

# AGENDA

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**Meeting:** Environment Select Committee  
**Place:** Kennet Room - County Hall, Trowbridge BA14 8JN  
**Date:** Tuesday 9 December 2014  
**Time:** 2.00 pm

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Please direct any enquiries on this Agenda to Libby Beale, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email [elizabeth.beale@wiltshire.gov.uk](mailto:elizabeth.beale@wiltshire.gov.uk)

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## Membership:

Cllr Brian Dalton	Cllr Ian McLennan
Cllr Dennis Drewett	Cllr Christopher Newbury
Cllr Peter Edge	Cllr Linda Packard
Cllr Peter Evans	Cllr James Sheppard
Cllr Jose Green	Cllr Tony Trotman
Cllr Jacqui Lay	Cllr Bridget Wayman
Cllr Magnus Macdonald	

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## Substitutes:

Cllr Rosemary Brown	Cllr George Jeans
Cllr Liz Bryant	Cllr Bob Jones MBE
Cllr Trevor Carbin	Cllr Jeff Osborn
Cllr Terry Chivers	Cllr Ricky Rogers
Cllr Tony Deane	Cllr Ian Tomes
Cllr Nick Fogg MBE	Cllr Ian West
Cllr Mike Hewitt	Cllr Philip Whalley

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# AGENDA

## 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 28 October 2014.

## 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 Chairman.

## 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 2 December 2014**. 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 **20 mph Policy Task Group Final Report** *(Pages 7 - 42)*

The Wiltshire Policy on 20 mph Speed Limits and Zones and a report on the related consultation process were considered by the Environment Select Committee on 10 December 2013; the Committee resolved to establish a Task Group to review and aid in the development of the policy, as it was enacted.

The Task Group met on four occasions and explored the adequacy of the current policy with reference to a range of research and witness accounts. The Policy was reviewed, in light of whether it would enable the delivery of reduced numbers of casualties and increased road safety associated with the use of 20 mph speed restrictions.

The Task Group's final report is available to the Committee which is asked to consider and endorse the recommendations in the report.

7 **Garden Waste Kerbside Collections** *(Pages 43 - 58)*

During the summer of 2014 the Council consulted on three options for the future of the kerbside garden waste collection service as making savings on the service would enable funding to be realigned to deliver the Council's priorities. The consultation proved to be the most popular run by Wiltshire Council with over 15,000 responses and indicated the public's preference for the type of future service provision.

The results of the consultation are available to the Committee which is asked to note the conclusions drawn from the consultation and consider the options for the future of the kerbside garden waste collection service.

8 **Community Infrastructure Levy (CIL) Task Group Final Report** *(Pages 59 - 66)*

The CIL Task Group was first established in August 2012 to test out the charging proposals for CIL and report on recommendations for the future implementation of CIL, this was achieved in December 2014 and the Task Group was stood down. The Task Group was reconvened in September 2014 to consider the recording and access of monies gained from CIL, and the distribution of monies to towns and parishes with and without established neighbourhood plans.

The Committee is asked to consider the Task Group's report, endorse its final recommendations and refer the report to Cabinet for response.

9 **Adoptable Estates Task Group Report** *(Pages 67 - 80)*

The Task Group was established prior to the elections in May 2013 based on concerns over the conditions attached to planning approvals being open to abuse or being ignored to the detriment of council activity, owner- occupiers and

tenants. This is manifested in the forms of: defaulting on or being slow to pay S106 money and failing to complete the installations of lighting, sewage and other infrastructure to a satisfactory standard for adoption resulting in long delays whilst problems are resolved.

It was agreed that the Task Group would continue as a legacy item at the June 2013 meeting of the Environment Select Committee.

The Task Group have met on five occasions to discuss the key issues surrounding the adoption of roads and services on new developments with the Service Director Economy and Regeneration, planning officers, legal services and witnesses such as: Persimmon Homes, Bloor Homes and Wessex Water.

The Task Group wish to highlight that due to the conflicting evidence received that it is felt that the task they were given is unable to be completed without further input and investigation at service level.

The Committee is asked to note the Chairman's foreword, consider the report and endorse its recommendations.

10 **Forward Work Programme** (*Pages 81 - 82*)

The Committee is asked to endorse the revised work programme and recommend approval by Overview and Scrutiny Management Committee.

A copy of the relevant section of the Overview and Scrutiny Forward Work Programme is attached for reference.

The Chair and Vice Chair, in conjunction with the Management Committee, met with Cllr Fleur de Rhé-Philippe on 25 November 2014, to discuss the potential for scrutiny involvement in work being done across the theme of the Economy. It was concluded that the Environment Select Committee may usefully seek involvement in reviewing the process of transferring community assets on a cost neutral basis for the Council. It was raised that the process currently in place is lengthy and that communities wish to improve its efficiency. This activity features as one of the 12 key actions in the Council's Business Plan.

11 **Task Group Update** (*Pages 83 - 84*)

A written update on Environment Select Committee Task Group activity is attached.

The Committee is asked to note the update and approve the membership of the Waste Task Group.

12 **Urgent Items**

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

13 **Date of Next Meeting**

To confirm the date of the next scheduled meeting as 17 February 2015.

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## **ENVIRONMENT SELECT COMMITTEE**

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### **MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 28 OCTOBER 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Brian Dalton, Cllr Peter Edge (Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Ian McLennan, Cllr Christopher Newbury, Cllr Jeff Osborn (Substitute), Cllr Linda Packard, Cllr Tony Trotman and Cllr Bridget Wayman (Vice Chairman)

#### **Also Present:**

Cllr Terry Chivers, Cllr Jon Hubbard, Cllr Jonathon Seed, Cllr John Thomson and Cllr Philip Whitehead, Cllr Jerry Wickham

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#### **54 Apologies**

Apologies for absence were received from Cllr Dennis Drewett, who was substituted by Cllr Jeff Osborn, and Dr Carlton Brand, Corporate Director.

#### **55 Minutes of the Previous Meeting**

The minutes of the meeting held on 2 September were presented.

#### **Resolved:**

**To APPROVE as a true and correct record and sign the minutes of the meeting held on 2 September 2014.**

#### **56 Declarations of Interest**

There were no declarations of interest.

#### **57 Chairman's Announcements**

The Chairman explained a motion was brought to Council in July, asking that a 'One Card for Wiltshire' was developed and a briefing note was circulated to members on 20 October on the initiative. A written update from Cllr John Thomson on the progress of the initiative was available to the Committee.

The draft Wiltshire Air Quality Action Plan was considered by Cabinet on 7 October 2014 and was approved in draft form for wider public consultation. A link to the draft Wiltshire Air Quality Action Plan was included in the agenda pack.

The Committee heard it could expect a report on both the results of a public consultation on the use of free bus passes and garden waste kerbside collections at its December meeting, in advance of Cabinet.

**58 Public Participation**

There was no public participation.

**59 Response to Flooding in Wiltshire**

**59a Wiltshire Flood Response Operational Plan**

In April the Committee was updated on progress of the comprehensive review of the Wiltshire Flood Response Operational Plan and in September it received the Council's response to the unprecedented flood events that took place between December 2013 and March 2014, following a comprehensive and systematic review of the county's response to these events.

Cllr Jonathon Seed introduced the Flood Response Operational Plan in its draft form, which outlined how the Council would react to future flood events, and the Local Flood Risk Management Strategy.

Debate and questions on both reports followed, during which it was agreed that, in times of flooding, roles and responsibilities should be clear and effective communication was essential. The Committee acknowledged that whilst the Council was working to reduce the risk of flooding by emptying critical gullies, local communities also had the capacity to reduce flooding in their areas. The funding from central government available to assist homeowners to manage flooding was explained, it was highlighted that the legal responsibility for defending a property from flooding fell to the property owner.

Officers explained the Council was in dialogue with water suppliers who were effectively maintaining water pipes, however more work was needed to seal the sewer system. Cllr Seed confirmed a universal telephone number would soon be available to deal with flooding related issues. The Committee was advised that Flood Wardens would be alerted to a threat to their area and would be essential in encouraging landowners to empty ditches on their land. The Committee advised that parishes should be encouraged to develop an emergency flood plan



Cllr Seed explained he was working with Salisbury City Council and Area Board to address flooding problems. It was confirmed that statistics on page 12 of the Wiltshire Flood Response Operational Plan, detailing properties at risk of flooding, were based on Environment Agency figures for an extreme flooding event, it was agreed that this should be explained in the report alongside a renaming of 'total other small communities'. The Committee promoted the dissemination of the Flood Response Operational Plan and Local Flood Risk Management Strategy to town and parish councils. It was suggested that the flood reports could further examine groundwater issues and include links to Environment Agency maps and the Committee agreed the reports should make clear the responsibilities of property or land owners and the Council for managing flooding.

The Committee felt that highways, planning conditions and permissions should be linked to flooding, it was highlighted that there was often confusion over who should manage factors which contribute to flooding. Some members emphasized that joined-up thinking to coordinate hedgerow, grass and gully maintenance was necessary. It was confirmed that gullies highly likely to flood had been identified and the emptying of them had been prioritised.

The Committee thanked Cllr Seed and officers for their work and thorough reports.

**Resolved:**

**To endorse the Wiltshire Flood Response Operational Plan.**

**59b Local Flood Risk Management Strategy**

Wiltshire Council was the Lead Local Flood Authority for the county and had prepared a Local Flood Risk Management Strategy to describe its approach to flooding and how it would work with other organisations. Public consultation was being carried out on the proposed Strategy, the deadline for responses was December.

The Committee considered the proposed Wiltshire Local Flood Risk Management Strategy as detailed in the previous item.

**Resolved:**

**To endorse the Local Flood Risk Management Strategy.**

60 **Highways Contracts - Annual Review of Service**

The Committee received an update from Cllr Jeff Osborn on BBLP's progress with addressing outstanding issues for the Council's Highways and Streetscene Contract and on the audit of the contract.

The possibility of upgrading the BBLP radio system was discussed and it was explained that the Task Group would soon begin work on Atkins' side of the contract to better understand their service provision.

Some members expressed concerns over delays in service and the number of apprentices taken on. Councillors noted with concern that less community engagement was achieved than originally expected from the contract and this may worsen with future budget constraints. Workforce constraints were cited as a difficulty.

Questions were raised on methods used to meet output by BBLP and it was confirmed that incentives and penalties were included as part of the contract. Members agreed that work was taking longer than originally hoped however it was improving and BBLP was praised for excellent service recently on unblocking drains. It was suggested that the timetable of works could be examined by the Task Group.

**Resolved:**

**To note the update.**

61 **Gypsy and Traveller Plans**

The Committee received a briefing paper on planning policies for Gypsies and Travellers and expressed the need to make progress in identifying sites for Gypsies and Travellers.

A query was raised over Emerging Wiltshire Core Strategy Core Policy 47.

62 **Updates on meetings with the Executive**

It was explained that a meeting had been arranged with Cllr Fleur de Rhé-Philippe for 25 November 2014 and an update from this meeting would be provided to the Committee at its December meeting.

The Committee received a report detailing meetings of the Committee Chairman and Vice- Chairman with relevant members of the Executive and Associate Directors to develop the Overview and Scrutiny Forward Work Programme.

A verbal update was received on the issues of car parking, passenger transport, flooding and Highways Local Investment Fund and, in particular, it was explained that the Fund had been devolved to Area Boards who could influence highways priorities for future years.

The Committee considered the report on the Overview and Scrutiny Work Programme.

**Resolved:**

**To endorse the following recommendations:**

- 1. To approve the following topics as the work priorities for the Committee going forward and refer them to the Overview and Scrutiny Management Committee for endorsement:**
  - **New waste contract**
  - **Communications to householders regarding waste and recycling**
  - **Neighbourhood Planning**
  - **Gypsy and Traveller Plan**
  - **Business post-adoption of the Core Strategy**
  - **Investing in highways**
  - **Passenger transport**
  - **Car parking**
  - **Flooding**
  
- 2. To note that the following Task Groups will be coming to a close at the next meeting:**
  - **Community Infrastructure Levy Task Group**
  - **20mph Policy Task Group**
  - **Adoptable Estates Task Group**
  
- 3. To reconvene the Waste Task Group, with the addition of a new member on account of Cllr Alan Hill stepping down from the Task Group, to look at communications going to householders on waste collections and recycling and an in- depth look at the Hills Annual Report.**
  
- 4. To note that Military Civilian Integration and Local Enterprise Partnership Task Groups will be overseen by the Overview and Scrutiny Management Committee at least during the early stages.**

63 **Forward Work Programme**

**Resolved:**

**To note the Forward Work Programme.**

64 **Task Group Update**

The Committee considered updates from the Task Groups.

Cllr Tony Trotman updated the Committee on the CIL Task Group, in particular highlighting its concern over how CIL money would be disseminated to towns and parishes without Neighbourhood plans in place.

**Resolved:**

**To note the updates.**

**To reconvene the Waste Task Group to examine communications going to householders on waste collections and recycling and take an in-depth look at the Hills Annual Report.**

65 **Urgent Items**

There were no urgent items.

66 **Date of Next Meeting**

It was noted that the next meeting would be 9 December at a later time of 2pm.

(Duration of meeting: 10.30 am - 12.35 pm)

The Officer who has produced these minutes is Elizabeth Beale, of Democratic Services, direct line 01225 718214, e-mail [elizabeth.beale@wiltshire.gov.uk](mailto:elizabeth.beale@wiltshire.gov.uk)

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

**Wiltshire Council**

**Environment Select Committee**

**9 December 2014**

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## **Final Report of the 20 mph Policy Task Group**

### **Purpose**

1. To present the conclusions and recommendations of the 20 mph Policy Task Group for endorsement.

### **Background**

2. The draft policy and consultation report was considered by the Environment Select Committee on 10 December 2013. Four members of the public on behalf of their respective community campaigns addressed the Committee and expressed concerns about the level of consultation that had taken place and to what extent community opinions had been taken into account when creating the draft policy. The main concern that was highlighted was that the Policy did not fully reflect the Department for Transport Guidance on 20mph limits issued in circular 'Setting Local Speed Limits' (01/2013). There were also concerns that the requirements for the creation of a 20mph limit or zone were too restrictive.
3. The trend towards an ageing and more vulnerable society was also highlighted, and whether increased frequency of 20mph zones would be of positive benefit, as well as other options such as shared space schemes. Shared space is an urban design approach which seeks to minimise demarcations between vehicle traffic and pedestrians, often by removing features such as curbs, road surface markings, traffic signs, and regulations. This approach has been used as part of living streets in residential areas in a bid to create uncertainty in drivers to reduce speeds and collisions.
4. The Committee resolved to set up the Task Group to review and help develop the policy as it was enacted.

### **Methodology**

5. The Task Group comprised the following membership:

Cllr Peter Edge (Chairman)

Cllr Rosemary Brown

Cllr Bill Douglas

Cllr Mollie Groom  
Cllr Jose Green  
Cllr Magnus MacDonald

6. It should be noted that the remit of the Task Group was not to debate the efficacy of 20 mph restrictions but to review the current Policy as enacted. From the outset, the Task Group sought to work towards the following outcomes:
  - I. To explore the adequacy of the current policy with reference to a range of research and witness accounts;
  - II. To review the policy as it was enacted in terms of whether it will enable the delivery of reduced numbers of casualties and increased general road safety; and
  - III. To report back to the Environment Select Committee with recommendations for endorsement.
  
7. The Task Group met on four occasions and received written and/or verbal evidence from the following witnesses:
  - Cabinet member for Highways, Streetscene and Broadband
  - Associate Director for Highways
  - Traffic Engineering Manager
  - Principal Traffic Engineer
  - Representatives from the Bradford on Avon 20s Plenty Group
  - Rod King MBE, 20s Plenty National Campaign
  - Representative from the Devizes Community Area Partnership
  - Wiltshire Police
  - Shrewton Parish Council
  - Salisbury City Council
  
8. The Task Group considered a variety of research in order to test the efficacy and basis of the testimonies that they had heard. A list of research considered is available in **Appendix 1**.

### **Research**

The following briefly summarises some of the findings of the topical research that the Task Group considered.

#### **Reduction in the number and severity of road casualties**

9. The percentage of pedestrians killed when hit by a car reduces as vehicle speed is reduced. One study found that at 20mph there was a 2.5% chance of being fatally injured, compared to a 20% chance at 30mph. However, there is no evidence to suggest that any reductions in the number of collisions are directly attributable to 20 mph schemes. In one case study in Portsmouth the number of collisions actually increased, serious injuries increased by 57% in 2011 compared to 2010. Serious casualties on 20 mph roads increased from

18 to 21 and on 30 mph roads from 56 to 94. Oxfordshire also experienced increased serious injuries in each of the two years following 20mph implementation. It is suggested that the reason for this is that pedestrians are lulled into feeling safer and are thus more likely to take less care.

