

## PERTH AND KINROSS COUNCIL

Environment and Infrastructure Committee – 19 May 2021

### PROPOSED 40mph SPEED LIMITS

Report by Depute Director (Communities)  
(Report No. 21/62)

This report summarises the proposed 40mph speed limits associated with the Cross Tay Link Road scheme on a section of the U88 Stormontfield Road and a section of the A94 Angus Road and details objections received. It recommends Committee set aside the objections, noting the rationale and benefits of the proposals and agrees that the Orders are made as advertised.

#### 1. BACKGROUND

- 1.1 The Cross Tay Link Road (CTLR) Scheme, received planning approval by the Planning and Development Management Committee in October 2020. Report No. 20/194 refers. The scheme is of significant strategic importance and will bring many key benefits to the area by :
- delivering improved local and regional access in and around Perth,
  - enabling economic growth by releasing strategic development sites for housing and employment;
  - reducing traffic congestion pressure in and around Perth;
  - freeing up capacity to improve and promote sustainable travel options in line with the Perth City Plan
  - contributing towards meeting the objectives of the Air Quality Management Area
- 1.2 To support the successful introduction of the CTLR and ensure the safety of all drivers, pedestrians and cyclists on the CTLR and adjacent road network, it was assessed (by the scheme's road designer in liaison with the Council's Traffic & Network Team) as necessary to introduce 40 mph speed limits on a section of the U88 Stormontfield Road and a section of the A94 Angus Road (north of Scone). Police Scotland have also been consulted in the preparation of these proposed speed limits.
- 1.3 The two 40mph speed limits proposed are shown on the proposed Orders and drawings at Appendix 1:
- 40mph speed limit on a section of the A94 Angus Road north of Scone
  - 40mph speed limit on the section of the U88 Stormontfield Road, which forms the improved access to Scone Place, the Racecourse, the caravan park and the residential properties on this section of road
- 1.4 In line with current national guidance for setting speed limits, the proposed speed limits reflect the function of the roads and consider the conditions and needs of the community, pedestrians, cyclists and other vulnerable road

users. The roundabouts and road layout for the CTRLR scheme in these locations have been designed in accordance with current guidance for the speed limits proposed in this report.

- 1.5 In the case of Stormontfield Road, a 40mph speed limit is required due to the anticipated increase in vehicular traffic, pedestrians and cyclists as a result of the proposed improved access to Scone Palace, the racecourse and caravan park.
- 1.6 In the case of the A94 Angus Road north of Scone, a 40mph speed limit is required to lower vehicle speeds on approach to the new roundabout in the interest of safety of all road users (including pedestrians and cyclists).
- 1.7 Scone and District Community Council (SDCC) and one local resident in the Stormontfield area have formally objected to the 40mph speed limit proposal for the U88 Stormontfield Road. Both of these objectors refer to other separate objections which they have also made to a Stopping Up Order recently published for the CTRLR scheme (for a short section of Stormontfield Road west of Old Scone Cottages). The Stopping Up Order referred to in these objections is a separate matter (not relevant to this report which deals only with the proposed 40 mph speed limits) and it has been remitted to the Scottish Government for determination as required by the relevant regulations. The section to be stopped up is outwith the extents of the proposed 40mph on Stormontfield Road. This is because the speed limits proposed reflect the CTRLR scheme design which includes the stopping up of this section of Stormontfield Road. Both objectors clearly state that they would support a 40mph speed limit on Stormontfield Road if the Stopping Up Order does not proceed i.e. they would support a 40mph over the whole length of Stormontfield Road. Hence it is clear that it is the extent of the 40mph speed limit which is their main concern and not the speed limit itself.
- 1.8 SDCC have also objected to the 40mph speed limit proposal for the A94 on approach to Scone from the north. This objection is not to the proposed 40mph speed limit but to the extents of it as they have stated they would like to see it extended further north (this is covered in the response to the objection).
- 1.9 Extensive consultations were carried out in advance of submission of the planning application for the CTRLR. This included four exhibitions which were attended by over 380 members of the local communities. The exhibition in Scone was the most popular with over 160 attendees. It is noted that there were no concerns raised about the proposed speed limits at these events.
- 1.10 The objections are summarised as follows, along with the responses that were sent to each objector to explain the reasoning behind the proposed Orders. No objections were withdrawn following the responses from the Council.

