

ABERDEEN CITY COUNCIL

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COMMITTEE	<b>Enterprise, Planning &amp; Infrastructure</b>
DATE	<b>21 May 2013</b>
DIRECTOR	<b>Gordon McIntosh</b>
TITLE OF REPORT	<b>The Aberdeen City Council (Route C128C, Aberdeen) (40mph Speed Limit) Order 201(X) – Proposal to introduce a length of regulatory 40mph speed limit on the C128C ‘Kingswells to Cults’ Road, between its junctions with the A944 ‘Kingswells Roundabout’ and the ‘Blacktop’ Road</b>
REPORT NUMBER:	<b>EPI/13/086</b>

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1. PURPOSE OF REPORT

This report deals with the above named order at the final statutory stage; that is to say, the main statutory advertisement is now over in respect of this order. The public notice is attached (Appendix 1), from which members will be able to see the exact content of this proposal.

2. RECOMMENDATION(S)

It is recommended this Committee:

1. Agrees that no further action should be taken with regard to the implementation of a lower speed limit and therefore abandons the proposal to introduce a 40mph speed limit on the length of the C128C between its junctions with the A944 ‘Kingswells Roundabout’ and ‘Blacktop’ Road.

3. FINANCIAL IMPLICATIONS

The cost associated with introducing a 40mph speed limit would be in the region of £2500 and would be financed through the ‘Cycling, Walking and Safer Streets’ Scottish Government Grant.

#### 4. OTHER IMPLICATIONS

Police Scotland are responsible for the enforcement of speed limits across the city. They have stated they are in agreement with the recommendations outlined in the content of this report and the implementation of a reduced speed limit would not be effective without continual enforcement. Police Scotland believes the introduction of a 40mph speed limit is unwarranted and would set an unwelcome precedent on this type of rural road.

#### 5. BACKGROUND/MAIN ISSUES

##### 5.1 **The Aberdeen City Council (Route C128C, Aberdeen) (40mph Speed Limit) Order 201(X)**

###### 5.1.1 Background

Members will recall that at its previous meeting, the Committee considered a report that highlighted the results of the initial statutory consultation with regard to reducing the existing National Speed Limit (60mph) speed limit to 40mph on a length of the C128C 'Kingswells to Cults' Road between its junctions with the A944 'Kingswells Roundabout' and 'Blacktop' Road. The Committee agreed with the recommendation in the aforementioned report, to proceed to the public advertisement and report the results to a future Committee.

###### 5.1.2 Correspondence received highlighting support for this proposal

While the statutory consultation process is specifically related to the consideration of objections to the proposal, it can be noted the Aberdeen Cycle Forum submitted correspondence indicating support for the reduction in the speed limit.

Derek Williams, Chairperson, states "This section of the C128C road is used by cyclists but is widely regarded by cyclists as an unpleasant and intimidating road, given the speed of traffic. There are few options open to people wishing to cycle north from Cults to connect to workplaces or other destinations, other than the C128C. The lower speed limit will make the road less hostile to cycling, benefitting current and future cyclists."

### 5.1.3 Objection raised in response to the proposal

Police Scotland has submitted an objection to this proposal (Appendix 4) and highlighted the following when considering the length of road concerned: -

- **Road Collision History**

“While the route had previously sustained a number of injury collisions, road engineering related improvements performed in 2011 at key ‘collision cluster’ locations have apparently resulted in a positive impact on collision numbers, with no injury collisions reported at these sites in the 12 month period after installation.”

“...reductions in speed limits are often considered at locations where there is a constant or escalating road safety concern, however, with this route seeing a marked improvement in terms of injury collisions, it does not add weight to the argument for a reduction in the speed limit.”

- **Speed Survey Results**

“The speed survey results were particularly interesting, as they showed an 85<sup>th</sup> percentile speed which never exceeded 50 miles per hour. Indeed, the mean speed was recorded between 38 and 44 miles per hour which is certainly not indicative of excessive or high speeds at the recording locations. After viewing these results, I can only conclude that most drivers already appear to be driving at a speed which they consider appropriate for the prevailing circumstances.”