### **Social Implications and Public Health**

10. Research demonstrated that social interactions correlate with traffic levels, in that where the volume of traffic is lower and travelling at slower speeds communities were more able to interact socially. This has also been found to be the case in terms of providing increased opportunities for children to play in their neighbourhoods where a fear of speeding traffic was previously an issue.
11. Reducing traffic speeds has been demonstrated to encourage people to walk and cycle more for local trips in urban areas, with the associated benefits of tackling obesity through physical activity with up to 20% increase in take-up due to the schemes. However the trials in Wiltshire were inconclusive in this point (Delivering soft measure to support signs only 20 mph limits' – A report on research findings by the University of the West of England).

### **Air Quality**

12. The Department for Transport acknowledge that 20mph schemes should contribute to reduced emissions by enabling a smoother driving style. Results suggest imposing a 20mph speed limit would have mixed effects on emissions from a single vehicle, and it can be supposed, ambient air quality. (Delivering soft measure to support signs only 20 mph limits' – A report on research findings by the University of the West of England). The evidence from 20mph studies is that the changes in emissions are complex. Estimated NO<sub>x</sub> (mono nitrogen oxides) is increased for petrol vehicle and decreased for diesel (with the expectation of a negligible increase for large diesels). Large vehicles exhibit an increase in emissions, but not a substantial one. The inefficiencies in fuel consumption of travelling at lower speeds are demonstrated by the trend in CO<sub>2</sub> emission factors. In general it is concluded that it is incorrect to state that a 20mph speed restriction will lead to greater pollutant emissions for vehicles
13. The most significant benefits would arise if the introduction of 20mph can encourage more people to leave their cars at home for local trips (An evaluation of the estimated impacts on vehicle emissions of a 20mph speed restriction in central London, Transport and Environmental analysis group, Imperial College London, April 2013).

### **Traffic Noise**

14. Driving at 20mph has been found to reduce traffic noise; the benefit of a signs-only scheme is that drivers can adopt a smoother driving style than if they were driving through a calmed zone with engineering features. However, in Bristol it was found that the small reductions in noise (- 0.5dB maximum) were likely to be imperceptible to residents but that the overall perception gathered from household surveys is that there is a decrease in noise levels (Delivering soft measure to support signs only 20 mph limits' – A report on research findings by the University of the West of England).

### **Trials conducted in Wiltshire**

15. In recognition of the increasing number of requests for 20mph limits resulting from the publishing of revised guidance from the Department for Transport in the 'Setting Local Speed Limits' (01/2013); it was accepted that clear, evidence based guidance should be produced to establish Wiltshire's own local policy framework suitable for its rural and urban communities alike. In order to ensure the adopted policy is predominantly 'evidence led' trials of 20mph limits were conducted at a number of selected village locations during the 2010/11 financial year.
16. A two-stage assessment process was undertaken to select the villages to be used, these were as follows: Great Cheverell, Limpley Stoke, Great Bedwyn, Westwood and Biddestone.
17. The key objective of the trial was to measure the impact of 20mph limits in rural village environments through the signs alone and without the use of traffic calming features typified by urban 20mph Zones such as road humps or chicanes etc. It should be noted that each site was consulted on the specific approach to be taken.
18. At each trial site a number of monitoring 'stations' were established to collect automatic traffic count data both before and after the implementation of the 20mph limit. The 'stations' were located at regular intervals throughout the study area with a focus on the main through-routes to traffic. The agreed number for each village depended on its overall size and length of roads within the new restriction.

### **Other Scrutiny Panels**

19. The Task Group considered a summary of the findings of a selection of scrutiny panels at other Local Authorities (**Appendix 2**) and looked at some example reports, such as Portsmouth City Council and Gloucestershire County Council (listed in **Appendix 1**) to seek guidance on their methodology.

### **Police Perspective**



20. The Police submitted written evidence (**Appendix 3**) to the Task Group which demonstrated their support for schemes whereby the restriction is appropriate for the location, has a proven need, clear and that motorists have the ability to comply. It was highlighted that it is rare for 20mph schemes to be implemented in areas where there is a Killed and Serious Injury risk. The Task Group noted that Wiltshire does not have a large number of roads that meet these criteria and that those that do would not be appropriate for a 20mph scheme. Due to this it was acknowledged that the schemes are only one part of a whole toolkit that the Council may use to improve road safety.
21. It should be noted that Wiltshire Police cannot currently enforce 20 limits/zones by way of fixed penalty notices, any offences have to be dealt with by way of summons to court (as confirmed by the Wiltshire Justice Traffic Office). The current position in Wiltshire is that only education for Careless Driving offences is offered, speed awareness workshops are not operated, therefore referrals to that process is not possible. There are trial schemes in Devon and Cornwall where they are able to use a Fixed Penalty Notice but time scales for these schemes are not currently known.
22. Where applied, a 20mph limit should be largely self-enforcing and evidence be provided for the proposed location that this is likely to be the case prior to implementation as the police are unable to provide additional resource to enforce a 20 mph limit. Where 20 mph limits do not achieve broad compliance, the police consider the location to be unsuitable for such a limit.

## Local Perspectives

### **Bradford on Avon 20s Plenty Group, Rod King MBE 20s Plenty National Campaign and Devizes Community Area Transport Group**

23. The Task Group heard from representatives of the Bradford on Avon 20s Plenty Group, Rod King MBE of the 20s Plenty National Campaign and a representative of the Devizes Community Area Transport Group. A number of key messages were provided which are also contained in **Appendices 2 and 3** respectively. In relation to the Wiltshire Council Policy it was suggested that:
- i. Main roads with strategic function should be considered for 20 mph limits where there are community benefits.
  - ii. Pedestrian and cycle movements should not have to be 'demonstrated' to enable and 20 mph limit.
  - iii. 20mph limits should be able to be applied to areas with average speed limits above 24mph.
24. The Task Group heard that 20 mph schemes have been done best whereby they are implemented community wide on a default basis with justified exceptions. It was highlighted that an understanding of the pros and cons of the limit was important.

25. It was noted that the community schemes are not about traffic engineering but focussed on adjusting social norm, making driving at 20 mph acceptable and expected in the presence of communities and in particular vulnerable people. It was felt that with the right education and raising awareness of the wider implications, that this is achievable. The importance of the perception of the communities impacted was held to be a priority over what statistics show. It was highlighted that communities often feel that any reduction in speed is beneficial, even where full compliance to a 20 mph speed restriction is not achieved; for each 1 mph reduction in speed results in a 5% reduction in collisions or the chance of a collision occurring.
26. The wider implications of utilising 20 mph schemes were deemed to include improvements to public health in the form of encouraging and allowing increased numbers of people walking and cycling thus promoting active travel and tackling obesity. This would also promote a rebalance in favour of non-motorised transport and communities; and engage motorists in taking responsibility for all road users' safety. However, it was felt that a range of methods to educate and raise the awareness of the public are required to facilitate the right environment. Further benefits such as improved air quality where speeds are slower and more consistent; and social interaction were highlighted.
27. Wiltshire has lower numbers of casualties and 'black spots' than other counties but it was held that a wider intervention tool was required to tackle the number of casualties which occur outside of black spots or clusters, the solution being 20 mph restrictions.
28. It was noted that the Bradford on Avon Town Council supports the work of the 20s Plenty Group and that work has been done to prioritise and map out the key routes that would benefit from a 20 mph scheme.
29. It was advocated that 20 mph restrictions should be employed where possible and in particular where vulnerable road users may be present. It was highlighted that alternative and additional funding for schemes may be acquired through bodies such as Public Health and should be actively sought.

### **Salisbury City Council**

30. The Task Group received a letter from Salisbury City Council (**Appendix 4**) expressing concerns that the C.A.T.G. was unable to take effective decisions over which schemes should be implemented year on year as the case for each are not heard at the same time at the beginning of each year; input from a Wiltshire Council Highways officer would be beneficial to allow decisions to be more evidence based regarding their selection and prioritisation. It was also highlighted that such resource would add more

value if utilised earlier in the process rather than only at the stage whereby the C.A.T.G. (Community Area Transport Group) is involved.

31. It was also raised that the current piecemeal approach to implementation is unproductive and does not send a clear message which is necessary for success.
32. It was raised that the current piecemeal approach is not ideal and that more complete roll-outs across residential areas would send a clearer message about the priority which should be given to pedestrians and cyclists, thus aiding the overall improvement of road safety.

### **Shrewton Parish Council**

33. The Task Group received a letter from the Parish Council (**Appendix 5**) expressing grave concern over the use of the village as a 'rat run' and the impacts on the community, also that the public perception of the problem is not being adequately taken into account. This was raised in particular relation to the need of the community to feel safe when walking or cycling in the village; health (air quality) or environmental (noise pollution) issues. It was noted that there seems to be no process for assessing the real damage that inappropriate traffic speed does to communities and that the Parish Council would like to see a lot more positive, proactive engagement.

### **Chippenham 'No Need for Speed' Campaign**

34. It was reported that in canvassing local residents' opinions on 20 mph restrictions and installing signage for the 'No Need for Speed' campaign it became apparent that there was a lack of community support and buy-in. Furthermore, no impact by way of speed reductions was registered. It was also noted that many newer residential estates are designed to facilitate lower speeds.

### **Alternative examples of speed and road safety management**

35. The Task Group considered the use of 'Shared Space' schemes as an alternative method of managing speed and road safety. Although this type of scheme was of great interest to the Task Group and was deemed to facilitate the reduction of speed and improved road safety more efficiently than 20 mph schemes, the provision of alternatives lies outside of the Task Group's remit.
36. The Task Group heard that in other European countries, some cities have created areas that are 'anti-car' by promoting public transport, increasing the amount of pedestrianised areas and making places more cycle-friendly. These schemes were put in place in order to discourage the use of cars due to the difficult driving conditions and the readily available alternative transport options.

37. In many other counties traffic signal lights have also been used as a tool for managing speed in terms of enabling them to measure speed and stop vehicles that exceed the speed limit and hold them for several minutes. This has been used to discourage speeding and teach drivers that they gaining nothing from doing so.

## **Findings**

38. The trials showed an average speed reduction across all sites of 1.6mph. With the exception of a single monitoring station, the biggest reductions were witnessed shortly after implementation. Thereafter the figures remained largely static with only minor variations in 'mean' speeds as drivers became accustomed to the limit.
39. Collision data was also reviewed and it was concluded that it is impracticable to identify any obvious trend relating to casualty reduction resulting from the introduction of 20mph limits. It should be noted that near misses are not recorded due to the difficulty in recording them and ensuring the accuracy of the records. Area Boards and C.A.T.G.s are authorised to facilitate the collection of such data and have been invited to do so, however there has been a lack of take up on this.
40. Approximately 12 months after the trials were completed community views were canvassed via household surveys with a 58% response rate. Overall, residents perceived vehicle speeds prior to the introduction of the 20mph limit to be high with some 85% of respondents feeling that speeds were either 'very high' or 'sometimes high' in their respective villages. Nearly 53% of respondents across all sites reported that speeds had 'decreased a little', which supports the evidence from the recorded 'after' data. Across all sites, an average of 29.6% felt the reduced limit had made no difference to vehicle speed.
41. In terms of overall satisfaction with the 20mph limit, some 56% of respondents were either 'satisfied' or 'fairly satisfied' compared to 21% shown as 'fairly dissatisfied' or 'very dissatisfied'. Despite this, there seemed to be a relatively even split between those making positive comments and those making negative ones.
42. The effect of the 20mph limit on qualitative community benefits appeared to be modest, with the majority of respondents reporting little change on issues such as 'less through traffic', 'increases in pedestrian/cycle activity', greater on-street social interaction and improved community environment'. On the question of whether or not the 20mph limit had contributed to a 'safer environment' 45% of respondents either 'agreed' or 'strongly agreed'. This, together with the overall feedback of communities is demonstrative of the mixed views on the effectiveness of the schemes. Full details of the trials and community responses can be found [here](#).

43. A key issue raised by the public was in relation to Council engagement with communities and communication particularly in relation to where a scheme is refused; the Task Group was informed that a full and timely explanation as to why this is the case will be provided.
44. In terms of the suggested amendments from the Bradford on Avon 20s Plenty Group, it should be noted that the current Policy already allows for roads with a strategic function to be considered for a 20 mph scheme where clear community benefits would be achieved and this is in keeping with paragraph 84 of the Department for Transport Guidance Circular (01/2013). Furthermore, the current policy does allow for the consideration of roads which have an average speed of 24 mph or marginally above, whereby 'lighter touch' engineering measures may be effectively deployed in conjunction with the limit to encourage broad compliance. This provision is further emphasised in paragraph 85, which states that: "successful 20mph limits and zones are generally self-enforcing i.e. existing traffic conditions of the road together with other measures such as traffic calming or signing publicity and information as part of the scheme lead to mean traffic speed compliance with the speed limit."
45. Clearly for sites in which average speeds are well in excess of 24mph, compliance could only realistically be achieved by utilising robust engineering measures such as chicanes, humps etc. or a reliance on regular Police enforcement and this clearly goes against the ethos of 'sign only' 20mph limits and the guidance outlined in Circular 01/13.
46. Whilst paragraph 84 states that '*20mph limits can be considered on major streets where there are - or could be- significant numbers of journeys on foot or by cycle*', it is not unreasonable for the highway authority to determine the level of suppressed demand in this regard in order to distinguish between sites where the greatest benefit would be accrued and prioritise accordingly.
47. It must be noted that the Policy is open to evolution in light of new evidence. The Department for Transport has commissioned a research report on the successes and failures of 20mph schemes so far and how limits may be best used. This is due in 2017. Amendments are also due to The Traffic Sign Regulations and General Directions in 2015 which may result in a reduction in the cost of implementing new 20mph schemes.

## **Conclusions**

Having considered the evidence, the task group concluded the following:

48. Based on the limited results and benefits seen from the trials and research, discussions with witnesses and officers; the Task Group concluded that in many areas 20 mph limits would not be justified, particularly in light of the probability that the initial impact of a scheme is likely to be relatively short lived and the longer term benefits inconclusive.

It was also concluded that whilst area wide 20mph limits in Wiltshire should not be completely ruled out, the use of blanket 20 mph limits should only be considered where there is robust supporting evidence as to their likely success. Where individual needs are evidenced and justified, 20 mph limits can be a useful tool and this can be catered for under the current policy and existing methods for selection via C.A.T.G.s and Area Boards.

49. The Task Group recognises the importance of the perception of communities and that residents in locations suffering from excessive speed and associated issues may be best placed to determine how the problem can be dealt with. However, the task group is concerned that implementing schemes in locations where it is evident that broad compliance will not be achieved, could lead to community and/ or driver apathy and potentially lead to a general disregard for speed limits in the area. It was also raised that where speed limits do not achieve broad compliance, that this is a waste of valuable funding which could be spent on schemes that are well evidenced and indicate a good chance of success. There was also concern that giving priority to community perception above statistical evidence that a 20 mph scheme will improve road safety and reduce speed significantly may create unrealistically high expectations.
50. Although statistics do not show a significant reduction in speed in some areas, the public perception is often that even a small reduction is a success. However, research shows that even in these circumstances the effectiveness of schemes can be limited to the first three months; is highly dependent on the specific location of the scheme and that public perception overall may be inadvertently damaged if the location is incorrect. This demonstrates the polarity of views and the interpretations of the evidence presented to the Task Group. It must be noted that whilst the Task Group valued highly the witness testimonies, which demonstrated that public perception of success is not reliant on tangible results and statistics, scrutiny is necessarily based on substantive evidence.
51. It was accepted that the Council's policy is to use funding in a targeted manner to tackle specific issues and that this is the correct approach in the current economic climate. The Council's overall aim is to reduce road collisions, which largely occur on rural roads; and at bends or junctions, therefore funding for measures that achieve this, such as appropriately located 20mph limits, are prioritised based on accident statistics. It must be noted that overall, Wiltshire has a lower level of injury collisions than many neighbouring authorities and that the budget available should remain focused on those areas that have a high collision rate in order to reduce the overall number of casualties on the network. The village trials of 20mph speed limits demonstrated no impact on reducing the number of collisions or casualties.
52. The Task Group concludes that the Policy, whilst being a cautious interpretation of the Department for Transport guidance, is compliant, fit for

purpose and allows for local discretion. It has been demonstrated that where schemes have been unsuccessful it is damaging to public perception and frustrating for those communities that the schemes are intended to serve. It is therefore prudent to ensure funding is only allocated to those schemes that meet the requirements of the Policy and where evidence demonstrates overall compliance to a 20mph limit is likely to be achieved.

