

## Report to the Cabinet

Meeting to be held on Thursday, 9 November 2017

### Report of the Director of Community Services

#### Part I

Electoral Divisions affected:  
Heysham; Lancaster Central;  
Lancaster East; Lancaster Rural  
East; Lancaster Rural North;  
Lancaster South East;  
Morecambe Central;  
Morecambe North; Morecambe  
South; and Skerton

#### **Bay Gateway, Caton Road, Folly Lane, Green Lane, Hadrian Road, Halton Road, Lancaster Road and Powder House Lane, Lancaster, Lancaster District (Revocation, De-Restricted Road, 20mph, 30mph, 40mph and 50mph Speed Limit) Order 201\*** Reference: LSG4\894.4267

(Appendices 'A', 'B' and 'C' refer)

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#### **Executive Summary**

Approval is sought to set permanent speed limits on the newly constructed A683 Bay Gateway generally east of A589 Morecambe Road and west of A589 Caton Road of 30 miles per hour, 40 miles per hour, 50 miles per hour and De-Restricted (National Speed Limit). Approval is also sought to amend the speed limits and associated revocations on the affected side roads comprising; Caton Road, Folly Lane, Green Lane, Hadrian Road, Halton Road, Lancaster Road and Powder House Lane.

The proposals have been advertised on site and in the local press and fifteen comments and objections have been received. A summary of the consultation submissions and responses is set out at Appendix 'A'.

Speed limit plan illustrations are set out at Appendix 'B'.

The notice of proposal, notice of modification and modified draft Order are set out at Appendix 'C'.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

## **Recommendation**

The Cabinet is asked to approve the making of a Speed Limit Order at Appendix 'C.4' which introduces permanent speed limits on the newly constructed A683 Bay Gateway generally east of A589 Morecambe Road and west of A589 Caton Road, of 30 miles per hour, 40 miles per hour, 50 miles per hour and De-Restricted (National Speed Limit) and associated revocations on the affected side roads comprising; Caton Road, Folly Lane, Green Lane, Hadrian Road, Halton Road, Lancaster Road and Powder House Lane as shown on the plans at Appendix 'B'.

## **Background and Advice**

Consent for the construction of Heysham to M6 Link (Bay Gateway) was granted in 2013 as a Development Consent Order (DCO) under the Planning Act 2008. A DCO is a composite consent and includes provisions relating to planning permission, the compulsory acquisition of land and highway related matters such as those covered in the Side Roads Order, the Section 106 Bridge Schemes over navigable waterways, the Connecting Roads Scheme and the Transfer of Highways Order previously made by Lancashire County Council.

Whilst the speed limit orders could have been included in the DCO, the matters were still under consultation during the Examination in Public of the application, particularly in relation to side roads. The speed limit order as presented represents the culmination of the design constraints for the scheme and measures responding to consultation and Examination in Public.

The speed limit order will support the speed limits that are currently signed on site and being enforced under a Temporary Speed Limit Order pending approval of the permanent order.

The details of the proposed speed limits and changes can be summarised along the A683 Bay Gateway from west to east as follows:

- 1) Introduce a 40mph speed limit on the A683 Bay Gateway from the junction of B5273 Mellishaw Road at the west end of the scheme to just west of where the Bay Gateway crosses the West Coast Mainline. The section of highway from Mellishaw Lane to A589 Morecambe Road was previously 40mph but was modified as part of the scheme. In addition the horizontal and vertical alignment of the Bay Gateway at this location has been designed to match a 40mph speed limit. This speed limit was introduced because of the need to drop the embankment down quickly after crossing over Torrisholme Road in order to reduce the impact on surrounding properties (Appendix 'A' 04,09,11)
- 2) Introduce a 50mph speed limit on the A683 Bay Gateway from just west of where the Bay Gateway crosses the West Coast Mainline to the west of where the A6 Lancaster Road has been diverted over the Bay Gateway. The horizontal and vertical alignment of the Bay Gateway at this location has been designed to match a 50mph speed limit. A 50mph speed limit in this location

provides a logical change from the national speed limit section to the more urban limit of 40mph.

