?</p> <p>The policy does not appear to adequately consider the far ranging benefits which are gained from 20mph limits and zones. The safer environment for healthier travel (walking and cycling), increased mobility for the elderly and for children and the safer urban environment are not given the profile they deserve.</p>	<p>Any proposal to introduce a 20mph restriction would be supported by appropriate consultation and public engagement.</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>See response to substantive comments</p> <p>See response to substantive comments</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does</p>

		<p>There appears to be some confusion about the current DfT guidance (01/2013). The policy as drafted only considers 20mph limits when mean 'before' speeds are at or below 24mph, but the DfT guidance suggests that the appropriate speed limit be set and then engagement with the public take place in order to achieve compliance if inappropriate speed is still an issue.</p> <p>We believe that the policy should have been subjected to public debate before being introduced and it is not acceptable for it to be brought forward as a delegated decision by a Cabinet member.</p> <p>If this had been formulated with more of the funding from the Integrated Transport Budget made available then a much more visionary policy could have been considered.</p> <p>Reduction in speed is widely supported in urban residential areas and in villages. In order to properly achieve a main component of a move towards modal shift (safe routes and healthier lifestyles) and to get the public on board with a policy which better reflects public opinion as well as the latest government guidance, we believe that this policy is not sufficiently robust, far ranging and inclusive. It should be reworked to reflect all the requirements beyond mere collision or casualty rates.</p>	<p>not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>24mph threshold – See response to substantive comments</p> <p>Public consultation has been achieved through the Cabinet Member delegated decision making process. It is not understood how a public debate would have been any different to this.</p> <p>Budget matters – See response to substantive comments</p> <p>The draft policy is considered to be robust and substantially compliant with the DfT guidance. It seeks to introduce 20mph restrictions into those areas where the benefits that arise are real, measurable and true and not just done for populist reasons or political gain.</p>
C34	Sustrans	<p>Thank you for the opportunity to comment on the proposed policy. In principle Sustrans supports the implementation of 20mph limits and zones across all settlements to encourage greater levels of cycling and walking. Wiltshire's commitment to increasing the use of 20mph limits and zones is welcomed but the policy it does not go far enough. Sustrans would welcome a policy which recognises the potential for town-wide traffic calming to change the way people travel across Wiltshire's towns. Without such an approach the scope for achieving a significant change from car use to walking and cycling is very limited. We would like to make the following specific observations on the report:</p> <p>5.2 – Limiting the implementation of 20mph to roads where the movement of motor vehicles is not the primary function will prevent Wiltshire Council from providing comprehensive cycle networks in every town. The main arterial routes into town centres currently carry heavy volumes of traffic, with mean speeds below 30mph. In many towns there is no scope to provide traffic-free cycle routes in these locations, therefore on-carriageway approaches to the town centres need speed reduction measures to encourage more trips by bike. Examples include Bath Rd in Melksham, New Rd in Chippenham and Market Place in Warminster. The current drafting implies that these locations will not be considered and contradicts the guidance quoted from circular 01/13.</p> <p>5.3 – As explained above, 20 mph zones are a valuable tool in promoting walking and cycling. Therefore, the case for them should not just be based on safety.</p>	<p>Paragraph 84 of Circular 01/13 sets out those areas where 20mph speed limits and zones are appropriate. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function.</p> <p>Comment noted.</p>

		<p>5.3 – Sustrans can provide case studies of where 20mph zones have been retro-fitted into existing streets as part of our DIY Streets programme. This is a very successful way of improving safety and quality of life in communities. The implementation of 20mph zones should not be restricted to new estates.</p> <p>5.3 – The requirement for a suitable alternative for drivers to avoid 20mph zones is very restrictive. In instances where there is a case for engineered speed reduction on distributor roads, such as Pewsham in Chippenham or West Warminster, the council will be unable to implement 20mph zones to create safe links within communities. The drafting contradicts the guidance quoted from circular 01/13.</p> <p>6.2 - By limiting communities to two proposed location per year the council is creating a reactive policy and piecemeal implementation. The council should be prepared to implement on a wider scale to support its own policy objectives.</p> <p>7.2 – The council should be prepared to use Local Transport Pot funding and other sources for the implementation of 20mph limits and zones. Reliance on Area Board and CATG funding will ensure many communities have to wait a long time to see implementation. It implies that the council see no strategic value to the implementation of 20mph limits and zones.</p>	<p>The draft Wiltshire policy does not only limit 20mph restrictions to new estates.</p> <p>It is not considered that the drafting contradicts the guidance. Paragraph 90 sets out those areas suitable for 20mph zones and states that 'they should not include roads where motor vehicle movement is the primary function'. The examples given are distributor roads that by definition have a primary function of vehicle movement.</p> <p>See response to substantive comments</p> <p>See response to substantive comments</p>
C35	Cheverell Magna Parish Council	<p>Our comments are based on study of Circular 01/13 and experience as a trial village for a 20 mph speed limit. We believe that the Wiltshire Policy is more restrictive than intended by the guidance contained in Circular 01/13. In particular, the latter is more encouraging (paragraphs 12 and 92) and suggests a wider number of criteria to be taken into account when considering a 20 mph speed limit or zone (paragraph 30).</p> <p>Under the proposed Wiltshire Policy, Great Cheverell would not have been considered for a 20 mph limit, yet we have already benefited from reduced speeds and expect greater benefits over time, as 20 mph schemes become more commonplace nationally and driver behaviour adapts accordingly.</p> <p>For the sake of other communities in Wiltshire and to ensure that our village is not such a rarity that the 20 mph limit is ignored and undermined, we would ask for some amendments to the draft document as follows:</p> <p>Paragraphs 2.1 to 2.3. These paragraphs imply that the implementation of 20 mph zones in Wiltshire will follow past practice, with the associated problems and costs, without reference to the signage and other changes made in 2012. We believe there should be reference to these arrangements in the Wiltshire policy, because they reduce the requirements for signing and traffic calming, thereby facilitating the introduction of 20 mph zones and reducing the cost involved</p> <p>Paragraph 2.4. Circular 01/13 refers to 'before' mean speeds of 24 mph or less as a guide; they are not mandatory. We therefore suggest an amendment to paragraph 2.4 of the policy to read: '...the current guidance from the DfT (01/13) suggests that, as a general rule, they should be considered for use on roads where</p>	<p>The changes made to national regulations with regard to signing of 20mph zones are well understood by the council. There is no reference to past practise or problems with 20mph zones in these paragraphs. The paragraphs state that each zone will vary in detail and as such will be tailored to the location and specific circumstances.</p> <p>See response to substantive comments</p>

		<p>mean speeds are already 24 mph or less.'</p> <p>Paragraphs 5.1 to 5.3. As the proposed policy states: '...it is considered that a Wiltshire Policy should not substantially deviate from that contained in Circular 01/13,' we believe that paragraphs 5.2 and 5.3 should be expanded to reflect more fully the DfT guidance given in paragraphs 30 and 84 of that Circular. There should therefore be reference to all the important factors listed in paragraph 30 to be considered in determining a 20 mph limit or zone: history of collisions (including frequency, severity, types and causes); road geometry and engineering; road function (strategic, through traffic, local access etc); composition of road users (including existing and potential levels of vulnerable road users); existing traffic speeds ; and road environment, including level of roadside development and possible impacts on residents e.g. severance, noise or air quality.</p> <p>Paragraphs 5.2 and 5.3 (criteria for considering 20 mph limits and zones) should also be broadly similar, treating rural and urban communities more equally and reflecting paragraph 84 of Circular 01/13 where traffic authorities are empowered to introduce 20 mph speed limits or zones on...'Residential streets in cities, 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.'</p> <p>Paragraph 5.2. While it is correct to write that roads to Category 4B may be typically considered suitable for a 20 mph limit, Circular 01/13 does not preclude consideration of other roads, Category 4A and above, where other factors (road geometry, vulnerable road users, collision history etc.) may be important. Great Cheverell is on a category 4A road where we believe there are already benefits from the 20 mph limit, even before the publicity/education we plan to make it more effective.</p>	<p>The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>Cross reference to paragraph 84 of the Circular is already included in paragraph 5.3 of the draft policy. It is accepted that this cross reference should also be included at paragraph 5.2 to aid ease of understanding.</p> <p>See response to substantive comments</p>
C36	Cricklade CSW group	<p>As CSW volunteers we therefore wished to make a representation to this consultation based on our joint experience. We have done so by commenting in response to several of the questions set out in Appendix B of the document "WILTSHIRE POLICY ON 20 MPH SPEED LIMITS AND ZONES" provided for consultation. Specific Points</p> <p>Q1. How effective are 20mph speed limits in reducing actual vehicle speeds? Cricklade CSW volunteers agree with the answer given that the limit has made little if any difference to speeds along the roads in Cricklade Town Centre.</p> <p>Q3. What are the benefits of 20mph limits? Cricklade CSW volunteers disagree with the statement that "quality of life and community benefits can be accrued". We have no evidence of this. On the contrary the limited traffic calming measures introduced alongside the 20mph limit are perceived to have increased driver frustration, may have been a contributory factor in some accidents (fortunately without serious injury), yet these measures have left many residents and pedestrians equally angry and frustrated that greater</p>	<p>Comment noted</p> <p>Comment noted</p>

		<p>benefits in speed reduction have not materialised. The hope was that a 20mph limit would enable actual speed to be capped at 30mph as it is understood that tolerances apply to speed enforcement. A speed of 30mph would be 50% above the mandatory limit and so could be the subject of enforcement. The lack of any meaningful enforcement means the new limit is invariably disregarded, many vehicles continue to drive in excess of 30mph and those motorists who do seek to abide by the 20mph limit are the subject of intimidation including unsafe overtaking by other drivers.</p> <p>Q5. Will 20mph limits mean the introduction of road humps or other forms of traffic calming? Cricklade CSW volunteers believe that without the associated traffic calming measures the 20mph limit in Cricklade would be totally ineffective. However what is desired by residents, (as set out in the Cricklade Town Plan following community consultation) is the enforcement of a 20mph limit, without the placing of restrictions to traffic flow. The answer is perceived to be speed cameras/SIDs working 24/7 acting as a permanent deterrent, not traffic calming.</p> <p>Q9. Will a 20mph limit / zone be enforced by the Police? Cricklade CSW volunteers welcome and wholeheartedly support a change in police policy to enforce 20mph limits. Failing to do so brings the law into disrepute.</p> <p>Q10. Can Community Speed Watch (CSW) operate in areas covered by 20mph limits? Cricklade CSW volunteers would welcome the opportunity to expand their activity into the 20mph limit since this is where most residents perceive the greatest problem to be present. However to maintain volunteer commitment we view it as essential that greater support and enforcement is provided, preferably speed cameras or SIDs backed up by more regular police support issuing tickets to offending drivers.</p> <p>Q11. Can the temporary Speed Indication Device (SID) be deployed in a 20mph limit / zone? Cricklade CSW volunteers understand that Cricklade Town Council budgeted for SIDs in the past, but their deployment within the Town has been prevented by Wiltshire Council. As volunteers if this is true we deplore this policy stance, as those of us who are motorists do take notice of SIDs when we drive even if these are permanent, and they are a more efficient and effective way to remind motorists of their speed than CSW can ever be.</p> <p>Q14. How can you tell if a newly implemented 20mph limit has been successful? A14. <i>We will undertake ongoing monitoring.</i> Cricklade CSW volunteers are unaware of what monitoring has been done on the effectiveness of the 20mph limit in Cricklade. We would be grateful for more</p>	<p>Enforcement – see response to substantive comments</p> <p>Enforcement - see response to substantive comments</p> <p>Enforcement - see response to substantive comments</p> <p>Enforcement - see response to substantive comments</p> <p>SID's can be deployed in 20mph restrictions</p> <p>No monitoring of the Cricklade 20mph limit has been undertaken to</p>
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	<p>information on exactly what monitoring has been done and what constitutes "success".</p> <p>Q15. Will 20mph simply lead to increased delays to traffic and driver frustration? <i>A15. By carefully choosing the areas for 20mph restrictions additional delays to motorists are not anticipated.</i> Cricklade CSW volunteers are dumbfounded by this statement. Speeding traffic is a major issue in residential communities and speed limits are introduced to protect residents and pedestrians from excessive speed. If the speed of traffic is restricted below its "natural" level by a speed limit then by definition this will lead to delays to a journey compared with not having the limit in place. Motorists should either find an alternative route or accept the compromise of a slight delay in their journeys caused by sharing space with residents in a community. Residents should be entitled to a quality of life that is not compromised by traffic travelling at excessive speed.</p> <p>Q16. You are only allowing 20mph limits in streets where average speeds are already below 24mph – what's the point? <i>A16. Whilst further speed reduction is likely to be small, the presence of the limit is likely to bring about an overall change in driver attitude and introduce positive community benefits.</i> Cricklade CSW volunteers would like to see the evidence that justifies this opinion, as we have observed no change in driver attitude and no positive community benefit from the introduction of the 20mph limit in Cricklade. We believe driver attitude would change and material community benefit would accrue from enforcement of the 20mph limit.</p> <p><u>Summary</u> Cricklade CSW volunteers are fully supportive of the 20mph limit in Cricklade Town Centre, and believe its poor effectiveness is caused by the total lack of enforcement.</p> <p>Whilst we would welcome the opportunity to provide CSW monitoring within the 20mph limit area which is at present denied us, we believe this can only be part of a solution which includes SIDs, speed cameras and the occasional police presence and does NOT rely on further physical traffic calming. We do not believe this combination could be considered "excessive enforcement" but is rather a reasonable attempt to make drivers realise they are driving through a community where people live, work, shop and spend their leisure time and that speeding traffic is not only dangerous but intimidating. The objective is to achieve the freeflow of traffic at low speed, not the stop-start frustration and potential dangers created by physical obstructions.</p> <p>In denying other similar communities the opportunity to have 20mph limits the policy balance between the quality of life of residents and the need for the faster flow of traffic appears unfairly weighted in favour of traffic. There is no</p>	<p>date.</p> <p>20mph limits introduced into those areas where speeds are already at or close to 24mph will typically result in a 1mph reduction in speed. Such a small level of speed reduction is thought unlikely to result in increased journey time or driver frustration.</p> <p>The village 20mph trial sites have been subject to after surveys of residents to assess their views. The results of this show a generally positive feedback.</p> <p>Comment noted</p> <p>Enforcement - see response to substantive comments</p> <p>See above comments</p>
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		quantification of the economic cost (if any) of better forcing vehicles to move more slowly through the town of Cricklade and if this should be considered reasonable in comparison with the improved quality of life that would result for its residents and visitors.	
C37	Resident of Bradford on Avon	<p>We believe that the draft policy does not go far enough, and that a real opportunity would have been missed if this policy is approved as is.</p> <p>We believe that the draft policy is not sufficiently ambitious in scope given DfT guidance and the strength of growing public support for 20mph limits. The criteria proposed for considering 20mph limits are narrow compared to those within the DfT guidance, omitting several environmental and community criteria, and also including two criteria (mean speed and road function) that would preclude many residential streets and areas of Bradford on Avon.</p> <p>We feel that wide area 20mph limits would be the most effective approach, especially when combined with appropriate publicity / education and light touch engineering, as proven in other local authority areas. Although it is mentioned in the policy that area wide limits will be considered, detail around this is lacking.</p> <p>In particular, we (as well as many others) have aspirations for a town wide 20mph limit for Bradford on Avon; however, unfortunately this policy as it stands would not support this aspiration.</p>	<p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>Area wide 20mph limits are not precluded within the draft policy.</p> <p>A town wide 20mph limit covering all roads is impractical and would not be in compliance with DfT guidance. Paragraph 84 of Circular 01/13 sets out those areas that are considered suitable for 20mph restrictions. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. Radial routes into the town centre (Bradford Road, Frome Road, Winsley Road etc) and internal distributor roads (Moulton Drive, Springfield etc) would not be suitable. However other areas of the town, predominantly the residential areas are highly likely to be suitable and could be subject to area wide 20mph limits.</p>
C38	Wiltshire Councillor	<p>In general a more positive approach should be taken to the introduction of 20mph limits where supported by local communities. More emphasis should be given to the benefits. WC should also consider more carefully the economic benefits to be gained, not just to the council directly but also to the wider community.</p> <p>Specific points: para 4 states that a separate review and separate report is to be produced on 20mph limits outside schools. It would be more sensible to have a single policy document covering all aspects of 20mph limits and zones including outside schools. Roads near schools are not separate from the rest of the road network and this would make options for communities clearer.</p> <p>para 7 says Public Health Implications are not applicable. The introduction of 20mph zones impacts on public health in a number of ways such as casualty reduction and an increase in walking or cycling. There may also be an impact on</p>	<p>Comment is noted. However the Council has for many years had a policy on speed limits outside schools and this is currently subject to separate review. In the future it may be possible to combine the policies.</p> <p>This is a reference to the covering report not the policy itself. The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a</p>

