

**CORPORATE SERVICES DEPARTMENT**  
Director – Caroline Holland



**Democracy Services  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX**

**Direct Line: 0208 545 3357  
Email: democratic.services@merton.gov.uk**

**Date: 7 November 2019**

Dear Councillor

**Notification of a Decision taken by the Cabinet Member for  
Regeneration, Housing and Transport**

The attached non-key decision has been taken by the Cabinet Member for Regeneration, Housing and Transport with regards to:

- **Proposed 30mph Speed Limit – Bushey Road (Martin Way to Grand Drive)**

and will be implemented at **noon on Tuesday 12 November 2019** unless a call-in request is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

**Amy Dumitrescu  
Democracy Services**

**NON-KEY DECISION TAKEN BY A CABINET MEMBER UNDER DELEGATED AUTHORITY**

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

**Title of report:** PROPOSED 30 MPH SPEED LIMIT – BUSHEY ROAD (Martin Way to Grand Drive)

**Reason for exemption (if any) – N/A**

**Decision maker**

Councillor Martin Whelton, Cabinet member for regeneration, housing and transport

**Date of Decision**

7 November 2019

**Date report made available to decision maker**

28<sup>th</sup> October 2019

**Decision**

Having considered the officer's recommendations and the representation, I agree to the making of the TMO and the implementation of the proposed 30mph speed limit on Bushey Road, between its junction with Martin Way and its junction with Grand Drive

I agree not to hold a public inquiry on the consultation process.

**Reason for decision**

This proposal will improve the general road safety environment.

**Alternative options considered and why rejected**

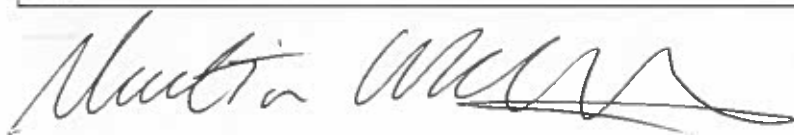
Do Nothing. This, however, would be contrary to the Council's commitment in delivering a lower speed limit thereby improving perception, experience and road safety

**Documents relied on in addition to officer report**

N/A

**Declarations of Interest**

N/A



Cllr Martin Whelton  
Cabinet member for regeneration, housing and transport  
7 November, 2019

## Delegated Report

### Cabinet Member for the Cabinet Member for Regeneration, Housing & Transport:

**Date:** 28<sup>th</sup> October 2019

**Agenda item:** N/A

**Wards:** Cannon Hill and Dundonald.

**Subject:** PROPOSED 30 MPH SPEED LIMIT – BUSHEY ROAD (Martin Way to Grand Drive)

**Lead officer:** Chris Lee, Director of Environment & Regeneration

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration Environment, Housing & Transport

**Forward Plan reference number:** N/A

**Contact Officer:** Abobaker Abdalla 0208 545 3690

**Email:** Abobaker.Abdalla@merton.gov.uk

### Recommendations:

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That the Cabinet Member considers the issues detailed in this report and

- A) Notes the result of the statutory consultation that was carried out between 27<sup>th</sup> of September and 18<sup>th</sup> of October 2019 to reduce the speed limit from 40 mph to 30 mph on Bushey Road (the A298), between its junction with Martin Way and its junction with Grand Drive as shown on plan No. Z73-27-01 attached in Appendix 1.
- B) Considers the representation received in response to the statutory consultation for reducing the speed limit on Bushey Rd attached in Appendix 3.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the proposed measure as shown in plan No. Z73-27-01 attached in Appendix 1 and as set out in section A above.
- D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report presents the result of the statutory consultation carried on the Councils' proposals to reduce the speed limit from 40mph to 30mph along Bushey Rd as set out in section A above and as shown on plan No. Z73-27-01 attached in Appendix 1.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the above proposal as shown in Drawing No. Z73-27-01 attached in Appendix 1.

