

## Members' Library Service Request Form

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Originator	Ian Lennox; Team Manager, Asset & Regulatory, Road Services
Originator's Ref (if any)	N/A
Document Title	Objections to County-wide Traffic Regulation Order "East Lothian Council Various Speed limit Amendments"

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Authorised By	Douglas Proudfoot
Designation	Executive Director, Place
Date	22/06/22

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**REPORT TO:** Members' Library Service

**MEETING DATE:**

**BY:** Executive Director of Place

**SUBJECT:** Objections to County-wide Traffic Regulation Order  
"East Lothian Council Various Speed limit  
Amendments"

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## **1 PURPOSE**

- 1.1 The purpose of this report is to acknowledge and note a number of objections to the proposed Traffic Regulation Order (TRO), East Lothian Council Various Speed Limit Amendments. The report also provides responses to the objections and sets these aside.

## **2 RECOMMENDATIONS**

- 2.1 That elected members:
- note the objections received; and
  - note the decision of the Head of Infrastructure under delegated powers to set aside the objections and approve the making of the TRO as advertised.

## **3 BACKGROUND**

- As part of the East Lothian Council response to the Covid pandemic an 18-month Experimental Traffic Regulation Order (ETRO) came into effect on 12<sup>th</sup> October 2020 reducing the speed limit at various locations within East Lothian to 20mph.
- Following the 18-month ETRO, a review of the effectiveness of the speed limits and an extensive public consultation in October-November 2021, on 8<sup>th</sup> March 2022 ELC Cabinet approved the initiation of the statutory procedure to make permanent the 20mph speed limits with some minor adjustments to boundaries.

- A permanent TRO was advertised in April and May 2022. In accordance with applicable legislation, adverts were placed in the local press and copies of all the relevant documents were made available for viewing at reception, John Muir House, Haddington
- In addition to the legislative requirements set out in paragraph 3.1.3 above, electronic copies of all the relevant documents were made available on the Council’s website and on the Scottish Government’s public information gateway, tellmescotland.gov.uk.
- At the end of the formal consultation period, the Council had received a total of 23 objections, 2 general comments and 33 messages supporting the changes. 15 of the objections were duplicates generated by a social media post, which left 8 unduplicated objections.
- A summary of the objections and officers' responses are contained within appendices 1 and 2 of this report. All persons objecting have received a written response acknowledging their objection.

#### **4 POLICY IMPLICATIONS**

4.1 These proposals will contribute towards fulfilling the East Lothian Plan 2017-2027, in particular:

- Outcome 2.1: “East Lothian has strong resilient communities where people respect and support each other” and
- action (k) “we will make our roads safer, including a focus on making journeys safer for cyclists and pedestrians of all ages and abilities

#### **5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial – All costs involved in connection with consultation, advertising, design and implementation associated with the making of these Orders can be accommodated within agreed budgets.

6.2 Personnel - None

6.3 Other – None

<b>AUTHOR’S NAME</b>	Ian Lennox
<b>DESIGNATION</b>	Roads Asset and Regulatory Manager
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<b>DATE</b>	14 <sup>th</sup> June 2022



## APPENDIX 1: OVERVIEW OF OBJECTIONS

East Lothian Council gave notice of the intention to make Orders under 82(2), 83(2) and 84 (1) & (2) of the Road Traffic Regulation Act 1984 to vary speed limits at various locations throughout East Lothian.

<https://www.tellmescotland.gov.uk/notices/east-lothian/traffic/00000270996>

The notice was displayed for five weeks online from 18 April 2022 to 27 May 2022, and was advertised in the East Lothian Courier.

Communications received were:

- 2 x general comments
- 33 x emails of support
- 23 x objections

These are summarised below and responses to the objections are detailed in appendix 2.

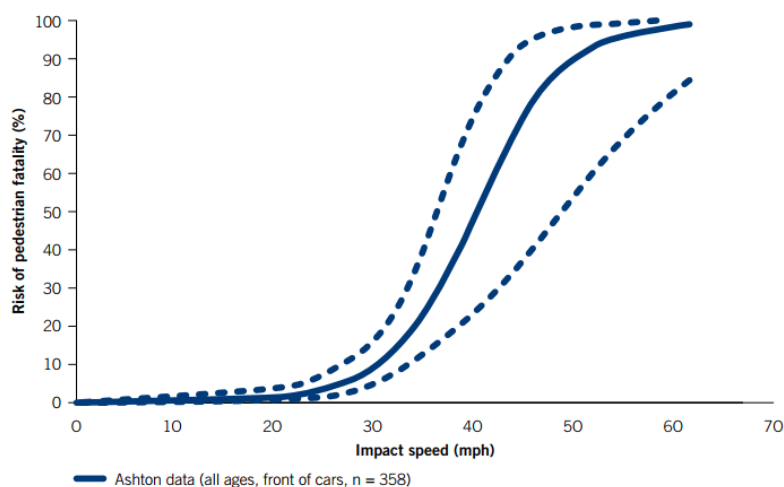
The general comments were simply notifications of reports to police on speeding traffic.

