

**CABINET MEMBER FOR HIGHWAYS, STREET SCENE AND FLOODING
CLLR NICK HOLDER**

HIGHWAYS ASSET MANAGEMENT AND COMMISSIONING

OFFICER CONTACT: Stephen Hind Email: steve.hind@wiltshire.gov.uk

REFERENCE: HSSF- 26-24

C18 FREE'S AVENUE, MARLBOROUGH
PROPOSED 40MPH SPEED LIMIT

Purpose of Report

1. To:
 - (i) Consider comments received to the advertised proposals for an extended 40mph speed limit at Free's Avenue, Marlborough.
 - (ii) Recommend the re-advert of the Traffic Regulation Order (TRO) with amendments to the original advertised proposal.

Relevance to the Council's Business Plan

2. The proposal meets two of the outcomes set out In the Council's Business Plan 2022-2032
 - Outcome 2 – Resilient society
 - Outcome 3 – Thriving economy
3. Outcome 2 – communicate with communities in a way that promotes constructive discussion, tailored to the communities needs and developing better solutions to these. To empower communities and groups to act in their local area. This outcome has been met through the development of the proposals (to which this report relates) with members of the local community through the Marlborough Area Board via the Marlborough Local Highways and Footways Improvement Group (LHFIG) which is made up of elected members and officers from both Wiltshire Council and relevant Town and Parish Councils, as well a representatives of local interest groups.
4. Outcome 3 – Deliver infrastructure to enable local communities to live, work and play locally, businesses to invest and everyone to take responsibility for the environment. Helping to build an efficient and effective transport network, including viable alternatives to the car. This outcome has been met through the proposed introduction of an extended speed limit that will address road safety concerns and help the Council fulfill statutory obligations placed upon it in its role as the local highway authority.

Background

5. The Common, adjacent to Frees Avenue is used by a range of community user groups and individuals for recreation and leisure purposes. There are 300 plus juniors who train with Marlborough Rugby Football Club on Sunday mornings and weekdays. The majority cross Frees Avenue to train on the pitches which are located on the northern side of Frees Avenue.
6. Marlborough Town Council have desired a reduced speed limit for this section of Frees Avenue following a Road Traffic Collison whereby a child was hit by a car when

crossing the road and requested an assessment be undertaken through the Marlborough Local Highway and Footway Improvement Group (LHFIG).

7. A speed limit assessment was duly undertaken which recommended an extension of the existing 40mph limit to the west, incorporating the junction with the road leading to Rockley. The subsequent recommendation was considered by the Marlborough Local Highway Footway Improvement Group and prioritised for implementation.

Consultation

8. A plan outlining the advertised proposal is shown in **Appendix 1** with the formal consultation for the proposed Traffic Regulation Orders concluding on the 11th December 2023. During the advertisement period a total of 2 items of correspondence were received in response to the proposals. Of the two items of correspondence received, one expressed support for the Council's proposals and one objected to the proposals in their current form.
9. No comments were received from the locally elected Wiltshire Councillor. However, Marlborough Town Council have indicated support in correspondence received in response to the advertised TRO and through a contribution to the scheme's implementation via the LHFIG.
10. As mentioned, one letter in support was received from Marlborough Town Council. The other letter of correspondence received, expressed objection to the proposal, particularly around concern of the proposed length and justification for the restriction.
11. This information was presented to the Marlborough LHFIG for its consideration at its most recent LHFIG meeting and following the advice of the Council's Principal Traffic Engineer, the group which included representatives of Marlborough Town Council, resolved that they did not wish for the limit to be extended as far as that originally recommended in the consultant's report.
12. The group requested that the proposal be reduced in length sufficient to include the access to the cemetery, with the remaining length of the C18 retained at the existing National Speed Limit.

Main Considerations for the Council

13. To consider the representations received during the consultation period, and subsequent request from the Marlborough LHFIG. Details of the correspondence together with officer responses to the comments are included in **Appendix 2**.

Safeguarding Considerations

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

Public Health Implications

15. There is none in this scheme.

Corporate Procurement Implications

16. There is none in this scheme.

Environmental and Climate Change Considerations

17. The introduction of speed limits requires the erection of traffic signs. These signs could be considered a visual intrusion to the streetscape. However, given that there are

existing speed limits in the locality, it is not considered that new and additional signs will negatively impact the surrounding environment.

Equalities Impact of the Proposal

18. There is none in this scheme.

Risk Assessment

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

Financial Implications

20. The proposed alterations will be funded by Marlborough LHFIFG. Should this scheme not progress the funding would be returned to the LHFIFG budget allocation and would be available to be put towards other schemes.

Legal Implications

21. All changes to existing speed limit restrictions require amendments to the TRO. The process 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

22. To:
- (i) Implement the proposals as advertised.
 - (ii) Not implement the proposals.
 - (iii) Re-advertise the proposal with amendments set out in **Appendix 3**.

Reason for Proposals

23. The proposal is intended to improve road and pedestrian safety and to reduce concerns of safety expressed by Marlborough Town Council.

The comments in the objection have been considered by the Marlborough Local Highway and Footway Improvement Group and Area Board, which includes Marlborough Town Council, which on reflection agree with the comments and subsequent suggestion to reduce the length of proposed 40mph restriction.

Proposals

24. That:
- (i) The proposals be re-advertised in accordance with the proposal outlined in **Appendix 3**.
 - (ii) The correspondents be advised accordingly.

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

None