53. Local discretion could potentially be increased by allowing C.A.T.G.s and Area Boards to facilitate any number of schemes, provided that they do so within the confines of the current funding, rather than prescribing that only 2 schemes per year may be implemented. This would allow for multiple smaller schemes or one large scheme as per the needs of the community. It should be noted that the Task Group considers that the allowance of only 2 schemes per year does carry the benefit of ensuring that they are carried out thoroughly in terms of adequate resourcing and advice; resulting in controlled implementations which stand more chance of success.
54. It was deemed that 20 mph schemes are only one part of a whole tool kit at communities' disposal to improve road safety and reduce speeds, as these issues are multi-faceted. The Task Group concluded that communities should therefore be encouraged to investigate alternative methods of addressing their concerns prior to seeking a 20 mph limit and take advice from Council officers as to which method may best address the specific problems faced in their locality. Alternative methods may include: protected pedestrian paths, additional footways or cycle paths. An important factor that cannot be addressed by 20 mph limits alone is the attitudes of drivers; improving driver attitudes towards 20 mph limits, other road users and appropriate driving styles in residential areas is paramount to resolving the problem, additional promotional activities are required for scheme success. The outcome sought by interest groups was supported by the Task Group, only the method of achieving it was disputed. It should be noted that the Task Group felt that whilst interest groups are members and representatives of their communities, they do not necessarily represent the views of whole communities. As seen in the responses to the trials not all community members supported the limits.
55. A report on the use of 20 mph restriction outside of schools is also due to be available shortly, this should be considered as an additional tool for addressing feelings of unease with regard to vulnerable road users such as children.
56. The Task Group concluded that the current Policy is fit for purpose and does not require any amendments at this stage; however the interpretation and application of it should be as wide and flexible as possible. It is held that the Policy supports the Council's vision of 'creating stronger and more resilient communities' whereby 'people work together, solve problems locally and participate in decisions that affect them'. This may be promoted further by encouraging a more flexible approach to interpretation of the

Policy by the Council, C.A.T.Gs and Area Boards when considering applications.

## **Recommendations**

Having considered the evidence, the Task Group recommends that:

1. Local road safety initiatives, are pursued by communities with the support of C.A.T.Gs and Area Boards;
2. Communities are encouraged to pursue alternative funding, including undertaking their own fundraising to implement schemes that are unable to be catered for by C.A.T.G.s and Area Boards and increasing their precept;
3. The report on 20 mph limits outside of schools comes to the Environment Select Committee and be progressed;
4. To allow C.A.T.G.s and Area Boards to facilitate any number of schemes that they believe suits the needs of their communities and makes best use of the existing funds allocated;
5. That the Task Group reconvenes in 2017 to review the Policy in light of the research commissioned by the Department for Transport and the impact of amendments to Traffic Regulation Orders which may decrease the cost of implementation.

## **Next Steps**

The recommendations of this Task Group, if approved by the Environment Select Committee, will be provided to the Cabinet member for Highways, Streetscene and Broadband for consideration. The Task Group shall receive the Executive's response and update the Committee accordingly.

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## **20 mph Policy Task Group**

**Peter Edge, Chairman of the 20 mph Policy Task Group and Environment Select**

Report author: Emma Dove – Senior Scrutiny Officer  
01225 718071, [emma.dove@wiltshire.gov.uk](mailto:emma.dove@wiltshire.gov.uk)



## Appendix 1

### Speakers at the Environment Select Committee on 10 December 2013

Anne Henshaw, Calne Community Area Partnership,  
Ashley Halls Ph.D., Winsley and Turleigh 20s Plenty and Turleigh Traffic Action  
Group,  
Gill Anlezark, Cycling Opportunities Salisbury,  
Alex Machin, 20s Plenty Bradford on Avon.

### Summary of evidence taken into account

- Written evidence from Wiltshire Police
- Verbal evidence from representatives of the Bradford on Avon 20s Plenty Group, Devizes Community Area Partnership and Rod King MBE, 20s Plenty National Campaign
- Written evidence from Shrewton Parish Council and Salisbury City Council

### Documents

Title	Organisation/ Author	Date
<a href="#">Wiltshire Council Policy on 20 mph speed limits and zones</a>	Wiltshire Council	2013
<a href="#">20 mph Speed Restriction Policy: Report on consultation</a>	Wiltshire Council	November 2013
<a href="#">Delivering soft measures to support signs only 20 mph limits</a>	University of the West of England	June 2012
<a href="#">20 mph speed limits for cars in residential areas, by shops and schools</a>	Danny Dorling	
<a href="#">Area-wide 20mph neighbourhoods: a win, win, win for local authorities</a>	Local Government Information Unit	
<a href="#">An evaluation of the estimated impacts on vehicle emissions of a 20mph speed restriction in central London</a>	Imperial College London	April 2013
<a href="#">Scrutiny Task Group Report</a>	Devon County Council	November 2008
<a href="#">Slower speeds are better for health</a>	Danny Dorling	March 2014
<a href="#">Scrutiny has proven 20mph limits</a>	20's Plenty For Us Briefing	August 2012
<a href="#">Scrutiny Task Group Report</a>	Gloucestershire County Council	
<a href="#">Towards a standard limit of 20 mph in all residential areas of towns in Hertfordshire – a briefing</a>	Hertfordshire County Council	2013

note		
20 mph Policy Task Group: A community perspective (Appendix 3)	Devizes C.A.T.G.	20 May 2014
Scrutiny of Policy 20 mph limits and zones in Wiltshire (Appendix 2)	Statement: Alex Machin and Rosie Meachin– 20s Plenty Bradford on Avon.	20 May 2014
<a href="#">Public Health Gains from 20 mph Limits</a>	20's Plenty for Us Briefing	November 2012
<a href="#">Impact Assessment</a>	Bristol City Council	July 2012
<a href="#">Review of 20 mph Zone and Limit Implementation in England</a>	Department for Transport	2009
<a href="#">Setting Local Speed Limits</a>	Department for Transport Circular 01/2013	2013
<a href="#">Interim Evaluation of the Implementation of 20 mph Speed Limits in Portsmouth</a>	Department for Transport	2010

## Appendix 2

### Wiltshire Council

#### Environment Select Committee – Task Group

20<sup>th</sup> May 2014

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#### Scrutiny of Policy 20 mph limits and zones in Wiltshire

**Statement: Alex Machin and Rosie Meachin– 20s Plenty Bradford on Avon.**

#### 1. Intro

1.1 Thank you for inviting us here today:

- We are representing the community of BoA who want 20mph limits throughout town.
- We have full Town Council support for this aim and
- We sit on the Town Council task group working towards implementation of this aim.

1.2 20s Plenty Bradford on Avon continues to have serious concerns with regard to the content of this draft. The draft policy still remains out of kilter with government guidance and best practice approach currently being implemented by many other Local Authorities. We believe the policy falls short in many places and is stifling community aspirations for safer streets.

1.3 We are delighted that this task group is investigating whether the current policy is robust in delivery of the intentions of DfT circular and current best practice. We hope that this task group will take this opportunity to make clear recommendations to the committee and Cllr Thompson of how this policy should be improved.

#### 2. What is the situation with Wiltshire policy and how does it impact on our proposed scheme?

2.1 The speed and volume of traffic in Bradford on Avon has long been one of the main concerns expressed by local residents. Similarly the speed of traffic is often quoted as one of the main safety factors which people see as a barrier to travelling around the communities on foot or by bicycle or to letting children travel

independently. This is affecting the quality of life of the community.

2.2 The aims of 20mph limit in Bradford on Avon are to:

- Encourage more people to walk and cycle;
- Improve road safety and to
- Help create more pleasant and shared community space

2.3 We believe by making BoA safer and more attractive, a greater number of people will be encouraged to walk, cycle and spend time in their local community. This will have far wider physical and mental health benefits.

2.4 We have mapped out in BOA the priority routes that would benefit from a 20mph limit. As part of the process we highlighted the schools, town amenities, recreation areas, transport hubs, elderly homes to identify these Major Community Routes for Vulnerable users through town.

2.5 We have chosen these routes as our priority for 20mph limits on these roads as we believe:

- **They bring the most benefit to a large number of users;**
- **Provide a safer environment for children walking and scooting to school;**
- **Assist the elderly and wider community accessing key town services and amenities safely;**

2.6 However under the current Wiltshire policy, these roads **cannot be considered** for a 20mph limit and are **precluded** from the scheme. The Wiltshire policy on 20 mph speed limits and zones states in 5.2 that 20mph limits can only be considered:

- *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.*

- *Where mean 'before speeds are at or below 24mph and in those locations where the mean speeds are just above 24 mph and the use of lighter touch engineering methods are likely to result in after mean speeds below 24mph.*

2.7 This position is surprising and in conflict with recent Government guidance (DfT **Circular 1/2013 Setting Local Speed limits**). The section on 20mph limits (Para 81-88) **Para 84** states:

*“Based on this positive effect on road safety and generally favorable reception from local residents, traffic authorities are able to use their power to introduce 20mph road 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 motorized traffic.*

*This is in addition to*

*Residential streets in cities and 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.”*

Paragraph 78 discusses this a bit further:

*“In many urban centres, main traffic routes often have a mixture of shopping, commercial and residential functions. These mixed priority routes are complex and difficult to treat, but the most successful measures have included speed management to keep speed at the most appropriate levels in the context of both 20 and 30 mph limits and reassignment of space to different functions, taking into account the needs of people on foot or on bikes. Sometimes a decision about a road’s primary or most important function needs to be taken.”*

2.8 Similarly DfT 2013 does NOT suggest that 20 mph limits should “only” be considered for use on roads where mean speeds are already 24 mph or less. It actually states that:-

*“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 speed 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 vehicles activated signs, or safety cameras. Average speed cameras may provide a useful tool for enforcing compliance with urban speed limits.”*

2.9 Whilst this may only be considered a subtle difference, it is important that the DfT guidance is accurately reflected. Rather than guiding against a 20 mph limit in such circumstances it actually suggests the need to use methods to gain compliance.

2.10 Portsmouth e.g.

2.11 The DfT guidance is being applied successfully in other authorities. Bristol identified the need to have a 20mph speed limit on streets with shops, schools and leisure facilities as well as residential roads. These are the locations with high levels of pedestrian activity. Pedestrian and cycling activity may also be artificially suppressed by high average car speeds. A road that appears as just a through route for someone driving may be a busy 'high street' for local people- this is the case in BoA.

2.12 Bristol have included main routes under the 20mph limits e.g. Whiteladies Road. Unlike Wiltshire, they took a different approach, introducing a default 20mph limit unless there was a good reason for exemption.

2.13 In the heart of the city main routes are 20, however on the outskirts with less community function and wider roads and pavements, it resumes to 30. Edinburgh are following this approach.

2.14 There are lots of examples of where 20 mph limits are being applied to main routes through community areas:

- Thorsk A61 has 20 mph limits through the centre of the town,
- Southwark London A215 has a 20mph limit in the north and John Ruskin St in the south;
- Petersham A307 Petersham Rd and Sandpit Rd have 20 limits
- Oxford the A420 has a 20 mph limit through the High Street

**2.15 We request that the task group recommends that 5.2 be re-drafted to reflect current government guidance and best practice to the following effect:**

1. Main roads with strategic function can be considered for 20 mph limits where there are community benefits.
2. Pedestrian and cycle movements do not have to be 'demonstrated' to enable a 20 mph limit. Guidance states it is where these movements "are or could be" Para 84 DfT Circular 1.2013.

3. 20mph limits can be applied to areas with average speed limits above 24mph.

2.16 As elected reps we call on you to use your power to make recommendations from this scrutiny to change this policy in a way which will enable your local communities to implement these schemes successfully.

2.17 It is key to remember that the aim of 20 mph is to save lives. Reducing speed on 30mph roads is much more effective at saving lives than rather than the approach of confirming an already low average speed.

## Appendix 3



## TRANSPORT GROUP

### **20 mph Policy Task Group: A community perspective, Devizes CATG 20 May 2014**

Thank you for inviting me to the Environment and Scrutiny Committee's session about Wiltshire's policy on 20 mph and for your interest in the early stages of implementation in Devizes through CATG.

My attendance is at your initiative to report on the experience with the intention to assist with policy areas that could be strengthened. The comments are my personal understanding of what has transpired at Devizes CATG.

#### **Past involvement in policy development**

DCAP responded to Wiltshire's consultation on its draft policy. However our Group's response was not considered because it arrived a few days after your deadline. As I explained to the Portfolio holder, this was anticipated due to the consultation period being held during August and our first DCAP meeting did not permit a timely response. Our points should be considered by this Task Group (see Appendix A).

Our position is to support 20mph as a default for all residential streets with exceptions being made on a case by case basis. This supports the Devizes Transport Strategy (2012) policy T1.

#### **Process in practice to date**

- 1) Parish Councils in the community area had been asked to consider 20mph speed limit reviews and had been told that CATGs could only afford two schemes. The interest generated by the CATG letter was limited and the minutes for 20<sup>th</sup> March state that "in future years, greater dissemination of this information would be helpful. However a decision needs to be taken in Apr 2014 as to which schemes to put forward." 7 requests were received: 2 in Devizes, 3 in Market Lavington, 1 in Bishops Cannings and 1 in Etchilhampton. Potterne Parish Council was also going to request a 20mph area but this had not yet been received.

At the meeting I proposed that all residential roads around the whole of the Brickley Lane residential area should be considered to remove the anomaly of new neighbouring estate that had the benefit of



20mph. This was carried forward.

- 2) The initial assessment of the schemes presented to CATG 28<sup>th</sup> April are summarised in Appendix B. Potterne Parish Council's late request for a 20mph limit from an existing 30mph would be carried forward to 2014/15. The two locations selected to be put forward to the Area Board were:
  - a. Brickley Lane including Longcroft Road, Brickstead Avenue, Roseland Avenue et al. These met the criteria and where speed might be higher than the policy interventions would be considered.
  - b. Western End of Urchfont which was largely well within the 24mph limit but it was recognised that Blackboard Lane (near a school entrance) would be helped by a 20mph limit/zone.

### **Comments on prioritisation of some requests**

- No budget for any scheme was revealed because of the unknown actions that 20mph implementation would entail in each case, such as speed calming known after investigation.
- The criteria given to the parish councils might have been confusing. For instance, the two of the three schemes for Market Lavington could have been submitted as part of a single area wide scheme but the parish council considered their chances to be higher if they selected three danger spots, two of which were adjacent to their High Street where traffic flow was generally below the threshold due to regular congestion of parked cars. Whilst these two proposals met the criteria, the assessment suggested a wider scheme should be proposed for consistency.

The danger was, apparently, perceived road danger and Highways had not recorded sufficient collisions to prompt further action.

- A further scheme in Bishops Cannings, adjacent to the primary school and met the criteria, was given lower priority because there was a chance that the implementation cost could be borne by a future developer rather than CATG. It also emerged that there is no 20mph policy for schools.
- Selection of Urchfont raised an interesting question about the necessity of the criteria adopted to apply where village streets there were very slow in any case. "We are ticking a box," was the comment.

### **Questions and issues that I found limiting**

- TWO PER CATG: Why is each CATG told that it could only 'afford' two schemes when neither a budget nor costs were explicit? How could such an arbitrary system result in coherent decisions?

I am not convinced about expensive interventions as a limitation. The 20mph signage alone has been shown to have a worthwhile affect on speed of traffic and is cheap. The wider the area the more consistency and possibility of greater understanding by drivers.

- ENFORCEMENT: We were told by the highways engineer that all schemes must be self monitoring because police enforcement must not be required for a 20mph limited road.

First, this misinterprets Circular 01/2013 para 85 which states that *'Successful 20 mph zones and 20 mph limits are generally self-enforcing [...]. 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.'*

Second, this statement is at odds with the Policy Commissioners enthusiasm for Community Speedwatch which has been extended to 20mph schemes and reported by the police to the Area Board.

- VILLAGE SPEED TESTS: When querying the effectiveness of an exemplar 20mph in our Community Area (Great Cheverell) this was held up as an exception and that the results of other village tests revealed a small reduction at higher speeds from 29mph down to 26mph.

I do not understand this statement since I have now seen the results of the five Trial Villages (Appendix C) which show that the mean speeds were very positive where pre-mean speeds were highest. Perhaps this is reporting 85<sup>th</sup> percentile speeds.

### **General points and conclusions**

- 1) I was impressed with my daughter's experience of 20mph where she lives in Bristol. She has not noticed much change in speeds in her street due to parking congestion along her road, but she has felt a positive difference on other streets.

As a motorist she is relieved that it is legitimate that she can drive at 20mph without pressure from other drivers who may wish to break the limit. Drivers on the other hand, tend to be more aware of her as a pedestrian and cyclist in areas where 20mph is signed and she feels less stressed. As a mother, reducing her stress levels, and those of other road users, is a tremendous outcome.

The single intervention that she appreciates is the digital speed warning signs in a nearby 20mph street.

- 2) The current CATG procedures seem very cumbersome. And yet, a 20mph policy across all residential streets in Wiltshire seems to me to be one of the single most effective interventions that can protect the health and wellbeing of the public.

There appears to be an instinctive resistance to a simple, uncomplicated 20mph policy, and too much reliance on testing and water tight empirical evidence before taking the very action that residents know will give them a powerful tool to improve the liveability of their street. It is a puzzle that listening to the experience and hopes of local residents is insufficient.

Kate Freeman  
DCAP, Transport Group

## Appendix A



## TRANSPORT GROUP September 2013

### Wiltshire Policy on 20mph speed limits and zones

The DCAP Transport Group is a main focus for transport interests and concerns in the Devizes area. Our numerous transport events have given us unique insight into the community's views on all transport modes affected by road speeds. In addition DCAP has been instrumental in promoting cycling through its newly formed Cycle Devizes! group, which now advises on the Cycle Network at CATG. It is this strong engagement that not only informs our response but also points to the importance of our role in future local implementation of a 20mph speed limit policy.