## 2. BACKGROUND

- 2.1 As part of the borough wide 20mph speed limit phase 5, all roads except for Bushey Rd (between its junction with Martin Way and its junction with Grand Drive) are now subject to a 20mph speed limit. Currently Bushey Road is subject to 40mph speed limit. Given its nature it is considered that 20mph may be unsuitable for this road but 40mph speed limit is considered to be high. Consequently, it is considered that 30mph would be more reasonable.
- 2.2 To facilitate this reduction, a separate statutory consultation was carried out for this section of Bushey Rd.

### **3. PROPOSED MEASURES**

- 3.1 It is proposed to reduce the speed limit from 40mph to 30mph on Bushey Road (the A298), between its junction with Martin Way and its junction with Grand Drive (as shown on plan No. Z73-27-01 attached in Appendix 1). This is believed to be more of a reasonable speed limit than either 40mph or 20mph.
- 3.2 The proposal include the installation of signs throughout the affected road and '30 roundel' road markings. Some of the road markings in the area will be refreshed. Where possible existing lamp columns / posts will be utilised for the required signs. It is important to note that there is no legal requirement for 30mph signs and road markings along the route itself; signs and road markings will be introduced at entry and exit points of differing speed limit.

### **4. CONSULTATION**

- 4.1 To legally reduce the existing speed limit of 40mph to 30mph, the Council carried out a statutory consultation between 27<sup>th</sup> September and 18<sup>th</sup> October 2019. The consultation included the erection of street Notices on lamp columns in the affected roads and the publication of the Council's intentions in the Local Guardian and the London Gazette. A copy of the proposed plan was also available at Wimbledon library and at the Link, Merton Civic Centre; the plan was also posted on the Council's website. Given the number of properties in the identified catchment area; limited available funding and resources and the fact that the Council is not legally obliged to do a door to door newsletter, the Council decided to engage the local community through Ward Councillors.
- 4.2 The consultation resulted in one representation, which is detailed in Appendix 3 along with officer's comment.
- 4.3 All Emergency Services have been consulted and no objections have been raised.

### **5.0 RECOMMENDATIONS**

- 5.1 It is recommended that the Cabinet Member considers the representations received along with officer's comments and approves the making of the Traffic Management Order and the implementation of the proposed 30mph speed limit. If agreed the works will be carried out soon after within 2019 / 20 financial year.

### **6.0 ALTERNATIVE OPTIONS**

- 6.1 Do Nothing. This, however, would be contrary to the Council's aspirations of a lower speed limit throughout the borough thereby bringing about a change in driver behaviour.

### **7.0 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 7.1 The cost of implementing this scheme is estimated at £3k. This includes the cost of the statutory consultation, signs / road markings and making of the relevant Traffic Management Orders.
- 7.2 The cost of this scheme will be funded by TfL via the borough's LiP allocation for 2019/20.

### **8.0 LEGAL AND STATUTORY IMPLICATIONS**

- 8.1 The Traffic Management Orders for a limit would be made under Section 84 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local

Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.

- 8.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.

## **9. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 9.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The needs of those outside the catchment area and local residents are given consideration but it is considered that improving safety on the borough roads take priority albeit incrementally.

- 9.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.

- 9.3 The implementation of 30mph speed limit affects all sections of the community especially the young and the elderly; and assists in improving safety for all road users as well as achieving Merton's commitment in reducing speed, casualty and severity of road traffic accidents.

## **10. CRIME AND DISORDER IMPLICATION**

- 10.1 N/A

## **APPENDICES**

The following documents are to be published with this report and form part of the report.