“There are numerous unclassified rural roads throughout the north-east of Scotland which are governed by the national speed limit. Irrespective of the limit in force, a speed limit should never be viewed as a target speed for a driver to achieve. Importantly, the onus remains on the driver to drive according to the prevailing circumstances, irrespective of any speed limit which exists.”

- **Enforcement**

“...With various competing demands, the Police have to prioritise their actions and in terms of speed enforcement, this normally results in action being taken on routes with a speed related injury collision history or where there is statistical evidence of excessive speed. Without these qualifying conditions being met, the likelihood of enforcement being conducted at a location is quite limited.”

Throughout informal and formal consultation on this matter Police Scotland has indicated it is an intelligence led organisation and the existence or absence of relevant evidence very much dictates the way it goes about all aspects of its daily business. This methodology has been applied when considering this subject and reference made to the Department for Transport Circular 1/2006 'Setting Local Speed Limits', which provides direction in respect of setting local speed limits. Police Scotland concludes that speed limits need to be realistic, otherwise their introduction when inappropriate, would be counter productive and may even compromise road safety.

Police Scotland have also made reference to the statement within Circular 1/2006, "The majority of drivers do not reach or exceed the 60mph limit on many single carriageway roads because it is often difficult to do so due to the characteristics and environment of the road". They indicate this is exactly the situation along this section of road and that lowering the speed limit is unlikely to positively change driver behaviour along this route. They highlight the current national speed limit is entirely consistent with Circular 1/2006 and it is the view of Police Scotland this should remain unchanged.

Police Scotland believes the setting of a 40mph speed limit is unwarranted and would set an unwelcome precedent on this route.

#### 5.1.4 Response to the objection

At its meeting in March 2011 the Enterprise, Planning and Infrastructure (E, P & I) Committee considered a motion raised by Councillor Boulton "That consideration is given to reducing the speed limit on the road from Countesswells to Kingswells due to the high level of accidents". Thereafter, the Committee in September 2011 resolved to approve the recommendations in a report on the motion and officers were instructed to report back to a future committee meeting (after a minimum period of one year) outlining the effect that the installation of the Vehicle Activated Signs (VAS) and the retexturing of the carriageway have made on vehicle speeds, accident numbers and severity on the C128C.

The C128C is a busy route to the west of Aberdeen linking Cults in the south to Kingswells in the north. The route is subject to a 30mph speed limit through the southern residential section from its junction with the A93 to a point approximately 45 metres northwest of Kirkbrae Avenue. From this point a 40mph speed limit "buffer zone" is in force for approximately 325m to the northwest. The remainder of the route north through the rural section to Kingswells Roundabout is derestricted (60 mph).

Accident analysis since the beginning of 2005 indicated there were four sites that were giving officers cause for concern along this route. From north to south these were: (see Appendix 2)

- Upper Kingshill bend (Site 1);
- Bend south of Kingshill Cottage (Site 2);
- Newton of Countesswells bend (Site 3);
- Bend north of Foggieton Woods (Site 4).

In 2009/10 officers were concerned over the number of reported collisions at these sites. As a result, funding was identified for road safety engineering measures to be implemented at each of these sites in the spring of 2011. These measures consisted of the retexturing of the carriageway, undertaken by a specialist contractor, thereby improving the skid resistance of the carriageway surface. Additionally, five vehicle activated warning signs were installed along the route to warn motorists of a hazard ahead. These signs are activated by vehicles travelling above a specified speed and advise motorists to slow down. The threshold speed for the signs has been set at between 35 and 40mph i.e. any vehicle travelling in excess of this speed triggers the warning sign.