### Default position

Devizes has developed a Transport Strategy as part of Wiltshire's Core Strategy. This has been driven in part by LTP3 but also by exceedences in pollution leading to an Air Quality Management Area for Devizes being declared by DEFRA. Working with a small group of Wiltshire Council officers and their consultants, DCAP were key players in the development of the Devizes Transport Strategy (2012). This Strategy includes a policy of 20mph (Policy T1, page 28):

**"T1 – Implement measures to manage movement and to slow traffic in residential areas**

Slower traffic supports road safety and sustainable transport objectives by making roads better for all road users. In residential areas, measures such as 20 mph limits will be considered to reduce vehicle speeds and the extent of the 30 mph limits will be reviewed."

We would like to see Wiltshire adopt enthusiastically a position where 20mph becomes the *default* for all residential streets with *exceptions* being made on a case by case basis, rather than the other way around, which is what seems to be proposed. This approach has been adopted by numerous local authorities and prioritises the liveability and safety of our residential streets at the top of their agenda.

### Wider points and concerns

We are grateful to Rod King, Director of 20s Plenty and respected expert on road safety, for his critique. It gives us the benefit of his considerable experience and compares Wiltshire's proposed policy with the Department for Transport guidance (Circular 01/2013). Mr King draws our attention to disparities and a more inflexible approach proposed by Wiltshire's policy compared to that advocated by the DfT's Guidance. We agree with the points that:

- The way repeater signs and carriageway roundels can be used in schemes in addition to physical features should be fully explained (para 2.1), particularly since these are inexpensive.
- Paragraphs 2.4 onwards down play the value of speed reductions achieved, and seem to suggest the 24mph mean speed is too rigidly adhered to. Wiltshire's proposal suggests that evidence so far shows that the fall in road casualties is not particularly significant and that because outcomes are not yet well established pursuing a blanket approach to 20mph is not to be pursued energetically.
- Wiltshire's own experience through a small sample of villages (para 2.7) has not drawn conclusions about the degree of effectiveness, but surely the important point to report from these examples are the communities' views about their improvements to their quality of life, their health, a more pleasant street environment, and the effect on vulnerable road users, all of which are tremendously valuable and desirable outcomes that need to be rolled out.
- Criteria set out in section 5 are very restrictive, and as Mr King suggests, they impose conditions that "*put the convenience of drivers well above the safety of pedestrians and cyclists*".

For these reasons, we would appreciate having sight of Wiltshire's full response to Mr King's points and his case for a revised policy.

### **Local application**

Current local practice for managing speed in residential roads is to apply 20mph in new developments whilst leaving neighbouring streets at 30mph. A local example is the 30mph speed limit for Meadow Drive off Brickley Lane, leading to the new Spitalcroft Road estate which has an area wide 20mph zone. Up until now the reason for this rests with the funding opportunity for physical traffic calming on new estates rather than retro-fitting 20mph on existing roads.

The new Department for Transport guidance is therefore heartening for its flexible and more enlightened use of signage, public engagement and promotion. However this does not appear to be emphasised in Wiltshire's proposed 20mph policy. Whilst we are pleased that roads subject to an existing 30mph speed restriction could be considered (5.3), we were dismayed to learn that the 20mph speed limit now adopted for Gt Cheverell would not comply with the new stringent conditions proposed. This can neither be the policy outcome intended nor is this an outcome that we support for our other villages.

There are other anomalies: within the town centre where traffic calming and crossings exist such as Monday Market Street, Sidmouth Street, Maryport Street and Sheep Street there are 30mph speed limits. DCAP has found support for the whole of the Devizes town centre coterminous with the Air Quality Management Area. Residential roads off the town centre that have become rat runs such as Brickley Lane, Station Road and Wick Lane also need to be included and strongly promoted.

### **Process and forward planning**

The process advocated in Appendix A is no different to the process currently undertaken by Devizes CATG. CATG already prioritises two roads for speed review and receives requests from the town and parish councils for prioritised action against a very slender budget.

Rationing 20mph schemes to two per year per community area (6.1/6.2) neither reflects the community's appetite for 20mph nor does it fulfil the local authority's statutory responsibility to set appropriate speed limits. If more than two roads are deemed appropriate candidates for 20mph, and our evidence found suggests that two is but a fraction of what is appropriate, these should be put forward into an area wide plan and funds found from all sources, not merely CATG's budget, to implement this programme.

At the rate of 2 schemes per year the work outline above could take until a whole generation has grown up and left Devizes! The task is far too large to fit with the process and is strategically inappropriate. The process must be reviewed, and the scale of the task ahead properly considered to reflect the spirit of the DfT guidance which has widespread and cross party support. The draft policy does not convey a proper understanding that the 20mph guidance is as much about quality of life, as it is about 'proven' reduction in casualties.

### **Consultation**

The 20mph policy affects the health and well being of the whole population of Wiltshire and should not have been a delegated cabinet member decision.

We have already made our views known about the consultation period and its introduction on 1<sup>st</sup> August during the holiday period. This has barely left three effective weeks to consult internally and respond. This is unreasonable and we have passed on our complaint to the Compact Board.

## Appendix B

<u>Location</u>	<u>Original Request</u>	<u>Officer Comments</u>
Long Street, Devizes	Devizes Town Council ask CATG to investigate the possible implementation of a 20mph zone between Southgate Roundabout and Wadworth's Roundabout	Location fails the criteria as it's an A class road. However an exception would be made given the substantial number of vulnerable roads users within the area, subject to detailed investigation in to existing vehicle speeds and the ability to ensure these remain at or below 24mph. This may require the introduction of features which assist in reducing speed outside of peak times.  Would suggest the area is extended to include the Market Place and surrounding streets to ensure a consistent limit for motorists.  If a 20mph limit is approved, I would also suggest that the 20mph zone is altered to provide a consistent type of restriction (although the features would remain).
Avon Terrace, Devizes	Devizes Town Council ask CATG to investigate the possible implementation of a 20mph zone between from Rotherstone (from it junction with Northgate Street/The Nursery) past the cemetery	Classification 4B  Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.
Northbrook, Market Lavington	Northbrook (SN10 4AN) - for its entire length – this is a narrow dead-end village road with limited pavements. It has a blind bend and steep gradients throughout its length. It is well used by children accessing the local school, and other pedestrians.	Classification 4B  Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.
Fiddington Clay, Market Lavington	Around the junction with Southcliffe Road – This road is located within the Fiddington Clay Estate, however at this bend in the road there are 2 well used paths which also end at this location, making this a particularly awkward and potentially dangerous section of road.	Classification 4B  Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.  Would suggest consideration is given to the entire Fiddington Clay Estate to ensure consistency
King Road, Market Lavington	From the junction with Spin Hill to the Parish Boundary – This is a particularly narrow village road, with no footpaths whatsoever, which currently has the national speed limit restriction applied.	Does not meet the criteria for consideration of a 20mph limit.  Does not meet the criteria of a village... <ul style="list-style-type: none"> <li><i>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'</i></li> </ul>
Bourton Road,	Bourton Road east of the crossroad	Classification 4B

Bishops Cannings	junction with the C50, together with 'The Street'. Both of these are no-through routes adjacent to Bishop's Cannings Primary School. It is believed that a lower speed limit in this area will add to the safety of the virtual footpath proposed from the village hall car park to the school - this is a measure the council are currently working on in conjunction with Wiltshire Council in order to reduce the severe parking congestion in the vicinity of the school. In seeking to encourage pedestrian use of the Bourton Road, which has no footway, a lower speed limit for vehicles will increase driver awareness and increase pedestrian confidence.	Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.
Brickley Lane, Devizes (inc. Longcroft Road, Brickstead Avenue, Roseland Avenue etc...)	Request made at meeting for inclusion of Brickley Lane & associated side roads.	Classifications 4A & 4B  Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.
Urchfont	<p>At the western end of the village core</p> <p>Blackboard Lane and Crookwood Lane both merge by the village school. There are already discussions about road and pedestrian access to the school, so the proposed 20mph signage should ensure that from north to south, all entrances to the school for pupils, parents, teachers, vehicles and visitors are protected by a 20mph maximum speed limit.</p> <p>At the eastern end of the village core</p> <p>The Triangle forms the junction with</p>	<p>A 20mph restriction could be considered for all roads within the village other than the B3098 as this has a strategic function – these have the classification 4B</p> <p>Further determination would be required form Blackboard Lane, due to its classification / strategic function and also the level of development frontage development.</p> <p>Would be subject to the assessment of existing vehicle speed.</p>

	<p>the B3098. North of this point, the High Street passes the village pond, which is populated by ducks who can roam across the road. The High Street then turns sharply left around a blind bend which also has a junction with the road leading to the Village Hall (which is heavily used by many differing organisations). Heading west towards The Green, the narrow High Street passes the Village Community Shop and Post Office. Both of these village amenities are used by people of all ages - including senior citizens with mobility difficulties. The shop/post office is located on the south side of High Street. The only pavement along the High Street is located on the north side of the road. There is therefore a great deal of pedestrian footfall crossing the road near the shop, and these people should be protected by a 20mph limit.</p>	
<p>Low Road, Little Cheverell</p>	<p>From the B3098 to Cheverell Road</p>	<p>Maintenance Class 4B</p> <p>Would meet the criteria set out for a 20mph restriction (either limit or zone), subject to the assessment of vehicle speed.</p>

## Appendix C

### 20MPH TRIAL IN WILTSHIRE - RESULTS SUMMARY (September 2012)

	PRE-Mean Average (mph)	POST-Mean Average (mph)	Mean Average (mph) Change
Great Cheverell	26.1	23.7	-2.4
Great Bedwyn	23.4	21.8	-1.6
Westwood	27.7	25.4	-2.3
Limpley Stoke	21.5	21.3	-0.2
Biddestone	24.4	22.9	-1.5

*Table 1 – Change in Mean Average Speeds by Village*



# Scrutiny Has Proven 20mph Limits

## A 20's Plenty for Us Briefing Aug 2012

An extensive list of Council Scrutiny Committee reports have concluded 20's Plenty Where People Live. Enough sources cite 20mph as a "Best Value Policy".

Implementing road danger reduction need not be delayed by duplicating further scrutiny.

20's Plenty



Where People Live

Scrutiny (a.k.a Task & Finish/Best Value Review) is a committee of cross-party, back-bench councillors researching policy recommendations. They look at options to "compare", "challenge", "consult" and "compete". Many scrutinies have had the topic of community wide 20mph limits without humps:

<a href="#">Greenwich</a> <sup>1</sup> April 2012	Recommended "Subject to consultation, the phased implementation of a "boroughwide 20 mph scheme" for all currently untreated residential roads that do not form part of the "principal" road network".
<a href="#">Brighton &amp; Hove</a> <sup>2</sup> May 2010	"20 mph speed limits should be introduced on all residential roads, on roads where there are high numbers of vulnerable road users, and on roads where average speeds are 24mph or less. "Where average speeds on residential roads and in high pedestrian and cyclist use areas are higher than 24 mph, then speed reduction initiatives should be supported by traffic calming measures, although speed bumps and humps should ideally not be used".
<a href="#">Gloucester</a> <sup>3</sup> April 2011	"Subject to capital funding being available the task group recommend that the Cabinet develop a programme of work to roll out blanket 20mph limits and zones across the county."
<a href="#">Islington</a> <sup>4</sup> Feb & 24 Nov 2011	Executive response to scrutiny was "To approve the inclusion of the Borough Principal and Strategic Road Network under Islington's control .... into the Borough Wide 20mph scheme where funding is available."
<a href="#">Richmond Upon Thames</a> <sup>5</sup> Mar 2010	"Working closely with Transport for London, the Council should work towards introducing 20mph speed limits, including 20mph zones, on its residential and unclassified roads."
<a href="#">Haringey</a> <sup>6</sup> Mar 2011	"The Council undertake a borough wide consultation process on the proposal to establish a borough wide default 20 mph speed limit for all side roads and the establishment, in consultation with TfL, of a pilot 20 mph speed limit in a suitable town centre".
<a href="#">Manchester</a> <sup>7</sup> Mar 2012	The Executive is recommended "To investigate potential funding mechanisms to implement 20mph speed limits on all C and U classed roads in Manchester with a view to installing the proposed speed limits, subject to public consultation".
<a href="#">Darlington</a> <sup>8</sup> Jan 2012	"Darlington Borough Council continues to support the introduction of 20 mph zones or limits where appropriate and continues to deliver schemes based on evidence within the available resources."

Ditto for Hartlepool and Warrington. How many Scrutiny reports does it take to agree a community wide 20mph road speed? Enough already. As with trials/pilots of small area 20mph limits, 20's Plenty for Us say, given the extensive evidence base, scrutiny need not be duplicated as the wheel need not be re-invented. Bristol found of its 20mph limits, using a mean of a 23% increase in walking and a 20.5% increase in cycling that for each £ spent the return on investment for walking is £24.72 and cycling is £7.47<sup>9</sup>. The DfT states that any schemes giving a return on investment of more than £2 for every pound spent give high value. **Councils can now get on with implementing 20mph limits and raising Britain's public health and quality of life knowing it is great value for money.**

<sup>1</sup> <http://committees.greenwich.gov.uk/mgConvert2PDF.aspx?ID=2524&T=10> para 1.2 pg 21

<sup>2</sup> [http://www.brighton-hove.gov.uk/downloads/bhcc/democracy/Microsoft\\_Word\\_-\\_Item\\_8\\_Speed\\_Reduction\\_Review.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/democracy/Microsoft_Word_-_Item_8_Speed_Reduction_Review.pdf) Paras 2.20-21

<sup>3</sup> <http://glostext.gloucestershire.gov.uk/mgConvert2PDF.aspx?ID=3678> sect 7

<sup>4</sup> Islington, Executive Member for Planning Regeneration & Transport Report 24 Nov 2011, para 2.2

<sup>5</sup> [http://www.richmond.gov.uk/road\\_safety\\_-\\_20mph\\_task\\_group\\_-\\_final.doc](http://www.richmond.gov.uk/road_safety_-_20mph_task_group_-_final.doc) recommendation 2 pg 8.

<sup>6</sup> <http://www.minutes.haringey.gov.uk/mgConvert2PDF.aspx?ID=21784> recommendation 1 pg 5

<sup>7</sup> [http://www.manchester.gov.uk/egov\\_downloads/7\\_20mph\\_speed\\_limit\\_report.pdf](http://www.manchester.gov.uk/egov_downloads/7_20mph_speed_limit_report.pdf)

<sup>8</sup> <http://www.darlington.gov.uk/PublicMinutes/Place%20Scrutiny%20Committee/January%202012/Item%203.pdf> 12(a) pg 7

<sup>9</sup> [https://www.bristol.gov.uk/committee/2012/ua/ua000/0726\\_7.pdf](https://www.bristol.gov.uk/committee/2012/ua/ua000/0726_7.pdf)

## **Appendix 3**

### **20mph Limit / Zone Briefing Paper**

13<sup>th</sup> May 2013

*To prepare this report, advice has been obtained from Department for Transport (Dft) & from the Association of Chief Police Officers' (ACPO) Committee.*

#### **Limits/Zones**

The DfT produced a circular dated 18<sup>th</sup> January 2013 providing updated guidance unveiled by Stephen Hammond, Road Safety Minister; this paper is intended to help Local Councils implement more consistent speed limits on local roads.

National Speed Limits on street lit roads remains 30mph, however Traffic Authorities can, over time, introduce 20mph 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 of 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 achieved without excessive reliance on enforcement.

Evidence from successful 20mph schemes show that the introduction of 20mph (engineered) Zones generally reduces mean traffic speed by more than is the case where a 'signed only' 20mph limit is introduced.

*It has always been the view that it should not be possible to exceed the speed limit within a 20mph zone; to drive at excess speed in this area identifies a failing with the engineering solutions.*

#### **Traffic Regulation Order (TRO)**

If speed limits are to be legally implemented and enforceable, Traffic Orders must be made. Part VI of the Road Traffic Regulation Act (RTRA) 1984 deals specifically with speed limits and includes the powers under which Traffic Authorities may make speed limit orders.

Devon & Cornwall Police and County Councils are currently facing appeals and complaints regarding a high number of 20mph limits that have been found to be non-enforceable. The advice from Devon & Cornwall Police is prior to any consideration of enforcement; the local authority should physically measure the signs and frequency to ensure that they comply with the law. Enforcing a 20mph limit that is found to be non-compliant results in reputational damage, damage to community confidence and high costs in repaying fines/court costs etc.

#### **Enforcement**

Enforcement is reactive and should not be seen as a preventative measure, prevention relying on public support and compliance by the majority. It is also expensive; is both time and resource intensive and competes with other important policing issues of public concern.