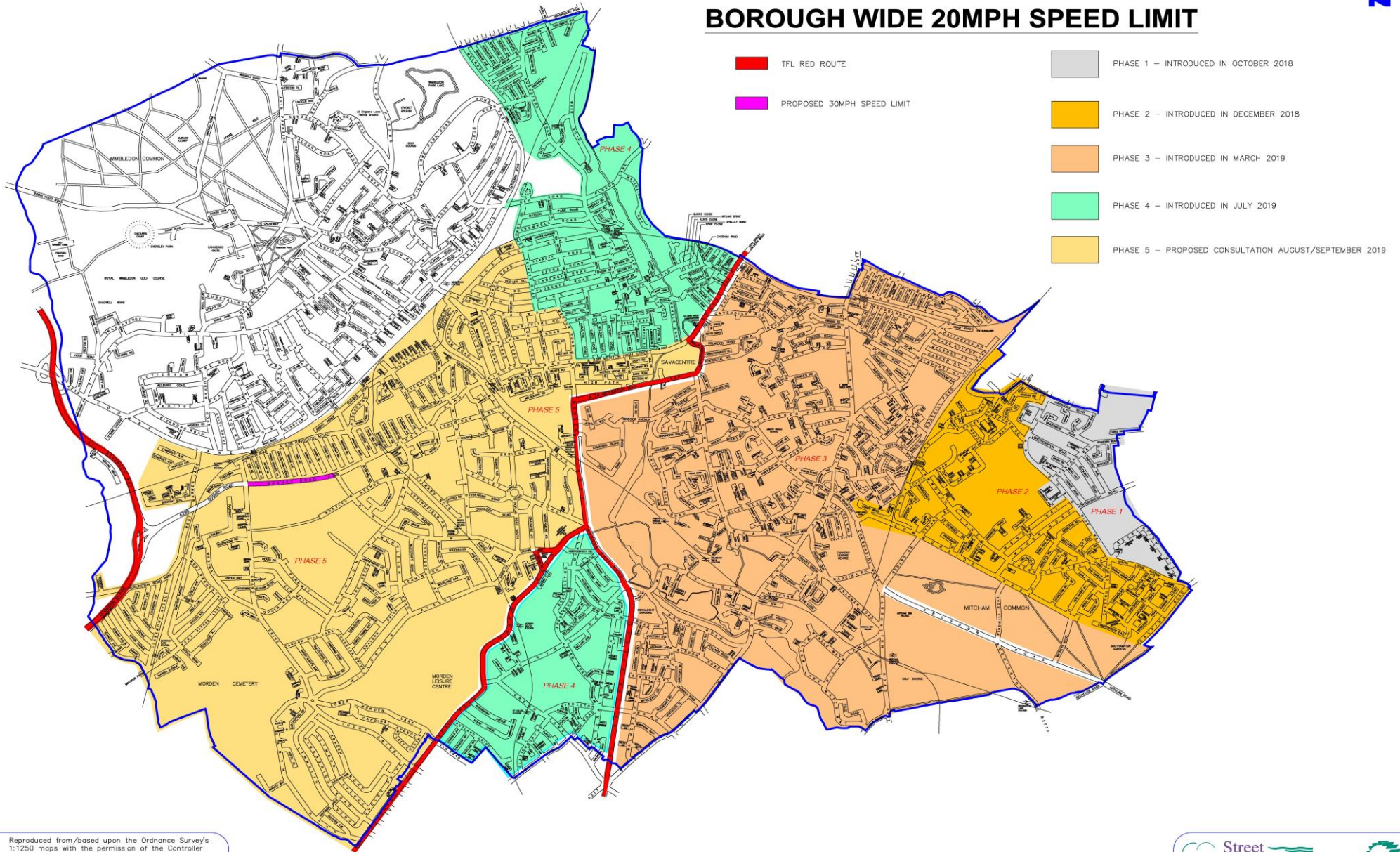
Appendix 1 – Plan of proposals Z73-27-01

Appendix 2 – Statutory consultation

Appendix 3 – Representation



### BOROUGH WIDE 20MPH SPEED LIMIT



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London Borough of Merton 100019259 2014