The emails of support were often passionately in favour and reported how much safer the trial limits had made the roads feel. They expressed the need for better enforcement and additional traffic calming.

The objections came from a range of different viewpoints, with some simply stating a blanket rejection of the ideas and others going into detail about the inconvenience to drivers, and asserting that slower speeds will make the roads less safe and increase pollution.

We do not agree with either of these positions, and point to extensive evidence that slower speeds reduce the severity of collisions, and the number of casualties:

Figure 2: Risk of pedestrian fatality calculated using logistic regression from Ashton and Mackay data.



Note: dashed lines give margin of error.

Source: Richards, D.C (2010) Relationship between Speed and Risk of Fatal Injury: Pedestrians and Car Occupants, Road Safety Web Publication No. 16, Department for Transport, London.

There also seems to have been a misunderstanding about the proposals, with objectors failing to realise that we had made adjustments to the boundaries based on responses to the consultation carried out in October-November 2021. This is understandable given that the signing on the roads has not yet been updated to what is now intended to be made permanent.

A Facebook article appeared on a Dunbar page on 18<sup>th</sup> May 2022 and shortly afterwards 15 objections were received directly relating to the post. This post noted that consultation in Dunbar in 2019<sup>1</sup> had established a desire for 20mph on all roads in the town 'except for arterial routes', and suggested that the views of people in Dunbar were being ignored. However, the current proposals have superseded this process, and the new East Lothian Council Speed Limit Policy adopted in March 2022 makes clear the need for consistency for towns across the county. Nevertheless, arterial routes are not subject to 20mph unless they are also within a built-up area, and some modifications have been made to the boundaries which were originally proposed for Dunbar.

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<sup>1</sup>Members Library Report Item 12/20 January 2020

[https://www.eastlothian.gov.uk/meetings/meeting/16536/members\\_library\\_service](https://www.eastlothian.gov.uk/meetings/meeting/16536/members_library_service)

## APPENDIX 2: RESPONSES TO OBJECTIONS

Objection	Raised in objection numbers	Response
Simple statement of objection	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 16, 17, 20, 21, 22, 23	23 people and 1 community council have formally objected to this change
Current limits are largely ignored	1	Significant speed reductions have been observed. Speed measurements were undertaken at 45 sites before and during the trial. 85% of vehicles are now travelling at less than 30mph, when previously only 75% were doing so. Over half (55%) of vehicles are travelling at less than 25mph.
Buses and large vehicles need to go above 20mph to negotiate an incline	1	Lothian Buses formal response to the statutory consultation was that they had no comments to make. The other local bus operators were consulted but did not respond.
Unsafe behaviour is encouraged as drivers become frustrated at slow speeds	1, 6, 14	Rejected. This has not been observed in increased incidents.
The consultation for Dunbar undertaken in 2018 should take precedence. The consensus then was 20mph on all except arterial routes.	1, 2, 4, 7, 19	The earlier proposals for Dunbar which were to be taken forward in May 2020 were overtaken by the pandemic. Since then a new Speed Limit Policy has been agreed for East Lothian. This ensures a consistency of approach across the authority area. Speed limits within built-up areas and areas with high pedestrian activity will be set at 20mph.
20mph limits cause more pollution on arterial routes	2, 6, 18	20mph is only promoted for built-up areas and places with high pedestrian activity. Where arterial routes are outside built-up areas, the speed limit will be higher in accordance with the new Policy
Lower speeds in diesel cars results in larger soot particles.	2	While it is true that diesel engines emit more soot particles at low speeds, it has been compulsory to fit diesel cars with particulate filters (soot traps) since 2009 <sup>2</sup> ..
Lower speeds increase fuel use	5, 15, 21, 22	Ever tighter regulations on vehicle manufacturers (Euro standards) continue to ensure that pollutants are driven down,

<sup>2</sup> [Euro 1 to Euro 6 – find out your vehicle's emissions standard | RAC Drive](#)

