

CYNGOR SIR POWYS COUNTY COUNCIL
CABINET MEMBER DELEGATED DECISION
by
COUNTY COUNCILLOR JACKIE CHARLTON
CABINET MEMBER FOR A GREENER POWYS
January 2024

REPORT AUTHOR: Traffic Officer North, Highways & Technical Services

REPORT TITLE: Speed Limit Modifications – A489 and C2012 on approaches to Kerry Primary School.

REPORT FOR: Decision

1. Purpose

- 1.1. This report seeks to secure cabinet member authorisation for local highway authority traffic officers to commence the traffic regulation order consultation and implementation process to modify the extents of the existing speed limits and introduce new speed limits along various roads in the village of Kerry to enable the introduction of the restricted road speed limit along parts of the A489 and the C2012 within the core of the village in the vicinity of the primary school and other public facility premises where those roads are currently the subject of a 30mph speed limit.

2. Background

- 1.2. The Welsh Government's 20mph restricted roads speed limit project lowered the restricted road speed limit from 30mph to 20mph in Wales. However, that length of the A489 through the village of Kerry which was signed as 30mph was not affected by *The Restricted Roads (20mph Speed Limit) (Wales) Order 2022* legislation made by the Welsh Government which came into force on the 17th September 2023. This was because the 30mph speed limit along the A489 within Kerry was by virtue of a 30mph speed limit Traffic Order that had revoked its restricted road status.
- 1.3. Concerns regarding the speed of vehicular traffic travelling along the A489 through Kerry, particularly past the school and the village square where the church, post office and other public facility premises are located, has been expressed by local residents and the community council for a good number of years. Disappointment has also been expressed by many local residents to both the local highway authority and to the ward county councillor since September 2023 that the speed limit

along the A489 through Kerry was not lowered from 30mph to 20mph in September 2023.

- 1.4. Whilst there are advisory 20mph signs on both approaches to the school along the A489 which flash at school drop off and pick up times, some drivers are aware that the maximum 20mph speed suggested by those signs cannot be enforced by the police and continue to drive at speeds closer to 30mph or in an aggressive manner despite the clear presence and hazards associated with vulnerable road users needing to cross the A489 and/or enter/leave vehicles between the village shop and the primary school at those times.
- 1.5. It has long been Powys County Council's policy to introduce 20mph speed limits in the immediate vicinity of county primary and secondary schools. Whilst some of the roads passing these schools were previously signed as advisory 20mph speed limits when the amber lights on those signs were flashing, nearly all of those sections of road are now the subject of a regulatory 20mph speed limit since the restricted road speed limit was reduced to 20mph in September.
- 1.6. With the above in mind, it would be desirable to introduce a new traffic regulation order to convert the advisory 20mph signage to either a part time 20mph regulatory speed limit or a full time regulatory 20mph speed limit along the A489 past the primary school to safeguard vulnerable road users. Due to the restricted verge/footway widths and/or restricted forward visibility along the A489, the current locations of the advisory 20mph signage would not be suitable for the installation of pairs of speed terminal signs, so the extents of the 20mph speed limit would need to be modified slightly on both approaches to the school.
- 1.7. There is only a footway on both sides of the A489 through the village between the Kerry Lamb public house and the property known as Argoed. Site observations have shown that apart from at the recently installed zebra crossing by the Dolforgan Park development, pedestrians only tend to cross the A489 on a regular basis within the existing 30mph speed limit between the village shop and the primary school. Given that the aim of the Welsh Government's recent legislative change is to introduce a 20mph speed in areas where vulnerable road users and vehicles mix in a frequent and planned manner, and that the school is located within the core of the village near other public buildings, it is considered that a permanent 20mph speed limit would be more appropriate than a part time 20mph speed limit at this location.
- 1.8. There is sufficient verge/footway widths and forward visibility to introduce 20mph speed limit terminal signage at the property Argoed and at a point near the western boundary of the primary school site. This 20mph extent would encompass the main core of the village facilities which include the school, the village shop, the church, the chapel, the hair salon and the two public houses, where pedestrians are regularly encountered crossing the A489.