- 3) Introduce a De-Restricted (National Speed Limit) Status on the A683 Bay Gateway from west of where the A6 Lancaster Road has been diverted over the Bay Gateway to west of the junction (Shefferlands Roundabout) with the M6, Halton Link and where the Bay Gateway heads south to cross the River Lune. The horizontal and vertical alignment of the Bay Gateway at this location has been designed to match national speed limit. National speed limit in this location matches the rural dual carriageway nature of the highway in this location.
- 4) Introduce a 40mph speed limit on the A683 Bay Gateway from the west of Shefferlands Roundabout to just north of the junction of A589 Caton Road. The horizontal and vertical alignment of the Bay Gateway at this location has been designed to match a 40mph speed limit. In particular the new bridge over the River Lune has a gradient of 4.7%. A 40mph speed limit in this location provides a logical change from the national speed limit section to the more urban limit of 30mph on the existing Caton Road.
- 5) Introduce a 30mph speed limit on the A683 Bay Gateway from just north of the junction of A589 Caton Road to the junction of the Park and Ride exit and the end of the M6 Northbound Diverge. The horizontal and vertical alignment of the Bay Gateway at this location has been designed to match a 30mph speed limit. The Bay Gateway is lit at this section and the 30mph speed limit in this location reinforces the approach to the existing 30mph limit on Caton Road. It also ensures that access and egress from the Park and Ride site is safer due to a low speed limit.

The details of the proposed speed limits and changes for the side roads affected by the scheme can be summarised from west to east as follows:

- 1) Introduce a 20mph speed limit on Hadrian Road to incorporate the length constructed to connect the estate to the A683 Bay Gateway. The connected housing estate has an existing 20mph speed limit.
- 2) Introduce a De-Restricted (National Speed Limit) Status on the sections of U18520 Powder House Lane and U18492 Folly Lane that were diverted next to the West Coast Mainline Railway, retaining the original status of these roads.
- 3) Introduce a Restricted Road (30mph speed limit will apply) on the A6 link from north of the roundabout junction with the A683 Bay Gateway to junction with the A6 Lancaster Road. This is consistent with the proposed 30 mph speed limit on A6 Lancaster Road.
- 4) Introduce a Restricted Road (30mph speed limit will apply) on the section of A6 Lancaster Road from Beaumont to south of Slyne. This will require revocation of the previous 40mph Speed Limit Order. As stated in Appendix 'A' (15) this reduction in the speed limit is in order to protect traffic coming out of Hest Bank Lane onto the A6 at the request of many residents. It is also necessary due to the alignment of the new A6 bridge over the Bay Gateway and the new signal controlled junction onto the Bay Gateway in this location.

- 5) Introduce a De-Restricted (National Speed Limit) Status on the section of U18785 Green Lane (Black Castle Lane) that was diverted to cross over the A683 Bay Gateway, retaining the original status of the road.
- 6) Introduce a De-Restricted (National Speed Limit) Status on the upgraded M6 Northbound Merge from the junction with the A683 Bay Gateway (Shefferlands Roundabout) to the junction with the M6 Motorway. This retains the original status of the road.
- 7) Introduce a Restricted Road (30mph speed limit will apply) on the Halton link from east of the roundabout junction with the A683 Bay Gateway to junction with the C478 Halton Road. The horizontal and vertical alignment of the Halton Link at this location has been designed to match a 30mph speed limit. In addition Halton Link has a gradient of over 8%. A 30mph speed limit in this location provides a logical change from the 40mph section to the more urban limit of 30mph on the existing Halton Road which then leads into a 20mph limit on Church Brow.
- 8) Introduce a 30mph speed limit on the section of C478 Halton Road from immediately east of where the M6 crosses over Halton Road to the junction with C485 Kellet Lane. This will require revocation of the previous De-Restricted (National Speed Limit) Status. As a result of the works on the Bay Gateway an additional length of C478 Halton Road was lit and the eastern end has seen an introduction of a 20mph speed limit on Church Brow. This left a short length of national speed limit road between two 30mph sections. It was decided it was logical to remove this short length of national speed limit, especially as various entrances to properties were on the section of national speed limit.
- 9) Introduce a Restricted Road (30mph speed limit will apply) on the section of A589 Caton Road from west of where the Lancaster Canal crossed Caton Road to section of A683 Lancaster Road to the east of junction with the M6 Southbound Merge. This will require revocation of the previous 40mph speed limit order. As a result of the works on the Bay Gateway an additional length of A683 Caton Road has seen an introduction of a 30mph speed limit. This left a short length of 40 mph speed limit road between two 30mph sections. It was decided it was logical to remove this short length of 40 mph speed limit, especially as various entrances to properties were on the section of the existing 40 mph speed limit. These properties include commercial premises and a newly constructed McDonalds.
- 10) Introduce a De-Restricted Status on the upgraded M6 Northbound Diverge from the junction with the M6 Motorway and the junction of the Park and Ride. This retains the original status of the road.
- 11) Introduce a De-Restricted Status on the upgraded M6 Southbound Merge from the junction with A683 Lancaster Road and the junction with the M6 Motorway. This retains the original status of the road.
- 12) Introduce a De-Restricted Status on the upgraded M6 Southbound Diverge from the junction with M6 Motorway and the junction with A683 Lancaster Road. This retains the original status of the road.

The revocations stated in the Notice of Proposals at Appendix 'C' are required to accommodate the new speed limits.