		<p>regardless of vehicle speed. From 2030 it will not be possible to buy a new petrol or diesel car in Scotland, and electric cars will be a significant proportion of the total number of vehicles on the roads.</p> <p>In addition, as a result of reduced acceleration and braking, 20mph may help to reduce fuel consumption and associated emissions.</p>
Exercise has been a waste of money / Money should be spent on other priorities	7, 22	This project has been externally funded, and is largely complete. It would cost more to remove the new signs than it would to erect the new ones that are required for greater visibility.
The measures have not been discussed at a council meeting / are undemocratic	8, 14, 18, 19	All Members were made aware of the Spaces for People interventions (including temporary reduced speed limits) through frequent briefings throughout the pandemic and reports were submitted to the Members Library <sup>3</sup> . Members took every opportunity to relay comments from their constituents as the limits were implemented on the ground, and adaptations have been made as a result. The proposals were the subject of an independent county-wide consultation in Oct-Nov 2021 and comments were again taken on board. The final scheme was presented and approved at a Cabinet meeting on 8th March 2022 <sup>4</sup> .
20mph speed limits should be restricted to towns and villages, not on arterial roads	9, 11	This is the case.
Lower speed limits should be restricted to schools at school times.	21, 22	Not accepted. Children and vulnerable people use the roads at all times of day for many activities, not just attending school. They travel to school from homes that may be some distance from the campus.
The new limits are confusing	14, 15	Similar comments were received at the consultation in 2021, and boundaries have been revised accordingly
Speed limits should be decided on a case-by-case basis	15	This will be the case going forward, but this blanket proposal gives us a new starting point in general accordance with the new Policy.
Lower speeds do not reduce the number of roads traffic incidents	15, 21	It has been demonstrated beyond doubt that lower traffic speeds reduce the severity of casualties in the event of an incident.

<sup>3</sup> Members Library Report Item 13/21 January 2021

[https://www.eastlothian.gov.uk/meetings/meeting/16708/members\\_library\\_service](https://www.eastlothian.gov.uk/meetings/meeting/16708/members_library_service)

Members Library Report Item 85/21 August 2021

[https://www.eastlothian.gov.uk/meetings/meeting/16800/members\\_library\\_service](https://www.eastlothian.gov.uk/meetings/meeting/16800/members_library_service)

<sup>4</sup> [https://www.eastlothian.gov.uk/meetings/meeting/16807/members\\_library\\_service](https://www.eastlothian.gov.uk/meetings/meeting/16807/members_library_service)



The additional traffic generated by lockdown conditions has disappeared	15	Rejected. Lockdown significantly reduced the number of vehicles on the roads, and traffic numbers have recovered to higher than they were in 2019.
Lower speed limits will not / cannot be enforced by police	15, 23	The police have been included in the discussions and will enforce the speed limits in accordance with local priorities, to the same extent that existing speed limits are enforced
Drivers' attention is compromised at low speeds	18	This is not accepted.
The consensus for the speed limits to remain is inaccurate due to the consultation being biased.	23	Rejected. Over 3000 responses were received to an independent consultation which asked whether the temporary reduced speed limits should be retained. Only 8% wanted them removed in their entirety, while 21% wanted them extended. The majority voted for keeping "some, but not all, of the 20mph limits" and the boundaries have been reviewed in response to detailed comments received during that consultation.
Provision for regulating the speed of vehicles on roads shall not be made by a traffic regulation order <sup>5</sup> .	23	Not relevant. We do not propose to regulate the speed of vehicles, but to regulate the use of the road.
National guidance <sup>6</sup> notes that Police Scotland prioritise causality and collision reduction with regards to enforcement, rather than general amenity and supporting walking and cycling. The areas where Average Speed increased should not be made permanent as it has been shown that the signage only measures are inadequate.	23	This is guidance only. In any case, police local priorities are set by Community and Police Partnerships. The new arrangements will continue to be monitored, and where compliance levels are not at an acceptable level, consideration will be given to enforcement, the addition of traffic calming measures or reverting to a 30 mph limit, if necessary
ELC failed to take the required average speed measurements to determine the need for blanket speed limit changes.	23	Rejected. Our recommendations were based on average speed limits across the county, and adjustments have been made in areas where compliance was poor.

<sup>5</sup> Road Traffic Regulation Act 1984 S3.3 <https://www.legislation.gov.uk/ukpga/1984/27/section/3>

<sup>6</sup> Setting local speed limits. Department for Transport. 18 January 2013

[Good Practice Guide on 20mph Speed Restrictions. Transport Scotland. June 2016. Version 2](#)