Following the installation of the aforementioned engineering measures a scan of collisions recorded by Police Scotland was carried out and the indications are very positive with regard to the sections of road where the Vehicle Activated Signs are located and where the road surface at the bends was treated. For the 12 months (1 June 2011 to 31 May 2012) following implementation of the aforementioned measures there were no collisions recorded by Police Scotland. This compares to 7 collisions (2 Slight Injury / 5 Damage) for the same period 2010/11, likewise 5 collisions (2 Slight / 3 Damage) 2009/10, and 4 collisions (2 Slight / 2 Damage) 2008/09.

With regard to collisions on the remaining lengths of this route, over the 12 month period 1 June 2011 to 31 May 2012, there were 2 recorded collisions. Both collisions resulted in damage, one the result of a vehicle colliding with a deer, the other the result of a car and transit van clipping wing mirrors. Excessive speed was not cited as a factor in either case.

The success of the aforementioned measures was highlighted in a report to this Committee in September 2012. At this juncture, the Committee resolved to instruct officers to commence a statutory consultation process to reduce the speed limit on this road between its junctions with the A944 'Kingswells Roundabout' and the 'Blacktop' Road to 40mph (Appendix 3)

Roads officers concur with Police Scotland on this matter, the issue of setting a precedent when considering a rural route of this nature is crucial when considering the wider road network. If a reduced speed limit was introduced on this route, the same criteria could be applied to adjacent roads that link to destinations such as Bieldside and Brotherfield. Indeed, it would be the case that most rural type roads in

the City could be governed by speed limits lower than the national speed limit. Thereafter, the practicalities of introducing additional signs in environmentally sensitive areas, as well as cost would become an issue, as speed limits between the national speed limit and 30mph (where a system of street lighting is in place) require the introduction of repeater signs at regular intervals.

The National Speed Limit must be considered in the context of the environment it generally applies. There are many similar roads to the C128C in Aberdeen City, Aberdeenshire and of course nationwide, and the function of the National Speed Limit is to highlight the maximum speed a vehicle can be driven when the road layout allows such in a safe manner. So, on a narrow rural road a driver must adjust their vehicle speed accordingly and negotiate the road safely. Indeed, the situation is no different than that on a higher quality rural A Road; just because the National Speed Limit is 60mph a driver does not negotiate a tight bend at 60mph. Thus, in rural environments drivers have to exercise the utmost care and moderate their speed according to the road layout.

The Department for Transport Circular 01/2013 – “Setting Local Speed Limits” provides guidance to local authorities on the setting of speed limits. Paragraph 40 of this document states:-

*“Speed limits should not be used to attempt to solve the problem of isolated hazards, for example a single road junction or reduced forward visibility such as at a bend, since speed limits are difficult to enforce over such a short length. Other measures, such as warning signs including vehicle activated signs, carriageway markings, junction improvements, superelevation of bends and new or improved street lighting, are likely to be more effective in addressing such hazards.”*

In conclusion, the method of installing road safety engineering measures at isolated hazards to mitigate vehicular collisions on this route has proven effective. To introduce a reduced speed limit on this route would set an unwelcome precedent that could lead to requests for similar speed limits to be introduced on rural routes across the City. Thereafter the Council could be put in a position where it is compelled to promote these lower speed limits, as communities would be of the opinion the rural roads they utilise warrant the same attention and they have legitimate justification following the implementation of a 40mph speed limit on a length of the C128C ‘Kingswell to Cults’ Road. The aforementioned does not dismiss the notion that a lower speed limit could ever be considered on a rural route, but emphasises that justification must be based on a history where excessive speed is a significant factor and where all other possibilities with regard to engineering road safety measures have been exhausted.

### 5.1.5 Recommendation

It is recommended this Committee agrees that no further action should be taken with regard to the implementation of a lower speed limit and therefore abandons the proposal to introduce a 40mph speed limit on the length of the C128C between its junctions with the A944 'Kingswells Roundabout' and 'Blacktop' Road.

**(This report should be considered in conjunction with the report titled "Notice of motion by Councillor Malone - Review of rural speed limits Countesswells, Baillieswells and Blacktop area & review of rural speed limits", Report No. EPI/13/083, 21 May 2013)**

6. IMPACT

Section 5 above will allow members to consider the possible impact compared with the intended virtue of the original proposal.