Speed restrictions must be clear, appropriate, with the need for compliance obvious to all road users. Where there is non-compliance, the police will investigate specific offenders who ignore the posted speed limit. Mass defiance identifies questionable limits in inappropriate areas rather than a need for high levels of enforcement and prosecution, which possibly has the potential to lose public support. It is these principles that inform any police decision to undertake enforcement.

The enforcement of traffic law by the police should be guided by the principles of proportionality in applying the law and securing compliance; consistency of approach; and transparency about what enforcement action is undertaken, and why; and recognition that effective partnerships with other organisations are essential.

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.

### Targeting Offending Drivers

20mph zones are predominantly introduced in residential areas where road safety has been raised as an issue by those who live locally. The approach of Neighbourhood Policing Teams in every community is built around ensuring that local crime and disorder issues and concerns are identified, so that a police force delivers an appropriate policing response. This applies to enforcement of 20mph zones as to any other area of policing.

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 officers will enforce the limit and prosecute offenders.

Local Neighbourhood Policing Teams therefore can conduct routine speed enforcement within 20 mph limits/zones where deemed appropriate.

### Prosecution Options

Options are currently limited for enforcing 20mph Limits/Zones. The reason for this is that 20mph limits and zones were introduced for a specific road safety danger; compliance is the aim, not enforcement. For these reasons it is not currently considered suitable to issue Fixed Penalty Notices or offer 'Driver Improvement' scheme options for 20mph offenders.

I have provided a comparison below with a 30mph limit to demonstrate the difficulties in enforcing 20mph offences. *Taken from National Guidelines*

Speed Limit	Fixed Penalty Notice	Driver Improvement	Summons
20mph	FPN not issued	No Speed Awareness Course applies	35mph
30mph	35mph & above (10% +2)	Speed Awareness 35mph – 42mph (only in counties that operate educational packages)	50mph

Discretion can be used allowing officers to summons lower than the speeds in the above table, therefore it is possible to summons at 24mph, however this would be inappropriate as the volume of offences would result in high costs for the Courts and prosecution system.

The Crown Prosecution Service and Courts would certainly not welcome this; therefore the realistic option would be police officers offering verbal warnings to offending drivers until the speeds or numbers of occasions warned justified issuing a summons. It must also be considered that "is it proportionate to place someone within the criminal justice system for travelling at 24mph?" This would not occur within a 30mph limit until the speeds reached 50mph.

In the future it may be possible to issue Fixed Penalty Notices or offer educational courses for 20mph offences, therefore albeit there are currently some restrictions this situation may improve in the coming months/years.

### National Roads Policing 5 Year Strategy 2011-2015

The Road Policing Strategy 'Policing the Roads' has a vision of safer roads with habitual compliance. Officers are encouraged to enforce with education and engineering so as to affect and influence driver behaviour and achieve a reduction in road casualties and combat anti-social road use. There is a real

drive to encourage officer discretion as oppose to always issuing Fixed Penalty Notices or prosecuting lower end offences.

### **Conclusion**

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 measures to manage speeds including engineering, visible interventions and landscaping standards that raise awareness of the drivers environment. Simply altering a sign from a 30 to a 20 will risk high levels of offending with many drivers being unaware of their behaviour.

The ACPO Traffic Committee have highlighted that without the right level of engineering, the police would become the cheap option to achieve compliance. Guidelines have been provided that the police will not conduct routine speed enforcement in 20mph limits/zones unless they were in areas where:

- 24mph or above was the norm
- The limit/zone meets Dft guidelines by providing a form of engineering that would make it obvious to drivers that they were in this type of limit and should control their speed. *This applies to correct signage as much as traffic calming measures.*

Current Position – We will support all appropriate speed limits where:

- There is a proven need
- The limit is clear
- Motorists have the ability to comply.

We need to remember that we have many roads within our county that require enforcement; we must also consider those roads that pose the greatest risk, i.e. those with a Killed and Seriously Injured (KSI) risk. It is rare for the 20mph limit/zone to be in areas where we have seen KSI collisions, albeit this cannot be discounted as a risk.

Therefore it must be decided on a case by case basis as to which roads are subject to routine police officer speed enforcement, clearly a Speed Management Strategy is applied to this to inform the correct decision, i.e. police enforcement as oppose to the council led initiatives of installing Speed Indicator Devices or implementing Community Speed Watch.



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Wiltshire Police  
HQ Response - Head of Roads Policing

## **Appendix 4**

Mr David Thomas  
Democratic Services  
Wiltshire Council  
County Hall  
Trowbridge  
Wiltshire  
BA14 8JN  
10 July 2014

Dear Mr Thomas,

### **Re: 20 mph Speed Restrictions**

I write further to your letter of 11<sup>th</sup> June, and have some additional points to make now that the CATG meeting for the Salisbury Community Area has arrived at recommendations for this year's two schemes for further evaluation. This letter is also being copied to the Chair of the 20mph policy task group.

Firstly, we accept that the two requests per year limit applies at the community area level rather than for each parish. The confusion arose because in Salisbury the parish and community area have the same boundary, we appreciate this is the only community area in Wiltshire for which this is the case. This does however give some additional concerns regarding how the process works because there is only one parish council – namely Salisbury City Council – making recommendations to the Salisbury Area CATG. The CATG Chair quite reasonably inquired at the 17/6 meeting whether these had been prioritised by the City Council, however prioritisation was not possible this year for the following reasons:

- I. The schemes were raised as issues over a period of time and not all considered at the same meeting, so it was not possible to prioritise at the time how the decision to support the scheme was made.
- II. There was insufficient information available in respect of each scheme (e.g. accident rates, numbers of actual and potential pedestrians/cyclists, traffic speeds etc) to allow an informed decision on priorities to be taken.
- III. The City Council's position, as submitted in response to Wiltshire Council's proposed policy on 20mph speed limits, remains that '20mph should become the default speed throughout Salisbury other than on trunk roads'. Given this position Councillors are reluctant not to support schemes which have the backing of local residents.

There are some further points which perhaps apply more generally:

- I. The requests for 20mph areas were raised as 'issues' on the issue log. While not wishing to deter residents from raising their concerns it might be helpful to have a standard pro-forma – as is the case for yellow line requests – so that equivalent information is presented for each request (e.g. to provide

information re whether an area has pavements, whether on route to school, levels of local support etc).

- II. Local residents might well raise an issue simply in respect of their own road, without considering the bigger picture and whether a wider area could or should be included in the request. Some Highway officer input into the process – or perhaps a review of the request by ward councillors – might help to provide better defined areas for the implementation of 20mph limits.

The various points made above suggest that, within the constraints of the current policy, more effective selection of schemes could be made in Salisbury if all the proposals for a given year were presented to the City Council's Planning & Transportation Committee at the same time, and if some WC Highways officer support was provided to allow the City Council to make evidence based decisions regarding selection and prioritisation. Note that this officer time is required currently when the schemes are taken to the CATG, it just seems it would be more productive in Salisbury if this input could be provided earlier in the process so it benefit the decision making of the P&T committee as well as the CATG.

Whilst welcoming the tentative steps which Wiltshire Council are taking towards 20 mph areas we remain concerned that the piecemeal approach which has been adopted is far from ideal especially for a city such as Salisbury. The City already has the benefit of 20mph zones in the City Centre – as our response to the 20mph consultation pointed out this was demonstrated to have led to a saving of about 25 casualties a year in the three years after its introduction. There are also 20mph zones in other areas, such as Bishopdown. A programme to roll-out 20mph speed limits across all the residential areas of Salisbury other than trunk roads would send a clearer message about the priority which should be given to pedestrians and cyclists and help to make the city's roads safer for all.

Yours sincerely,

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Cllr John Lindley  
Chair, Planning and Transport Committee  
Salisbury City Council

Cc by email Cllr Peter Edge, Chair of 20 mph policy task group

## Appendix 5

# SHREWTON PARISH COUNCIL

Miss Marion Barton  
Clerk to the Council

Email: [barty.warminster@btinternet.com](mailto:barty.warminster@btinternet.com)

4 Emwell Street  
Warminster  
Wiltshire  
BA12 8JA  
07851800509

27 July 2014

Mr Peter Edge and Ms Emma Dove  
Sent by Email

Good Morning,

Following the unanimous support of residents in Shrewton at a public meeting in the village in March this year, the Parish Council is requesting that Wiltshire Council address the need to introduce 20mph in our community. Shrewton is not the only village to be under siege from increased traffic congestion and the need to reduce speed limits in the county must be considered urgently.

Since the closure of the A344 greater congestion on the A303 has caused drivers to find alternative routes, resulting in many using villages as a 'rat run'. Increased speed by frustrated drivers on village roads without footpaths for pedestrians is extremely dangerous. Whenever, and whatever, solution is decided upon for the A303, Shrewton will continue to see inappropriate numbers of cars, using roads not designed for the numbers using them. It is essential that some action is taken soon to help control levels of speed in the village.

The Amesbury C.A.T.G. considered the Shrewton proposal for 20mph but it was unsuccessful; the village being so close to A303 and the amount of traffic involved apparently making it a larger project than for the funding allowed. The next opportunity to apply is in 2015/16 financial period but given that the issues could be even greater, there would not seem to be any possibility of Shrewton being accepted.

It would appear the members of Wiltshire Council do not recognise the concerns of the community and the damage that the excessive traffic is causing to the villagers. There is no recognition of the need to feel safe when walking or cycling in the village nor the health (air quality) or environmental (noise pollution) issues. There seems to be no process for assessing the real damage that inappropriate traffic speed does to communities. The rare and occasional monitoring of average speeds takes no account of the misery caused by speeding traffic.

The Parish Council would like to see a lot more positive, proactive engagement. Wiltshire Council should be advising us as to how we can secure speed restrictions, and not leave the provision of advice to Councillors and volunteers.

Wiltshire Council and the Highways Department need to introduce ways of reducing the speed of traffic through Shrewton whilst discussions are taking place nationally on the way forward with the A303. Villagers are looking for action to make life more tolerable for them. Members of the Scrutiny Task Group would be welcome to visit the village and discuss proposals with the community. I look forward to hearing from you.  
On behalf of the Shrewton Parish Council representing the villagers of Shrewton,

Yours sincerely,

Carole

Cllr Mrs Carole Slater  
Chair



**Wiltshire Council**

**Environment Select Committee**

**9 December 2014**

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## **Results of Consultation on Changes to Kerbside Garden Waste Collections**

### **Executive Summary**

During the summer of 2014 the Council consulted on three options for the future of the kerbside garden waste collection service. These are:

- (i) a three month suspension of the non-chargeable kerbside garden waste collection service with no collections taking place in December, January and February;
- (ii) a five month suspension of the non-chargeable kerbside garden waste service with no collections taking place in November, December, January and February;
- (iii) to introduce a chargeable kerbside garden waste collection service instead of the current non-chargeable service.

The results of the consultation process show a clear preference for a three month suspension of the garden waste service with no collections taking place in December, January and February. This option was selected by over 61% of those who responded.

### **Proposal**

That Environment Select Committee note the results of the consultation on options for changes to the kerbside garden waste collection service.

### **Reason for Proposal**

To inform members of Environment Select Committee of the results of the consultation.

**TRACY CARTER**

Associate Director Waste and Environment

## **Results of Consultation on Changes to Kerbside Garden Waste Collections**

### **Purpose of Report**

1. To inform members of Environment Select Committee of the results of the consultation.

### **Relevance to the Council's Business Plan**

2. Making savings from the kerbside garden waste collection service would enable funding to be realigned to deliver the Council's priorities.

### **Main Considerations for the Committee**

3. Residents were consulted on three proposals:
  - (i) a three month suspension of the non-chargeable kerbside garden waste collection service with no collections taking place in December, January and February;
  - (ii) a five month suspension of the non-chargeable kerbside garden waste service with no collections taking place in November, December, January and February;
  - (iii) to introduce a chargeable kerbside garden waste collection service instead of the current non-chargeable service.
4. Residents were also invited to tell the Council whether they would not be using the garden waste service in the future as they would compost all their waste at home or take it to the household recycling centre.
5. The consultation proved to be the most popular run by Wiltshire Council with over 15,000 responses. The results of the consultation are set out in the table below. 88% of those who responded gave their postcodes enabling the council to plot the results. Responses were received from all areas of Wiltshire although there was a lower than average response from Tisbury community area. The report on the results of the garden waste consultation is attached in **Appendix 1**.

<b>Proposal</b>	<b>Number of Responses</b>	<b>Percentage</b>
Proposal 1 - a three month suspension of the garden waste service with no collections taking place in December, January and February	9,492	61.2%
Proposal 2 - a five month suspension of the garden waste service with no collections taking place in November, December, January, February and March	4,716	30.4%
Proposal 3 - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this	893	5.8%
I would not be using a garden waste service as I do not have a garden, I compost at home or take it to the household recycling centre	272	1.8%
No proposal selected	144	0.9%
<b>Total</b>	<b>15,517</b>	<b>100%</b>

## **Background**

6. At a meeting held on 19 October 2010 Cabinet agreed to implement a harmonised waste collection and recycling service across Wiltshire which includes a non-chargeable optional kerbside collection of garden waste every two weeks. Residents were invited to apply for the garden waste collection service, except in west Wiltshire where the non-chargeable service was already in place. Almost 145,000 households are now in receipt of the service.
7. The Council's Business Plan 2013-2017 sets out the financial pressure arising from the reduction in funding from central government and the predicted increase in service demand combined with inflation. The plan outlined how the Council would work to realign funding to deliver the Business Plan priorities to:
  - protect those who are most vulnerable;
  - boost the local economy; and
  - bring communities together to enable and support them to do more for themselves.
8. The Council considered alternatives to the current non-chargeable kerbside garden waste collection service in order to make savings and sought residents' views on these options over the summer of 2014.

## **Safeguarding Implications**

9. There are no safeguarding implications arising from this report.

## **Public Health Implications**

10. There are no public health implications arising from this report.

## **Environmental and Climate Change Considerations**

11. There are no environmental and climate change considerations arising from this report. A decision to suspend the kerbside garden waste collection service for a period of three months or five months each year would lead to a reduction in the vehicle miles travelled in delivering this service. Any change in the service could lead to an increase in the tonnage of garden waste being treated within the residual (non-recycled) waste stream rather than being composted.

## **Equalities Impact of the Proposal**

12. There is no equalities impact arising from the proposal.

## **Risk Assessment**

13. There is a risk that any change to the current service results in the Council experiencing an increase in the tonnage of garden waste being diverted into the residual waste stream. This would impact on performance and the extent of the savings that could be achieved.

## **Financial Implications**

14. There are no financial implications arising from this report. Each of the options considered within the consultation should deliver savings from 2015-16.

## **Legal Implications**

15. There are no legal implications arising from this report.

## **Options Considered**

16. That members of the committee note the results of the consultation.

## **Conclusion**

17. The results of the consultation process show a clear preference for a three month suspension of the garden waste service with no collections taking place in December, January and February. This option was selected by over 61% of those who responded.

## **TRACY CARTER**

Associate Director Waste and Environment

Report Author:

**Tracy Carter**

Associate Director Waste and Environment

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

None

## **Appendices:**

Appendix 1 - Results of Garden Waste Consultation

# Results of Garden Waste consultation

## Introduction

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The council faces significant financial pressures and we need to make savings to help the council deliver our priorities.

A consultation ran from 1 June 2014 until 1 October 2014 asking residents of Wiltshire for their views on proposals for changes to kerbside garden waste collections. The council currently delivers a kerbside fortnightly non-chargeable garden waste collection service to those residents that request the service.

## The proposals

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There were **three** proposals on offer:

1. **Proposal 1** - a three month suspension of the garden waste service with no collections taking place in December, January and February
2. **Proposal 2** - a five month suspension of the garden waste service with no collections taking place in November, December, January, February and March
3. **Proposal 3** - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this

There was a fourth option available for people who would not use the service.