**LONDON BOROUGH OF MERTON**

**PROPOSED BUSHEY ROAD 30 MPH SPEED LIMIT**

**THE LONDON BOROUGH OF MERTON (RESTRICTED ROAD) (NO. \*) TRAFFIC ORDER 201\***

1. NOTICE IS HEREBY GIVEN that the Council of the London Borough of Merton, propose to make the above mentioned Order under sections 82 and 83 of the Road Traffic Regulation Act 1984, as amended, and all other enabling powers.
2. The general effect of the Order would be to reduce the speed limit from 40 m.p.h to 30 m.p.h. on Bushey Road (the A298), between its junction with Martin Way and its junction with Grand Drive.
3. A copy of the proposed Order, a plan identifying the area affected by the proposed Order and the Council's Statement of Reasons for making the Order can be inspected during the Council's normal office hours on Mondays to Fridays inclusive at:- Merton Link, Merton Civic Centre, London Road, Morden, Surrey.
4. Any person desiring to make representations or to object to the proposed Order should send a statement in writing of their representations or objections and the grounds thereof, to the Environment and Regeneration Department at the Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX or alternatively by email to [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) quoting the reference ES/BUSHEYROAD30MPH no later than 18 October 2019.

Dated 27 September 2019.

FutureMerton Manager  
London Borough of Merton  
Merton Civic Centre,  
London Road  
Morden,  
Surrey SM4 5DX

**Objection****Wilton Road****ES/BUSHEYROAD30MPH**

I object to your proposed order to reduce the speed limit on Bushey Road.

This section of Bushey Road is a dual carriageway which does not have buildings opening immediately adjacent to the carriageway. There is a segregated cycleway and segregated footway, therefore only motor traffic needs to use the carriageway. As far as I am aware, there have not been a significant number of speed-related, major collisions on this stretch of highway.

The Department for Transport's guidelines are that you should not reduce a speed limit if the 85th percentile speed of free-flowing traffic implies that a higher limit is more appropriate. Although I do not know what the 85th percentile of the speed of free-flowing traffic at this section of road is, my empirical observations of using Bushey Road are that virtually all motor vehicles will drive at a minimum of 40 mph when conditions are good, therefore the 85th percentile of free-flowing traffic clearly implies a speed of at least 40 mph.

You say that lower speeds improve physical and mental health. You have not provided any evidence of how this would be the case on this road, given that the footway is completely segregated from the carriageway. On the contrary, the only change to mental health will be that of motor vehicle users, who will be frustrated at having to obey an artificially low speed limit.

You say that lower speed will reduce air pollution. The Edinburgh Centre for Carbon Innovation commissioned the Transport Research Laboratory to provide independent evidence of the effects of speed on air pollution. One of the conclusions of the report, in 2012, is that, all other things being equal, motor vehicles which travel at 40 mph emit fewer pollutants than if they were to travel the same distance at 30 mph. This therefore contradicts your air pollution argument for reducing the speed limit from 40 mph to 30 mph.

There is therefore no clear, objective reason to reduce the speed limit on the carriageway. All that will happen if you reduce the speed limit to 30 mph is that the majority of motor traffic will continue to drive at speeds which exceed 30 mph, as doing so at this section of road is ordinarily safe and appropriate. This simply has the effect of making a mockery of the law and diluting motor vehicle users' respect of the law.