		<p>air pollution: the possibility of using 20 limits as part of Air Quality Management Schemes in designated areas should be considered. The council's public health department should be involved in developing the 20mph policy.</p> <p>WC draft policy document is less positive re introduction of 20 limits than the DFT circular on which it should be based. Much prominence has been given to para 132 and less to other parts of the circular (eg paras quoted below) which allow a more flexible approach. The inclusion of the network hierarchy map within the policy is unnecessary and demonstrates an over-prescriptive approach. For example a village such as Holt, although on a category 3 road, would benefit from a 20 limit, would fit other criteria, and could demonstrate community support. It's not clear what's meant by reference in the circular to roads where the movement of motor vehicles is or is not the primary function. A more common-sense approach, with each stretch of road where residents support a 20 limit being considered on its own merits, would be preferable. The statement that only roads to category 4b can be considered does not fit with the guidance and is unduly negative and prescriptive.</p> <p><i>Examples of points from DFT circular 01/2013 Setting Local Speed Limits which encourage a more flexible policy:</i></p> <p><i>Introduction: Traffic authorities are asked to keep their speed limits under review with changing circumstances, and to consider the introduction of more 20 mph limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists, using the criteria in Section 6.</i></p> <p><i>Para 17: The key objectives of this guidance are ... achieving local speed limits that better reflect the needs of all road users, not just motorised vehicles</i></p> <p><i>Para 23: Local residents may also express their concerns or desire for a lower speed limit and these comments should be considered.</i></p> <p><i>Para 32: Speed management strategies should seek to protect local community life.</i></p> <p><i>Para 34: ... evidence suggests that when traffic is travelling at constant speeds, even at a lower level, it may result in shorter and more reliable overall journey times, and that journey time savings from higher speed are often overestimated (Stradling et al., 2008).</i></p>	<p>Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>Paragraph's 90 and 132 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. It is considered that roads of category 4b are likely to be the most suitable for successful 20mph restrictions. In the example given of Holt the primary function of the road (B3107) through the village is that of vehicle movement. Regardless of the class of road it is highly unlikely that this location would be suitable for a 20mph restriction and overall compliance levels are likely to be extremely low.</p> <p>This is what the draft policy sets out to do.</p> <p>Paragraphs 17,23,32 and 34 refer to all levels of speed limit not just 20mph restrictions. Wiltshire Council has reviewed all its speed limits A and B class roads in 2009 and is shortly to complete the on ground changes of the review. Further through the CATG's there is the opportunity to review limits on the C and Unclassified network in response to concerns and desires raised by local residents.</p>
C39	Friends on Woolley, Bradford on Avon	<p>Friends of Woolley (FoW) welcomes the adoption of a robust and fit for purpose policy for the introduction of 20mph limits.</p> <p>However, FoW has a number of reservations around the draft policy currently</p>	

	<p>under consultation:</p> <p><u>Priorities for Woolley</u></p> <ul style="list-style-type: none"> • The policy is not sufficiently ambitious in scope given DfT guidance and the strength of public support for 20mph limits. DfT guidance supports a wider approach and other local authorities have adopted this. • We are disappointed that the proposed policy will limit potential sites to only 2 sites per year: we feel that this will not deliver the community improvements that a broader implementation could achieve. DfT 01/13 appears to be actively promoting local authorities to consider more 20 mph limits and zones, and as a matter of priority: we do not feel that the proposed 2 sites per year really fits in with this guidance. We would urge that Wiltshire Council considers broadening the policy to support area wide implementations. • We are also disappointed that funding will be limited to the Area Board/CATG budgets, and will not make use of wider transport budgets or budgets from other sources. We would urge that Wiltshire Council does consider wider funding sources for the implementation of wide area 20mph limits within the proposed policy. <p><u>General comments</u></p> <ul style="list-style-type: none"> • The draft policy only considers 20 mph limits when mean before speeds are at or below 24mph. However, the DfT guidance appears to suggest that an appropriate speed limit should be set and other measures (such as publicity, education etc) could then be used to gain compliance if inappropriate speed continues to be an issue. This suggests that the proposed approach could be reversed, thus implementing a 20mph speed limit according to the local conditions, and then improving compliance (if needed) by measures such as publicity, education and the Community Speedwatch initiative. • Re. section 5.2 'On roads that do not have a strategic function or where the movement of motor vehicles is not the primary function.' We consider that DfT 01/2013 does not preclude 20mph limits for roads with a current average speed limit greater than 24mph, or those roads that are primary routes or that have a strategic function. • DfT 01/13 appears to suggest that there are indeed benefits to applying 20 mph speed limits on roads where existing mean speeds are greater than 24 mph. • The report implies that 20mph zones and limits have 'potentially limited outcomes'; however DfT 01/13 refers to 'a generally favourable reception 	<p>Comment noted</p> <p>See response to substantive comments</p> <p>Area wide implementations are included in the draft policy.</p> <p>See response to substantive comments</p> <p>The Circular advises that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit.</p> <p>It is accepted that where 'before' mean speeds are marginally above 24mph, the introduction of 20mph limits in conjunction with lighter or soft touch engineering measures is likely to result in general compliance. As such it is fully expected that a degree of flexibility will be required in determining whether a 20mph restriction can be introduced. However where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.</p> <p>The reference to limited outcomes refers to the likely level of actual</p>
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		<p>from local residents'.</p> <ul style="list-style-type: none"> The policy appears to take a narrow view on the potential factors that should be taken into account in setting a 20mph limit, namely mean 'before' speeds, strategic road function and a rural – village location. In our view, there are many more factors that should be considered: collision / casualty reduction; conditions and facilities for vulnerable road users; impacts on pedestrians and cyclists; congestion and journey time; environmental; community and quality of life impact (as borne out by text within DfT 01/13). <p>As such, FoW supports the introduction of a town wide 20mph limit implementation for Bradford on Avon.</p> <p>We feel that an area wide approach is supported by the DfT guidance (in terms of implementation on roads with mean speeds above 24mph and those with a 'strategic' function, and factors that should be considered etc), but is not currently supported by Wiltshire Council's draft policy.</p> <p>We request that the draft policy is updated to consider area wide implementations that include roads that may have a 'strategic' function and mean speeds greater than 24mph, and also to expand on the factors that will be taken into account when setting a 20mph limit.</p> <p>Notwithstanding this, in the answer to question 8 of the Q&A section, it is stated that 'Area wide limits will be considered as part of the adopted process': we would request that this point is clarified and expanded.</p> <p>We believe that this town wide approach would be more effective in meeting the aspiration of safer and calmer streets (with the resultant benefits of improved pedestrian and bicycle usage, improved mobility etc) than a piecemeal approach.</p> <p><u>Comments on Q&A section</u></p> <p>FoW have the following comments regarding specific questions in the Q&A section:</p> <ul style="list-style-type: none"> Q2. However, any degree of compliance however low would have a positive benefit. Q3. Although not easily quantifiable, the importance of these benefits cannot be underestimated. Q8. This statement needs expanding. 	<p>speed reduction achieved with stand alone limits</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>Paragraph's 90 and 132 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function</p> <p>See response to substantive comments</p> <p>A town wide 20mph limit covering all roads is impractical and would not be in compliance with DfT guidance. Paragraph 84 of Circular 01/13 sets out those areas that are considered suitable for 20mph restrictions. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. Radial routes into the town centre (Bradford Road, Frome Road, Winsley Road etc) and internal distributor roads (Moulton Drive, Springfield etc) would not be suitable. However other areas of the town, predominantly the residential areas are highly likely to be suitable and could be subject to area wide 20mph limits.</p> <p>Comment noted</p> <p>Comment noted</p> <p>Comment noted</p>
C40	9 No Residents of Bradford on Avon	I am writing with regard to the current Wiltshire County Council consultation on the draft policy for 20 mph speed limit zones. I wish to raise my concern in relation to	