**Objections to the proposed 40 mph speed limit on the U88 Stormontfield Road**

Name on file	Reason for objection	Response
(1)	<p>Objection is to the proposal of 40mph on U88 Stormontfield Road if the associated Stopping Up order (for a short section of the U88 at its junction with the A93) is promoted, creating 'the rarity of a speed controlled cul-de-sac' only providing access to the Caravan Site, Racecourse, Residential properties, and Scone Palace. They would be supportive of the proposed 40mph speed limit if the Stopping Up Order is not successfully promoted.</p>	<p>It is proposed to implement a 40mph speed limit on the section of Stormontfield Road which will provide access to the Racecourse, the caravan park and Scone Palace (as well as some other residential properties). As part of the CTRLR scheme, access in this area for non-motorised road users will be vastly improved. An active travel route is to be provided for the full length of the CTRLR, bus stops are being provided adjacent to Stormontfield Road, and the section of Stormontfield Road to be stopped up (to the south of the section of Stormontfield Road relevant to the objection) is to remain open for use by non-motorised users. It is therefore expected that there will be significant pedestrian and cyclist use of this section of Stormontfield Road in the future, especially when there are events taking place at the Racecourse and Scone Palace. The caravan park is also in this area. Therefore, for the benefit of road safety, it is proposed to have this section of Stormontfield Road subject to a speed limit of 40mph.</p>
(2) Scone and District Community Council	<p>Objection is to the proposal of 40mph on U88 Stormontfield Road if the associated Stopping Up order is promoted (for a short section of the U88 at its junction with the A93), creating 'the rarity of a speed controlled cul-de-sac', only providing access to the Caravan Site, Racecourse, Residential properties, and Scone Palace. They would be supportive of the proposed 40mph speed limit if the Stopping Up Order is not successfully promoted.</p>	<p>Objection identical to above. Response also as above.</p>

<b>Objections to the proposed 40 mph speed limit on the U88 Stormontfield Road</b>		
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(2) Scone and District Community Council	<p>Objection was combined in the same letter with the one above. It is an objection to the proposal of 40mph on Angus Road, Scone for a distance of 702 metres for the reason that the objector believes that the overall length is insufficient.</p> <p>The objector would like the proposed 40mph limit extended further north to encompass the access to the airport for safety reasons due to increasing operations at the airport and increasing traffic using the junction.</p>	<p>It is proposed to implement a 40mph speed limit on the A94 from a point north of Newmains Steadings to the existing 30mph speed limit at Scone which will encompass the new A94 / CTLR junction and the accesses to Newmains Steadings. This is to provide a suitable speed limit gateway which will encourage lower speeds as drivers approach and leave the village of Scone, passing through the new CTLR / A94 junction.</p> <p>In the objection letter, the objector requested that the 40mph speed limit on the A94 is extended further north to encompass the access to Perth Airport due to increasing operations at the airport and increasing traffic. These concerns were shared with the Council's Traffic &amp; Network Team, who agreed that they will keep the extent of the 40mph speed limit under review and liaise with the airport to ensure that an extended speed limit can be implemented if it is appropriate in the future to do so.</p> <p>The requested extension of the proposed speed limit to encompass the access to the airport is not considered to be a matter appropriate to be addressed by the CTLR scheme. It is proposed however, that this issue will be reviewed and monitored separately by the Council's Traffic &amp; Network Team.</p>

1.11 Copies of the full objections and responses are contained in Appendices 2 and 3.

## **2. PROPOSALS**

2.1 The proposed speed limit Orders, relevant drawings, objections and responses are shown in Appendices attached to this report as listed below:

- Appendix 1 40mph drawings and Variation Order
- Appendix 2 Objection (1) and Response
- Appendix 3 Objection (2) and Response

### 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 This report provides details of objections received to proposals to introduce 40 mph speed limits at Stormontfield Road and A94 Angus Road north of Scone. It also highlights that both of the objections to the Stormontfield Road speed limit refer to separate objections to a Stopping Up Order which is subject to Scottish Government determination. Details of the responses sent to objectors are included as appendices to the report and also provide an overview of the benefits and rationale for the speed limits which will support the safety of residents, pedestrians, drivers and cyclists.
- 3.2 Both objectors stated that they would be supportive of the proposed 40mph speed limit on Stormontfield Road if the Council does not proceed with the separate Stopping Up Order for the section of Stormontfield Road (west of Old Scone Cottages). Since that Stopping Up Order has been remitted to the Scottish Government for a decision, it was considered whether the Council should delay its decision on the proposed 40mph Orders until the Scottish Government's decision on the Stopping Up Order is known (since this decision could potentially remove objections referred to in this report). However, it has been decided that delaying this decision is not appropriate for the following reasons:
- The timescales for the Scottish Government's decision on the Stopping Up Order is not known and not within the Council's control therefore the length of delay is unknown;
  - SDCC's objection is to both of 40mph speed limits proposed therefore, even if the Stopping Up Order the objectors refer to does not go ahead (allowing both objectors to remove their objections to the 40mph speed limit proposed on Stormontfield Road), an objection will remain to the 40mph speed limit proposed on the A94 Angus Road: a decision on that 40mph will still require be required by Committee;
  - The Council is currently programmed to enter into a contract for the detailed design and construction of the CTRLR scheme in June 2021. This contract contains the design specification the successful Contractor must comply with. This design is based on the design speeds (and therefore the proposed speed limits) associated with the scheme. It is therefore necessary for these to be confirmed to allow the progression of the detailed design as per the contract. If they are not confirmed, then the successful Contractor will be unable to commence the detailed design. Alternatively, the Contractor could begin the detailed design, but this may result in abortive work if the 40mph speed limit is not approved.
  - There are embargoes on development under the local development plan in the area to the north of Perth until such time as the CTRLR is a 'committed project'. Having the necessary Orders in place is part of the CTRLR becoming a 'committed project', therefore delaying this decision has the potential to delay progress on these developments.
  - The Council is currently awaiting an important decision by the Scottish Government on the Compulsory Purchase Order (CPO) for land required for the CTRLR scheme as well as a decision on the Stopping Up Order. The Reporter, who is currently considering the CPO with a view to