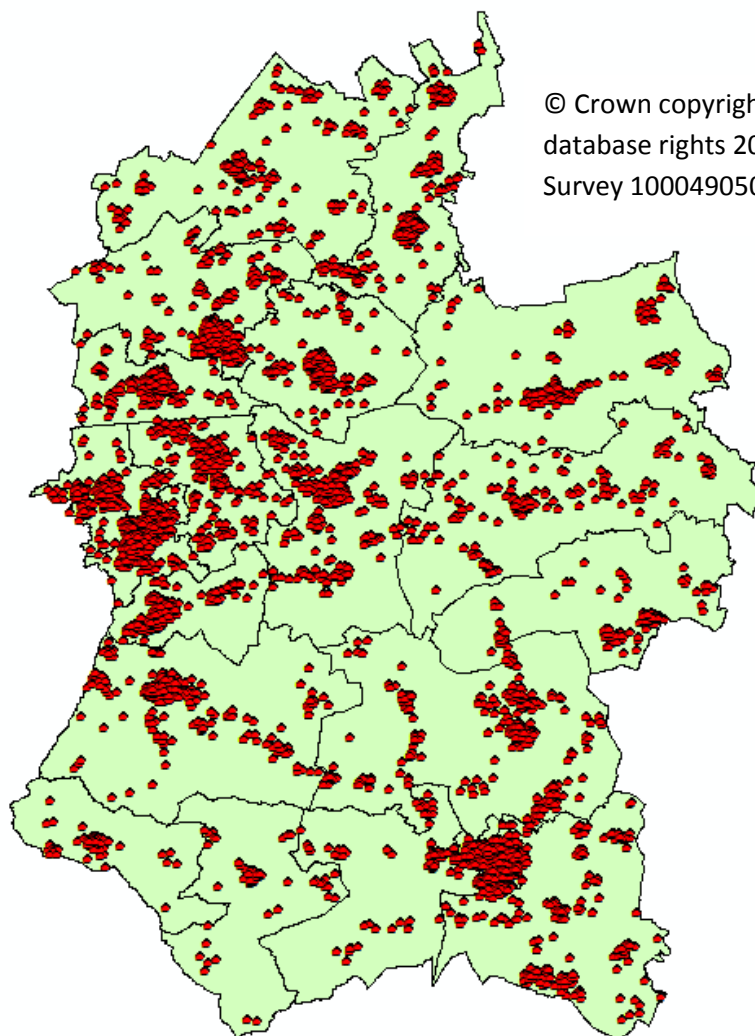
4. I would **not** be using a garden waste service as I do not have a garden, I compost at home or take it to the household recycling centre

## Results

A total of 15,517 people responded to the survey. Responses were received from across the county and there were no Community Areas underrepresented. A breakdown of the overall result is shown below.

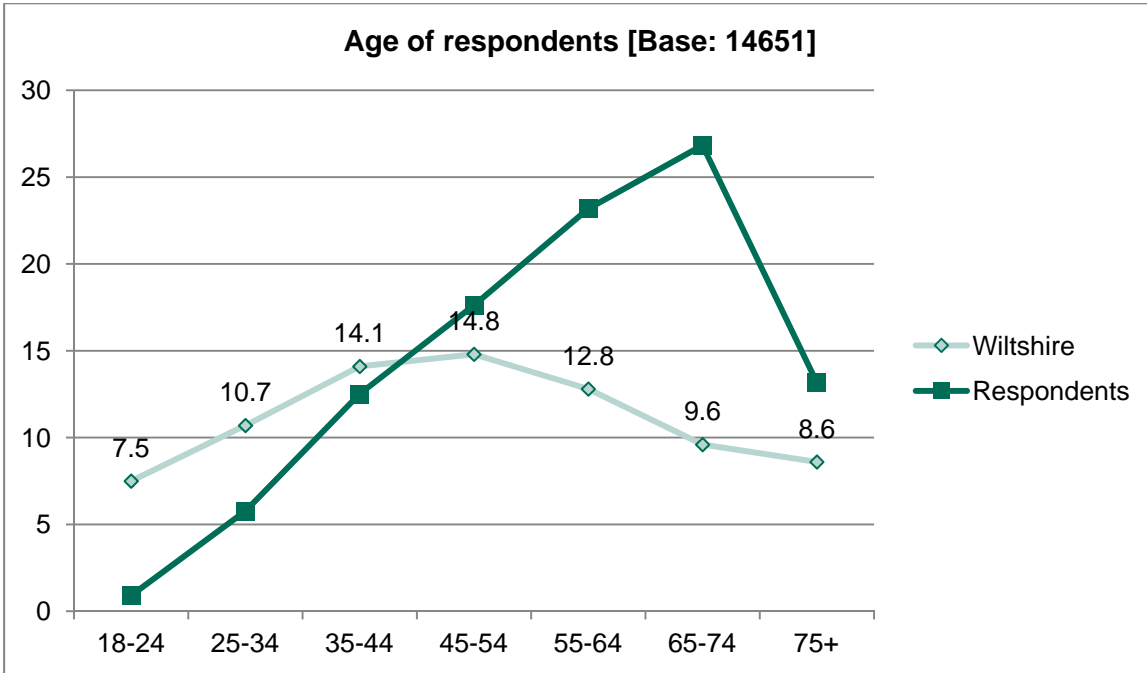
Q1	Frequency	Percent	Valid Percent
Proposal 1	9492	61.2	<b>61.7</b>
Proposal 2	4716	30.4	<b>30.7</b>
Proposal 3	893	5.8	<b>5.8</b>
I would not be using a garden waste service	272	1.8	<b>1.8</b>
Total	15373	99.1	<b>100.0</b>
Missing	144	0.9	
	15517	100.0	

Of the 15,517 responses received 13,674 people gave their postcode to enable us to geocode responses. While not all of the postcodes matched in our GIS system the majority were and 13,114 results were plotted. Surveys were received from all areas of Wiltshire but it is worth notice that there was a lower than average response from Tisbury Community Area.

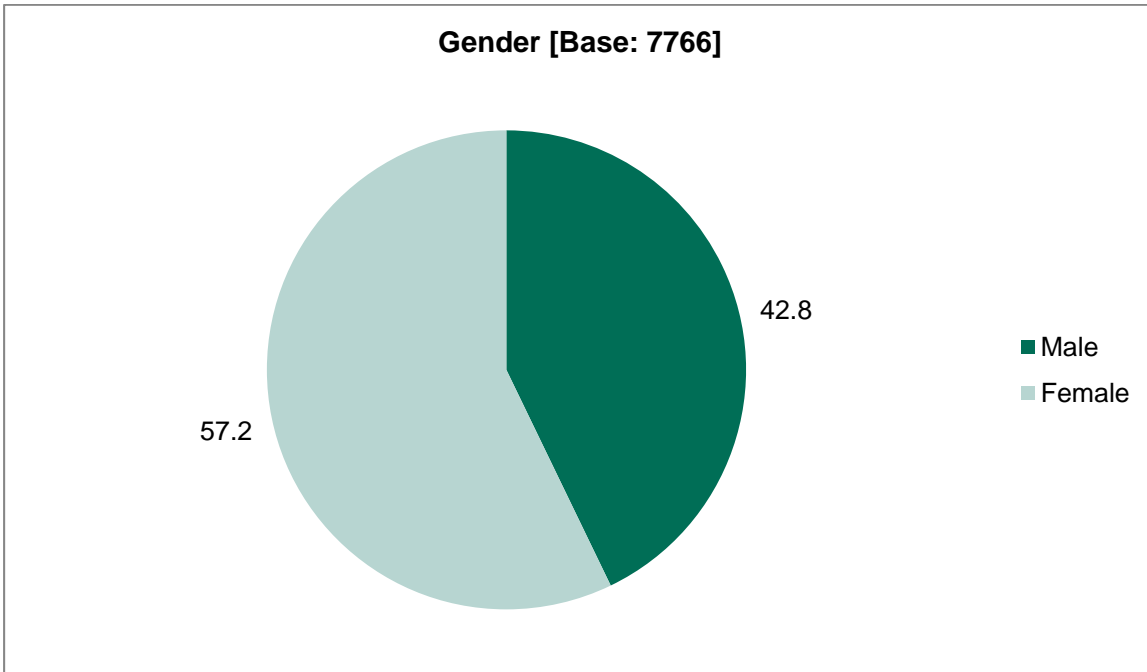


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Survey 100049050

Q1	Frequency	Percent	Valid Percent
Amesbury	788	5.1	6.0
Bradford on Avon	653	4.2	5.0
Calne	600	3.9	4.6
Chippenham	1152	7.4	8.8
Corsham	576	3.7	4.4
Devizes	872	5.6	6.6
Malmesbury	461	3.0	3.5
Marlborough	546	3.5	4.2
Melksham	676	4.4	5.2
Mere	150	1.0	1.1
Pewsey	319	2.1	2.4
Royal Wootton Bassett and Cricklade	754	4.9	5.7
Salisbury	1307	8.4	10.0
Southern Wiltshire	612	3.9	4.7
Tidworth	275	1.8	2.1
Tisbury	92	0.6	0.7
Trowbridge	1522	9.8	11.6
Warminster	828	5.3	6.3
Westbury	781	5.0	6.0
Wilton	150	1.0	1.1
Total	13114	84.5	100.0
Not geocoded	2403	15.5	
Total	15517	100.0	



Under 18's excluded from survey. The results show that the people responding to the survey were more represented by older people than the Wiltshire average.





## Crosstabbed results

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After crosstabulating the results of Q1 by Community Area there was no significant difference between the areas with exception of Calne which had less people that the Wiltshire Average ticking Proposal 1 and more ticking Proposal 2. The raw tables are shown in the Appendix.

There was no significance between the different ages.

There was no significant difference between the genders but it is interesting to note that only 50% of respondents to the survey answered the gender question.

## Conclusion

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**From examining the data it is clear that Proposal 1, a three month suspension of the garden waste service with no collections taking place in December, January and February, is the favoured option.**

## Further information

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For further information or queries on the results of this survey please contact Matthew Sims [matthew.sims@wiltshire.gov.uk](mailto:matthew.sims@wiltshire.gov.uk).

**Appendix. Garden Waste survey**

**Statistics**

		Q1. Proposal:	Q2b. Community Area	Q3. Do you have a garden?	Q4. What age group are you in?	Q5. Are you:
N	Valid	15373	13114	14835	14651	7766
	Missing	144	2403	682	866	7751

**Frequency Tables**

**Q1. Proposal:**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Proposal 1 - a three month suspension of the garden waste service with no collections taking place in December, January	9492	61.2	61.7	61.7
	Proposal 2 - a five month suspension of the garden waste service with no collections taking place in November, December,	4716	30.4	30.7	92.4
	Proposal 3 - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this	893	5.8	5.8	98.2
	I would not be using a garden waste service as I do not have a garden, I compost at home or take it to the household rec	272	1.8	1.8	100.0
	Total	15373	99.1	100.0	
Missing	System	144	.9		
Total		15517	100.0		

**Q2b. Community Area**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Amesbury	788	5.1	6.0	6.0
	Bradford on Avon	653	4.2	5.0	11.0
	Calne	600	3.9	4.6	15.6
	Chippenham	1152	7.4	8.8	24.3
	Corsham	576	3.7	4.4	28.7
	Devizes	872	5.6	6.6	35.4
	Malmesbury	461	3.0	3.5	38.9
	Marlborough	546	3.5	4.2	43.1
	Melksham	676	4.4	5.2	48.2
	Mere	150	1.0	1.1	49.4
	Pewsey	319	2.1	2.4	51.8
	Royal Wootton Bassett and Cricklade	754	4.9	5.7	57.5
	Salisbury	1307	8.4	10.0	67.5
	Southern Wiltshire	612	3.9	4.7	72.2
	Tidworth	275	1.8	2.1	74.3
	Tisbury	92	.6	.7	75.0
	Trowbridge	1522	9.8	11.6	86.6
	Warminster	828	5.3	6.3	92.9
	Westbury	781	5.0	6.0	98.9
Wilton	150	1.0	1.1	100.0	
Total		13114	84.5	100.0	
Missing	0	2403	15.5		
Total		15517	100.0		

**Q3. Do you have a garden?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	14755	95.1	99.5	99.5
	No	80	.5	.5	100.0
	Total	14835	95.6	100.0	
Missing	System	682	4.4		
Total		15517	100.0		

**Q4. What age group are you in?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	18-24	133	.9	.9	.9
	25-34	846	5.5	5.8	6.7
	35-44	1834	11.8	12.5	19.2
	45-54	2582	16.6	17.6	36.8
	55-64	3396	21.9	23.2	60.0
	65-74	3930	25.3	26.8	86.8
	75+	1930	12.4	13.2	100.0
	Total	14651	94.4	100.0	
Missing	System	866	5.6		
Total		15517	100.0		

**Q5. Are you:**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	3326	21.4	42.8	42.8
	Female	4440	28.6	57.2	100.0
	Total	7766	50.0	100.0	
Missing	System	7751	50.0		
Total		15517	100.0		

**Crosstabs**

**Case Processing Summary**

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Q1. Proposal: * Q2b. Community Area	12984	83.7%	2533	16.3%	15517	100.0%
Q1. Proposal: * Q3. Do you have a garden?	14699	94.7%	818	5.3%	15517	100.0%
Q1. Proposal: * Q4. What age group are you in?	14515	93.5%	1002	6.5%	15517	100.0%
Q1. Proposal: * Q5. Are you:	7632	49.2%	7885	50.8%	15517	100.0%

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Q1. Proposal: * Q2b. Community Area Crosstabulation	Q2b. Community Area	Q1. Proposal:								Total		
		Proposal 1 - a three month		Proposal 2 - a five month		Proposal 3 - to		I would not be using a		Count	% within Q2b. Community Area	
		Count	% within Q2b. Community Area	Count	% within Q2b. Community Area	Count	% within Q2b. Community Area	Count	% within Q2b. Community Area			
	Amesbury	489	62.7%	236	30.3%	39	5.0%	16	2.1%	780	100.0%	
	Bradford on Avon	423	65.7%	168	26.1%	45	7.0%	8	1.2%	644	100.0%	
	Calne	289	48.7%	258	43.5%	24	4.0%	22	3.7%	593	100.0%	
	Chippenham	666	58.2%	400	34.9%	55	4.8%	24	2.1%	1145	100.0%	
	Corsham	327	57.5%	199	35.0%	32	5.6%	11	1.9%	569	100.0%	
	Devizes	479	55.4%	296	34.3%	72	8.3%	17	2.0%	864	100.0%	
	Marlborough	311	57.8%	160	29.7%	61	11.3%	6	1.1%	538	100.0%	
	Melksham	422	63.7%	211	31.9%	12	1.8%	17	2.6%	662	100.0%	
	Mere	97	66.0%	29	19.7%	18	12.2%	3	2.0%	147	100.0%	
	Pewsey	199	63.6%	66	21.1%	40	12.8%	8	2.6%	313	100.0%	
	Salisbury	882	67.7%	327	25.1%	77	5.9%	17	1.3%	1303	100.0%	
	Southern Wiltshire	429	70.7%	109	18.0%	60	9.9%	9	1.5%	607	100.0%	
	Tidworth	174	64.0%	79	29.0%	18	6.6%	1	.4%	272	100.0%	
	Tisbury	61	66.3%	26	28.3%	4	4.3%	1	1.1%	92	100.0%	
	Trowbridge	906	60.1%	557	36.9%	30	2.0%	15	1.0%	1508	100.0%	
	Warminster	557	67.8%	223	27.1%	32	3.9%	10	1.2%	822	100.0%	
	Westbury	463	60.1%	256	33.2%	33	4.3%	18	2.3%	770	100.0%	
	Wilton	102	68.9%	22	14.9%	20	13.5%	4	2.7%	148	100.0%	
	Total of answer Q2		8002	61.6%	3991	30.7%	759	5.8%	232	1.8%	12984	100.0%
	Valid % Total		9492	61.7%	4716	30.7%	893	5.8%	272	1.8%	15373	100.0%

**Q1. Proposal: \* Q3. Do you have a garden? Crosstabulation**

			Q3. Do you have a garden?		Total of answer Q3	Valid % Total
			Yes	No		
Q1. Proposal:	Proposal 1 - a three month suspension of the garden waste service with no collections taking place in December, January	Count  % within Q3. Do you have a garden?	9046  61.9%	30  37.5%	9076  61.7%	9492  61.7%
	Proposal 2 - a five month suspension of the garden waste service with no collections taking place in November, December,	Count  % within Q3. Do you have a garden?	4501  30.8%	15  18.8%	4516  30.7%	4716  30.7%
	Proposal 3 - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this	Count  % within Q3. Do you have a garden?	853  5.8%	3  3.8%	856  5.8%	893  5.8%
	I would not be using a garden waste service as I do not have a garden, I compost at home or take it to the household rec	Count  % within Q3. Do you have a garden?	219  1.5%	32  40.0%	251  1.7%	272  1.8%
Total	Count  % within Q3. Do you have a garden?	14619  100.0%	80  100.0%	14699  100.0%	15373  100.0%	

**Q1. Proposal: \* Q4. What age group are you in? Crosstabulation**

			Q4. What age group are you in?						Total of answer Q4	Valid % Total
			18-24	25-34	35-44	45-54	55-64	65-74		
Q1. Proposal:	Proposal 1 - a three month suspension of the garden waste service with no collections taking place in December, January	Count  % within Q4. What age group are you in?	85  64.9%	511  60.5%	1092  59.9%	1552  60.4%	2039  60.6%	2418  62.5%	8952  61.7%	9492  61.7%
	Proposal 2 - a five month suspension of the garden waste service with no collections taking place in November, December,	Count  % within Q4. What age group are you in?	38  29.0%	279  33.0%	622  34.1%	844  32.9%	1055  31.4%	1123  29.0%	4484  30.9%	4716  30.7%
	Proposal 3 - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this	Count  % within Q4. What age group are you in?	3  2.3%	21  2.5%	70  3.8%	122  4.7%	216  6.4%	284  7.3%	838  5.8%	893  5.8%
	I would not be using a garden waste service as I do not have a garden, I compost at home or take it to the household rec	Count  % within Q4. What age group are you in?	5  3.8%	34  4.0%	40  2.2%	51  2.0%	54  1.6%	44  1.1%	241  1.7%	272  1.8%
Total	Count  % within Q4. What age group are you in?	131  100.0%	845  100.0%	1824  100.0%	2569  100.0%	3364  100.0%	3869  100.0%	14515  100.0%	15373  100.0%	

**Q1. Proposal: \* Q5. Are you: Crosstabulation**

		Q5. Are you:		Total of answer Q5	Valid % Total
		Male	Female		
Q1. Proposal:	Proposal 1 - a three month suspension of the garden waste service with no collections taking place in December, January Count % within Q5. Are you:	2052 63.0%	2770 63.3%	4822 63.2%	9492 61.7%
	Proposal 2 - a five month suspension of the garden waste service with no collections taking place in November, December, Count % within Q5. Are you:	907 27.8%	1285 29.4%	2192 28.7%	4716 30.7%
	Proposal 3 - to introduce a chargeable kerbside garden waste collection service for those who opt to pay for this Count % within Q5. Are you:	241 7.4%	225 5.1%	466 6.1%	893 5.8%
	I would not be using a garden waste service as I do not have a garden, I compost at home or take it to the household rec Count % within Q5. Are you:	59 1.8%	93 2.1%	152 2.0%	272 1.8%
Total	Count % within Q5. Are you:	3259 100.0%	4373 100.0%	7632 100.0%	15373 100.0%

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## Wiltshire Council

### Environment Select Committee

9 December 2014

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#### 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.
- 3 The CIL Task Group was first established in August 2012 to test out the charging proposals for CIL and report on recommendations for the future implementation of CIL. This was achieved in December 2014 with a report considered by Cabinet, and the Task Group was stood down.
- 4 The CIL Task Group was reconvened by the Environment Select Committee in September 2014 to consider the recording and access of monies gained from CIL, and the distribution of monies to towns and parishes with and without established neighbourhood plans.