- 1.9. The existing 30mph speed limit through Kerry along the A489 to the west of the property Argoed would remain as a transitional 30mph speed limit between the new 20mph speed limit and the existing 40mph buffer zone. It is considered that the retention of this section of 30mph speed limit would result in greater driver compliance with a new 20mph speed limit within the historical core of the village.
- 1.10. On the east side of the school, the remaining section of 30mph speed limit would be too short to be retained as a transitional speed limit between the 40mph buffer zone and the new 20mph speed limit; therefore, it is proposed to extend the existing 40mph buffer zone up to the start of the new 20mph speed limit. Given the nature of the roadside frontage and environment at this location, this would be the only appropriate option that would comply with the current guidance from the Welsh Government relating to the setting of Speed Limits in rural and urban locations in Wales, and it is considered that this solution would also result in greater driver compliance with the new 20mph speed limit within the historical core of the village. This is also in line with guidance from Welsh Government which set out which roads would not generally be excepted from becoming 20mph.
- 1.11. The approximate anticipated cost associated with making this traffic Regulation Order and installing the associated signage and carriageway markings is £5k and will be funded from the Welsh Government 20mph project grant awarded to Powys County Council with the agreement of the Welsh Government.
- 1.12. The proposed new Traffic Regulation Order will modify the existing speed limits along parts of the A489 and the C2012 Common Road as previously set by the following Traffic Regulation Orders: -
 - The County of Powys (Various Roads, Kerry) (20 mph Speed Limit Zone, 30 mph Speed Limit and 40 mph Speed Limit) Order 2020.
 - The County of Powys (Various Roads) (30 mph Speed Limit) Order 2023.
- 1.13. Copies of the existing Traffic Regulation Orders as referenced above are attached at Appendix A for reference purposes.
- 1.14. To avoid any confusion and for the purposes of clarity, the proposed speed limit extents contained within the traffic order are to be identified on a plan and as written descriptions of individual speed limit extents along those roads within that Order.
- 1.15. The plans attached at Appendix B identify the extents of the proposed new and modified speed limits at Kerry and will be available to view on the Council's website during the public consultation phase of the traffic order making process.

- 1.16. The Council's statement of reasons is attached to this report at Appendix C.

3. Advice

- 1.17. No other options are available for consideration at this stage of the Traffic Regulation Order proposal process.
- 1.18. The proposals support the CIP priority of improving our transport infrastructure by making it safer for people to use the highways within Kerry and to encourage active travel movements.

4. Resource Implications

- 1.19. All costs associated with the consultation process, the implementation of the Traffic Regular Order and the associated speed limit signage, estimated at £5k, will be funded by the Welsh Government as part of their 20mph project for restricted roads in Wales.
- 1.20. The Head of Finance (Section 151 Officer) notes the content of the report and can support the recommendation.

5. Legal implications

- 1.21. The Principal Legal Assistant (North) has reviewed the proposals which appear appropriate to the circumstances and lawful as long as the correct process is followed.
- 1.22. The Head of Legal Services and the Monitoring Officer has commented as follows: "I note the legal comment and support the recommendations".

6. Climate Change & Nature Implications

- 1.23. As the proposal relates purely to the introduction of a lower speed limit in front of the primary school and the other public facility premises within the core of the village, the proposal will have no negative impact with respect to the Council's Climate and Nature emergency declarations.

7. Data Protection

- 1.24. Personal data will be collected from responses to the public consultation and is essential to undertake this statutory requirement for making a Traffic Regulation Order. This data will be collected and managed in

accordance with the privacy notice that is published on the Traffic Order Consultation page on our website.

- 1.25. The Data Protection Officer notes the processing of personal data in connection with this proposal and under the given privacy notice and has no further comments to make.

2. Comment from local member(s)

- 2.1. The proposal will affect residents, businesses, visitors and traffic passing through Kerry. County Councillor Benjamin Breeze has expressed his support for the new speed limit proposals, as has Dyfed-Powys Police.

9. Impact Assessment

- 2.2. An impact assessment is not required. Representations from the public and any other interested parties will be considered following the legally specified public consultation procedure associated with the processing of a Traffic Regulation Order.

10. Recommendation

Recommendation:	Reason for Recommendation:
To resolve that the Traffic Regulation Order consultation procedure is initiated in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 for the proposed modifications of the existing speed limits along parts of the A489 and the C2012 in the village of Kerry as set out in the plans in Appendix B; and if no substantive objections are received the proposal be implemented.	To modify the extent of the existing 40mph speed limit along part of the A489 road at Kerry, to enable the introduction of the restricted road speed limit along parts of the A489 and the C2012 within the core of the village in the vicinity of the school and other public facility premises where those roads are currently the subject of a 30mph speed limit, to mitigate speed concerns and to set a speed limit which respects the aims of the Welsh Government's recent legislative change to introduce a 20mph speed in areas where vulnerable road users and vehicles mix in a frequent and planned manner.

Relevant Policy:	Corporate Improvement Plan 2021-25 : Improve our Infrastructure to Support Regeneration and Attract Investment - We will actively compete for any grant funding opportunities, and subject to such funding, deliver transport infrastructure projects, develop active travel, support suitable transport options and improve road safety.
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Within Policy:	Y / N	Within Budget:	Y / N
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Relevant Local Member(s):	Cllr. Benjamin Breeze - member for the Kerry ward.
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Person(s) To Implement Decision:	Chris Lloyd
Date By When Decision To Be Implemented:	As soon as possible

Is a review of the impact of the decision required?	Y / N
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Background Papers used to prepare Report:

- **Appendix A** – Existing Traffic Regulation Orders.
- **Appendix B** – Extents of the proposed new and modified speed limits at Kerry along the effected roads.
- **Appendix C** – Council’s Statement of Reasons.