



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 10 March 2022

Report of the Executive Director – Place

Trial of Speed Indicator Devices in Derbyshire
(Cabinet Member for Highways, Assets and Transport)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 The purpose of this report is to set out the basis for a 12-month trial of Speed Indicator Devices in Derbyshire. Speed Indicator Devices are a type of electronic vehicle activated sign used on the public highway.

3.2 Cabinet is asked to agree to the delivery and evaluation of a county-wide, 12 months Speed Indicator Device trial in Derbyshire on the basis set out in this report.

4. Information and Analysis

4.1 A Council Speed Management Plan was developed in 2017 to enable consideration of all engineering and enforcement methods of controlling speed on the public highway in conjunction with the Derby and Derbyshire Road Safety Partnership. This trial may, if successful,

influence changes to the existing technical annexes, which support the Speed Management Plan and will need to be considered by any necessary future review of these documents.

- 4.2 Since the adoption of the Plan, there have regularly been requests from the public, Elected Members, Districts, Boroughs, Parishes and Town Councils for speed indicator signs, as it is generally felt there are speed reduction benefits associated with them. Such requests were previously only accepted at sites with the most significant collision history. This was based on a number of factors, including a need to achieve value for money from a limited highways budget and evidence from an earlier trial in Hlland Ward which did not demonstrate a clear link between speed indicator devices and reduction in vehicle speeds.
- 4.3 However, this trial was limited in its size and nature and may not entirely reflect the characteristics of other potential sites. Further trials may therefore provide better evidence on the link between indicator devices and vehicle speed and therefore whether the current policies need to change. It is also understood that the Police and Crime Commissioner is supportive of such a scheme.
- 4.4 The Council is therefore proposing to support and evaluate a 12-month trial of Speed Indicator Devices on the following basis:
 - 4.4.1 District, Boroughs, Parishes or Town Councils will be able to apply to trial the use of Speed Indicator Devices, subject to them obtaining their Elected County Member approval. The number of devices in each area would need to be kept to a sensible level, bearing in mind the need for drivers to recognise the importance of signs, and its commitment to reduce street furniture on its network. A rough guide to those applying could be for a maximum of three signs per village and sites with local concerns over speed, although it is acknowledged that there will be cases where extra advice will need to be sought. Officers would work with applicants but reserve the right to restrict numbers when they have legitimate engineering concerns. An advice note would also be produced to accompany the documents sent to applicants.
 - 4.4.2 The signs need to be consistent with the Traffic Signs Regulations and General Directions 2016, and the most recent Traffic Open Product and Specifications (TOPAS) recommendations. The sign used would be standardised to 660mm in height, 450mm wide and a depth of around 150mm to ensure a consistent approach across the County. The weight of the signs must also not exceed 13 kilograms. The vehicle speed reading must occupy around half of the sign face with either smiley or sad faces to the underside, dependent upon the speed being over or under the speed limit. The worded message of “thank you” can also be

used as an alternative to the smiley face. An alternative available would also be the speed limit roundel with “Slow Down” message to its underside, which would purely react to higher speeds. The technology should be LED on a black background with black casing, and there should be no supplier or sales information on the sign facing the traffic.

- 4.4.3 The District, Borough, Parish or Town Councils would be entirely responsible for all the purchasing, installation and maintenance of the signs on completion of a licencing agreement with the County Council, under Section 115e of the Highways Act 1980. Details of warranty and maintenance agreements with any supplier of the signs must also be provided to the Council, along with any contractors’ public liability insurances to work on public highway for erecting, moving, and repairing the signs. Those working on the public highway, which includes the footway, must also be properly trained and wear the appropriate protective equipment and clothing recommended by the Council. The Council would reserve the right to remove signs at the expense of the owners, where agreements are found not to be in place, or have lapsed, or those are found to be working contrary to our expectations.
- 4.4.4 The signs for the trial sites should be either battery or solar powered. The use of mains power signs would be restricted to those provided by only the Council, due to the complexity of the need for others to adopt ongoing energy costs and billing of the energy consumed from a relevant energy supplier. Existing infrastructure or lighting columns will need to be assessed as being suitably strong enough for the signs to be attached to them.
- 4.4.5 It will be necessary for all signs to have a data logging device, where the Council has the capability to download this information at any time without the prior consent of the owner. Further advice on this would need to be developed and provided to those applying at the time of their application.
- 4.4.6 Following the trial, any existing signs may be left in place so long as they continue to be maintained.
- 4.4.7 The existing policy identifies that the Council’s road safety budgets can only be used to install vehicle activated signs as a measure to tackle casualty reduction. This will remain the case during the trial.

5. Consultation

- 5.1 District, Borough, Parish and Town Councils will be made aware of this 12-month trial, giving the opportunity for them to take part and if they wish to fund such an initiative.
- 5.2 The start date of the 12-month trial would commence when a significant number of locations are agreed and operating on site. It is suggested that a period of three to six months may be required to start to obtain a reasonable sample of sites to start to progress the 12-month trial period. This would give adequate time for numerous sites to get established on the ground due to the procurement, purchase and installation of signs by the applicants.
- 5.3 Following the 12-month trial period, an evaluation report will be presented for the consideration of both the Cabinet Member - Highways Assets and Transport and the Place Scrutiny Committee. A decision will be needed on whether the situation be formalised and whether the existing Highways Network Management Plan and its Speed Management Plan be changed.