		<p>the content of this draft policy, which is out of kilter with Government guidance in DfT 01/13 and even misrepresents government guidance/wording and criteria. I refer you to a full critique of the failings of this policy undertaken by Rod King MBE of 20s Plenty for Us (www.20splentyforbradford-on-avon.moonfruit.com/Critique_20mph_BOA.pdf). I have included some of my main concerns in this respect below.</p> <p>I also wish to flag that the consultation process itself also represents bad practice, being run over the summer holiday period with little awareness raising with the general public, under the 8 week stipulated period.</p> <p>Wiltshire's proposed policy on 20 mph speed limits and zones lacks ambition and vision at a time when the benefits of 20mph limits and zones are being increasingly recognised. Other local authorities have been quick to spot the benefits of introducing area-wide 20 mph limits as a default on residential streets with minimal exceptions, and some 12.5 million people already live in Local Authorities where this decision has been taken.</p> <p>A relevant neighbouring example is Bath and North East Somerset who agreed in April 2012 to allocate £500K of their transport budget to a 2 year delivery programme which would implement 20mph speed limits on their residential streets, subject to public consultation and completion of statutory processes.</p> <p>Particular concerns with Wiltshire's policy include the following:</p> <ul style="list-style-type: none"> • The policy looks quite narrowly at the use of speed limits, focusing on existing speeds and signage. It fails to consider the need for public engagement, education and publicity which also need to be part of the package which will inform the public of the need and benefits of lower speeds. • The notion that appropriate speed limits can somehow be 'rationed' to a maximum of two locations per Area Board per annum [proposed policy para 6.1-6.2] is not consistent with the statutory responsibility to set appropriate speed limits for all roads. • The funding for implementation of 20 mph limits is restricted to funding already allocated to Community Area Transport Groups [proposed policy para 7.2]. This is only a small proportion of the integrated transport budget which central government makes available to Wiltshire Council each year. Other local authorities are finding a wide range of sources of funding including from Public Health, Section 106 and development funds, Local Sustainable Transport fund etc. • The wider benefits which accrue from 20 mph limits and zones – in terms of lower noise, a safer environment for healthier active travel, greater mobility for children and the elderly and a better and safer built environment have not been adequately considered. 	<p>The consultation process does not represent bad practice. A Cabinet Member decision is normally available for a 10 day consultation period. The consultation period for the draft 20mph policy was extended to 8 weeks to allow full public comment to be made. All Parish and Town Councils were notified of the opportunity to comment via the Area Board /CATG mechanism.</p> <p>Area wide implementations are included in the draft policy</p> <p>The way in which BANES have decided to implement and fund 20mph restrictions is of no material consideration in determining a policy for use in Wiltshire.</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>See response to substantive comments.</p> <p>See response to substantive comments.</p> <p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p>
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	<ul style="list-style-type: none"> • There is misinformation regarding the current DfT guidance – e.g. no recognition that limits and zones can use carriageway roundels rather than repeater signs [see Q.6 of FAQs in App B of policy] • The policy as drafted will only consider 20 mph limits when mean 'before' speeds are at or below 24mph, when the DfT guidance suggests that an appropriate speed limit should be set and other measures (publicity, education, traffic calming etc) should be used to gain compliance if inappropriate speed is an issue. <p>The manner in which this policy is being introduced – as a delegated decision by a Cabinet member with no opportunity for public debate – is unacceptable. The options for a more far-reaching policy using more of the funding available to Wiltshire Council need to be considered.</p> <p>There is widespread popular support for 20 mph limits in residential areas. In the 2012 British Social Attitude Survey 72% of those surveyed said 20mph is the right speed limit for residential roads with only 11% being against.</p> <p>This current half-hearted policy proposed for Wiltshire should be withdrawn and replaced by something which better reflects both public opinion and the latest Government guidance and which considers wider funding sources for the implementation of a county-wide programme of 20mph limits in residential areas as is being introduced elsewhere.</p> <p>In summary, we request that the Council takes this draft policy back to the drawing board for a complete re-write to take account of the advice received from Rod King MBE. We request that the Council re-issue a new draft policy, outlining how they have taken on board comments made and engage in proper consultation exercise with the inclusion of a community engagement programme.</p>	<p>The reference to repeater signs covers both upright signs and carriageway roundels. A carriageway roundel is classified as a sign in the Traffic Signs Regulations and General Directions.</p> <p>The Circular advises that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit.</p> <p>It is accepted that where 'before' mean speeds are marginally above 24mph, the introduction of 20mph limits in conjunction with lighter or soft touch engineering measures is likely to result in general compliance. As such it is fully expected that a degree of flexibility will be required in determining whether a 20mph restriction can be introduced. However where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.</p> <p>A Cabinet Member decision is normally available for a 10 day consultation period. The consultation period for the draft 20mph policy was extended to 8 weeks to allow full public comment to be made. All Parish and Town Councils were notified of the opportunity to comment via the Area Board /CATG mechanism.</p> <p>Comment noted</p> <p>The draft policy is not considered to be half hearted but is substantially compliant with the DfT guidance. It seeks to introduce 20mph restrictions into those areas where the benefits that arise are real and true and not just done for populist or political gain.</p> <p>This report and the comments received will form the basis of an approval policy. It is not considered that substantive redrafting is required. The comments made by Rod King are considered elsewhere in this report.</p>
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C41	Resident on Bradford on Avon	<p>I have already sent you my views on Wiltshire's Draft policy regarding 20 mph limits and zones. However I feel that I need to write again, particularly after attending the Bradford on Avon Area Board meeting on Wednesday, that I am very concerned that Wiltshire seem to be missing the point about the new DFT guidance. There seems to be a fixation with implementing zoned areas at considerable cost and confined, specific maybe even spurious benefit to just a few. Admittedly this is better than nothing, but I would have thought that 'better than nothing' is not a very dynamic and forward thinking stance for Wiltshire to be taking.</p> <p>The bigger picture is that highways are for a multitude of users; pedestrians, cyclists, wheelchair users, pedestrians with buggies and young children, elderly pedestrians, dogs and dog walkers, horse riders as well as motorists. This was made very clear in the presentation from Allan Parker about the Westwood 20 mph Speed Limit Trial. The community responded very positively to the trial and the over riding message seemed to be one of safety. People felt safe.</p> <p>Numerous cities throughout the UK, including Bristol and Bath locally, have adopted a city wide limit. The evidence is that motorists slow down, journey times aren't affected detrimentally and non motorist highway users feel safer. This impacts upon active travel and people are more likely to feel safe cycling and walking. This then has an impact on people's health and emissions from cars etc. I was particularly concerned that Cllr Ian Thomson mentioned 20 mph zones just outside schools. Again this is a start, but evidence shows that few accidents involving school children happen just outside the school and only 20% of child road casualties happen on the way to or from school. Please see this article from 20s Plenty:</p> <p>How School Safety Zones are not a priority when children need a community wide 20mph speed limit!! Briefing sheet on why 20mph School Safety Zones can have minimum impact on child road safety and will encourage inactive travel to school. On the face of it, having a 20mph speed limits around a school entrance seems an sensible idea. However, a closer inspection may lead us to a very different conclusion First some background and key facts :-</p> <ul style="list-style-type: none"> • Only a small minority of child road casualties occur on the way to or from school (Just 20%). • Very few casualties occur outside the school itself. • The mean radius of school safety zones is just 300m, yet the mean distance travelled to school is 1.8km. <p>Hence the school safety zones apply to only 17% of the journey.²</p> <ul style="list-style-type: none"> • At exit gateways to school safety zones drivers are reminded of an increase in speed limit to 30mph. <p>So why are we so pre-occupied with school safety zones if children are most likely to be casualties on the rest of the road network where there are higher speed</p>	<p>All comments are noted</p> <p>Wiltshire Council and before that Wiltshire County Council has had a long standing policy on the use of speed limits outside schools. This Policy was based on independent work done by the Transport Research Laboratory and was adopted in 2003. Given the time elapsed since the approval of the policy and in recognition of the changes made at national level over the use of part time 20mph limits consultants Atkins have recently been commissioned to review the policy to ensure that it reflects current best practice. The views expressed by this correspondent will be made available to Atkins so they are aware.</p>
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		<p>limits, and when they are not on the way to or from school? Well the answer is for most of us when looking at the issue we see most children around schools and presume that this is where the danger is. And of course for parents driving their children to school it is the part of the journey when they feel most out of control when their children get out of the car. For them a school safety zone improves safety for 100% of their child's pedestrian journey from the car to the school. Hence it is seen as desirable by school-run parents. But what of the child who walks or cycles all the way from their home to school. The school safety zone now only works for 17% of their journey. For drivers isolated 20mph school safety zones reinforce and legitimise driving at faster speeds outside of the immediate school location, hence increasing the risk to pedestrian and cycling children. Whilst school safety zones do minimally increase safety around schools it has a negative effect on safety for children walking or cycling to school outside of those zones. Their biggest disadvantage is that they can lead parents and highway authorities to believe that they have "fixed the problem" of child road safety. Instead of focussing on school safety zones we should be ensuring that children are given better conditions for walking and cycling for the whole route from their home to school. That can best be achieved by deploying a low- cost Total 20 policy which makes 20mph the default for residential and urban roads including those around schools. For the same cost as a school safety zone you can cover 50 times the number of surrounding streets with a wide area 20mph limit. It's time to recognise that we need community-wide safety for children and not just in the last 100m of their school journey.</p> <p>Perhaps this might also help with the re-think of the Wiltshire draft policy: http://bit.ly/17Sotvl Even London has now woken up and smelt the coffee.</p> <p>It's happening all over the country and Wiltshire is being left behind.</p>	
C42	Resident of Bradford on Avon	<p>I object to the Council's draft policy and consider it unsound and unreasonable. The policy does not conform with Government policy in DfT Circular 01/13 and needs significant redrafting to bring it into line with government policy – for the following reasons:</p> <p>a. Government policy is to positively encourage as a priority: whereas WCC's draft policy is negatively worded and works against 20mph restrictions. Circular 01/13 asks local traffic authorities '<i>to consider the introduction of more 20 miles per hour limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists, using the criteria contained in this guidance</i>'. It is couched in very positive terms – under 'Priorities for Action' (sections 11 and 12) it states '<i>traffic authorities are asked to ...consider the introduction of more 20 mph limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety</i></p>	This is what the Policy does

		<p><i>for pedestrians and cyclists</i>'. Yet WCC's draft policy is negatively worded and in paragraph 6.1 includes some anecdotal hearsay or personal officer prejudice about 'limited benefits' and a plateauing of interest from communities : its staggering that such officer bias – completely without evidence or justification – can find its way into Council policy in this way. This should be deleted and replaced with the positive content enshrined in Circular 01/13. This negative approach, including the mistaken and misleading interpretation of 01/13 as detailed below, will fail to effectively deliver 20mph schemes in Wiltshire in the way in which Government is directing: this makes the draft policy unsound in planning terms.</p> <p>b. WCC's draft policy seriously misleads and misquotes Circular 01/13. Paragraph 2.4 is strongly misleading in that it misrepresents and misquotes government policy to the public. WCC's draft policy states that: '<i>DfT (01/13) suggests they [20 mph limits] should only be considered for use on roads where mean speeds are already 24 mph or less and where the layout and character of the road gives a clear indication to drivers that a lower speed is appropriate</i>'. Whereas, DfT (01/13) actually states: '<i>Signed-only 20 mph speed limits are therefore most appropriate for areas where vehicle speeds are already low</i>'. Therefore the policy is flawed as it has misrepresented government policy. DfT do not preclude 20 mph speed limits on roads where the mean speeds are already more than 24 mph: Wiltshire's policy clearly does. This is a significant point in relation to safety on our roads for our children and other pedestrians and cyclists. DfT 01/13 clearly states that there are benefits to applying 20 mph speed limits on roads where existing mean speeds are greater than 24 mph, citing the evidence from Portsmouth where in such cases '<i>the reductions in average speed tended to be greater [than 1 mph]</i>'. In fact, DfT's own evaluation of the Portsmouth scheme found an average reduction of 6.3mph where 20mph signs were introduced on roads with an original average speed of greater than 24mph. A greater reduction in mean speeds will clearly save more lives – this is clearly as, or more important, as a policy goal/benefit (or success factor) that plain compliance with a speed limit. Presumably this is why DfT 01/13 leaves this option open to councils. Para 13 of 01/13 states that for every 1mph reduction in average speeds, collision frequency reduces by around 5%.</p> <p>c. The criteria applied by WCC draft policy do not conform with those recommended by Government guidance. In its introduction (Section 1 'Key Points' and para 12, Circular 01/13 clearly states that traffic authorities 'introduce more limits ... using the criteria set out in Section 6'. Section 6 states that 'it is important the full range of options and their benefits and costs before making a decision'. Para 31 of 01/13 (and para 84, Section 6) lists the factors that the Council should take into account in terms of changing speed</p>	<p>The comment to limited benefits is a reference to the likely level of actual speed reduction achieved with limits and is based both on Wiltshire's own trial sites findings and those achieved nationally. The policy is not negatively worded but seeks to introduce 20mph restrictions into those areas where the benefits that arise are real, measurable and true and not just done for populist or political gain.</p> <p>It is not considered that the draft policy is misleading. The sentence used by the respondent is contained in paragraph 95 of the Circular. This paragraph goes on to say '<i>If the mean speed is already at or below 24mph on a road, introducing a 20mph speed limit is likely to lead to general compliance with the new speed limit</i>'. Paragraph 96 (in part) goes on to say '<i>Schemes need to aim for compliance with the new speed limit</i>'. The wording used in the draft policy is therefore considered to be fully in line with the Circular.</p> <p>The respondent refers to Government Policy. The following statement is from the DfT and clarifies the status of the Circular . <i>The DfT circular 01/2013 is guidance to local authorities on setting local speed limits. The guidance is designed to assist local authorities with their decision making process, but is not mandatory. Departmental guidance is invariably based on best practice and it is hoped that local authorities take note of the advice provided. However, guidance is by its very nature, optional. The Department would much rather local authorities have the flexibility to introduce speed limits that are appropriate for the local environment. This reflects the wider Government belief in localism and, wherever practicable, in the right of local authorities to make decisions that best reflect the needs of their communities.</i></p> <p>The average speed reduction of 6.3mph recorded in Portsmouth was on a minority of roads that had before speeds in excess of 25mph. The resultant after speeds still remained in excess of 24mph and therefore could be considered a non compliant limit. The overall average speed reduction achieved in Portsmouth is recorded as 1.3mph.</p>
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		<p>limits as:</p> <ul style="list-style-type: none"> • Collision and casualty savings • Conditions and facilities for vulnerable road users • Impacts on walking and cycling and other mode shift • Congestion and journey time reliability • Environmental, community and quality of life impact, such as emissions, severance of local communities, visual impact, noise and vibration; and • costs <p>WCC's criteria (in 5.2) are solely: mean existing speeds; strategic function; and village location. <u>This fails to address guidance in Circular 01/13 and makes the draft policy unsound.</u> It completely ignores key aspects of government policy, e.g. Section 6, Para 84 of 01/13 which emphasises that <i>'traffic authorities are able to use their power to introduce 20mph speed limits or zones on: Major streets where there are – or could be - significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic. This is in addition to Residential streets in cities, 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'</i>. WCC's criteria should include: significant use by pedestrians and cyclists (and impact on modal shift); conditions and facilities for vulnerable road users; community quality of life impact and community severance (e.g. children's routes walking to school).</p>	<p>The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together. It is accepted that Paragraph 5.2 does not specifically list those areas set out at Paragraph 84 although it was always the intention that these areas could be considered. As such it will be recommended that the Policy wording will be amended to reflect this.</p>
C43	Resident of Bradford on Avon	<p>20mph as a default town-wide speed limit is a popular proposal in Bradford-on-Avon, and one that was backed unanimously by the Town Council last night.</p> <p>We can prove statistically that it is a cost-effective and safer solution, with many life-enhancing benefits such as noise and pollution reduction, not to mention an increase in house prices.</p> <p>To this end, we need a policy that allows the 20mph town-wide to happen. There are a couple of specific clause that need to be changed for the policy to effectively serve the community and it's wishes.</p> <ol style="list-style-type: none"> 1. That only areas where the mean speed is less than 24mph will be considered. This seems to be driven by a concern for non-compliance, rather than a consideration for the most appropriate speed. There are many ways of encouraging compliance which are not mentioned in the policy. Complete compliance, in any case, is not always necessary for vast improvement to take place. For example, other areas with 20mph have seen an average reduction in speed of 7mph, which is significant enough to improve quality of life and safety. 2. That only two areas will be considered per area per board. If a change in speed limit is appropriate then it must be considered, even if that means considering more imaginative funding streams to enable it to happen. 	<p>A town wide 20mph limit covering all roads is impractical and would not be in compliance with DfT guidance. Paragraph 84 of Circular 01/13 sets out those areas that are considered suitable for 20mph restrictions. Paragraph 90 and Table 1 of Circular 01/13 state that 20 mph limits and zones should only be used where motor vehicle movement is not the primary function. Radial routes into the town centre (Bradford Road, Frome Road, Winsley Road etc) and internal distributor roads (Moulton Drive, Springfield etc) would not be suitable. However other areas of the town, predominantly the residential areas are highly likely to be suitable and could be subject to area wide 20mph limits.</p> <p>An average speed reduction of 6.3mph recorded in Portsmouth was on a minority of roads that had before speeds in excess of 25mph. The resultant after speeds still remained in excess of 24mph and therefore could be considered a non compliant limit. The overall average speed reduction achieved in Portsmouth is recorded as 1.3mph.</p> <p>See response to substantive comments</p>

		<p>Can I also point out that the draft policy does not reflect the spirit of the DfT guidelines on which it is supposed to be based. There is no mention of the multiple positive benefits outlined by the DfT such as to the elderly, disabled and children, nor that it would increase cycling and the number of children walking to school. It is dismissive of the obvious popularity of 20mph, saying this would fade with time as people realised it didn't work. Not so. If you would like any research, briefings or statistics on the success of 20mph in other areas, then please let me know. I would be more than happy to provide you with the evidence.</p> <p>I don't expect you have time to reply to these comments, as I know you have received so many on this subject, but I would love some reassurance that, for some balance, our views are being heard by someone other than those who actually wrote the draft policy.</p>	<p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p>
C44	Resident of Monkton Combe	<p>An initial reading of the Report gives clear inference that the writer approaches the task from a partisan perspective and clear predetermination. There are multiple examples of loose and unsupported opinion being offered as fact, albeit inaccurate and unsubstantiated.</p> <p>2.4 'Almost all the research into 20mph indicates....' 2.5 'The likelihood of significant speed alterations remains poor....' 2.6 'Appears to be broadly typical across all sites....'</p> <p>There are examples of highly selective, unrepresentative and outdated data-examples offered to support a misleading generalization, quite contrary to the nationally-accumulated evidence.</p> <p>2.6 'Early evidence....data from Oxford, Bristol and Warrington....' 2.7 'It is too early to evaluate the effect...' 2.7 ' There still appears to be little conclusiveevidence....'</p> <p>There are several examples of misquoting and misrepresenting formal DfT and ACPO guidance documents, which together point the unwary to inappropriate conclusions.</p> <p>2.1 There is NO legal obligation for 'Zones and Limits' to be self-enforcing. Consequently many such schemes could have been constructed much more economically that the wrong presumptions required.</p> <p>2.4 Repeater signs, where required, are NOT required to be expensive 'Signs On Poles'. Very much cheaper painted roundels/indicators could, as with other authorities, be used – achieving worthwhile economies.</p>	<p>The wording of the draft policy is not considered to be negatively worded but seeks to introduce 20mph restrictions into those areas where the benefits that arise are real, measurable and true and not just done for populist or political gain and is based both on Wiltshire's own trial sites findings and those achieved nationally.</p> <p>The Circular advises that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit.</p> <p>The reference to repeater signs covers both upright signs and carriageway roundels. A carriageway roundel is classified as a sign in the Traffic Signs Regulations and General Directions.</p>

