

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984 – SECTION 84

**BARBY ROAD AND ONLEY LANE, DUNCHURCH –
PROPOSED 40 MPH SPEED LIMIT ORDER**

STATEMENT OF REASONS

1. BACKGROUND

Warwickshire County Council is proposing to make a Speed Limit Order, pursuant to section 84 of the Road Traffic Regulation Act 1984, the effect of which will be to introduce a 40 mph speed limit on those lengths of Barby Road and Onley Lane, Dunchurch which are described in the Schedule below.

A developer funded s278 scheme is proposed to be carried out, which would include the introduction of a traffic signal-controlled junction at the junctions of Ashlawn Road, Barby Road and Onley Lane, with associated pedestrian facilities and a toucan crossing.

The proposals also include a reduction of part of the existing national speed limit on Barby Road and Onley Lane to 40 mph, as described in the Schedule 1 below, for the safe operation of the traffic signal-controlled junction and crossing.

The proposed speed limits are required for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.

A Road Safety Audit has been undertaken and have not raised any concerns with the introduction of the proposed 40mph speed limit

2. PROPOSALS

It is proposed to reduce the existing national speed limit, to a speed limit of 40 mph, on those lengths of Barby Road and Onley Lane which are described in the Schedule below.

The introduction of reduced speed limits at this junction is proposed in conjunction with the installation of the new traffic signal-controlled junction and crossing. The traffic signal-controlled junction and crossing changes the character and function of the existing priority junction. A lower approach speed would reduce vehicle stopping distances within the forward visibility zone of the traffic signals and at the junction, and reduce the risk and severity of collisions involving pedestrians and/or cyclists.

3. LEGAL FRAMEWORK

The Road Traffic Regulation Act 1984 enables Warwickshire Council to make Orders prohibiting the driving of motor vehicles on a road at a speed exceeding that specified in the Order.

Speed Limit Orders remain in force until superseded or revoked.

The Department for Transport's Circular 01/2013 'Setting Local Speed Limits' (updated March 2024) should be the basis for assessments of local speed limits, for developing route management strategies and for developing speed management strategies required as part of the Local Transport Plan process. Circular 01/2013 requires that "speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance. Speed limits should be seen by drivers as the maximum rather than a target speed. Traffic authorities set local speed limits in situations where local needs and conditions suggest a speed limit which is lower than the national speed limit."

In deciding whether or not to make a Traffic Regulation Order, Warwickshire County Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable having regard to the matters specified in section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway. This requires the Council to weigh up several factors when deciding to proceed with a proposal.

The matters to which the Council must have regard are:-

- the desirability of securing and maintaining reasonable access to premises
- the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run
- the national air quality strategy prepared under section 80 of the Environmental Protection Act 1995
- the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles
- and any other matters appearing to the Council to be relevant

Therefore, whilst the overall objective of the Council must be to secure the expeditious convenient and safe movement of vehicular traffic this will sometimes need to give way to the objectives in section 122(2) and a balance has to be achieved between the overall objective and the matters set out in section 122(2).

The Council, as the Traffic Authority, is required to have regard to its duty under section 16 of the Traffic Management Act 2004, to manage the local road network to achieve as far as possible:

- securing the expeditious movement of traffic on the local road network; and
- facilitating the expeditious movement of traffic on road networks for which another authority is the Traffic Authority,
- having had regard to its other obligations, objectives and policies as far as possible.

The Council is required to have regard to its duty under section 149 of the Equality Act 2010 in the making of these proposals, and give regard to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Thorough consideration was given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004 in proposing this Speed Limit Order.

Thorough consideration was given to the equality's duty of the Council under Section 149 of the Equality Act 2010

3. SCHEDULE

Barby Road/Onley Lane, Dunchurch 40mph Speed Limit Schedule

Onley Lane

From its extended southern kerb line with B4426 Ashlawn Road for a distance of 96 metres in a south-easterly direction.

Barby Road

From its extended northern kerb line of B4426 Ashlawn Road for a distance of 88 metres in a north-westerly direction

4. Existing Order to be revoked.

No

5. Plans

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Ends.