7. BACKGROUND PAPERS

*“Review of the National Speed Limit on the C128C Road between its junction with the A944 at Kingswells Roundabout and the existing 40mph restriction to the north of Cults”*, Agenda Item 8.3, Enterprise, Planning & Infrastructure Committee, 11 September 2012.

<http://committees.aberdeency.gov.uk/mgConvert2PDF.aspx?ID=1908&T=10>

Minute of Enterprise, Planning & Infrastructure Committee meeting, 11 September 2012 (Item 27)

<http://committees.aberdeency.gov.uk/mgConvert2PDF.aspx?ID=2522&T=1>

*“Setting Local Speed Limits”*, Department for Transport Circular 01/2013

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/63975/circular-01-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/63975/circular-01-2013.pdf)

*“Setting Local Speed Limits”*, Department for Transport Circular 01/2006

<http://assets.dft.gov.uk/publications/circular-1-06/circular-1-2006.pdf>

8. REPORT AUTHOR DETAILS

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## **Appendix 1**

### **ABERDEEN CITY COUNCIL**

#### **ROAD TRAFFIC REGULATION ACT 1984**

##### **THE ABERDEEN CITY COUNCIL (ROUTE C128C, ABERDEEN) (40MPH SPEED LIMIT) ORDER 201(X)**

Aberdeen City Council proposes to make the above-named order in terms of its powers under the Road Traffic Regulation Act 1984. The effect of the order will be to introduce a certain length of mandatory 40mph speed limit on the C128C 'Kingswells to Cults' Road, from its junction with the A944 'Kingswells Roundabout' to its junction with the C127C 'Blacktop Road'.

Full details of the proposal are to be found in the draft order, which, together with maps showing the intended measures and an accompanying statement of the Council's reasons for promoting them, may be examined during normal office hours on weekdays between 10 April, 2013, and 1 May, 2013, in the offices of the roads officials in the Enterprise, Planning and Infrastructure department, at 74-76 Spring Garden, Aberdeen.