		<p>2.4 Guidance in 'DfT 2013' is materially misrepresented. Para 97 of that Circular actively encourages the use of 'light touch' traffic calming measures together with Terminal and repeater Signs to achieve the desired affect – and much more economically than the earlier alternative. This reflects that significant 'cost/benefit' outcomes experienced in more recent trials and implementations.</p> <p>2.6 'Early evidence' from 3 early trials is superceded by later evidence from many more subsequent trials encompassing the economic 'hybrid' schemes indicated above. Consequently, all the several authorities which reported disappointing early trials have chosen to expand their schemes on later, fuller evidence. More than two dozen authorities now implement such schemes, with many more in planning.</p> <p>2.7 It is agreed 'it is too early to evaluate the effect on collision rates' relative to Wiltshire's very small number of trial schemes. It is not too early to consider the encouraging data being supplied to the DfT by the growing number of other participatory authorities – including our progressive neighbours in Bristol and Bath & North East Somerset.</p> <p>FAQ/9 This baldly misrepresents the true position. It is for Wiltshire Constabulary to form its own policy regarding enforcement. An Area Commander at a CAB Meeting more than 3 years ago stated unambiguously and on the record that, provided a 20mph limit is legally constituted, if a continuing problem of speeding exists and if the community so requests, then – subject to police resources and other priorities – that limit will be enforced like any other legally-constituted restriction.</p> <p>It is the view of this respondent that the relevant Report materially misinforms and misguides both Elected Members and the public on the issues now relating to 20mph speed limits. It is consequently unfit for the purpose of properly informing Councillors' and public debate on what should become effective policy in this matter.</p> <p>Given the huge public interest in this matter right across Wiltshire, the possibilities for fiscal savings, and the opportunity to 'get it right', Councillors are encouraged to seek more competent and better informed guidance – such as that offered by Dr. Rod King MBE - prior to formulation and adoption of policy.</p>	<p>Where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction. In these circumstances a zonal approach is considered the better option.</p> <p>Comment noted. Hybrid scheme are possible under the draft policy.</p> <p>The schemes in Bristol and BANES are in their early stages and they have stated that it is too early to accurately draw conclusions about long term effects on casualty reduction.</p> <p>Enforcement – See response to substantive comments</p> <p>It is considered that the draft policy substantially complies with the DfT guidance</p> <p>This report and the comments received will form the basis of an approval policy. The comments made by Rod King are considered elsewhere in this report.</p>
C45	Landford Parish Council	<p>The Para Nos. referred to below relate to the paragraphs in Appendix 1 of the consultation document.</p> <p>1. Para 2.1 below states that they should be self-enforcing. This means the</p>	<p>Comment noted</p>

		<p>construction of either humps or pinch-points plus the erection of all the necessary warning signs, etc. This will only increase the urbanisation of this rural area.</p> <ol style="list-style-type: none"> 2. Traffic calming measures contribute to the delays to emergency services getting to an incident in the minimum time. 3. People with dwellings immediately adjacent to the speed “calming” measures will suffer increased amount of traffic noise and/or ground vibrations. 4. A 20mph speed limit without calming measures would be even less effective than the current 30mph limit due to inadequate enforcement. 5. Para 2.4 states that without calming measures they only have any effect if the mean speed is already below 24mph and then only 1-2 mph. This clearly means that without calming measures the 20mph speed limit achieves nothing of significance. This is reinforced in Para 2.6 which states that the reduction is only in the region of 1mph but as no figure is given for the standard deviation of the mean it seems likely that the reduction lies within the uncertainty. 6. Para 2.7 suggests that casualty rates are not reduced by much if any by this limitation. Again no measure of variance is stated. 7. In this village the most likely location for the 20mph speed restriction would be outside the School, which is at a road junction. Such measures would be permanent throughout the day and night yet they could only be justified during school arrival and leaving times when the chaos outside the school already slows the traffic. 8. It would appear that no roads in Landford would satisfy the conditions stated in para 5.2. <p>In conclusion the view of the Council is that for this village any introduction of 20mph limits would be a waste of public money as well as significantly detracting from its rural ambience.</p>	<p>The emergency Services are consulted and their opinion is sought as part of the consultation work undertaken for a 20mph restriction.</p> <p>Comment noted. The type of traffic calming feature used will be the one that is considered to be the most suitable and effective taking into account local conditions. However before any measures are introduced local consultation would be undertaken and this would give residents and others the opportunity to comment on the form of any feature proposed.</p> <p>See response to substantive comments</p> <p>Comment noted</p> <p>Comment noted</p> <p>The use of 20mph speed limits outside schools is subject to a separate review.</p> <p>Comment noted</p>
C46	Rod King 20's Plenty for us.	Having reviewed this proposed policy against the current DfT guidance (Circular 01/2013), recent changes to signage requirements and the moves made by other traffic authorities towards wide-area 20mph limits we believe that the proposed Wilts C C policy misinforms both councillors and the public on key aspects of these recent changes and as such could lead to an unbalanced and misinformed decision being made on the setting of local speed limits within Wiltshire.	

		<p>We therefore trust that it will be retracted and redrafted to address the points raised. 20's Plenty for Us would be pleased to make comment on any such revised policy.</p> <p>Of particular concern is that the proposed policy looks quite narrowly at the use of speed limits and allows imprecise detail on the setting of speed limits to undermine the responsibility to set appropriate limits. Changed Speed limits should always be accompanied by engagement with the public to inform the need and benefits of lower speeds. It is much more about mass behaviour change and endorsement of society values than simply an interaction between drivers and signs. And it is in this area that many traffic authorities are seeing wide-area implementation of 20mph limits as a real lever to take the increasing aspiration for safer and calmer streets into behaviour change by residents that results in lower speeds. These include Bristol, Bath & NE Somerset, Portsmouth, Liverpool, Manchester, Lancashire, Warrington, Wigan, Oldham, Sefton, Bolton, Bury, Rochdale, York, Nottingham, Middlesbrough, Newcastle, Edinburgh, Oxford, Cambridge, Brighton & Hove, Southampton, Chichester, as well as many London Boroughs. All of these are introducing 20mph limits for all residential streets with minimal exceptions. In addition the distinction between 20mph zones and limits is now much less than in the past. Maybe some "history" would be useful.</p> <p>During the early part of the century there was a clear distinction with zones always having physical calming at frequent intervals and used for several roads, whereas limits were used for short stretches on single roads and had repeater signs at frequent intervals. Zones were not allowed repeater signs and limits did not have physical calming.</p> <p>This all started to become blurred in 2006 when the revised guidance was "stretched" to enable the implementation of 20mph limits rather than zones across many residential roads within built-up areas. This was the basis on which all of the above traffic authorities implemented their authority-wide 20mph limits.</p> <p>Whilst being outside of the recommendations within the guidance the results were supported by successive Labour and Lib-Dem/Conservative governments. It was recognised that there was too strong a demarcation between zones and limits which caused problems when traffic authorities wanted to include legacy 20mph zones within a wider area of limits. Hence in 2012 the regulations on signage were changed. Note that whilst the setting of 20mph limits is "guided" by the DfT the signage is "regulated". An important distinction in order to provide common standards of signage across the country. This defined repeater signs and carriageway roundels as "traffic calming" devices and also included some "natural" features such as mini-roundabouts. It also specified that within a zone there should be a minimum of 1 physical calming device. This suddenly completely transformed the options for traffic engineers. Now isolated zones could be incorporated into one large zone, simply by filling in the old 30mph parts with repeater signs of carriageway roundels. New 20mph zones could be set up with mainly repeater</p>	
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		<p>signs and include physical calming in particular places. All being done within a contiguous area. In fact for creative Traffic Engineers the distinction between zones and limits hardly exists at all. 20mph can be implemented with repeater signs in areas where speeds are already low with the option of a combination of signage, physical calming (speed bumps and chicanes), less physical calming (staggered parking bays, rumble strips, lines, roadside planters), together with speed indicator devices (either fixed or portable) and soft measures such as engagement, consultations, publicity, surveys, etc.</p> <p>This is further enabled through the 2013 guidance which asks traffic authorities to widen the implementation of 20mph limits. And this is how Traffic Engineers throughout the country are using the new regulations and guidance to change the whole way in which community roads are shared.</p> <p>However, whilst this may be a “subjective” view on the proposed policy, the following looks at the detail within the policy.</p>	
1.1	<p>We believe that reference should also be made to the signage changes made in 2012.</p> <p>This allows traffic authorities to far more flexibly and economically implement 20mph zones and limits. See comment below.</p>	<p>The changes made to national regulations with regard to signing of 20mph restrictions are well understood by the council. The paragraphs state that each restriction will vary in detail and as such will be tailored to the location and specific circumstances.</p>	
2.1	<p>Actually the guidance refers to “successful 20mph zones and limits being generally self-enforcing” (para 85). There is no legal obligation for them to be self-enforcing.</p> <p>The signage changes made in 2011 now only require a minimum of one physical calming device in a 20mph zone. Repeater signs, carriageway roundels and other features may be used where appropriate. This is of considerable importance and allows many 20mph zones to be expanded with just repeater sign and physical calming applied selectively.</p>	<p>The Circular advises at Paragraph 96 that all 20mph limits need to aim for compliance with the new limit and that there should be no expectation on the police to provide additional enforcement to ensure compliance. The Circular further advises that as average speed reductions through sign only limits are on average 1mph, introducing 20mph limits on those roads with speeds above 24mph is likely to be insufficient to make the resulting speeds generally compliant with the new 20mph limit. It is accepted that where before mean speeds are just above 24mph that the introduction of light touch engineering measures could well result in general compliance.</p>	
2.4	<p>Now 20mph limits may include carriageway roundels as an alternative to upright signs. (Para 99).</p> <p>Whilst it is technically correct to state that 20mph limits lead to relatively small reductions in ‘mean’ speed, research has shown that speed reductions are skewed towards the fastest roads. This is because many roads are included, for consistency, where average speeds are already low and hence result in little change. On faster roads (above 24mph) there have been average reductions of 6mph recorded.</p> <p>DfT 2013 does NOT suggest that 20mph limits should “only” be considered for use</p>	<p>The interim evaluation report on the Portsmouth 20mph speed limit concluded that within an area wide application of 20mph sign only limits, those roads with average speeds higher than 24mph did benefit from significant speed reductions but not to the extent that the 20mph speed limit was self enforcing.</p>	

		<p>on roads where mean speeds are already 24mph or less. It actually says that :-</p> <p>“97. The implementation of 20 mph limits over a larger number of roads, which the previous Speed Limit Circular (01/2006) advised against, should be considered where mean speeds at or below 24 mph are already achieved over a number of roads. Traffic authorities are already free to use additional measures in 20 mph limits to achieve compliance, such as some traffic calming measures and vehicle activated signs, or safety cameras. Average speed cameras may provide a useful tool for enforcing compliance with urban speed limits.”</p> <p>Whilst this may only be considered a subtle difference, it is important that the DfT guidance is accurately reflected. Rather than guiding against a 20mph limit in such circumstances it actually suggests the need to use methods to gain compliance.</p> <p>The reference in 2.4 to the layout and character of the road is not within DfT 2013 in association with the 24mph.</p>	<p>This paragraph refers to Area wide 20mph limits. Where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.</p> <p>The DfT guidance is just that, guidance. It is for each local highway Authority to decide whether to adopt the guidance unchanged or with amendment to suit its own circumstances.</p> <p>There is evidence that 20mph limits, where appropriately applied, can bring about a number of positive effects on road safety, quality of life, and encourage healthier modes of transport such as walking and cycling. In order to be successful, speed limits require the respect of drivers and this can only be achieved where the reasons for the limit are unambiguous and where broad compliance is achieved without excessive reliance on police enforcement or widespread engineering measures. The Wiltshire policy seeks to build upon the evidence provided by its use of 20mph zones, the rural 20mph limit trial and DfT guidance in Circular 01/13 to provide a robust policy which encourages their use in areas where the benefits are tangible, measurable and supported by the police. To do otherwise will result in poorly considered 20mph limits in which overall driver compliance is low and where public acceptance of all 20mph limits is gradually eroded.</p>
	2.5	<p>Once again reference is made to significant speed reductions remaining poor fails to take notice of the natural distribution of speed reductions which take place when wide area limits are set.</p>	<p>The interim evaluation report on the Portsmouth 20mph speed limit concluded that within an area wide application of 20mph sign only limits, those roads with average speeds higher than 24mph did benefit from significant speed reductions but not to the extent that the 20mph speed limit was self enforcing.</p>
	2.6	<p>We accept that in over a given length of road then a limit will be less effective than a zone. However this does not take into account the fact that 20mph zones are approximately 50 times more expensive than 20mph limits. Hence for the same money you can treat 250 people living on a street with a physically calmed zone, or 12.500 people living in a community with a wide-area 20mph limit. The high cost of 20mph zones has meant that they can only be targeted on places where there are specific problems. 20mph limits work not through isolated traffic management, but by large scale behaviour change. Isolated and small 20mph zones actually legitimise travelling faster in the rest of the road network.</p>	<p>It is well known and obvious that 20mph zones are more expensive to install than 20mph speed limits.</p> <p>The interim evaluation report on the Portsmouth 20mph speed limit concluded that within an area wide application of 20mph sign only limits, those roads with average speeds higher than 24mph did benefit from significant speed reductions but not to the extent that the 20mph speed limit was self enforcing.</p> <p>The quality of life and community benefits are clearly set out within</p>