##### Main considerations

- 4 The Task Group met with officers on 9 October and 21 November 2014 to consider the proposed administration of the CIL monies, and made several observations and recommendations.
- 5 The Committee is asked to consider the attached report of the CIL Task Group and endorse its recommendations.

##### Proposal

- 6 To endorse the recommendations in paragraph 22 of the report.
- 

#### Paul Kelly, Scrutiny Manager and Designated Scrutiny Officer

Report Author: Kieran Elliott, Senior Democratic Services Officer  
01225 718504 [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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**Report of the Community Infrastructure Levy (CIL) Task Group**

**Purpose of report**

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

**Background**

- 2 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 Overview and Scrutiny 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 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 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 BNP Paribas (BNPP) to undertake this work.
- 6 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.
- 7 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**

- 8 On reconvening, the Task Group received an update on the national situation in respect of CIL.
- 9 The Task Group met on 5 further occasions, and received evidence from the Cabinet member and officers who provided briefings on technical issues, matters of policy and statutory responsibilities.
- 10 On 9 December 2013 the Committee received and endorsed the report of the Task Group with recommended CIL charges, and Cabinet considered the report and made its determination on 17 December 2013.
- 11 The Committee also resolved that the Task Group be stood down, but that it could re-start if required to consider any further guidance from central government or further issues.

### **CIL Task Group activity September 2014**

- 12 At its meeting on 2 September 2014, the Committee requested the CIL Task Group reconvene to consider:
  - a) The way the Council is going to access and record monies gained from CIL;*
  - b) The possible distribution of monies to towns and parishes with and without established neighbourhood plans.*
- 13 The Task Group met on 9 October and 21 November 2014, speaking with and requesting information from officers on the proposed administration of the CIL monies as detailed above.

### **Issues Raised**

#### *General Issues*

- 14 The Task Group questioned whether CIL would be calculated and collected from developments submitted but not commenced when implemented in 2015, which would follow the adoption of the Core Strategy, and were

informed CIL would only apply to new applications after the adoption and implementation.

- 15 Clarity was sought over when CIL contributions would be calculated, when they would be sought, and whether payment would be a lump sum or in staggered payments. It was stated that the level of CIL contributions required would be calculated upon submission of an application, and an invoice for the monies would be issued upon receipt by the Council of the commencement notice for the site. While it was anticipated that most payments would be with a single payment, there was the possibility of staggered payments if the circumstances warranted it.
- 16 The Task Group also sought to assess the level of risk from non-payment arising from implementation of the CIL, and it was stated the level of risk would be no greater than with s.106 legal agreements, and with additional powers to incentivise developers to meet their contributions in a timely manner, such as a Stop order to all development.
- 17 On the reporting of monies received from CIL and allocated to permitted areas, it was intended to bring an annual report to Cabinet for consideration.

#### *Town and Parish Councils*

- 17 As more Town and Parish Councils are in the process of creating and approving Neighbourhood Plans, the Task Group assessed the implications of the CIL process of the existence or not of those plans, along with other general issues relating to Towns and Parishes. Briefing sessions had been held across the county to advise Towns and Parishes of the changes and issues involved.
- 18 Towns and Parishes with a Neighbourhood Plan would be entitled to a 25% allocation of CIL monies and those without a Plan to 15%. It was, however, important to note that as the calculation was undertaken upon the submission of the application, if a Plan was not yet adopted at the time of submission, but was subsequently adopted prior to the commencement of the development, the CIL contribution would remain 15%, and Towns and Parishes needed to take note of this.
- 19 The Task Group felt strongly that it was important that Towns and Parishes receive their allocation of CIL monies in a timely manner, and it was agreed that the council would report on and transfer monies on a monthly basis.

## **Task Group Conclusions**

- 20 The Task Group reviewed the proposed operational flowchart at Appendix 1 and was satisfied the proposed administration of the CIL was well advanced and addressed most of the issues raised.
- 21 Given the increased responsibilities involved with Towns and Parish Councils receiving CIL monies, the limitations of what the monies could be spent on and the different amounts depending on the existence of a Neighbourhood Plan, it was strongly encouraged that additional briefings and training be made available to the Towns and Parishes, and that local unitary Members should be included in that process.

## **Recommendations**

- 22 **The Task Group recommends that:**
- a) **The Environment Select Committee endorse the work undertaken to prepare for administration of the CIL;**
  - b) **Further briefing and training be provided to the Town and Parish Councils ahead of the implementation of the CIL, to include invitations to local unitary members.**
  - c) **The CIL Task Group stands down after the presentation of the report to the Environment Select Committee; to be reconvened as necessary should additional issues with the implementation of the CIL require further consideration.**

## **Next steps**

- 23 The final report will be considered by the Environment Select Committee on 9 December 2014.

## **Councillor Tony Trotman - Chairman of the CIL Task Group**

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28 November 2014

Report Author: Kieran Elliott, Senior Democratic Services Officer  
01225 718504 [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

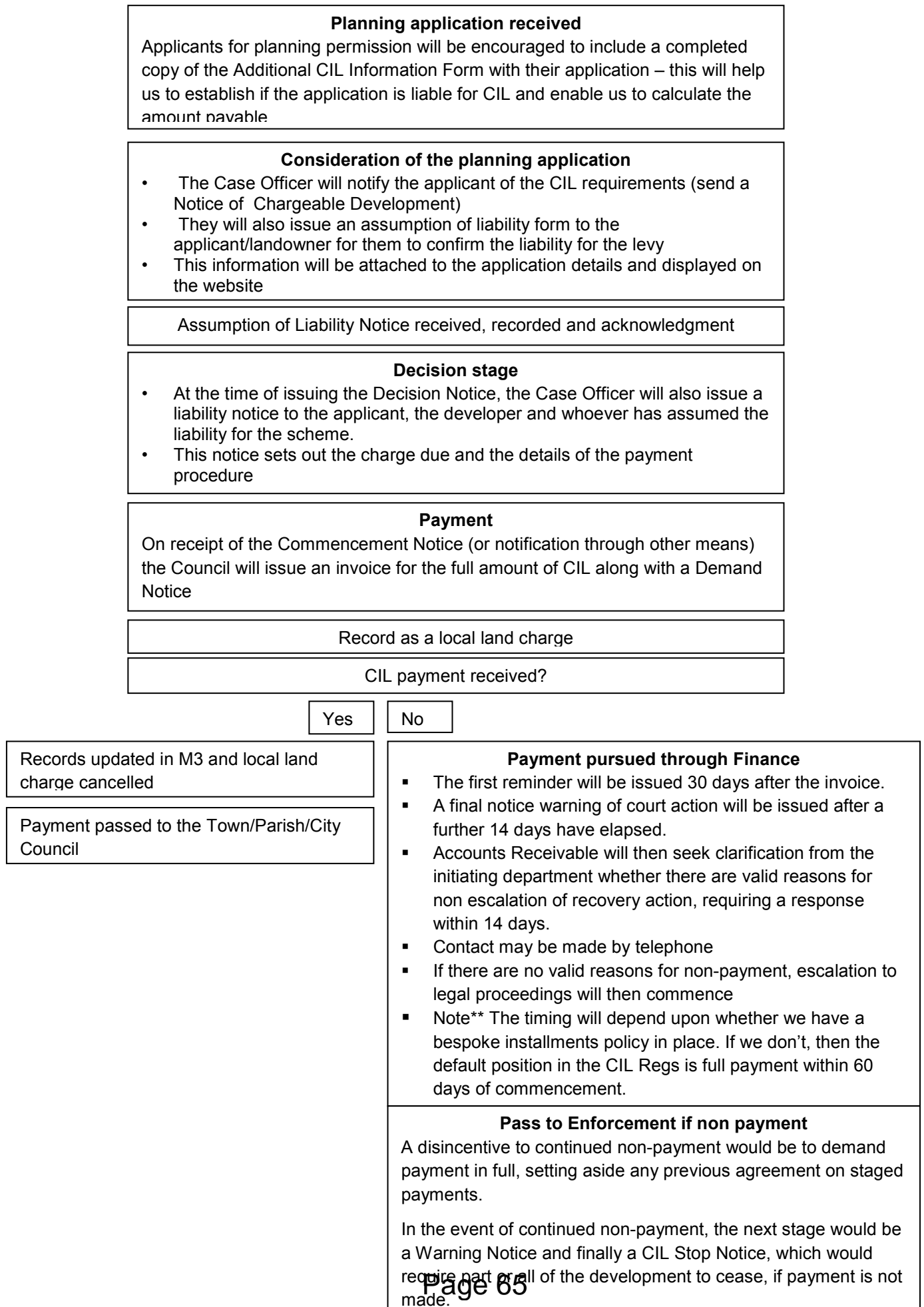
## **Appendices**

Appendix 1 Flow Chart of the CIL Process

## **Background documents**

None

## Appendix 1 - Flow Chart of the Community Infrastructure Levy (CIL) Process



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## Adoptable Estates Task Group

### Interim Report

#### **Foreword**



The most interesting scrutiny task group yet. After 18 months the only conclusion is more research. There are problems that needs addressing.

This Task Group was set up at the behest of Nigel Carter the Devizes Councillor as some estates in Devizes had been blighted by late adoption.

As we as Elected Members care for the residents of Wiltshire we conclude that those that move into new estates want them adopted as soon as possible so they receive street, lighting, refuse collection, parking restraints but most of all they have the ability to sell on if their circumstances change.

It is the latter that probably has most effect on residents. Delays in adoption of at least two years after occupation were quoted in examples. I am told that Archers Gate, Amesbury is even worse.

We asked Developers to explain the problem, we asked Wiltshire Council Officers to explain the problem.

Developers were reluctant to attend for fear of reprisal if they complained about the system.

Officers delivered text book answers to questions where clearly they saw their duty to avoid ALL risk.

If there was any one factor common to the delay it was the award of a clean bill of health for the sewers and drains.

What clearly did happen was, without exception aspects of the Planning Permission process and 106 Agreements came in for criticism.

Other key points were:-

- Lack of staff continuity.
- Nobody with an overall perception of the schemes.
- Delays by Council Solicitors on 106 Agreements and delays in changes to Agreements.
- Lack of any elected Members involvement pre drawing up of 106 Agreements i.e. in the shopping list

#### **What we recommend**

- Research into best practice by other Councils.
- An Officer who is new to the Council (a graduate trainee) to review Best Practice in other Authorities
- Funding for the research to be available from the “New Homes Bonus”
- The brief & timeline to be agreed by this Task Group
- The Report to be submitted to the Task Group for review and recommendations by end of March 2015
- The more imaginative use of Bonds to guarantee performance / payments.

My thanks are due to the two Senior Scrutiny Officers who have served the Task Group:

- Maggie McDonald
- Emma Dove

Plus to the other very patient and understanding Members of the Task Group for their experience based contributions.

- Peter Edge
- Josie Green
- Julian Johnson
- Peter Evans
- Mollie Groom
- Bridget Wayman

**Tony Deane, Chairman of the Task Group**

## **Report of the Adoptable Estates Task Group**

### **Purpose**

1. To present the findings of the Task Group to date and recommendations for the progression of the work of the Adoptable Estates Task Group, for endorsement.

### **Background**

2. The requirement for local authorities to adopt roads arose from legislation that created a duty on them to protect house purchasers against road charges. All roads that are adopted must be built to an 'acceptable standard' as determined by the Council and the Council must satisfy itself that the standard is robust enough to protect the public.
3. It is not necessary for all new roads to be adopted, although the majority of residential roads are; approximately 20% are not adopted. This could be because, for example, a management company is given the responsibility, or the owners want to retain ownership of the land (often on employment sites).
4. There are a number of consequences associated with delays in adopting roads, the majority of which being greatly detrimental to the residents of the development. These include:
  - Confusion over responsibility for repairs and maintenance;
  - Home owners are made potentially liable for repairs where s220 notice charges are imposed by the Council which shifts liability to homeowners in the event of the developer defaulting and roads are left in a substandard state;
  - Issues with anti social parking cannot be resolved via enforcement;
  - Uncertainty and frustration for residents;
  - Issues with waste collection;
  - Potential for significant delays in selling the properties;
  - Buyers may not be able to secure the necessary mortgage agreement due to some banks being unprepared to lend where roads are unadopted;
  - Raised iron works with the base course finish level being too low may cause damage to cars;

5. There are also consequences with regards to the Council and the amount of officer time spent on monitoring s106 agreements, on the other hand where a road is unadopted, it will not fall to the Council to rectify the state of roads where a developer defaults.
6. The key principle of 'what is acceptable' is robust at the planning stage. It includes an assessment of the standard of roads, including width, visibility, footpaths etc, in 2D. If a site has significant contours, it may be necessary to consider vertical alignment and a 3D assessment will be completed. The planning permission obtained by the developer will define a good level of detail. Planning conditions will be included at this stage.

## **Process**

7. At some stage after planning permission is granted (a developer may decide not to build immediately) discussions will begin to obtain an agreement under section 38 of the Highways Act 1980. The developer submits plans showing all elements of construction including technical details and materials specifications; these must be to an agreed standard for the Council to agree to adopt the road. The agreement generally follows a standard (national) format. The agreement is binding on the developer to complete works to the approved plans and timescales, and on the Council to adopt the road once it is completed.
8. The developer is required to deposit a bond to cover 100% of the works with a third party, usually a bank, to ensure that the proposed works can be satisfactorily completed in the event of any default or unforeseen occurrence.
9. 11 The agreement comprises 3 phases – Part 1, Part 2 and adoption. Part 1 requires the roads to be completed to just before the final surface is laid. The Council employs full time inspectors to check the work at key construction phases. They report back to the highways case officer who will then issue the Part 1 certificate. Once the certificate is awarded the bond is reduced to 50%. No houses can be occupied until the certificate is issued.
10. 12 Part 2 is when the work is finished, i.e. when the development is completed, but includes a period of 12 months of maintenance, within which time any defects must be repaired. The road is adopted after 12 months if there are no further problems.
11. 13 If the work is sub-standard, it is possible to claim on the bond but this would be a last resort, especially if the developer was solvent and active. This is a rare occurrence. Large sites tend to have several phased agreements, so if the Council's specifications change e.g. to use LED lighting, these could be accommodated.
12. With regard to the adoption of sewers the current order of action is:

a) Wessex Water (WW) makes a vesting declaration under s104 (Water Industry Act 1991);

b) Only then is a s38 (Highways Act 1980) agreement issued.

### **Work of the Task Group**

13. The Task Group was established prior to the elections in May 2013 based on concerns over the conditions attached to planning approvals being open to abuse or being ignored to the detriment of council activity, owner-occupiers and tenants. This is manifested in the forms of: defaulting on or being slow to pay S106 money and failing to complete the installations of lighting, sewage and other infrastructure to a satisfactory standard for adoption resulting in long delays whilst problems are resolved.

14. It was agreed that the Task Group would continue as a legacy item at the June 2013 meeting of the Environment Select Committee. Also, it was recognised that the Task Group's work was not totally independent of the CIL Task Group; Cllr Wayman sits on both Task Groups.