advising the Scottish Government, has shown an interest in the progress the Council is making with the other Orders required for the CTRLR scheme. Delaying decisions on Orders that are within the Council's control does not demonstrate to the Reporter and the Scottish Government a willingness on the Council's part to ensure that the CTRLR scheme moves forward timeously; and

- The Environment and Infrastructure Committee making this decision at this meeting to proceed with the 40mph Orders does not in any way pre-empt the outcome of the Stopping Up Order process since the 40mph Orders associated with this report, and all other Orders relating to the implementation of the scheme, will only come into effect when the CTRLR scheme is delivered.

3.3 In addition, if the Scottish Government do not confirm the Stopping Up Order for Stormontfield Road (west of Old Scone Cottages) this does not affect the 40mph speed limit which is the subject of this report. The impact of such a decision by the Scottish Government would mean that the 40mph would be extended to include this section of Stormontfield Road. Consideration would also be given to making this a 'green route' to compliment the improvements in active travel as part of the CTRLR scheme.

3.4 Taking account of the above, it is recommended that the Committee:-

- (i) sets aside the objections received and proceed to make the Orders to introduce the new 40mph speed limits as advertised and shown in Appendix 1.

#### Author

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#### Approved

Name	Designation	Date
Clare Mailer	Depute Director (Communities)	21 April 2021

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes/No</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>No</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 The Perth and Kinross Community Planning Partnership (CPP) brings together organisations to plan and deliver services for the people of Perth and Kinross. Together the CPP has developed the Perth and Kinross Community Plan which outlines the key things we think are important for Perth and Kinross.
- i) Giving every child the best start in life
  - ii) Developing educated, responsible and informed citizens
  - iii) Promoting a prosperous, inclusive and sustainable economy
  - iv) Supporting people to lead independent, healthy and active lives
  - v) Creating a safe and sustainable place for future generations
- 1.2 It is considered that the actions contained within this report contribute primarily to objectives iii), iv) and v).

#### Corporate Plan

- 1.3 The Council's Corporate Plan 2013-2018 outlines the same five objectives as those detailed above in the Community Plan. These objectives provide a clear strategic direction, inform decisions at a corporate and service level and shape resource allocation. It is considered that the actions contained within this report contribute primarily to objectives iii), iv) and v).

## 2. Resource Implications

### Financial

#### Capital

- 2.1 There are no capital resource implications arising directly from the recommendations in this report.

#### Revenue

- 2.2 There are no additional financial implications associated with the recommendations in this report.

#### Workforce

- 2.3 There are no workforce implications arising from this report.

#### Asset Management (land, property, IT)

- 2.4 There are no land and property, or information technology implications arising from the contents of this report.

## 3. Assessments

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **not relevant** for the purposes of EqIA through the Council's impact assessment toolkit.

### Strategic Environmental Assessment

- 3.3 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). The proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

## Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The proposals contained within the report are assessed to have a positive impact on sustainability, particularly with regard to encouraging road safety.

## Legal and Governance

- 3.6 The Order will be promoted in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

## Risk

- 3.7 There are no significant risks associated with the implementation of this project.

## **4. Consultation**

- 4.1 The Head of Legal and Governance and the Head of Finance have been consulted in the preparation of this report.
- 4.2 Police Scotland have also been consulted and are supportive of the proposals.

## **5. Communication**

- 5.1 None

## **2. BACKGROUND PAPERS**

- 2.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report:

- Full Council December 2016 (Report 16/560 refers)
- Full Council June 2019 (Report 19/189 refers)
- Full Council September 2019 (Report 19/276 refers)
- Planning & Development Management Committee October 2020 (Report 20/194 refers)

## **3. APPENDICES**

- 3.1 Appendix 1 40mph drawings and Variation Order
- 3.2 Appendix 2 40mph Objection 1 and Response
- 3.3 Appendix 3 40mph Objection 2 and Response