**Officer's Comment**

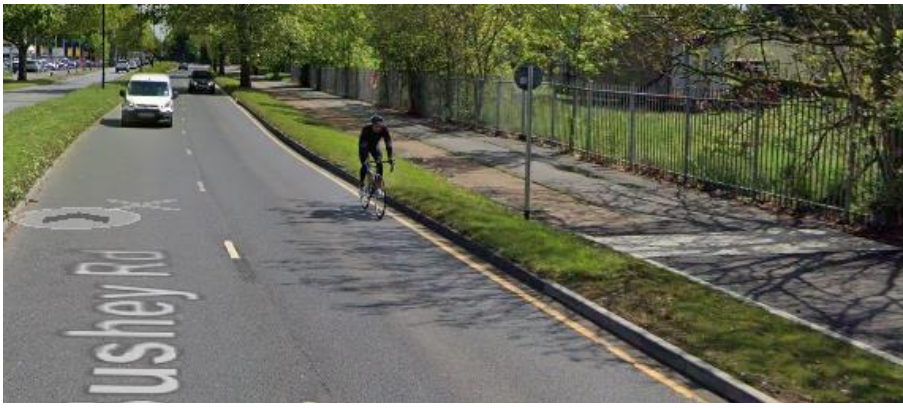
Merton is committed to road safety and we have a number of initiatives that promotes road safety and to improve road environment and perception of safety.

The objective is to change behaviour – that is to say to encourage drivers to travel at a consistent lower speed not just along specific roads but throughout the borough and from borough to borough. It is acknowledged that reducing the speed limit along this section of Bushey road to 20mph would be unreasonable but it is considered unnecessary to have a 40mph speed limit in the borough.

Bushey Road is a dual carriageway and although pedestrians and cyclists are somewhat protected by footway and cycle lane, other vulnerable road users such as powered two wheelers are not protected. The Council must be mindful of all road users and this does include motorists. A slower speed limit allows more time for drivers to react and in case of an accident it is likely to be less severe in terms of personal injury as well as damage only. Loss of control for example at a higher speed has greater implications and affects the driver as well as other road users, even those on the footway.







Over the last 3 years there have been many reports of damage only accidents, aggressive driving and perception of safety by those pedestrians who have to walk adjacent to the carriageway.

In terms of recorded personal injury accidents along this section of Bushey Rd, over the last three years there have been accidents involving

- shunts due to speed
- a child Vs car
- loss of control x2
- moped vs car x2
- pedestrian vs car
- vehicle vs vehicle
- car vs bus/coach
- car vs van
- car vs HGV
- car vs car

Although as a rule, the likelihood of accidents are expected along such a road, it is considered that at a lower speed, these accidents could have possibly resulted in damage only accidents rather than personal injury accidents.

In terms of benefits, there have been many more recent assessments, case studies and research carried out that sets out data and pros and cons. These reports are readily available on various websites including TfL's website.

There are also health benefits, as lower speeds help improve physical and mental health. As roads become safer, perception improves and road users are more inclined to walk and cycle more, providing regular exercise and enabling healthier lifestyles. Travelling at lower speed would also benefit motorists who would be more aware of their surroundings and would have more time to react to a potential incident. Air and noise pollution are also reduced at 30mph and these measures support sustainable transport options and encourage modal shift.

Main roads which accommodate residential units; retail; recreational, heavier traffic (both vehicular and pedestrians) and generate activities on the highway could pose a greater risk to greater number of road users. It is, therefore, considered that a 30mph speed would benefit a higher level of road users. Also as it is our objective to ensure a change in behaviour and attitude toward speed, it is unlikely to be achieved by the constant change to and from 30mph and 40mph or from 20mph to 40mph.

Although residential properties do not front this section of Bushey Rd, pedestrians have been observed to cross the road from the residential part of Bushey Road to the recreational side. Also there are couple of proposals for a residential developments along this section of Bushey Road that will lead to an increase in footfall and cycling.

This change in speed limit is in line with TfL's Vision Zero which is incorporated within Merton's adopted LiP and the borough's objective in ensuring lower speed throughout the borough which will help reduce the actual and perceived danger, improve general environment for all road users which will benefit all road users.

## Merton Council - call-in request form

### 1. Decision to be called in: (required)

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### 2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

### 3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

**4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

**5. Documents requested**

**6. Witnesses requested**

**7. Signed (not required if sent by email): .....**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- ) **EITHER** by email from a Councillor’s email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
- ) **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on  
020 8545 3864