		<p>Whilst noting that the total average speed reduction from Oxford, Bristol and Warrington was around 1.5mph it is notable that all of these authorities after looking at the results in detail decided to expand their schemes. Simply looking at the headline average reductions does not show the wide benefits gained. These come from lower noise, lower pollution, better accessibility for those without cars, greater child and elderly mobility, healthier active travel and a better built environment.</p>	<p>the Circular 01/13 and are understood by the Council. Where overall average speeds are higher, reliance on light touch engineering measures, publicity and education in order to achieve compliance is likely to be unrealistic, especially in the long term. As a result the wider community benefits so often associated with 20mph restrictions are also unlikely to occur thereby resulting in long term community dissatisfaction.</p> <p>The draft policy seeks to introduce 20mph restrictions into those areas where the benefits that arise are real and true and not just done for populist or political gain.</p>
	2.7	<p>The reason why the results have not been statistically proven is largely due to the numbers being relatively small so reducing any confidence level. As stated above those who have looked at the statistics in detail have been pleasantly surprised with the result and subsequently recommended to members wider implementation.</p>	<p>It is agreed that the relatively small numbers mean that any statistical analysis cannot be fully relied on. To state that those that have looked in detail have been pleasantly surprised is a misnomer. The Portsmouth study indicated that whilst casualty reductions did occur on a number of roads there was evidence of migration to other areas of the city where the resultant numbers of casualties then increased.</p>
	3.0	<p>This part of the proposed policy neglects to include some fundamentally important aspects of the 2013 guidance.</p> <p>For example. There is no mention of the requirement to include other factors beyond casualty reduction. These include encouraging active travel for public health, quality of life in communities, lowering noise and pollution. These are all beneficial outcomes of lower speeds yet do not appear in the policy.</p> <p>The guidance also states that :-</p> <p>“18. Speed limits are only one element of speed management. Local speed limits should not be set in isolation. They should be part of a package with other speed management measures including engineering and road geometry that respect the needs of all road users and raise the driver's awareness of their environment; education; driver information; training and publicity. Within their overall network management responsibilities, these measures should enable traffic authorities to deliver speed limits and, as importantly, actual vehicle speeds that are safe and appropriate for the road and its surroundings. The measures should also help drivers to be more readily aware of the road environment and to drive at an appropriate speed at all times.”</p> <p>This implies a responsibility by the Traffic Authority to very much include soft measures such as engagement, education and publicity to bring about behaviour change rather than simply relying on “signs on sticks”.</p> <p>An important requirement in setting speed limits is the need to take into account</p>	<p>The quality of life and community benefits are clearly set out within the Circular 01/13. The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p> <p>The Council is fully aware of the contents of paragraph 18 and as demonstrated at the trial 20mph sites has fully engaged with the local communities before, during and after implementation.</p>

		<p>the needs of vulnerable road users. The guidance notes :-</p> <p>32.Different road users perceive risks and appropriate speeds differently, and drivers and riders of motor vehicles often do not have the same perception of the hazards of speed as do people on foot, on bicycles or on horseback. Fear of traffic can affect peoples' quality of life and the needs of vulnerable road users must be fully taken into account in order to further encourage these modes of travel and improve their safety. Speed management strategies should seek to protect local community life.”</p> <p>Whilst everyone respects the need for drivers to make judgements on speeds, they are not the only road users and such judgements are often flawed by ignorance of local conditions, presence of other users, etc. Hence the need for Traffic Authorities to fully take into account the needs of vulnerable road users to protect them against the actions of responsible and negligent motorised road users.</p> <p>Note that the need to protect “vulnerable road users” is very much aligned to the Equality Act 2010 and its requirement that polices should not discriminate against disadvantaged groups. For road users this will include the elderly and disabled who are particularly at risk when using the roads. Hence a full consideration of the requirements of the Act do need to be considered when approving any policy. We note that there are no references to the act in the proposed policy. We treat this as a serious omission.</p> <p>Within the last guidance (01/2006) there were just 12 paragraphs on 20mph limits and zones. In the latest 01/2013 guidance there are 24. This reflects the popularity and progress in implementing 20mph limits to the extent that now 12.5m people live in local authorities implementing 20mph limits for most residential and urban streets.</p> <p>It therefore seems strange that this doubling of guidance together with signage and other changes should be condensed down to simply including just 4 of those paragraphs(ie 85, 86, 95 and 84). This fails to appropriately reflect the support for 20mph limits in the new guidance.</p> <p>The following paragraphs seem to imply that 20mph limits and zones can only be considered where all of the conditions apply. This needs clarification. If so it is very restrictive.</p>	<p>This paragraph relates to the setting of all speed limit levels not just to 20mph restrictions. The council has undertaken a comprehensive review of all its speed limits on A and B class roads since 2006 in accordance with the original Circular 01/2006. The needs of vulnerable road users has been fully taken into account as part of this review.</p> <p>The draft policy sets out at paragraph 5.1 that a Wiltshire Policy should not deviate from the guidance given in Circular 01/13 and is cross referenced to it. As such the policy does not seek to repeat all the information set out in the guidance. Rather the two documents should be read together.</p>
5.2		<p>The proposed policy deviates substantially from DfT 01/2013. The guidance does not prohibit consideration of 20mph limits for roads with current averages above 24mph, or them being primary routes or having a “strategic” function.</p> <p>Traffic authorities are required to consider the appropriate speed limit for all roads. It is not the setting of the limit which should be compromised due to the current and</p>	<p>The DfT guidance is just that, guidance. It is for each local highway Authority to decide whether to adopt the guidance unchanged or with amendment to suit its own circumstances.</p> <p>There is evidence that 20mph limits, where appropriately applied, can bring about a number of positive effects on road safety, quality</p>

		<p>inappropriate speed of vehicles or the hierarchy of the route. It is the implementation which should be elaborated to achieve the appropriate speed. The concern of non-compliance should not be used as a reason to do nothing, but should trigger a resolve to do what is appropriate. In this respect 01/2013 makes it very clear that other measures including engagement, publicity, education, traffic calming, carriageway roundels, and even average speed cameras may all be used to gain compliance where this is an issue.</p> <p>By excluding the use of the lower costs and more cost effective solution of wide-area 20mph limits this policy will constrain the setting of appropriate speed limits and legitimise 30mph speeds in many places where it is totally inappropriate. This will certainly affect the ability to meet modal shift targets and contribute to a reduction in the quality of life and available transport options within communities.</p>	<p>of life, and encourage healthier modes of transport such as walking and cycling. In order to be successful, speed limits require the respect of drivers and this can only be achieved where the reasons for the limit are unambiguous and where broad compliance is achieved without excessive reliance on police enforcement or widespread engineering measures. The Wiltshire policy seeks to build upon the evidence provided by its use of 20mph zones, the rural 20mph limit trial and DfT guidance in Circular 01/13 to provide a robust policy which encourages their use in areas where the benefits are tangible, measurable and supported by the police. To do otherwise will result in poorly considered 20mph limits in which overall driver compliance is low and where public acceptance of all 20mph limits is gradually eroded.</p> <p>Area wide limits are included within the policy.</p>
	5.3	<p>This set of requirements is even more restrictive and impose conditions which are arbitrary. In particular they put the convenience of drivers well above the safety of pedestrians and cyclists in the condition regarding avoidable routes.</p>	<p>This paragraph is considered substantially compliant with the Circular. The conditions are not arbitrary but based on sound engineering judgement and extensive experience of 20mph zones in Wiltshire.</p>
	6.1	<p>As detailed above with 12.5m people now in Total 20 authorities the only “plateauing” will be when communities throughout the whole of Wiltshire are demanding 20mph limits. Other authorities have found NO grounds for prioritising requests. They are being phased in to include all communities. Note that in recent British Social Attitude Survey 73% of those surveyed say that 20mph is the right speed limit for residential roads with only 11% being against.</p>	<p>The need to prioritise requests reflects the administrative arrangements that exist in Wiltshire. The county is broken down into 18 community areas and is administered by Area Boards. Clear prioritisation is required to give each community area an equal chance of having 20mph restrictions delivered on the ground. In addition to this there are budgetary and resource constraints that need to be taken into account.</p>
	6.2	<p>The idea that the setting of appropriate speed limits can somehow be arbitrarily “rationed” to two locations per Board area per annum is not consistent with the statutory responsibility to set appropriate speed limits. It reflects an attitude that seeks to “manage expectations” rather than deliver community improvements.</p>	<p>The need to prioritise requests reflects the administrative arrangements that exist in Wiltshire. The county is broken down into 18 community areas and is administered by Area Boards. Clear prioritisation is required to give each community area an equal chance of having 20mph restrictions delivered on the ground. In addition to this there are budgetary and resource constraints that need to be taken into account.</p>
	7.1	<p>20mph limits deliver far more than just road safety. Other local authorities are finding a wide range of sources for the funding which complement LTP funding with public health, section 106 and development funds, Local Sustainable Transport Funds, etc. They operate very much on seeking funding to deliver the change which communities need rather than rationing that change based on</p>	<p>All of the allocated funding comes from the Council’s Integrated Transport block. The opportunity to use other funding sources, including Area Board grants, Section 106 deposits, and Health funds, can and will be taken as individual circumstances allow.</p>

		<p>limited funding.</p> <p>This often uses innovative and constructive collaboration between partners such as education, public health, social services to spread a consistent message about the value of speed reduction to maximise compliance.</p> <p>We believe that the Wilts CC policy is far too restrictive in its funding and the result is that it becomes a limiting and constraining factor rather than a supporting one.</p>	
	8.1	<p>Every local authority implementing wide-area pilots of 20mph limits with appropriate engagement, education, support and analysis has concluded that they offer excellent value for money and consequently decided to roll- out across the complete authority. To date we are not aware of any local authority or community reversing any 20mph limits and setting them back to 30mph.</p> <p>Whilst 20mph limits are not a panacea for all road safety issues, their adoption is a key foundation to enabling all citizens to make an equitable choice of transport modes and increase quality of life in communities.</p>	Comments noted
	Q1	<p>Portsmouth showed a 7mph reduction in average speeds on roads where previously the average was between 24 and 29mph. Whilst general compliance may not have been achieved there has been a substantial benefit in such speed reduction.</p>	<p>The 7mph reduction in speed was achieved over a minority of roads and in no way should be treated as the norm as to what can be expected elsewhere. The interim evaluation report on the Portsmouth 20mph speed limit concluded that whilst some benefit was forthcoming the 20mph speed limit was not self enforcing and speeds remained above 24mph.</p>
	Q2	<p>Compliance may be low but benefits are high. Compliance may be achieved by subtle and inexpensive measures such as carriageway roundels, staggered parking, etc.</p>	<p>If the compliance is low how can the benefits be high? The implementation of a 20mph limits at locations where mean speeds are not 24mph or less is unlikely to bring about the community benefits associated with correctly sited 20mph limits</p> <p>The draft policy seeks to introduce 20mph restrictions into those areas where the benefits that arise are real and true and not just done for populist or political gain.</p>
	Q3	<p>There is much evidence of the benefits of 20mph limits, including speed reduction.</p>	<p>The quality of life and community benefits are fully understood but these will only come about when true and long term driver behaviour and lower speeds come about.</p>
	Q4	<p>Other local authorities have concluded that there are casualty reductions from 20mph limits, especially where they have invested in additional engagement, publicity and light touch enforcement.</p>	<p>The Portsmouth study indicated that whilst casualty reductions did occur on a number of roads there was evidence of migration to other areas of the city where the resultant numbers of casualties then increased.</p>
	Q5	<p>Heavier touch measures are also possible and you can also have a large zone with</p>	<p>This is understood.</p>

		only one physical calming feature if appropriate.	
	Q6	Incorrect. Carriageway roundels can be used instead of repeater signs.	The reference to repeater signs covers both upright signs and carriageway roundels. A carriageway roundel is classified as a sign in the Traffic Signs Regulations and General Directions.
	Q7	This again confuses the issue regarding current speeds. It is a traffic authority responsibility to set the correct limits and implement appropriate measures to achieve compliance rather than adopt a higher limit on the assumption that it will not adopt additional measures.	It is considered that there is no confusion in the response given to this question.
	Q9	This is incorrect on two counts. ACPO only provide guidance and it is up to each police force to establish its own policy on 20mph enforcement. Routine enforcement is being undertaken by other forces. ACPO have also recently clarified its position on 20mph limits.	See response to substantive comments
	Q13	We use the cost of £1,100 per km for limits and £60,000 per km for physically calmed zones. Once the cost is taken into account then limits are 6.5 times more effective in speed reduction than physical calming.	These costs are generic and cannot be relied on for use in Wiltshire.
	Q16	It is engagement and consistency that bring about change in driver attitudes. Real benefits come from the roads with higher prevailing speeds where reductions are larger. If faster roads need more measures to achieve compliance then these should be considered rather than exclude them and maintain a limit that is 10mph higher than ideal.	In the circumstances where a 20mph speed limit is not considered viable it would be possible to consider a 20mph zone with the associated physical features controlling vehicle speeds. This is fully covered by the draft policy

<u>20mph speed limit restrictions policy</u> <u>Results of Consultation</u>			
	<u>RESPONDEE</u>	<u>COMMENTS</u>	
S1	Resident of Mere	Supports the policy and suggests that Mere village centre should have a 20mph limit.	
S2	Hilmarton & Goatacre Group Improving Safety	Suggests 20mph limits in various areas of Hilmarton & Goatacre	
S3	Resident of Shrewton	Would like to see traffic calming measures installed on the A360 through Shrewton	
S4	Parish Councillor from Shrewton	Requests a 20mph limit through Shrewton	
S5	Resident of Upavon	Requests a 20mph limit in Upavon High Street.	
S6	Resident of Wiltshire	Suggests that 20mph should be outside every school in Wiltshire	
S7	Resident of Malmesbury	Would like the 20mph zone extended to cover the triangle in Malmesbury	
S8	Wingfield Parish Council	Requests a 20mph limit in Church Lane, Wingfield	
S9	Monkton Farleigh Parish Council	Requests a 20mph limit in the village	
S10	Resident of Ryland Way, Trowbridge	Requests a 20mph speed limit or traffic calming on Hargreaves Road	
S11	Resident of Trowbridge	Requests a 20mph limit on Drynham Road, Trowbridge	

S12	Resident of Warminster	Requests a 20mph limit on Upper Marsh Road, Warminster	
S13	Bishopstrow Village meeting	Requests a 20mph limit in Bishopstrow	
S14	Resident of Bradford on Avon	Requests a 20mph limit on Masons Lane in Bradford on Avon	
S15	Resident of Frogwell Chippenham	Requests a 20mph limit on Frogwell in Chippenham	
S16	Resident of Aldbourne	Requests a 20mph restriction in Aldbourne	
S17	Resident of Sherston	Requests a 20mph limit with supporting flashing signs on Brookhill, Sherston	
S18	Resident of Court Street Sherston	Requests traffic calming humps in Court Street, Sherston	
S19	Resident of Westwood	Requests a 20mph limit in Westwood	
S20	Winterslow Parish council	Speeding is not the problem its bad driving. Do not want any 20mph limits.	
S21	Shrewton Parish council	Request 20mph restrictions and horizontal deflections on a number of roads in Shrewton	
S22	Resident of Aldbourne	Request 20mph limits and speed humps in Albourne	
S23	Dauntsey Parish Council	Request 20mph limit in Dauntsey Village	
S24	Resident of Burnivale, Malmesbury	Requests a 20mph limit on Burnivale, Malmesbury	
S25	Fyfield & West Overton Parish Council	Requests a 20mph limit through Lower Fyfield	
S26	Resident of Wiltshire	Suggests that all rural single track roads should be subject to a 20mph limit.	
S27	Governer of Oaksey Primary School	Requests a 20mph limit outside the school	
S28	Resident of Kingsbury Street, Marlborough	Requests a 20mph limit on Kingsbury Street	
S29	Wiltshire Councillor	Requests a 20mph limit on College road Home Zone in Trowbridge	

S30	Cherhill Parish Council	Requests 20mph limits in Cherhill and Yatesbury	
S31	Enford Parish Council	Requests 20mph limits in East Chisenbury, Long Street, and Coombe	
S32	Resident of Corsham	Requests 20mph limits on the B3353, Stokes Road, Lacock Road, South Place, Pickwick Road and Newlands Road in Corsham. Considers 20mph limits would encourage greater walking and cycling to school and that parents should be consulted.	