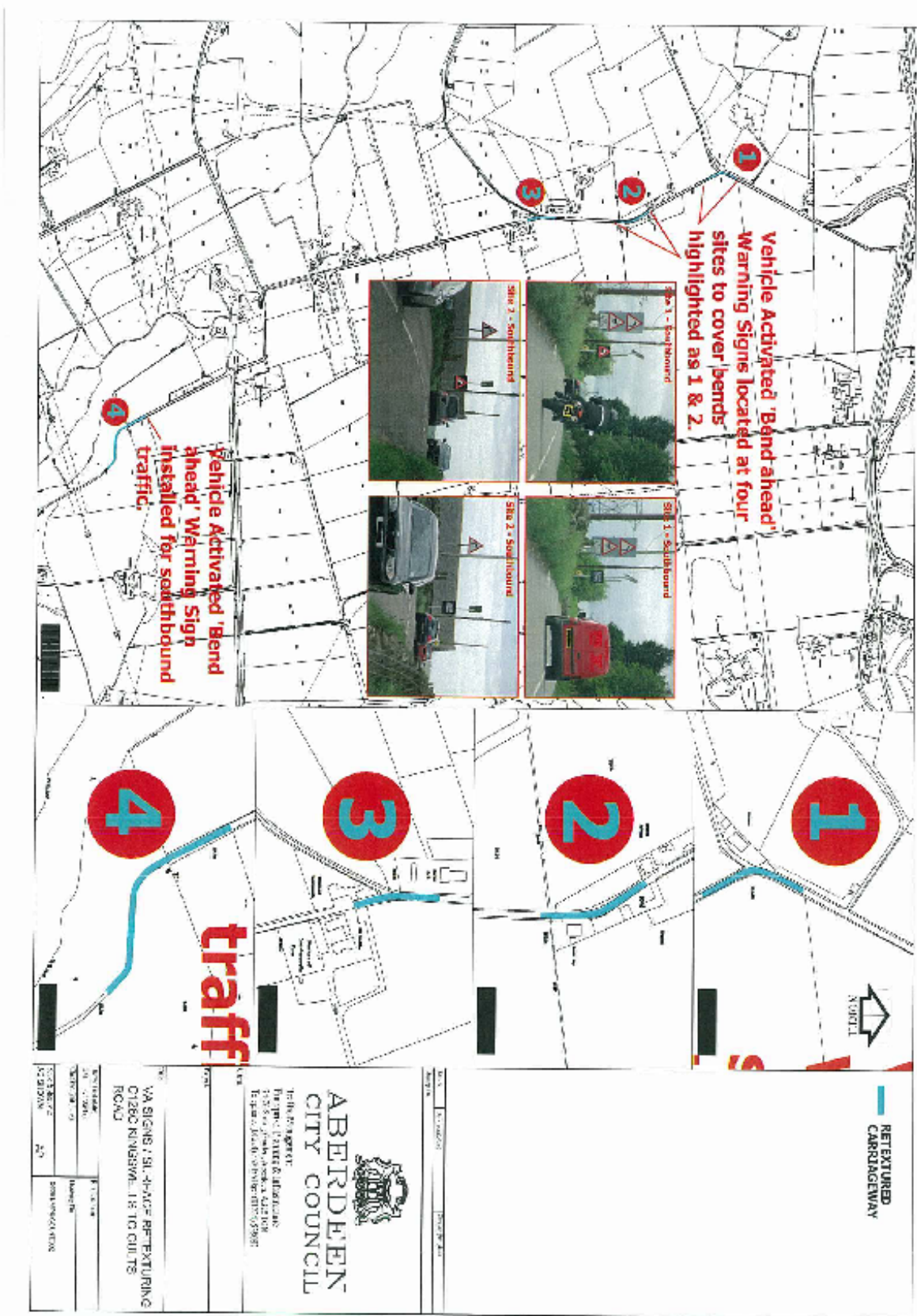
It is recommended that anyone visiting Spring Garden to view any of the documents should make an appointment to do so, in order that a member of staff can be present to offer an explanation if necessary. Anyone unable to visit Spring Garden can telephone (01224 538069) to speak to one of the officials.

Anyone wishing to object to the proposed order should send details of the grounds for objection in writing to the undersigned or by email at [TrafficManagement@aberdeencity.gov.uk](mailto:TrafficManagement@aberdeencity.gov.uk) during the statutory objection period which also runs from 10 April, 2013, to 1 May, 2013, inclusively.

