



Report of Craig Williams

Report to Chief Officer (Highways & Transportation)

Date: 13 August 2019

Subject: Leeds 20mph Local Areas Speed Limit Programme – Phase 5

Morley South Objection Report

Are specific electoral wards affected? If yes, name(s) of ward(s): Morley South	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- The Council has a long standing ambition to provide 20mph zones and speed limits in residential areas, as endorsed by Executive and Scrutiny Boards in recent years and in line with ambitions of the Best Council Plan to make Leeds a Child Friendly City, to improve Transport and Infrastructure and to improve Health & Wellbeing. These schemes are also an integral part of the Council's Safer Roads Action Plan and have been making a major contribution to reducing road casualties which are at a record low level.
- In March 2018 Leeds City Council's Executive Board approved a programme to provide 20mph speed limits on all remaining appropriate residential streets across Leeds, effectively completing its ongoing 20mph programme.
- The speed limit Order in Morley South was advertised on the 8th March 2019 and 1 objection has been received. This report seeks approval to over-rule this objection.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The Best Council Plan 2019-21 outlines how Leeds City will achieve its ambition to become the Best City in the UK and Leeds City Council the best local authority. According to the Best Council Plan, the success of the Best Council objective: ensuring high quality public services, will be partly measured through reduced

numbers of people Killed or Seriously Injured on the city's roads. This scheme meets these objectives by providing a safer road environment.

3. Resource Implications

- There are no additional resource implications contained in this report.

Recommendations

Chief Officer (Highways & Transportation)

The Chief Officer is requested to:

- a) note the contents of this report; and
- b) consider and over-rule the objection to Leeds City Council (Speed Limit) (No.04) Order 2019 – Morley South 20mph speed limit; and
- c) request the City Solicitor to make, seal and implement Leeds City Council (Speed Limit) (No.04) Order 2019 – Morley South 20mph speed limit; and
- d) request the City Solicitor to write to the objector informing them of the Chief Officer's (Highways and Transportation) decision.

1. Purpose of this report

- 1.1 This report details objections received to a speed limit order advertised as part of the Leeds 20mph Local Areas Speed Limit Programme.
- 1.2 The report requests that this objection and the accompanying recommendation are considered and over-ruled accordingly.

2. Background information

- 2.1 In March 2018 Leeds City Council's Executive Board approved a programme of 20mph speed limits across the city. These speed limits were designed to complete the ongoing introduction of 20mph zones and limits in the city, so that all appropriate residential streets were covered by these lower speed limits.
- 2.2 The programme aims to contribute to achieving Leeds City Council's ambition to provide 20mph zones and speed limits in appropriate residential areas.
- 2.3 Lower speed limits have been proven to have significant benefit for road safety, reducing the number and severity of recorded injury collisions, and the 20mph programme is a well-established and successful element of Leeds City Council's casualty reduction programme.
- 2.4 The Executive Board report of March 2018 granted authority to advertise speed limit Orders to introduce 20mph in residential areas across the city. A speed limit Order was advertised for Morley South ward on 5 June 2018 and was subsequently withdrawn due to certain technical errors.
- 2.5 A second speed limit Order LCC (SL) (No.04) Order 2019 was advertised on 7th March 2019.

- 2.6 This report details an objection received to this speed limit order LCC (SL) (No.04) Order 2019 Morley South dated 22 March 2019 (annexed to this report as confidential background document 7.2).
- 2.7 The same objector also submitted an objection to (Speed Limit) Order (No 71) 2018, relating to Order SL71 2018 by way of a letter dated 21 February 2019 (annexed to this report as confidential background document 7.3). Part of this objection related to procedural issues.
- 2.8 The letter of objection to SL0419 referred to at para 2.6 above made clear that the procedural objections made in relation to to SL7118 also extended to SL0419 and so are dealt with in this report.

3. Main issues

- 3.1 Advertisement of the Morley South speed limit order took place between 7th March and 8th April 2019. The advertisement attracted 1 objection.
- 3.2 The objection to the Morley South order and accompanying officer comments and recommendation are detailed in Appendix A to this report.
- 3.3 The objector comments are attached to this report as confidential background document 7.2.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 All ward members in the above listed ward were consulted in April 2018. General support was expressed for the proposals. New members have been appraised of the proposals at officer briefings.
- 4.1.2 The Emergency Services and the West Yorkshire Combined Authority were consulted prior to the Executive Board report, and again on 8th March 2019 in parallel with the legal advertisements.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 The contents of this report have no further implications for EDCI beyond those in the Executive Board report of March 2018.

4.3 Council policies and the Best Council Plan

- 4.3.1 As detailed in the Executive Board report these proposals contribute to the activities and objectives of the Safer Roads Action Plan, the Leeds Transport Strategy and the Best Council Plan.

Climate Emergency

- 4.3.2 This scheme will contribute to a safer road environment within the locality, by reducing mean vehicle speeds and thus promoting more sustainable forms of transport.

4.4 Resources, procurement and value for money

- 4.4.1 There are no additional resource implications contained in this report.

4.5 Legal implications, access to information, and call-in

4.5.1 This report is not eligible for Call In.

4.5.2 Confidential background documents 7.2 and 7.3 to this report have been marked as exempt from publication under Access to Information Procedure Rules 10.4 (2) on the basis that they contain information which is likely to reveal the identity of an individual.