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Wiltshire Council

Environment Select Committee

10 December 2013

Subject: Drainage Byelaws

Cabinet Member: Councillor Jonathon Seed – Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding

Key Decision: No

Purpose of Report

1. To advise the Committee of the Council's intention to make Byelaws in connection with drainage.

Background

2. Flooding is considered to be serious issue in Wiltshire, and the Council has had to respond to a number of significant flooding events which have affected communities in recent years.
3. The Flood and Water Management Act 2010 amended section 66 of the Land Drainage Act 1991 to allow local authorities to make land drainage byelaws. These byelaws also create criminal offences which can be prosecuted in the Magistrate's Courts. The Council is now intending to use its powers to make byelaws to help it carry out its duties effectively and in doing so assist with reducing flood risk for local communities.

Proposed Byelaws

4. The Flood and Water Management Act 2010 allows local authorities to make byelaws for the following purposes:
 - To secure the efficient working of a drainage system in its area;
 - To regulate the effects of a drainage system on the environment;
 - To secure the effectiveness of flood risk management work
5. The proposed byelaws for Wiltshire (See **Appendix 1**) are based on the Defra set of model Land Drainage byelaws which are broadly similar to the byelaws which have been used for many years by the Environment Agency. They cover matters such as changes to flows in watercourses, obstructions, vegetation, damage to river banks and other issues which will be of help to the Council in carrying out its duties.
6. The first stage of this process is to forward the proposed draft byelaws to Defra which is followed by a formal consultation with Natural England and the

Canal and River Trust (the local navigation authority in Wiltshire). Although the Council are not required to do so, the Council has also chosen to informally consult with Parish and Town Councils through the Parish Newsletter before the proposed byelaws are considered by the Council.

7. Subject to the outcome of the consultation with Natural England and the Canal and River Trust and having considered any responses received to the informal consultation, a decision on whether or not to make the byelaws will be taken by the Council. Under the Council's constitution a decision on the making of byelaws is reserved to full Council.
8. If the Council decides to make the byelaws, the formal (statutory) consultation will then be undertaken, before the byelaws (and any unresolved objections) are forwarded to the Secretary of State for confirmation. The byelaws cannot come into operation until they are confirmed by the Secretary of State.
9. The draft byelaws may also be viewed on the Council's website where comments may be made:

www.wiltshire.gov.uk/consultations

The deadline for responses to the informal consultation is 10 December 2013. Consultees will need to inform the Council if they also wish for their comments to be forwarded to be considered as part of the formal consultation which is anticipated will take place in spring 2014.

Environmental and Climate Change Considerations

10. Environmental and climate change has serious implications for the Council as Lead Local Flood Authority, and the introduction of the proposed Byelaws will help the Council carry out its duties and reduce the flood risk for communities in Wiltshire.

Financial Implications

11. There are not anticipated to be any serious financial implications with regard to the making of the byelaws, which will assist the Council in carrying out its duties as Lead Local Flood Authority for Wiltshire.

Legal and Procurement Implications

12. The new contract will help ensure that the Council meets its obligations under the Flood and Water Management Act 2010, Highways Act and other legislation.

Equalities Impact of the Proposal

13. There are considered to be no equalities impacts in connection with making the proposed byelaws, which will be subject to formal consultation in due course.

Safeguarding Implications

14. There are no safeguarding implications.

Public Health Implications

15. The Byelaws could potentially reduce flood risk for some properties, which would have benefits for those residents.

Risk Assessment

16. There are no significant risks attached to making the proposed drainage byelaws, which will help the Council reduce flood risk for local communities, and will

Conclusion and Recommendations

17. The Committee should note the intention of the Council to make the proposed Byelaws, which will assist the Council in carrying out its duties as Lead Local Flood Authority under the Flood and Water Management Act 2010.

Report Author:

Peter Binley

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Highways and Transport

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The following unpublished documents have been relied on in the preparation of this Report:

None

Appendices:

Appendix 1 – Draft byelaws

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APPENDIX 1

Wiltshire Council

LAND DRAINAGE BYELAW

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Preamble

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10. No Obstructions within 8 Metres of the Edge of the Watercourse
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13. Damage by Animals to Banks
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Common Seal

Penalty Note

WILTSHIRE COUNCIL LAND DRAINAGE BYELAWS

The Council under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for [one or more of] the following purposes:-

- a) securing the efficient working of a drainage system in the Council's area,
- b) regulating the effects on the environment in the Council's area of a drainage system,
- c) securing the effectiveness of flood risk management work within the meaning of section 14A of that Act, or
- d) securing the effectiveness of works done in reliance on section 38 or 39 of the Flood and Water Management Act 2010 (incidental flooding or coastal erosion),

together, "the Purposes";-

1. Commencement of Byelaws

These Byelaws shall come into operation at the expiration of one month beginning with the day on which they are confirmed by the Secretary of State.

2. Application of Byelaws

- (a) These Byelaws shall have effect within the Area;
- (b) the watercourses referred to in these Byelaws are watercourses which are for the time being vested in or under the control of the Council.

3. Control of Introduction of Water and Increase in Flow or Volume of Water

No person shall as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended ("the 1990 Act")) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) for any purpose by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the Area so as to directly or indirectly increase the flow or volume of water in any watercourse in the Area (without the previous consent of the Council).

4. Control of Sluices etc

Any person having control of any sluice, water control structure or appliance for introducing water into any watercourse in the Area or for controlling or regulating or affecting the flow of water in, into or out of any watercourse shall use and maintain such sluice, water control structure or appliance in accordance with such reasonable directions as may from time to time be given by the Council with a view to securing or furthering one or more of the Purposes.

5. **Fishing Nets and Angling**

No person shall angle or set any nets or engines for the catching or keeping of fish in any watercourse in such a manner as to cause damage to or endanger the stability of the bank of the watercourse or to affect or impede the flow of water.

In this Byelaw “nets” includes -

- (a) a stake net, bag net or keep net;
- (b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;
- (c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

6. **Diversion or Stopping up of Watercourses**

No person shall, without the previous consent of the Council, take any action, or knowingly permit or aid or abet any person to take any action to stop up any watercourse or divert or impede or alter the level of or direction of the flow of water in, into or out of any watercourse.

7. **Detrimental Substances not to be Put into Watercourses**

No person shall, so as directly or indirectly to obstruct, impede or interfere with the flow of water in, into or out of any watercourse or so as to damage the bank -

- (a) discharge or put or cause or permit to be discharged or put or negligently or willfully cause or permit to fall into any watercourse any object or matter of any kind whatsoever whether solid or liquid;
- (b) allow any such object or matter as is referred to in sub-paragraph (a) of this Byelaw to remain in proximity to any watercourse in such manner as to render the same liable to drift or fall or be carried into any watercourse.

Provided that nothing in this Byelaw shall be deemed to render unlawful the growing or harvesting of crops in accordance with normal agricultural practice.

8. **Lighting of Fires**

No person shall light or cause or permit to be lighted or commit any action liable to cause to be lighted any fire on any land adjoining the watercourse where such action is liable to set on fire the peat land forming the banks of the watercourse

or any vegetation including trees growing on land forming the banks of the watercourse.

9. **Notice to Cut Vegetation**

Any person having control of any watercourse shall, upon the receipt of a notice served on him by the Council requiring him so to do, cut down and keep cut down all vegetation, including trees, growing in or on the bank of a watercourse, within such reasonable time as may be specified in the notice, and shall remove such vegetation, including trees, from the watercourse immediately after the cutting thereof.

Provided that, where a hedge is growing on the bank of a watercourse, nothing in this Byelaw shall require more than the pruning of the hedge so as to prevent it from growing over or into the watercourse, and the removal of the resultant cuttings.

10. **No Obstructions within 8 Metres of the Edge of the Watercourse**

No person without the previous consent of the Council shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 8 metres of the landward toe of the bank where there is an embankment or wall or within 8 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 8 metres of the enclosing structure.

11. **Repairs to Buildings**

The owner of any building or structure in or over a watercourse or on the banks thereof shall, upon receipt of a notice from the Council that because of its state of disrepair -

- (a) the building or structure is causing or is in imminent danger of causing an obstruction to the flow of the watercourse;
- (b) the building or structure is causing or is in imminent danger of causing damage to the bank of the watercourse,

carry out such reasonable and practicable works as are specified in the notice for the purpose of remedying or preventing the obstruction or damage as the case may be within such reasonable time as is specified in the notice.

12. **Control of Vermin**

The occupier of any bank of a watercourse or any part thereof shall, upon being required by the Council by notice, within such reasonable time as may therein be specified, take such steps as are specified in the notice, being such steps as the Council consider necessary and practicable for preventing the bank from

becoming infested by rabbits, rats, coypu, foxes and moles or any other wild mammal not being an animal listed in Schedule 5 or Schedule 6 to the Wildlife and Countryside Act 1981, but excluding the water vole from such control.

13. **Damage by Animals to Banks**

All persons using or causing or permitting to be used any bank of any watercourse for the purpose of grazing or keeping any animal thereon shall take such steps including fencing as are necessary and reasonably practicable and shall comply with such reasonable directions as may from time to time be given by the Council to prevent the bank or the channel of the watercourse from being damaged by such use.

Provided that nothing in this Byelaw shall be deemed to affect or prevent the use of, for the purpose of enabling animals to drink at it, any place made or to be made or constructed as approved by the Council.

14. **Vehicles not to be Driven on Banks**

No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.

15. **Banks not to be Used for Storage**

No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Council or the right of the Council to deposit spoil on the bank of the watercourse.

16. **Not to Dredge or Raise Gravel, Sand etc**

No person shall without the previous consent of the Council dredge or raise or take or cause or permit to be dredged or raised or taken any gravel, sand, ballast, clay or other material from the bed or bank of any watercourse.

17. **Fences, Excavations, Pipes etc**

No person shall without the previous consent of the Council -

- (a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in or over any watercourse or in, over or through any bank of any watercourse;

- (b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;
- (c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;
- (d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;
- (e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Council in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Council may give with regard thereto.

19. **Interference with Sluices**

No person shall without lawful authority interfere with any sluice, or other water control structure or appliance for controlling or regulating the flow of water in, into or out of a watercourse.

20. **Mooring of Vessels**

No person shall moor or place any vessel in any watercourse or to or upon the bank of any watercourse in such manner or by such method as to cause or be likely to cause injury to such bank or in such manner as materially to obstruct or impede the free flow of water in, into or out of any watercourse.

21. **Unattended Vessels**

No person shall leave any vessel unattended without taking due care to prevent such vessel from materially obstructing or impeding the free flow of

water in, into or out of any watercourse or any sluice in any bank.

22. **Removal of Sunken Vessels**

No person who is the owner of a vessel sunk, stranded, damaged or adrift in a watercourse or, in the case of a sunken vessel which is abandoned, who was the owner immediately before the abandonment shall, after ten days from the day on which the Council serves on him notice in writing that the vessel is causing obstruction, permit the vessel to remain in the watercourse in such a manner as to impede or harmfully divert the flow of water in, into or out of the watercourse.

23. **Navigation of Vessels**

No person shall navigate any vessels in such a manner or at such a speed as to injure the bank of any watercourse and where the Council have by notice erected at any place limited the speed of vessels passing such place no person shall navigate a vessel at a speed over the bed of the watercourse greater than the speed so limited Provided that the Council shall not exercise their powers under this Byelaw so as to limit the speed of vessels navigating waterways of the British Waterways Board for which speed limits are prescribed by the Byelaws of such Board.

24. **Damage to Property of the Council**

No person shall interfere with or damage any bank, bridge, building, structure, appliance or other property of or under the control of the Council.

25. **Defacement of Notice Boards**

No person shall deface or remove any notice Board, notice or placard put up by the Council.

26. **Obstruction of the Council and Officers**

No person shall obstruct or interfere with any member, officer, agent or servant of the Council exercising any of his functions under the Act or these Byelaws.

27. **Savings for Other Bodies**

Nothing in these Byelaws shall -

- (a) conflict with or interfere with the operation of any Byelaw made by the Environment Agency or an internal drainage board or of any navigation, harbour or conservancy authority but no person shall be liable to more than one penalty or in the case of a continuing offence more than one daily penalty in respect of the same offence;
- (b) restrict, prevent, interfere with or prejudice the exercise of any

statutory rights or powers which are now or hereafter may be vested in or exercised by -

- (i) any public utility undertaking carried on by a local authority under any Act or under any Order having the force of an Act;
 - (ii) the undertakings of the Environment Agency and of any water undertaker or sewerage undertaker;
 - (iii) any public gas transporter within the meaning of part I of the Gas Act 1986;
 - (iv) any navigation, harbour or conservancy authority;
 - (v) any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereof;
 - (vi) any local authority;
 - (vii) any highway authority for the purposes of the Highways Act 1980 (as amended by any subsequent enactment) in relation to any highway whether or not maintainable at public expense;
 - (viii) any undertaking engaged in the operation of a telecommunications system;
 - (ix) a relevant airport operator within the meaning of Part V of the Airports Act 1986
 - (x) the Civil Aviation Authority and any subsidiary thereof;
 - (xi) the British Waterways Board;
 - (xii) the Coal Authority;
- (c) restrict, prevent, interfere with or prejudice any right of a highway authority to introduce into any watercourse surface water from a highway, for which it is the highway authority;
- (d) restrict, prevent, interfere with or prejudice any right of a licence holder within the meaning of Part I of the Electricity Act 1989 to do anything authorised by that licence or anything reasonably necessary for that purpose;
- (e) affect any liability arising otherwise than under or by reason of these byelaws.