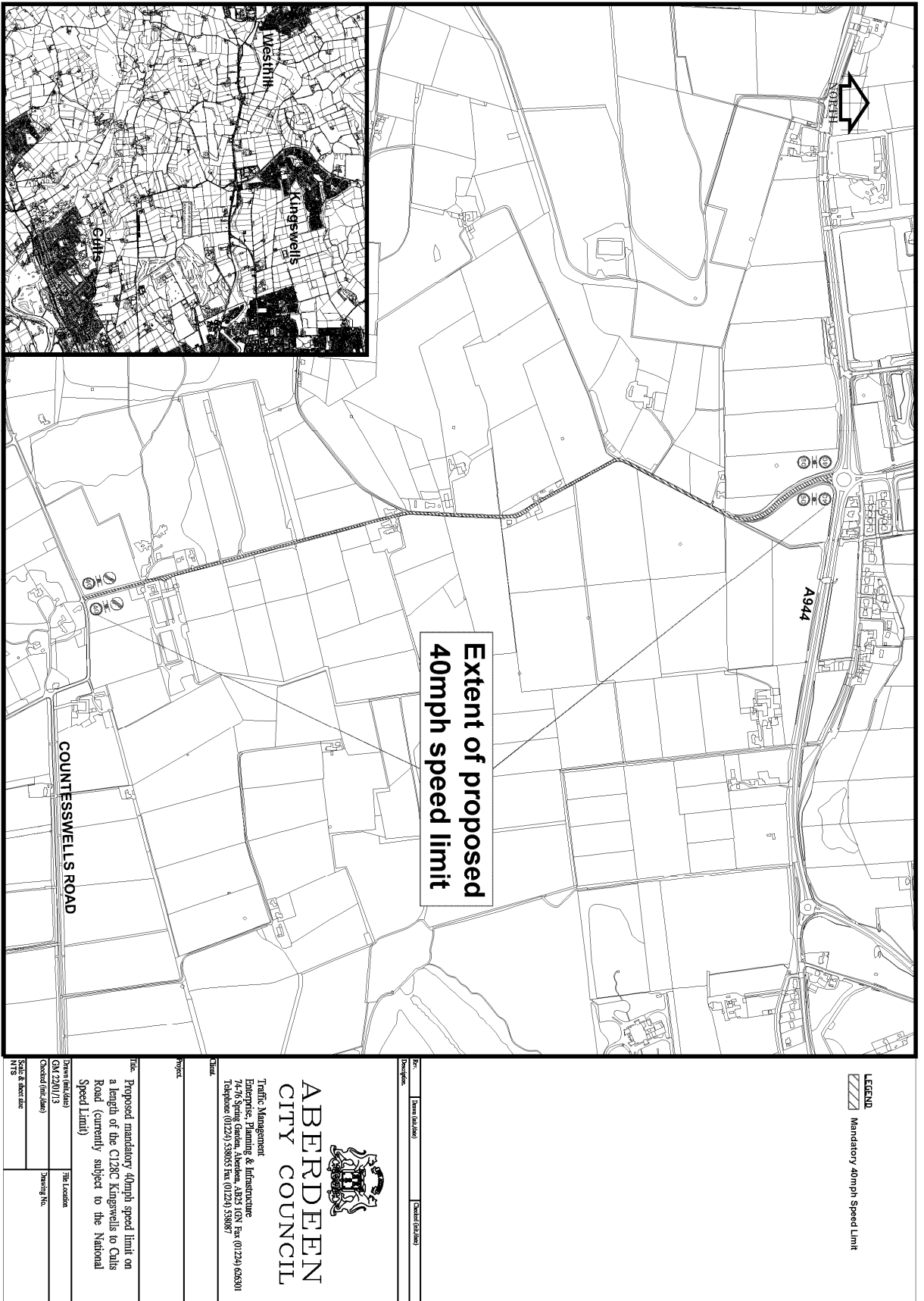
Any person who submits an objection should note that the Committee agendas are public documents, available in libraries and also distributed to the press. Objectors' names and addresses, perhaps with summaries of their observations, may be able to be found in these agendas. Also, although the original letters of objection will not ordinarily be copied as part of the agenda, they are available for inspection by Councillors and are essentially in the public domain. To that extent, however, they are redacted, with e-mail addresses, telephone numbers and signatures blanked out.

Jane MacEachran  
Head of Legal and Democratic Services  
Aberdeen City Council, Town House, Aberdeen

**Appendix 2**



# Appendix 3



## Appendix 4

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**POLICE**  
SCOTLAND

15 April 2013

Your Ref: AS/GM/1/59/1/1

Our Ref: RP8332

Mr Graeme McKenzie  
Technical Officer  
Aberdeen City Council  
Traffic Management Team  
Enterprise, Planning &  
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ABERDEEN  
AB25 1GN

Road Policing  
Nelson Street  
Aberdeen  
AB24 5EQ

0845 600 5 700

Dear Mr McKenzie

### **PROPOSED SPEED LIMIT REDUCTION: C128C KINGSWELLS - CULTS ROAD**

I refer to your recent correspondence in connection with the above matter and thank you for allowing me the opportunity to provide formal comment on behalf of the Police Service of Scotland.