6. Alternative Options Considered

- 6.1 The Council's Speed Management Plan outlines various alternative measures to target speed enforcement for casualty reduction reasons and alternatives measures that may be considered in the absence of a collision history. The purpose of this trial is to determine a slightly different approach, and should this trial prove successful, signs purchased by others could be formalised into policy.
- 6.2 Do-nothing - approach would be to not undertake the trial. This would mean the existing policies for Interactive signs within the existing Speed Management Plan are retained and unlikely to change during any future review due to the lack of statistical information to support such a change.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 The County Council Highway Network Management Plan <https://www.derbyshire.gov.uk/site-elements/documents/pdf/transport-roads/roads-traffic/highway-network-management-plan.pdf>

- 8.2 The County Council Speed Management Plan
<https://www.derbyshire.gov.uk/site-elements/documents/pdf/council/meetings-decisions/meetings/cabinet/2017-11-16-speed-management-plan.pdf>
- 8.3 The Traffic Signs and General Directions Regulations 2016
<https://www.gov.uk/government/publications/traffic-signs-regulations-and-general-directions-2016-an-overview>
- 8.4 Report on a previous trial on Speed Indicator Devices carried out at Hulland Ward
<https://www.derbyshire.gov.uk/site-elements/documents/pdf/council/meetings-decisions/meetings/cabinet-member-portfolio/highways-transport-and-infrastructure/29-9-2015-hulland-ward.pdf>
- 8.5 The Traffic Open Products and Specifications (TOPAS)
<http://www.topasgroup.org.uk/shop/specifications.htm>

9. Appendices

- 9.1 Appendix 1 – Implications.
- 9.2 Appendix 2 – Application for a licence, under Section 115e of the Highways Act 1980, to site an amenity object in the public highway.

10. Recommendations

That Cabinet agrees to:

- a) The delivery and evaluation of a countywide, 12-months Speed Indicator Device trial in Derbyshire on the basis set out in this report.
- b) Provide District, Borough, Parish and Town Councils with the ability to obtain a limited number of signs, of a type and specification to be agreed by the County Council at approved locations.
- c) Consider the results of the trial on the speed of vehicles, with the Derby and Derbyshire Road Safety Partnership.
- d) Grant, subject to successful applications under Section 115e of the Highways Act 1980 from a District, Borough, Parish or Town Councils, licence agreements for the erection of signs on street lighting or other agreed street furniture. The erection of signs on lighting columns will also be subject any necessary electrical and structural testing at the applicant's own expense.
- e) Potential future review and alteration of the Speed Management Plan and its associated technical annexes, contained within the

Highway Network Management Plan, should the trial prove to be a success.

11. Reasons for Recommendations

- 1.1 This trial will give opportunity to further evaluate a new approach to the use of electronic message signs within its Speed Management Plan section of the Highway Network Management Plan. If this trial demonstrates a value for money approach to traffic safety, then changes to policy should be considered.
- 1.2 To give due consideration to approaches made from Elected Members, Districts, Boroughs, Parishes and Town Councils, and the public on the use of speed indicator devices, or similar products in Derbyshire.

12. Is it necessary to waive the call in period?

- 12.1 No.

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Implications

Financial

- 1.1 The funding for the Speed Indicator Devices used in the trial will be entirely at the expense of the applicant. It is estimated that the signs may cost applicants between £2,500 to £3,000 to purchase each individual sign unit (excluding installation costs). Installation will vary and is dependent on site conditions and individual contractor costs.
- 1.2 There will be a fee payable for legal services associated with the licencing agreement necessary for the signs, which is £100 for each agreement.
- 1.3 The cost of the additional staff resources for checking applications within the Highway Service can be accommodated with other similar work being carried out, but the council reserves the right to consider charging for such services in the future should it be deemed necessary.

Legal

- 2.1 Under Section 115e of the Highways Act 1980, the County Council may grant a licence for the use of objects or structures on, in or over a highway for the purpose of providing a centre for advice or information after first obtaining consent of the frontages with an interest in:
 - (i) to the placing of the object or structure;
 - (ii) to the purpose for which it would be placed; and
 - (iii) to the proposed grant of permission.
- 2.2 Under Section 115f of the Highways Act 1980, the County Council may attach such conditions to a licence granted under Section 115e as it considers fit including requiring payment of reasonable charges.
- 2.3 Further, under Section 115g, the Council shall not grant any permission under Section 115e unless it has first published a notice by affixing it at or near the location and by serving a copy on the owner or occupier of any premises appearing to the Council to be materially affected by the proposal. Such notice shall allow a period of 28 days for any representations to be made to the Council and no licence shall be granted until all representations made have been considered by the Council. The Council must also consult the local planning authority for the area under Section 115H of the Highways Act 1980.

- 2.4 The signs should be consistent with the Traffic Signs Regulations and General Directions 2016 and Traffic Open Product and Specifications (TOPAS) recommendations or any future advice that supersedes these documents.
- 2.5 Any work on the public highway must be carried out by those with the necessary public liability insurances and by a competent contractor who is authorised to work on a highway to the satisfaction of the Council. All staff operatives must comply with Council protective equipment requirements and all works notified through its permitting and noticing scheme.

Human Resources

- 3.1 The staff resources required for application received will be addressed through existing staff contained within the Highways Hub and in the Traffic and Safety Team with Legal Services providing the final highway licencing agreements

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 Not applicable as existing technology is already used on the public highway.

Corporate objectives and priorities for change

- 6.1 None.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 None.