28. **Saving for Crown Lands**

Nothing in these Byelaws shall operate to prevent the removal of any substance on, in or under (or the erection of any structure, building or machinery or any cable, wire or pipe on, over or under) lands belonging to Her Majesty in right of the Crown by any person thereunto authorised by the Crown Estate Commissioners.

29. Arbitration

- (a) Where by or under any of these Byelaws any person is required by a notice in writing given by the Council to do any work to the satisfaction of the Council or to comply with any directions of the Council, he may within 21 days after the service of such notice on him give to the Council a counter-notice in writing objecting to either the reasonableness of or the necessity for such requirement or directions, and in default of agreement between such person and the Council the dispute shall, when the person upon whom such notice was served is a drainage or local authority be referred to the Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party. Where such a counter-notice has been given to the Council the operation of the notice shall be suspended until either agreement has been reached or the dispute has been determined by arbitration in accordance with the provisions of this Byelaw;
- (b) where by or under these Byelaws any person is required by a notice in writing given by the Council to do any work to the satisfaction of the Council or to comply with any directions of the Council and any dispute subsequently arises as to whether such work has been executed or such directions have been complied with, such dispute if it arises between a drainage authority or local authority and the Council shall be referred to the Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party;
- (c) where by or under Byelaws 3, 6, 10, 16 or 17 any person is required to refrain from doing any act without the consent of the Council such consent shall not be unreasonably withheld and may be either unconditional or subject to such reasonable conditions as the Council may consider appropriate and where any dispute arises as to whether in such a case the consent of the Council is being unreasonably withheld, or as to whether any conditions subject to which consent is granted are unreasonable, such dispute shall if it arises between a drainage authority or local authority and the Council be referred to the Secretary of State whose decision shall be final, and in any other case such dispute shall be referred to the arbitration of a single arbitrator to be appointed in default of

agreement by the President of the Institution of Civil Engineers on the application of either party.

30. **Notices**

Notices and any other documents required or authorised to be served or given under or by virtue of these byelaws shall be served or given in the manner prescribed by section 71 of the Act.

31. **Limitation**

- (a) Nothing in these Byelaws shall authorise the Council to require any person to do any act, the doing of which is not necessary for securing or furthering one or more of the Purposes, or to refrain from doing any act, the doing of which does not affect the environment, or adversely affect either (i) the efficient working of the drainage system of the area (ii) the effectiveness of flood risk management work within the meaning of section 14A of the Land Drainage Act 1991, or (iii) the effectiveness of works done in reliance on section 38 or 39 of the Flood and Water Management Act 2010.
- (b) If any conflict arises between these Byelaws and;
- (i) sections 61A to E of the Land Drainage Act 1991 (which relates to the Council's duties with respect to the environment), or
- (ii) the Conservation of Habitats and Species Regulations 2010⁴
- the said Act and the said Regulations shall prevail.

32. **Interpretation**

In these Byelaws, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

“the Act” means the Land Drainage Act 1991;

“Animal” includes any horse, cattle, sheep, deer, goat, swine, goose or poultry;

“Area” means the area under the jurisdiction of the Council;

“Bank” includes any bank, cross bank, wall or embankment adjoining or confining or constructed for the purpose of or in connection with any watercourse and includes all land between the bank and the low water mark or level of the water in the

watercourse as the case may be and where there is no such bank, cross bank, wall or embankment includes the top edge of the batter enclosing the watercourse;

“Consent of the Council” means the consent of the Council in writing signed by a proper officer of the Council;

“Council” means Wiltshire Council;

“Occupier” means in the case of land not occupied by any tenant or other person the person entitled to the occupation thereof;

“Owner” includes the person defined as such in the Public Health Act 1936;

“Relevant railway asset” means

(a) a network which was transferred, by virtue of a transfer scheme made under Section 85 of the Railways Act 1993, from the British Railways Board and vested in the company formed and registered under the Companies Act 1985 and known, at the date of vesting, as Railtrack PLC,

(b) a station which is operated in connection with the provision of railway services on such a network, or

(c) a light maintenance depot.

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act, and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it.

“The Secretary of State” means the Secretary of State for the Department for Environment, Food and Rural Affairs;

“Vegetation” means trees, willows, shrubs, weeds, grasses, reeds, rushes, or other vegetable growths;

“Vessel” includes any ship, hovercraft (as defined by the Hovercraft Act 1968), lighter, keel, barge, tug, launch, houseboat, pleasure or other boat, aircraft, randan, wherry, skiff, dinghy, shallop, punt, yacht, canoe, raft, float of timber or any other craft whatsoever, and howsoever worked, navigated or propelled;

“Water control structure” means a structure or appliance for

introducing water into any watercourse and for controlling or regulating or affecting flow, and includes any sluice, slacker, floodgate, lock, weir, dam, pump, or pumping machinery; and other expressions shall have the same meanings as in the Act.

THE COMMON SEAL OF THE COUNCIL was hereunto affixed on in the presence of;

**The Chief Executive
(or other authorised
officer)**

DRAFT

PENALTY NOTE

By section 66(6) of the Act every person who acts in contravention of or fails to comply with any of the foregoing Byelaws is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 on the standard scale referred to in section 37 of the Criminal Justice Act 1982 and a further fine not exceeding Forty pounds for every day on which the contravention or failure is continued after conviction. By section 66(7) of the Act if any person acts in contravention of or fails to comply with any of these Byelaws the Council may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

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Wiltshire Council

Environment Select Committee

10 December 2013

Report of the Waste Task Group

Purpose of report

- 1 To present the recommendations of the Waste Task Group and seek endorsement for them.

Background

- 2 In 1996 the former County Council began delivery of the waste management services through a contract with Hills Waste Solutions. This contract covers landfill, waste transfer station and materials recovery facility operations, kerbside collection of dry recycling, composting facilities, household recycling centres and bring sites. The contract is due to come to an end in 2016 and there is no option for a contract extension.
- 3 In August 2012, the Service Director for Waste Management sought the views of the Environment Select Committee (the Committee) on the future options for the service delivery for waste and recycling collection and management. In response the Committee established the Waste Task Group.
- 4 The Task Group undertook an examination of the various options and over the course of four meetings developed a response to the service plans which was presented in its report to the Committee in April 2013.
- 5 Following the Council elections in May 2013, the Waste Task Group continued its work as a legacy topic with the following membership:

Cllr Jose Green (chairman)

Cllr Rosemary Brown

Cllr Alan Hill

Cllr Howard Marshall

Cllr Horace Prickett

Cllr Glenis Ansell (co-opted on to the Task Group in November 2013)

Task Group 2013

- 6 The Task Group met on four occasions between May 2013 and November 2013 and scrutinised:
- the high level service specification for the new waste contracts;
 - the criteria to be used to develop the quality element of the tender evaluation models;
 - the proposed re-modelling of waste collection and recycling rounds.
- 7 The Task Group received evidence from:
Tracy Carter, Associate Director, Environment and Leisure
John Geary, Head of Waste Management Commissioning
Martin Litherland, Head of Waste Management Services
Dr Peter Alberry, consultant in power generation.
- 8 At the request of the Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, the future service delivery model for waste was scrutinised by the Committee at a meeting arranged for this purpose in July 2013. The Task Group engaged fully at the meeting and took consideration of the report and evidence presented by the Cabinet member in their subsequent discussions.

Task Group observations and views

- 9 The Task Group was pleased to note that:
- The FCC contract had been extended to be coterminous with the Hills contract;
 - Any newly awarded contract would be in the order of 8 years; the Task Group does not favour long, possibly inflexible, contracts;
 - The contract had been divided into 5 lots to encourage competition and provide opportunities for smaller companies to enter the waste market;
 - The procurement plan included a 2-year mobilisation period to ensure that the provider(s) awarded the contract would have sufficient time to prepare prior to the start of the new contract in August 2016.
- 10 The proximity principle highlights a need to treat and/or dispose of waste as near to the place of production as possible, and waste planning authorities have had to have regard for it in identifying waste facilities. This recognises that transporting waste has environmental, social and economic costs. **The Task Group robustly supports adherence to the proximity principle.**
- 11 In support of this, the Task Group would like to see more Materials Recovery Facilities (MRF) established around the county. The identification of approximately 30 sites in the Waste Sites Allocation Plan facilitates this option.

12 One of the key principles underlying waste management policy in the UK is to ensure that waste is dealt with as high up the Waste Hierarchy as possible. The Waste Hierarchy reflects the relative sustainability of the various waste management options as indicated below, with prevention being at the top of the hierarchy.

- 1 Prevention (reducing the generation of waste)
- 2 Re-use (preparing products for re-use)
- 3 Recycling (reprocessing products into products/materials)
- 4 Recovery (using waste for other purposes eg energy)
- 5 Disposal.

13 The Task Group supports this policy and would like to see a greater emphasis on the re-use of materials collected in Wiltshire, suggesting that items such as bicycles could be reclaimed for re-use.

14 The Task Group noted that, over time, there had been significant changes in the market for recyclables. Prices for some materials were high, the market was more stable and there was less risk in the market. The Task Group would like to see the Council benefit more from the sale of recyclables than it does at present. This could be through a percentage of sales income or through a payment made once a ceiling had been reached.

15 The Task Group was invited to provide its views on the weighting of price versus quality in respect of the 5 contract lots for the waste service. Each member contributed their individual figures for this exercise and a consensus view reached, shown below.

Contract lot	Suggested Price:Quality ratio
Lot 1 - Recycling and transfer facilities	40:60
Lot 2 – Management of Council-owned household recycling centres	40:60
Lot 3 – Garden waste composting services	50:50
Lot 4 – Treatment and disposal of residual waste	35:65
Lot 5 – Waste collection services	30:70

The Task Group acknowledged that the Council had a very good waste service at present and wanted to see the quality of the service retained; this is reflected in the weightings above.

16 The Task Group was satisfied that the proposed re-modelling of waste collection and recycling rounds was being handled well. They were pleased to note that any newly devised rounds would be checked against drivers' local knowledge and also that rounds would be developed to reduce travel.

17 It was noted that a Communications Strategy was being developed in respect of the re-design of the collection rounds; the Task Group expressed the wish to consider the Strategy once available.

- 18 The Task Group received a presentation from Dr Peter Alberry on the 'Macro Economics of Wiltshire's Waste'. Dr Alberry's views coincided with those of the Task Group in that he advocated the development of a number of MRFs around the county to reduce both costs and environmental impact. He demonstrated that significant profits were being made by waste companies and encouraged the Council to gain as much advantage as possible from these, again, reflecting the views of the Task Group.
- 19 The Task Group has worked closely with officers and discussed its draft recommendations with them from the outset. This has enabled them to take early account of the Task Group's views when preparing their own reports.
- 20 The Task Group was gratified to note that many of the suggestions made by the Task Group had been taken into account in the report to Cabinet on the delivery of the waste services. It was also pleased that the majority of the issues it had raised had been incorporated in Briefing Note 168 – Future Delivery of Waste Services in Wiltshire – update (Appendix 1).
- 21 The Task Group would like to thank all those that provided evidence to them and the Cabinet member for giving them the opportunity to have input into the early stages of the contract development.

Recommendations

- 22 The Task Group recommends that:
- a) Relevant references to the requirement for adherence to the proximity principle should be inserted in the service specification under section 6 (Sites used for the delivery of services). The service specification is included for reference in Appendix 2. In addition, it should focus not only on existing MRF sites, but should encourage additional sites to be considered and/or sought in areas where there is no existing provision, in order to adhere to the proximity principle.
 - b) The service specification should include the requirement for operators to make greater efforts to re-claim objects for re-use eg bicycles in section 4 (Scope of the service).
 - c) The Council should benefit more than at present from the sale of recyclables, which might be a percentage of sale income or through a payment made once a specified ceiling had been reached. It would also like the Council to receive some benefit from any unexpected revenue and therefore would like to see a mechanism included in section 11 (service requirements) and section 26 (Innovation and efficiency) of the service specification whereby these could be achieved.
 - d) The layout of new, and where possible existing, household recycling centres (HRC) are designed to make them function more efficiently and easier for the public to use, eg 'drive-up' slopes which enable cars to park

above the level of skips. The Task Group cited the HRC at Everleigh as an example of good design.

- e) The Task Group scrutinises the communications strategy in respect of the new collection rounds as soon as it is available.
- f) The Task Group found the presentation from Dr Peter Alberry very informative. It recommends that a wider audience should be made aware of his work, including those with direct responsibility for waste in Wiltshire.
- g) That following completion of its remaining activity, the scrutiny of the communications strategy linked to the remodelling of the service, the Task Group will have completed its work. However, the final award of contract to be determined by Cabinet will no doubt be of interest to those members who contributed to the Task Group.

Proposal

- 23 To endorse the recommendations in paragraph 22 and refer them to the Cabinet member for response.
-

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Councillors Briefing Note No. 168

Service : Waste Management

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Date Prepared: November 2013

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Future Delivery of Waste Services in Wiltshire - Update

On the 21 November the council's Cabinet considered a report on the high level specification of the waste services which will come into place in 2016 once the council has completed the current procurement project. This report also asked for Cabinet member's approval on how tenders will be evaluated.

Specification (detailed breakdown of our services and how we want them delivered)

The report focused on the areas in the specification that will be different to the services we currently deliver in Wiltshire. Cabinet have agreed these differences in the specification –

- The addition of mixed rigid plastics (e.g. margarine tubs, ice cream tubs, meat trays and yogurt pots) to the kerbside collection service.
- Contractors will tender for the collection of recycling co-mingled kerbside (mixed together) using existing blue lidded bins and a separate collection of glass using existing black boxes. We will also ask contractors to tender for the kerbside sort method that is currently used in Wiltshire, using existing bins.
- To harmonise the time taken to deliver new/replacement containers to residents. It is agreed that this should be a maximum of 10 working days.
- The contractor should be responsible for buying all waste and recycling containers and vehicles.
- The Council will stay responsible for communications and working with residents to encourage them to recycle, reuse and reduce as much of their waste as possible.
- There should be greater scope for the Council to get money from the sale of recycling through income sharing with the contractor.

- The introduction of open book accounting so the council only pays the contractor for changes that they can prove entails an additional cost. For example, additional assisted collections.
- Require the contractor to process more waste and recycling locally.

Evaluation of tenders

The council's Cabinet members have also decided how contractor's tender submissions should be evaluated and the successful contractor decided.

For the waste collection and household recycling centre contracts it was decided that 70% of the evaluation would be based on the price that has been submitted and 30% on the quality of their proposal.

For the other waste management contracts it was decided that 80% of the evaluation would be based on the price and 20% on the quality of their proposal.

Next Steps

We are currently working on developing the specification for each of the services we currently deliver, and would like to deliver in the future (as above).