In your correspondence you have asked for formal comment on a proposed speed reduction on the above route, which at present is governed by the national speed limit of 60 miles per hour. In considering such proposals on behalf of the Police, my initial action is always to identify the rationale behind the reduction being sought. In my experience, the reasons can include:

- concerns due to regular high speeds, recorded through traffic monitoring equipment, which compromise road safety at the location; or
- road traffic collisions which have a direct correlation to excessive or inappropriate speed; or
- a change in local circumstances, i.e. a local development which sees the nature of the route and/or vehicle usage changing.

A comment which was passed to me many years ago by a fellow senior officer in Road Policing was that '*speed limits have to be realistic.*' In essence, what I was being told was that an average motorist, when driving on a road and observing a posted speed limit, should immediately be able to understand why a limitation has been placed upon their manner of use of the road.

In the case of an urban area, with residential and industrial premises being present and a road layout which may have numerous junctions with the potential for multiple pedestrian and vehicle movements, a reduced speed limit can be relatively straightforward to understand. Where the need for a reduction becomes less clear is often in a rural setting, where traffic interaction and risks, while still present, are less evident.

Keeping people safe  
[www.scotland.police.uk](http://www.scotland.police.uk)

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Since receiving your correspondence, I have visited and driven along the route in question, to allow me to assess and understand the proposal being considered. In addition, I have examined the written information and statistical data provided to me and now offer the following observations:

### Road Collision History

I looked at the recorded injury collisions on the route between 2008 - 2012, considering frequency, causal factors and level of severity.

While the route had previously sustained a number of injury collisions, road engineering related improvements performed in 2011 at key 'collision cluster' locations have apparently resulted in a positive impact on collision numbers, with no injury collisions reported at these sites in the 12 month period after installation. My experience is that reductions in speed limits are often considered at locations where there is a constant or escalating road safety concern, however, with this route seeing a marked improvement in terms of injury collisions, it does not add weight to the argument for a reduction in the speed limit.

### Speed Survey Results

The speed survey results were particularly interesting, as they showed an 85th percentile speed which never exceeded 50 miles per hour. Indeed, the mean speed was recorded between 38 and 44 miles per hour which is most certainly not indicative of excessive or high speeds at the recording locations. After viewing these results, I can only conclude that most drivers already appear to be driving at a speed which they consider appropriate for the prevailing circumstances.

When I drove along the route, I found some locations where the maximum safe speed was in the region of 20 to 30 miles per hour, while at others, a higher speed was quite safe. The need for these lower speeds occurred on bends nearer Kingswells where, quite frankly, it would be impossible to negotiate them safely at a speed in excess of 30 miles per hour. This is a prime example of the variances in route layout frequently experienced on a rural road, which often sees a series of bends and twists followed by a straight section of road. As a consequence, the application of a meaningful speed limit in such circumstances is made all the more challenging.

There are numerous unclassified rural roads throughout the north east of Scotland which are governed by the national speed limit. Irrespective of the limit in force, a speed limit should never be viewed as a target speed for a driver to achieve. Importantly, the onus remains on the driver to drive according to the prevailing circumstances, irrespective of any speed limit which exists.

### Enforcement

The final consideration when providing comment from a Police perspective is from the stance of potential enforcement. With various competing demands, the Police have to prioritise their actions and in terms of speed enforcement, this normally results in action being taken on routes with a speed related injury collision history or where there is statistical evidence of excessive speed. Without these qualifying conditions being met, the likelihood of enforcement being conducted at a location is quite limited.

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In conclusion, the Police will always seek to promote and encourage the safe use of the road network, as 'keeping people safe' is the key outcome which Police Scotland seeks to deliver. I do, however, have to return to the comments previously made to me about the need for speed limits to be realistic.

On this particular occasion, I can find no specific evidence which convinces me that a reduction in the existing speed limit is either warranted or particularly enhances road safety. On that basis, I am not supportive of any change to the speed limit being applied.

I trust that this will be of assistance to you.

Yours sincerely

A handwritten signature in blue ink that reads "Ian Wallace". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Chief Inspector

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