

**CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND WASTE-  
CLLR BRIDGET WAYMAN**

**HIGHWAY AND TRANSPORT SERVICE**

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**20 MPH ZONE – OAKSEY VILLAGE**

**Purpose of Report**

1.     To:
  - (i)     Consider the comments received following the formal advertisement of a 20 mph Zone within the village of Oaksey.
  - (ii)    Recommend the making of the Traffic Regulation Order (TRO hereafter).

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

2.     The proposal meets two of the priorities in the Council's Business Plan 2017-2027. Those priorities being:
  - Priority 2 – Strong Communities. (Reduced road casualties, Reduced risk of floods, Healthier population, Good Countryside access and cycling and walking opportunities)
  - Priority 4 – Working with Partners as an innovative and effective Council – (Community involvement, Delivering together)
3.     Priority 2 has been met through the proposed introduction of a 20 mph zone to address concerns directly raised by village residents and the parish council. Addressing issues raised by members of the local community will contribute towards the building of a stronger community.
4.     Priority 4 has been met through the development of the proposals (to which this report relates) with members of the local community through the Community Area Transport Group (CATG) and the formal traffic order advertisement process.

**Background**

5.     This request has been progressed primarily through the Malmesbury CATG. This is a process by which individuals or town and parish councils can request highway improvements, which may benefit the local community.
6.     The Parish of Oaksey in the Malmesbury Community Area requested that the CATG undertakes an investigation to identify if the village would be suitable for the introduction of a 20 mph speed limit or zone. This request was considered by the Malmesbury CATG and the provision of a 20 mph zone was subsequently supported by the Malmesbury Area Board.

7. An initial assessment was carried out in October 2016 to identify whether the village met the criteria for a 20 mph restriction as set out in the Council's adopted policy<sup>1</sup>. The assessment analysed the speed and collision data for the village and compared these with the criteria set out in the policy for 20 mph speed limits and zones. Given the extensive traffic calming features already in-situ within the village it was considered that Oaksey met the criteria and was eligible for a 20 mph zone.
8. The proposal was considered and supported Oaksey Parish Council. At its meeting dated 17 June 2017 the CATG approved the scheme for implementation during the 2018/19 financial year. The parish council has committed to provide financial support to the project.

### **Summary of Proposals**

9. A TRO proposing the 20 mph zone within the village of Oaksey was formally advertised for comment on 30 August 2018. The Council's closing date for receipt of objections or other representations to the advertised TRO, together with the grounds on which they were made, was 24 September 2018.
10. Proposals are to provide a 20 mph zone within the village of Oaksey. A plan outlining the extents of the proposed limit is provided in **Appendix 1**.
11. Details of those who objected to the proposals are included in **Appendix 2** (names and addresses not shown).

### **Summary of responses**

12. Two objections have been received in response to the Council's proposals, both from residents of the village. There have been no letters of support for the proposals. There has been no comment from the local Wiltshire Council Member.
13. The objectors comments are as follows:

#### Objector 1

*"I wish to register my objection to the proposed 20mph zone in Oaksey. It is my view that the council and parish council has a responsibility to spend tax payers money responsibly and to that end I would (and have) asked what are the measurable benefits of these changes. How many lives will it save? Answer - probably none. How many major accidents will it prevent? Answer - Probably none. Minor accidents we can ignore as these can happen at any speed. It could be argued that these changes might prevent future incidents but if we are going into the realm of reading crystal balls then let's ban vehicles completely, that way the potential risk is totally eliminated. Without having some measurable benefit this is just a complete and utter waste of tax payers money at a time when councils are pleading poverty. To this end I strongly object to these proposals. The money would be far better spent in repairing the roads".*

#### Objector 2

*"The pros and cons of 20mph speed limits are not conclusive either way. To my knowledge Oaksey has not had a serious accident or fatality in the village so there does not appear to be a real need for this. Wiltshire Council is making serious cutbacks to very important services so it seems a complete waste of time, resources and money to undertake this change. Even if the cost is only a few thousand pounds that money could be better spent. If money has to be spent on Highways then a better plan would be to*

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<sup>1</sup> Wiltshire Policy on 20mph Speed restrictions V3 2017

*sort out the highly dangerous crossroads on the Oaksey to Culkerton road where it crosses the A429. There have been many accidents at this spot over the past few years and some serious injuries. I don't object to a 20mph in and of itself but I do object to spending money on it during a time of austerity. Please reconsider"*

### **Main Considerations for the Council**

14. Consideration needs to be given to the comments received on the Council's advertised proposals and whether or not changes should be made to them in light of the comments received. The Council has to balance meeting its statutory obligations as the local highway authority against the wishes of local residents. It is important to consider the comments received in the context of what both highway law and the Highway Code states on the use of the public highway.
15. The proposal has been developed following a request from the parish council and is considered to satisfy the criteria for a 20 mph zone as set out in the authority's policy on the setting of speed limits. Whilst it is acknowledged that the recorded vehicle speeds remain at or near the new proposed limit and that collision rates are already low, the desire to implement this project has been identified within the local community and the CATG.
16. The funding available for the scheme is specifically for new highway infrastructure and cannot be directed to highway maintenance activities or alternative Council services.

### **Overview and Scrutiny Engagement**

17. There are none in this scheme.

### **Safeguarding Implications**

18. There is no risk to the Council as a result of these proposals.

### **Public Health Implications**

19. There are none with this proposal.

### **Corporate Procurement Implications**

20. There are none with this proposal.

### **Equalities Impact of the Proposal**

21. There are none with this proposal.

### **Environmental and Climate Change Considerations**

22. The proposals will result in the erection of additional signs on the public highway. At present, there are minimal signs associated with the 30 mph within the village as the current 30 mph restriction is by virtue of street lighting. A 20 mph zone will require additional signing; however, this will be offset by a significant reduction in overall highway signing as the village is subject to an extensive decluttering exercise. This will be implemented alongside the new limit to improve the overall street scene and reduce the negative impact of excessive signing.

### **Risk Assessment**

23. If schemes, programmed for design or delivery within the current financial year, are not progressed the Council risks the potential of delayed delivery in subsequent years due to other funding demands and uncertainty of future budget allocations.

### **Financial Implications**

24. There is an allocation in the 2018-2019 Substantive CATG budget which allows for the design and introduction of this scheme. Should the scheme not progress, the funding would be returned to the Substantive CATG budget allocation and would be available to be put towards other schemes.

### **Legal Implications**

25. The introduction of a new speed limit requires the processing of a TRO. The process of introducing a TRO is governed by the Road Traffic Regulation Act 1984 and associated procedural regulations. Failure to adhere to the statutory processes could result in the restrictions being successfully challenged in the High Court.

### **Options Considered**

26. To:
- (i) Implement the proposed speed 20 mph zone as advertised.
  - (ii) Amend the proposals in consideration of the comments received.
  - (iii) Abandon the proposals.

### **Reason for Proposal**

27. The proposal has been developed as a result of community engagement and is fully supported by the Parish Council, Malmesbury Community Area Transport Group (CATG) and Area Board. The proposed 20 mph zone will support the existing traffic calming measures and further enhance road and pedestrian safety by encouraging reduced speeds within the village. The proposals will also be in accordance with both Priority 2 and Priority 4 of the Council's Business Plan.

### **Proposal**

28. That:
- (i) The proposals be implemented as advertised.
  - (ii) The objectors be informed accordingly.

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

None