Once this is completed, we will be inviting those contractors who have expressed an interest in delivering the services to complete a tender exercise. This invitation will be sent to contractors in January, with a return date in March.

It is important to note however that the council will continue to gather data and assess the costs of the in-house service. These costs can then be compared to any tenders that are submitted by contractors. This will mean that members can make an informed decision about the most cost effective service delivery for Wiltshire.

Structure of specification documents

Items in the 'Suggested content' column marked 'C' are likely to be common to all contracts (if separate award is required per lot/for combinations of lots). Content marked 'V' will vary for the different lots/combination of lots. In the event of a single contract being awarded for all lots, the variable content will generate multiple subsections within a given section. If a bullet point begins with 'WM', the content refers to waste management; if it begins with 'WC', the content refers to waste collection. The column 'Links to other documents' will be populated as the project progresses.

Section	Suggested content	Links to other documents
General		
1. Introduction	<ul style="list-style-type: none"> • Sets out the general purpose of the document i.e. that the contractor must comply with the information contained in the specification and with applicable legislation (C) 	•
2. Definitions	<ul style="list-style-type: none"> • Refer back to main contract document (may need to draft in specifications at first during procurement phase and then supply definitions to use in the contract itself) (C) 	•
3. Service objectives	<ul style="list-style-type: none"> • References to: <ul style="list-style-type: none"> ○ statutory duties (V) ○ national, local and Contract targets (V) ○ best value and efficiency (C) ○ WCWMS 2012 (C) ○ H&S requirements (C) • Brief overview of contract performance targets (V) 	•
4. Scope of the service	<ul style="list-style-type: none"> • Brief summary of what the service provider will deliver (this section would include a bullet point to cover each section heading in the 'Detailed service requirements') (V) • Confirm geographical scope (C) • State how this 'lot' interfaces with other potential contract 'lots'. Cross reference the section on innovation and efficiency. (V) 	•
5. Document structure	<ul style="list-style-type: none"> • Sets out the format and suggests how to use the document (C) • References to appendices etc containing data (V) 	•
6. Sites used for the delivery of	<ul style="list-style-type: none"> • Refer to depots/other sites (and cross reference further information e.g. licences) and any mechanisms for dealing with change in depot during 	•

Section	Suggested content	Links to other documents
services	<p>contract period (cross reference variation procedure in main contract document). This will include listing ownership of all sites, what space is available for various purposes (e.g. fleet parking, licensed areas for EA permits), what consents are in place, where there is shared occupation and what other facilities are available at sites (e.g. fuel pumps) (V)</p> <ul style="list-style-type: none"> • State limitations of use (e.g. don't use WM facilities for waste from 3rd parties unless by agreement) and (potentially) any payment mechanism for permission to work outside of these limitations (V) • WC: state location of sites to which waste will be delivered and any mechanisms for dealing with change in waste management sites during contract period (cross reference variation procedure in main contract document); state that domestic services should not be compromised by any alternative arrangements, such as the introduction of a commercial waste or clinical waste service run solely by the contractor • WM: state location of sites to be used for delivering services and any mechanisms for dealing with change in waste management sites during contract period (cross reference variation procedure in main contract document); clear statements about the requirement for a contractor to provide sites should be made, if this is a requirement • WM: requirement to report on waste received from other/non-council contracts at these sites • State requirement to adhere to site rules (C) • (NB: rent should be charged at a commercial rates so that the contractor is not benefitting from preferential rates because they work with the council) 	
7. Wastes permitted to be dealt with under contracts	<ul style="list-style-type: none"> • WC: high-level list of wastes that can be collected under contract (e.g. household residual, household dry recyclable, commercial waste from customers who fall under scope of this contract) • WM: high-level list of wastes that can be received at WM facilities 	•
8. Waste which cannot be dealt with under contracts	<ul style="list-style-type: none"> • WC: list of wastes that cannot be collected under contract • WM: list of wastes that should not be received at WM facilities • WC: state that the disposal of any non-contract wastes will be at the contractor's expense and not the council's • Scope for innovation: non-contract wastes may become contract wastes where either party is able to demonstrate that there is a legal and 	•

Section	Suggested content	Links to other documents
	sustainable means of treatment; the variation procedure would be enacted to bring such change into effect (C). An example might be a commercial waste service operated by the contractor outside of the contract. We should explore mechanisms that could allow use of our depots provided that a) domestic services are not affected b) appropriate adjustments to rent are made and c) we explore sharing the benefits of the venture because we are providing infrastructure (being careful to not necessarily incorporate the agreement directly within the scope of these contracts)	
9. Waste quantity and composition	<ul style="list-style-type: none"> • WC: statement about past tonnages albeit with disclaimer to show that the council gives no guarantee of the tonnage or its composition • WM: expected throughput per material stream or per site, with caveats where necessary • For all contracts, we should give as much historic data as we have available to allow bidders to make their assessments and price accordingly, but caveats should be made to ensure that no guarantees of tonnage etc are given (V but many elements will be C) • Similarly, we should identify areas where there are exceptions to harmonised policies (e.g. 240s for residual in west – these will be phased out, but we need to acknowledge how far this phasing out has progressed/is forecasted to have progressed by 2016 and how it may affect tonnages) 	•
10. Performance monitoring and management	<ul style="list-style-type: none"> • Statements referencing sections later in the document that provide the detailed requirements such as <ul style="list-style-type: none"> ○ Service delivery plans (C) ○ Performance framework (C) 	•
Detailed service requirements		
Operations (could include comms, customer care etc, or could be a separate section)		
11. Service requirements	<ul style="list-style-type: none"> • Statements covering the basic requirements of the service (e.g. “Provide and operate a system for the collection of household residual waste, household plastic bottles and cardboard, household ‘black box’ recycling and household compostable waste where each container is collected fortnightly”) (V) • References to council policies, including HR, and the Behaviours Framework will be required somewhere, so this may be the point to 	•

Section	Suggested content	Links to other documents
	reference them, setting them as minimum standards	
12. Service standards	<ul style="list-style-type: none"> • Broken up into sections to cover all of the requirements i.e. for WC a section for household residual waste, household PB&C and so on, bin deliveries, bulky waste etc and for a WM lot it might have sections for transfer stations, HRCs, MRFs etc. (V) • Information from successful bidder's submission would be inserted into the specification at relevant points (i.e. sections 11 - 28 as appropriate) (V) 	•
13. Performance criteria	<ul style="list-style-type: none"> • A list of criteria against which the contractor will be assessed (which will be carried forward into the table in 30) (V) 	•
Mobilisation, Business Continuity and Expiry arrangements		
14. Service requirements	<ul style="list-style-type: none"> • Similar to 11, stating what we require such as mobilisation plan, contingency plans (to cover severe weather, industrial action and unavailability of a key facility) and an expiry plan (C) • Signpost any existing council plans (e.g. Business Continuity) and how delivery agent is expected to use them (C) • State TUPE and pension management arrangements as part of mobilisation process, including resources used to deliver this task (i.e. will there be dedicated Legal and HR support from the successful bidder?), using information from the tender submission (V) • WM: design and construction requirements if sites have to be constructed as part of the mobilisation period or at any other stage for the purpose of business continuity 	•
15. Service standards	<ul style="list-style-type: none"> • Detailed minimum requirements for the plans listed in 14 (V) 	•
16. Performance criteria	<ul style="list-style-type: none"> • Same principle as 13 (V) 	•
Service management		
17. Service requirements	<ul style="list-style-type: none"> • State: <ul style="list-style-type: none"> ○ the documents that we want the contractor to maintain regarding service delivery ○ the accreditation we expect the contractor to have attained ○ the consents (planning permission, EA permits etc) ○ the monitoring and reporting system requirements that the contractor should implement and the data format and software packages that are 	•

Section	Suggested content	Links to other documents
	<p>required for any reporting output (V but some elements will be C); this will depend on soft market testing responses and other project work to determine the model (contractor's system to interface with council systems, contractor uses our systems or council accesses contractor's system)</p> <ul style="list-style-type: none"> • Reference the requirement to provide the council with all information, access and assistance required to monitor the service (C) 	
18. Service standards	<ul style="list-style-type: none"> • Detailed minimum requirement of all of the documents referred to in 17 (V) • Statements about the following: (V but some elements will be C) <ul style="list-style-type: none"> ○ Skills required of staff employed by the contractor ○ Communications with the council including meetings ○ Monitoring and reporting ○ Best value method statement ○ Quality assurance ○ Environmental management and sustainability (link to council's carbon performance policy with standards taken directly from the plan; consideration of how management of the cost of offsetting is dealt with in pricing) ○ Proposed management structure including minimum skills of management, training required and accreditation/qualifications that managers should possess (e.g. COTC, O Licence, IOSH) ○ State which party must hold various EA permits and licences to ensure that there are no unlicensed activities taking place under the contract terms • Auditing requirements • Expected standards of data management 	•
19. Performance criteria	<ul style="list-style-type: none"> • Same principle as 13 (V) 	•
Health and safety		
20. Service requirements	<ul style="list-style-type: none"> • General statements about compliance with H&S requirements in law and in council policy (C) • List documents such as H&S method statements and reports that are required (C) 	•
21. Service	<ul style="list-style-type: none"> • Must cover standards at sites and during remote working, based on HSE 	•

Section	Suggested content	Links to other documents
standards	<ul style="list-style-type: none"> guidance (V) Set out legal requirements for reporting (RIDDOR etc) (C) Minimum requirements must be taken from current RAs (including route RAs), SSoW and our training plans, but bidders may be able to exceed this (including with electronic reporting in-cab) (V with some elements C) Frequency of inspections undertaken by contractor (V) Documents to be displayed at sites (C) 	
22. Performance criteria	<ul style="list-style-type: none"> Same principle as 13 (V) 	•
Community engagement and local employment		
23. Service requirements	<ul style="list-style-type: none"> Reference to any council policy that frames this section (C) State requirement to work with (or actively attempt to engage with?) VCS, particularly local players (V) Outline other community engagement that should be considered (may be difficult for waste collection) (V) 	•
24. Service standards	<ul style="list-style-type: none"> State broad areas of work that would be considered suitable for VCS work (e.g. bulky waste reuse) (V) State requirement to report information by community area and ask bidder to demonstrate how they would achieve this point (C) Explore mechanism for reward and recognition of (e.g.) good recycling performance: what incentives will a contractor offer to communities? (V) Understand how any self-delivery by communities would interface with the contract price and contractor's responsibilities (e.g. if a community area collected aluminium separately, how would the contract deal with this?) State that responsibility for service delivery remains with the contractor (C) State expectations in relation to 'other community engagement' (V) 	•
25. Performance criteria	<ul style="list-style-type: none"> Same principle as 13 (V) 	•
Innovation and efficiency		
26. Service requirements	<ul style="list-style-type: none"> (We need to understand how we can incentivise innovation and efficiency. What drives innovation for the private sector? What do both parties understand these terms to mean? Soft market testing responses will help to inform these ideas.) (C) Statement about innovation and efficiency and its different meanings: 	•

Section	Suggested content	Links to other documents
	<ul style="list-style-type: none"> ○ In-year efficiencies that generate financial savings to the council that do not reduce services (where possible) ○ Mechanism for reducing service levels ○ Approach to innovation to bring about other changes (e.g. efficiency forum) (C) 	
27. Service standards	<ul style="list-style-type: none"> ● Any expected targets for in-year savings (V) ● Sets out requirements of the (e.g.) efficiency forum, including who is expected to carry out administration tasks (C) ● Identifies the requirement to work with other service providers (if multiple contracts awarded etc) (C) 	●
28. Performance criteria	<ul style="list-style-type: none"> ● Same principle as 13 (V) 	●
Performance framework		
29. Introduction	<ul style="list-style-type: none"> ● Sets out the types of performance measures applied (levels of performance points and liquidated damages) (C) 	●
30. Performance standards table	<ul style="list-style-type: none"> ● Table summarising the standards from sections 13, 16, 19 and 22 including the level of performance points and liquidated damages per standard (where applicable) with the frequency of monitoring and reporting required (V) ● Carry forward principles of the data project run by AC and any stipulations in the Whitespace project as a minimum (V) 	●
31. Remedial procedures	<ul style="list-style-type: none"> ● Could link to statements in previous sections if we embed remedial actions in the sections above ● Should set down clear information about the contractor's opportunity to rectify, which will avoid performance points and liquidated damages being applied (gives customer the desired outcome and avoids client spending excessive time recording and reporting on incidents) (C) ● Thresholds for Warning Notice and Termination Notice (V) 	●
Appendices		
32.	<ul style="list-style-type: none"> ● Any data that supports the ITT process (V) 	●

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Overview and Scrutiny Work Plan

Committee	Review / Task Group	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Scrutiny Officer	STATUS (incl. date)
		Cabinet 21st Nov	Cabinet 17th Dec	Cabinet 21st Jan	Cabinet 11th Feb	Cabinet 18th Mar	Cabinet 22nd April	Cabinet 20th May	Cabinet 17th Jun	Cabinet 22nd Jul		
		Council 12th Nov			Council 4th and 25th Feb			Council 13th May		Council 29th Jul		

Overview and Scrutiny Work Plan

Committee	Review / Task Group	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Scrutiny Officer	STATUS (incl. date)
		Cabinet 21st Nov	Cabinet 17th Dec	Cabinet 21st Jan	Cabinet 11th Feb	Cabinet 18th Mar	Cabinet 22nd April	Cabinet 20th May	Cabinet 17th Jun	Cabinet 22nd Jul		
ENVIRONMENT	Air Quality Joint Task Group (Env / Hlth)	Review in progress									MM	Task Group reviewing AQ action plan and engagement across selected services
	Community Infrastructure Levy (CIL) Task Group		Environment Dec 2013								MM	Task Group testing proposed level of CIL rate. Final report to Committee Dec 2013
	Waste Task Group		Environment Dec 2013								MM	Task Group examining the contract options for new waste contracts. Final report to Committee Dec 2013.
	Adoptable Estates Task Group		Review in progress			Environment Feb 2014					MM	Task Group reviewing systems and communications around planning processes Report to Committee Feb 2014
	Investing in Highways										MM	Direction to be agreed in consultation with Cabinet member Nov 2013
	Parking Review										MM	Task Group to be established in Dec, members currently being sought
	20 mph Policy		Environment Dec 2014								MM	Rapid scrutiny to be conducted at Committee meeting Dec 2013
	Speedwatch										MM	Task Group to be established in Jan 2014, members currently being sought
	Highways and Streetscene Contract BBLP					Environment Feb 2014					MM	Review performance of winter operation followed by annual review in June
	Flood Plan Annual Report										MM	Annual report - duty to review Date to be confirmed