4.6 Risk management

4.6.1 If the objection is not over-ruled the 20mph limits as advertised cannot be completed. The benefits outlined in the Executive Board report would not be achieved.

5. Conclusions

5.1 Over-ruling this objection will allow the 20mph speed limits in Morley South to be completed on site. This will assist with achieving the ambitions set out in the report to Executive Board in March 2018 and result in a safer road environment on residential streets in this ward.

6. Recommendations

6.1 The Chief Officer (Highways and Transportation) is requested to:

- a) the contents of this report; and
- b) consider and over-rule the objection to Leeds City Council (Speed Limit) (No.04) Order 2019 – Morley South 20mph speed limits; and
- c) request the City Solicitor to make, seal and implement and Leeds City Council (Speed Limit) (No.04) Order 2019 – Morley South 20mph speed limits; and
- d) request the City Solicitor to write to the objector informing them of the Chief Officer's (Highways and Transportation) decision.

7. Background documents¹

7.1 Report to Executive Board dated 21st March 2018: Leeds 20mph Local Areas Speed Limit Programme

7.2 Objection letter dated 26 March 2019 (Exempt from publication under Access to Information Rule 10.4(2)) relating to SL0419

7.3 Objection letter dated 21 February 2019 (Exempt from publication under Access to Information Rule 10.4(2)) relating to SL7118.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix A: Summary of objections received

Order	Number of objections	Objector comments	Highways & Transportation comments
<p>LCC (SL) (No.04) 2019</p> <p>Morley South</p> <p>Objection to merits of Order (as contained in confidential background document 7.3)</p>	<p>1</p>	<p>Objecting to the inclusion of Lea Fair Court, West Lea Crescent and West Lea Drive for the following reasons:</p> <p>The roads were not included in the original draft order.</p> <p>Whilst it might be considered appropriate to include the roads, it is not necessary due to the layout of the residential roads.</p> <p>They are not dissimilar in character to Baghill Green which is not included. Whilst Baghill Green is privately maintained it is still public highway.</p>	<p>The original Speed Limit Order for Morley South was withdrawn.</p> <p>The subsequent and separate Order LCC (SL) (No.04) Order 2019 included the three roads the objector refers to as they are considered to form part of the Executive Boards ambition for 20mph speed limits to be introduced on all appropriate residential streets. The scope of the advertised Order has been determined by the Highway Authority.</p> <p>The Executive Board considers that 20mph speed limits should be introduced on all appropriate residential streets. It is understood that some streets will preclude speed above a certain level, but the overall approach is designed to reinforce the message that 20mph is now considered the suitable speed limit on residential streets and that motorists should behave accordingly.</p> <p>As a general rule, the Highway Authority does not introduce speed limit orders of roads that are privately maintained and the current programme of speed limit orders reflects this.</p>
<p>Procedural Objections to Order (as contained in confidential background document 7.4)</p>	<p>1</p>	<p>The person considering any Objections (Chief Officer, Highways and Transportation) should not have played any part in the promotion of the scheme to which the objection is made</p>	<p>Traffic Regulation Orders come under the Council's duties in relation to Highways and Transportation including a) the authority's role as a highways authority including b) maintenance of highway assets of roads, bridges, retaining walls, street lighting and associated infrastructure; c) design and delivery of major and minor highway schemes; d) development of the Council's transport policy; and e) the making of agreements for the execution of highways works under The Highways Act 1980. These accord with the Local Authorities (Functions and responsibilities) (England) Regulations 2000 (as amended) and consequently the Director of City Development is</p>

			<p>authorised in compliance with the Officer Delegation Scheme to carry out the above functions on behalf of Full Council and the Executive.</p> <p>Each Director of the Council has the benefit of a number of delegations which are set out separately in two schemes, one for Council functions(delegated by Full Council) and one for Executive Functions(delegated by the Leader of Council). Each scheme is further separated into the general functions which are shared, so that all Directors can carry out those functions in relation to areas within their remit, and specific functions which may only be carried out by or on behalf of the named Director.</p> <p>The Sub Delegation scheme details those officers who can carry out each function on the Director's behalf together with the details of any terms and conditions which the Director has imposed on that sub-delegation (these are decisions that can be taken by the City Director, or Chief Officer (Highways and Transportation) or under powers delegated by the Director of City Development's Sub-delegation Scheme.</p> <p>The specific power relating to minor and major Highway Schemes, which include Traffic Regulation Order may be discharged by the City Director but also Chief Officer (Highways and Transportation) and where relevant, the Head of Service for Highways and Transportation and consequently the same or other authorised officers are able to take the relevant decision.</p>
		The person making the decision should have sight of the objection in full.	The full grounds of objection are appended as confidential background documents 7.3 and 7.4.
		The objector should be entitled to a hearing in front of the decision maker, and prior site of the engineer's comments. This is the practice when objecting to planning applications, even though there is no legal requirement for the Council to allow this.	Highways Board is not a Planning Committee or other constituted Committee of Leeds City Council. As explained in the previous comments above, the Council's constitution permits decision making by authorised Officers and there is no requirement to invite objectors to be heard at Board