## Consultations

These speed limit proposals were the subject of consultation in summer 2011 for the Development Consent Order to construct the scheme and were investigated further during the examination in public in summer 2012. Further formal consultation on the proposals has been undertaken between the 29 June 2017 and 27 July 2017 by the way of contacting relevant consultees, advertisement in the local newspaper and posting of the notices on site in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

The consultees contacted directly comprised:

Lancashire County Council  
Lancaster City Council  
Morecambe Town Council  
Heaton with Oxcliffe Parish Council  
Slyne with Hest Parish Council  
Lancaster County Councillors  
Lancashire Constabulary  
United Utilities (Water)  
National Health Service  
United Utilities  
Freight Transport Association  
Road Haulage Association  
National Farmers Union (North West Region)  
School Crossing Patrol Services  
Sustrans  
Morecambe Bay Hospitals NHS Trust  
Lancaster District Chamber of Commerce  
North and Western Lancashire Chamber of Commerce  
CTC Right to Ride  
Lancaster University Cycle Users Group  
Lancashire Fire and Rescue  
Lancaster and Morecambe Dial-a-Bus Service  
Dynamo

The summary of the consultation submissions and responses are at Appendix 'A'.

The main comments can be summarised into three categories:

- 1) The original notice of proposal failed to introduce a 30mph speed limit on the section of the C478 Halton without street lighting. This was addressed in the notice of modification at Appendix 'C'.
- 2) The extent of the 40mph speed limit on the A683 Bay Gateway commences too far from the junction with the A589 Morecambe Road. The reasoning is that the alignment of the A683 Bay Gateway in the vicinity of Lancaster and Morecambe College is such that it needs to rise up to cross Torrisholme Road. However given the proximity of the properties on Russell Drive and Endsleigh Grove it was considered at design stage prudent to lower the road level once it has crossed over Torrisholme Road as soon as possible in order

to minimise the effect on these properties and then elevate it again to cross over the Railway at a height of around 14 metres. This vertical alignment means that a driver can only see enough of the carriageway to comply with the safe sight stopping distance at 40mph as defined by TD 9/93 Highway Link Design.

- 3) The 30mph speed limit (by virtue of Restricted Road status) on the A6 Lancaster Road from Beaumont to Slyne was felt to be too slow. The reasoning is that due to the alignment of the new A6 bridge over the Bay Gateway and the new signal controlled junction onto the Bay Gateway in this location, the safe sight stopping distance as specified by design guidance can only be satisfied at a speed limit of 30mph. Also during consultation many residents of Slyne considered the junction onto the A6 from Hest Bank Lane, south of Slyne with Hest village, as dangerous.

A requirement directed by the inspector within the Development Consent Order, was the provision of gateway markings or rumble strips between Slyne with Hest village and Hest Bank Lane, the location at which the 30mph speed limit was to originally extend. Further consultation with the relevant planning authority considered the section of highway that could be retained with a 40mph speed limit as unnecessary and confusing and agreed to a contiguous 30mph speed limit.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Without approval there will be no permanent speed limit orders for the Bay Gateway and the connecting link roads. Also the speed limits on some of the affected side roads are now inappropriate as a consequence of the re-designed junction. This will prevent the police enforcing the speed limits along these sections of road which has potential safety implications for road users.

### **Legal**

Changes from the proposed speed limits contained in this report would contradict some of the principles upon which the Environmental Impact Assessment supporting the Development Consent Order Application was based upon. There would be potential non-compliance with regards to noise, air quality and carbon emissions.

The modification notice which was consulted on between 27 July 2017 and 24 August (and which is set out at Appendix 'C.3') incorrectly referred to sections 1,2 and 4 of the Road Traffic Regulation Act 1984. This should have referred to section 84. In addition, it was stated in this notice that the modification was to 'introduce restricted road status, a 30mph speed limit will apply'. This should have stated that the purpose of the modification notice was to introduce a 30mph speed limit. These textual errors have been considered by the relevant legal department and are considered to be non-contentious and therefore could be rectified, should a decision be taken to approve the making of this speed limit order as set out at Appendix 'C.4'.

## Financial

The signing strategy for the constructed Bay Gateway (Heysham to M6 Link Road) scheme comprises the necessary signing infrastructure to enforce the speed limits as recommended in the Speed Limit Order at Appendix 'C.4'. These speed limits are currently being enforced by a Temporary Speed Restriction Notice. If the recommendations are not accepted, the signing strategy would need to be changed on site and this will require additional funding to modify the works on site, with increased borrowing.

If speed limits are not implemented as described and as assumed in the Environmental Statement, there is the likely increase in traffic noise which would lead to increased claims for compensation under Part 1 of the Land Compensation Act and the Noise Insulation Regulations under Part II of the Land Compensation Act 1973.

## List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		