15. The Task Group agreed their terms of reference to be:

- Examining the regulations attaching to the drafting and the imposition of conditions;
- Examining the contractual arrangements made with Wiltshire Council;
- Reviewing enforcement processes and recommending any desirable changes;
- Reviewing the timing of and protocols for adoption, including discussions with utilities on the objectives they have for the adoption process;
- Reviewing other councils' scale of success in development adoptions and examining their protocols to identify any improvements possible to the Wiltshire Council process (Cornwall and Shropshire as large unitary authorities were suggested, specific questions to be developed).

### **Membership**

16. Cllr Tony Deane (Chairman)

Cllr Bridget Wayman

Cllr Mollie Groom

Cllr Peter Edge

Cllr Jose Green

Cllr Peter Evans

Cllr Julian Johnson

### **Evidence Gathering**

17. The Task Group met on 5 occasions, post election, and received evidence from the following:

Area Development Manager (Central)

Development Control Team Leader (Central)

Technical manager, Persimmon Homes

Service Director Economy and Regeneration

Head of Technical Support, Development Services

Head of Sustainable Transport

Design and Technical Director, Bloor Homes

Technical Manager, Bloor Homes

Developer Services Manager, Wessex Water

Engineer, Wessex Water (previously Thames Water)

Head of Legal Services

### **Persimmon Homes**

18. Persimmon Homes raised a number of areas in which they experience problems. The main area of concern was resources as a result of the upturn in the volume of planning applications being created by developers when Council resources are decreasing. It was highlighted that there has been an increase in the number of part-time development control staff, such as planners & urban designers, whose posts are not covered on non-working days, this leads to additional delays. It was suggested that if part-time posts were arranged as job shares this would be acceptable and not result in the current delays. It was also noted that the 13 week target was based on full time planners and is not achievable with the current workforce available, however the service received when in touch with staff was deemed to be helpful.

19. The pre-application process was also identified as an area of concern for the following reasons:
- delays in relation to the arranging of meetings,
  - not all consultees are present at the meetings,
  - the timeline for the process is unstructured, unlike the formal application process, resulting in delays across the programme;
  - excessive fees are levied in the form of 10% of the proposed planning application.
20. It was acknowledged that the pre-application process was intended to allow applications to be fast-tracked once received, however it is not held that this is the case and that the pre-application meeting results in a list of reasons to refuse an application. The process can be helpful but is more often protracted until a satisfactory agreement is reached and adds little value to the overall process.
21. In terms of liaising with councillors, it was agreed that it may be appropriate for councillors to be present at these meetings, however if the application was particularly sensitive this may not be the case. Furthermore, the pre-application process can be lengthy enough, thus any community engagement should be provided via a designated conduit to alleviate this. Persimmon homes identified the principle pre-application consultees to be: highways, affordable housing, landscape and urban design; as these consultees have an impact on the agreement of the overall design and layout. It was deemed appropriate to contact utilities providers post application only.
22. It was highlighted that the term 'urban designers' was unfamiliar and that it may be prudent to increase the numbers of full-time planners at the sacrifice of urban designers as case officers previously fulfilled the role of considering the aesthetics of the design.
23. A subsequent issue is surrounding consultation responses and the fact that there is not a deadline to receive responses from internal consultees as there is for external consultees, this may result in not meeting the thirteen week target. It was noted that in particular the Environment Agency can be delayed in returning their response. Support would be appreciated in co-ordinating a response to the views of consultees, particularly when they are conflicting and that planners should have more responsibility and the ability to take professional decisions.
24. The Task Group heard that an overall improved approach to project management and empowering case officers to take decisions would be greatly beneficial to the process.
25. It was explained that in relation to the adoption of roads, that Persimmon Homes pursue road completion as soon as possible, but this is affected by many factors. One factor that prohibits the completion of a road is where

heavy construction traffic is still in use. Another factor is that items are often included in the application, for example landscaping and are subsequently incorporated as a condition. There is a statutory period of eight weeks to receive a decision on a discharge of conditions, but this is rarely adhered to and results in the developer needing to prompt a response from the planners.

## **Bloor Homes**

26. The Task Group heard that one of the more frequent reasons for delays in the adoption of roads is due to the water authority - Wessex Water in Wiltshire. The water authority has its own agreement for adoption (Water Industry Act 1991, s104), which is similar to s38 in that the developer must construct the sewer to an agreed standard, which is required to be checked by inspectors and maintained for 12 months prior to adoption by the water authority. The Council will not adopt a road until the water authority has adopted the sewer so that it does not incur costs if the road has to be dug up.
27. It was noted that this has a negative impact upon residents and that they are often concerned when a road may be left awaiting adoption by the Council, even though it might be in its finished state. Until the road is adopted, it is the responsibility of the developer.
28. It was reported that developers only benefit from engagement with the highways team once planning permission has been granted, to obtain a s38 agreement. This often results in changes being required on receipt of the technical detail from the developer; despite developers being aware of the highways' requirements and including them in the specifications. Due to an effective relationship between officers, developers and their consultants, developers often commence building works prior to all agreements being in place to avoid expensive delays. An example was given in Melksham that if the developer had waited until all agreements were in place, building would have been delayed by two years. The risk in this approach is acknowledged and adjustments are made as necessary. This is demonstrative of the fact that earlier engagement would be beneficial; it was also raised that if there was a more thorough paper trail, the lack of consistency of staff would not make such an impact.
29. Where it is the intention for the roads to be adopted, this is aimed to be achieved as soon as possible. This is important in relation to the release of the bond which is held to ensure that roads are promptly adopted, as the bond may be retained indefinitely whilst roads remain unadopted. When there are delays in adoption, the developers have often left the site by the time the 12 months maintenance period begins; for obvious reasons they would prefer to be on site during this period.



30. It was highlighted that developers are not delayed by any instances of slow adoption of sewers on completion of a phase (approximately 50 – 100 homes), the top finish to the roads may be applied immediately. It was acknowledged that the Council will not adopt a road until the water authority has adopted its works; however, it was expressed that it would be beneficial for the adoption processes to be done in parallel rather than sequentially as at present and that a s38 agreement does not exclude this.

## **Wessex Water**

31. The Task Group heard that a more pro-active approach to make the procedure of adoption more efficient would be very beneficial and echoed the proposal that running the adoptions of the roads and sewers in parallel would be a positive step forward. It was reported that Thames Water did investigate this for use on strategic development sites but it failed to go any further than the consultation stage.
32. Wessex Water is also required to put up a bond but this is only 10% of the estimated cost of completing adoptable drainage works. It was noted that these bonds are rarely called in.
33. Once the sewers are adopted based on the necessary CCTV evidence being provided there is a 12 month maintenance period, after which a second submission of CCTV evidence is made to ensure that there are no flaws or damage, this would include sagging or displaced joints. The bond is returned after the second CCTV submission; this has been the procedure for many years.
34. Wessex Water expressed a keen interest in investigating how the inspection procedure may be streamlined and made more efficient, however it was noted that circumstances are not always straightforward and delays may be outside of the control of Wessex Water.
35. Large developments are typically phased, ideally the infrastructure road would be put in but this does not always happen. It is not always possible to adopt the first phase and it may be necessary for adjoining phases to be completed prior to the adoption of sewers as they must be able to discharge into the infrastructure run. The stretch of road between phase 1 and the main road can be adopted if phase 1 is complete. Phase 1 may have its final surface completed but the infrastructure road will not be done until the development is finished. All new homes are now built with water meters.
36. Each phase is subject to a s104 agreement, which requires 50% occupancy so that any construction rubbish will be cleared from the system, so the developer will start at his own risk.

37. It was proposed that the solution would be to have both the roads and sewers enter the 12 month maintenance period at the same time as the sewers. This would mean that the developers would only complete the final surface on the roads after the maintenance period has ended.
38. It was highlighted that Wessex Water do not have concerns with the planning process, as it is typically complete at the point that they become engaged.
39. The bond that the developer puts up is retained in its entirety until the end of the maintenance period to incentivise the development to be completed to match Wessex Water's specification. The bond is held by WW or as a guarantee with the NHBC and is repaid with interest.
40. It should be noted that Wessex Water actively seeks to adopt the assets and therefore have no interest in delaying or stalling the process. It was suggested that where delays occur in 5% of cases this is due to the developer. Where a development includes affordable housing, this has no impact upon Wessex Water.

## **Legal Services**

41. The Task Group were informed that Legal Services are involved with the s106 agreement process by way of ensuring that it is in legal order, subsequently a s38 agreement is prepared for each phase. Once the s106 agreement is signed, this ceases that involvement from Legal Services unless it transpires that there is an enforcement issue. At the end of the process, the Highways team issue the adoption certificate and a copy is sent to Legal Services, the s38 agreement is then closed with the agreement with all of the developers involved, particular in relation to a large site. It should be noted that a later phase cannot be adopted prior to one that is completed earlier in the process.
42. The role of Legal Services is to ensure that the Council is protected. It was noted that where a road is ready for adoption, sign-off from Highways is sought and the title and conditions are checked prior to the adoption going through. The phasing of developments do not pose concerns for Legal Services as long as they are assured that it does not put the Council at risk.
43. The typical timeline for sign-off from Legal Services from the point that the road is eligible for adoption is between two and four weeks. This timeframe allows for checking the land registry and correspondence etc. The adoption process has however become quicker with the use of email. Sign off will not generally take place until after the 12 month maintenance period is completed.

44. The Task Group was informed that the Council does not benefit from a specialist team to deal with large developments; this is managed by team leaders or senior members of staff. A level 2 solicitor would deal with a complex development; level 1 would deal with individual houses, the allocation of levels is based on experience. Complex work can be outsourced where necessary but this is used as a learning opportunity whereby a Council solicitor is still assigned to the work so that they may bring further expertise into the legal team. Where work is outsourced due to its complexity, Legal Services retain the responsibility to oversee it and provide instruction but the costs of doing so are allocated to the highways officer.
45. It was reported that developers are not inclined to spend funds on roads until houses on the development have been purchased therefore they negotiate trigger points to dictate when the roads are required to be built. It is the developer's obligation to activate the trigger point.
46. The Task Group heard that there can be delays in relation to processing adoptions due to the resources available in Legal Services. Workloads are managed in a complaints recognition system with three levels: important, urgent (possible negligence) and other. The system used is dependent on Highways and Planning officers who also have high demand on their resources; it appears that this results in a blame culture.
47. It was reported that developers are entitled to complain or question the amount of time the Council is taking in facilitating road adoption, any such complaints would go to the Corporate Director. It was noted that pursuing a complaint any further would be an unusual occurrence as it would be costly to undertake litigation.
48. It was felt that where issues are encountered, that this is often due to a change in staff, at which point the valuable background knowledge is lost and becomes open to interpretation. Issues with staff turnover and recruitment was held to be a difficulty, this includes the need to use locum solicitors.

### **Task Group Conclusions**

49. The Task Group concluded that there is not an easy Local Authority solution and that due to the conflicting evidence received by the Task Group, further investigation needs to be undertaken within the service. It is deemed that the Council is currently operating in a risk adverse manner that precludes putting residents first and resolving all issues without legal impediment on their behalf.
50. The lack of consistency throughout the process in terms of personnel creates uncertainty and delays. A key method of tackling this issue would be to instil a more project management based approach, with a single

officer to oversee the entire process. There appears to be a lack of engagement with the Highways team pre-application which leads to developers concluding that all aspects are agreed when they may actually be subject to change. This post may also go some way to alleviating the issue of other officer's workloads.

51. A lack of consistency was also identified in terms of practices across the county which requires addressing. It would be beneficial to have a key officer per area to maintain an overview and a mechanism to ensure this is shared, perhaps in the form of a 'best practice' guide to govern this and build on the regular meetings held between the area development managers and team leaders currently.

52. The lack of engagement across all involved parties was a common theme of the testimonies received, particularly in relation to councillors. Improving engagement would enable the impacts of development to be properly assessed.

53. A change of focus from enforcement to compliance would be beneficial to the process in that they would be able to identify issues at a much earlier stage.

### **Recommendations:**

**The Task Group make the following recommendations on recognition of there being a significant issue that is need of resolution:**

- 1. That due to the conflicting evidence presented to the Task Group that the Task Group is stood down in lieu of further investigation and review of the process by the service;**
- 2. That the review is completed by a suitable individual or small team who is able to take a fresh and somewhat impartial view. This may include consideration of best practice utilised elsewhere, the use of bonds, the use of New Homes Bonus monies as a means of funding the streamlining and rationalising of the planning process; a revised template for s106 agreements and the need for additional officer training;**
- 3. That the Task Group reconvene once the review has been undertaken to support its progression and implementation.**

### **Next Steps:**

An individual or team should be identified to undertake the review as previously described in preparation for the Task Group to meet with them in January to discuss the process and scope of the review. The Task Group will update the Environment

Select Committee in the process to be taken forward at its meeting on 17 February 2015.

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**Cllr Tony Deane - Chairman, Adoptable Estates Task Group**

Report Author: Emma Dove, Senior Scrutiny Officer  
01225 718071, [emma.dove@wiltshire.gov.uk](mailto:emma.dove@wiltshire.gov.uk)

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**Overview and Scrutiny Work Plan**

Committee	Review / Task Group	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Officer	STATUS (incl. date)
		Cabinet 16nd Sep	Cabinet 7th Oct	Cabinet 11th Nov	Cabinet 16th Dec	Cabinet 20th Jan	Council 3rd Feb	Cabinet 17th Mar	Cabinet 21st Apr	Cabinet 19th May		
			Council 21st Oct				Council 24th Feb			Council 12th May		

## Overview and Scrutiny Work Plan

Committee	Review / Task Group	Sep-14 Cabinet 16nd Sep	Oct-14 Cabinet 7th Oct	Nov-14 Cabinet 11th Nov	Dec-14 Cabinet 16th Dec	Jan-15 Cabinet 20th Jan	Feb-15 Council 3rd Feb	Mar-15 Cabinet 17th Mar	Apr-15 Cabinet 21st Apr	May-15 Cabinet 19th May	Officer	STATUS (incl. date)
<b>ENVIRONMENT</b>	Community Infrastructure Levy (CIL) Task Group										KE	Task Group reconvened to consider access and recording of CIL monies gained and distribution of monies to towns and parishes without neighbourhood plans. Final Report for this work to ESC Dec 14
	Waste Task Group										ED	Task Group being reconvened to discuss communications to householders.
	Adoptable Estates Task Group	Environment Sept 2014									ED	Task Group reviewing systems and communications around planning processes Report to Committee Dec 2014
	Investing in Highways										ED	Task Group due to scrutinise involvement of Area Boards and how money to be allocated.
	Car Parking Review					Review in progress					ED	Task Group to review consultation responses and report to ESC Feb 15.
	20 mph Policy				Environment Dec 2014						ED	Final report to Committee Dec 2014.
	Highways and Streetscene Contract BBLP	Environment Sept 2014									KB	Last met on 25 Nov to discuss Atkins' 2 year plan, next meeting in Jan to discuss community days and the myWiltshire app.
	Flood Plan Annual Report		Environment Oct 2014								ED	Draft Flood Plan and Management Strategy to Committee Oct 2014 Flood Risk Management Strategy



## **TASK GROUP UPDATES**

### **BBLP (Highways and Streetscene Contract) Task Group (Chairman – Cllr Jeff Osborn)**

A full update is to follow as a supplement.

### **Car Parking Review Task Group (Chairman - Cllr Mark Packard)**

The Task Group has met on 2 occasions and has also visited Bristol, Westminster and Islington Councils to view the technology they have in place, to speak with the relevant officers that orchestrated their implementation and gain their views on how the process went for them as a learning tool for the Wiltshire Council review. The Task Group has received copies of the papers from the Parking Review Project Board and Cllr John Walsh, as well as being on the Task Group, is also the scrutiny representative on the Project Board. The Task Group met again on 8 September to review the preferred option and comment on it before it goes out to public consultation. It is proposed that the Task Group will meet again after the consultation responses have been received to review them, the Task Group will then report to the subsequent Committee meeting.

### **20 mph Policy Task Group (Chairman – Cllr Peter Edge)**

The final report of this Task Group is considered as a substantive item on this agenda.

### **Adoptable Estates Task Group (Chairman – Cllr Tony Deane)**

The final report of this Task Group is considered as a substantive item on this agenda.

### **CIL Task Group (Chairman – Cllr Tony Trotman)**

The Task Group was reconvened on 9 October to consider:

- a) The way the Council is going to access, record and report on the distribution of the monies gained from CIL;
- b) The possible distribution of monies to towns and parishes with and without established neighbourhood plans.

The final report on the above piece of work is considered as a substantive item on this agenda.

### **Waste Task Group (Chairman – Cllr Jose Green)**

Following a meeting with the Executive and key officers, it was suggested that the Task Group may usefully be reconvened to look at communications sent out to householders, this was confirmed at the last meeting in October.

Due to Cllr Alan Hill and Cllr Howard Marshall stepping down from the Task Group, expressions of interest were sought in respect of the available seat, it is proposed that the membership consist of: Cllrs Jose Green (Chair), Rosemary Brown, Peter Evans, Mollie Groom, Jacqui Lay and Pat Aves.