Supporting information provided by the petitioner

Last June I wrote to the Minister of Transport Ieuan Wyn Jones, requesting a pedestrian crossing from Ysbytty Fields Estate to Plas Derwen Estate as there is a great deal of traffic using the Monmouth Road especially at certain times of the day. There is no pavement on the one side of the road, with no space to put one and on the other side the pavement is extremely narrow.

School children have to cross this road to get on their school bus and at that time of day it is like playing "chicken" to get across.

Mr Wyn Jones said that as there had been no fatalities and only one accident in the last five years, it would not be a priority. He also said as there was an island further up the road this should be sufficient help, but this island is for the traffic to filter into Ysbytty Fields and is therefore not really safe for people to hover about on when crossing, especially if they have a pushchair.

When I then suggested lowering the speed limit from 40mph to 30mph he said it was not policy to change immediately down to 30 mph from 60mph or 70mph in the event of a dual carriageway. However I do have a precedent, as when leaving the A4042 Abergavenny to Newport Road (a dual carriageway with a 70mph limit) at Croesyceiliog off the roundabout by the Police headquarters the speed limit is immediately down to 30mph. Why not do the same thing off the Hardwick roundabout on to Monmouth Road. Monmouth road is a trunk road so is the responsibility of WAG.

The residents of both Ysbytty Fields and Plas Derwen are so concerned that they have signed this petition in the hope that something can be done before there is a fatality or an accident.

Cllr Maureen Powell

CCPY

leuan Wyn Jones A.M. National Assembly for Wales Cardiff Bay Cardiff CF99 1NA

Dear Sir,

I have recently been elected County Councillor for the Castle Ward of Abergavenny. One of the problems within my ward is the difficulty many people have in crossing the trunk road, the A40, which is the main entrance to the town of Abergavenny. I believe a pedestrian crossing would solve not only this problem, but would, at the same time help to slow down the traffic, which travels at excessive speeds.

I enclose a rough sketch map to help you visualise the site. Where the pedestrian exit of the Ysbyty Fields Estate meets the A40, the pavement ends on that side of the road, causing anyone needing to walk into Abergavenny, or to the railway station, to cross this busy trunk road to reach the pavement. The road is not wide enough for the provision of a pavement on the Ysbyty Fields side of the road. Also if anyone wishes to catch a bus to Newport, Cardiff or Monmouth, they too have to cross this road. Older children attending King Henry VIIIth comprehensive school, who might be persuaded to walk to school, would also need to cross here. There are approximately 140 houses in the Ysbyty Fields Estate.

As this is a trunk road, I believe the funding for this road rests with the Welsh Assembly, and I hoped that they would provide funds for this improvement.

As you are the Minister for Transport and I know you are interested in road safety, I am sending this letter to you.

Yours sincerely,

C.Cllr. Maureen Powell



Llywodraeth Cynulliad Cymru Welsh Assembly Government

30

June 2008

Thank you for your letter of 11th June, requesting a pedestrian crossing on the A40 trunk road at Abergavenny in the vicinity of the Plas Derwen public house.

As you refer in your letter, the footway on the western side of the trunk road terminates just south of Plas Derwen Way. However, Transport Wales officials have noted that there is already an existing pedestrian refuge island and dropped kerbing for pedestrians wishing to cross the road which is located at the northern end of the bus lay by. This is located on a straight length of road and provides good visibility for pedestrians to cross to the eastern footway, which continues in a northerly direction. The personal injury accident history for the latest five-year period records one personal injury accident involving a pedestrian, though this involved an intoxicated man falling into the carriageway. In view of the relevant accident history and adequacy of the existing provision, a pedestrian crossing at this location cannot be currently justified.

Transport Wales will consider appointing a consultant to carry out a pedestrian assessment should the situation change. This would be likely to be in 2009/10 at the earliest and subject to Transport Wales' competing priorities and the availability of funding.

leuan Wyn Jones

Ieuan Wyn Jones AM Deputy First Minister

Your Ref DFM 1185/08

Dear Mr Wyn Jones,

Thank you for your letter of June 30th. I appreciate your prompt reply.

As you pointed out there is a pedestrian island in the middle of the A40, but how ever many islands were put there, this does not stop the traffic, in order for the pedestrians to cross over, nor does it slow the said traffic down. The island itself is also a bit hazardous, as it is really to allow traffic to turn right into the Ysbyty Estate across the oncoming flow of vehicles.

If the speed limit was lowered to 30MPH from 40 MPH, it might make things a bit better. It seems rather sad that people have to be killed at a place, before any measures for road safety are considered.

I enclose a photo of the type of traffic the public have to contend with.

County Councillor Maureen Powell Castle Ward, Abergavenny.



Llywodraeth Cynulliad Cymru Welsh Assembly Government

OS August 2008

Dear Councille Vowell

Thank you for your further letter and photograph of 21st June requesting that consideration be given to reducing the speed limit along the A40 trunk road to aid pedestrians crossing the road in the vicinity of the Plas Derwen Estate.

Your suggestion that the speed limit should be reduced to 30mph does not comply with the current speed limit guideline for this 40mph buffer zone approaching Abergavenny from Hardwick roundabout and there are no over riding personal injury accident cluster sites to consider the matter further on safety grounds. However, as I referred in my letter of 30th June my officials will monitor the site and may consider carrying out a pedestrian assessment which is likely to be in 2009/10 at the earliest. This assessment would include consideration of factors such as the geometry of the road and footway, the pedestrian flow and composition, the ability to cross the road, personal injury accidents and vehicle speeds to which you refer. Such factors would influence the choice of what, if any, measures could be considered.

The Welsh Assembly Government is committed to continually promoting road safety in Wales and to reducing the number of road collisions and casualties. As part of this process I announced the start of the consultation on new guidance for setting local speed limits in Wales in June. The closing date for comments is 29th August and full details can be found on the Welsh Assembly Government website under consultations.

It is intended that the guidance be used for setting all local speed limits on single and dual carriageway roads in both urban and rural areas. This includes all trunk and county roads but not motorways. The consultation will be followed by the preparation of final guidelines that I will consider, and I expect the new guidelines will be will available at the end of this year. My Transport officials will consider any pedestrian assessment in light of the new guidance. In the meantime the existing pedestrian refuge is considered to be an adequate and safe means of crossing the trunk road.

Bae Caerdydd • Cardiff Bay

Caerdydd • Cardiff

leuan Wyn Jones

Town wy Jos.

RH THE NICHONIE

Ieuan Wyn Jones Minister for Economy and Transport Welsh Assembly Cardiff Bay CF99 1NA

Dear Mr Wyn Jones

Thank you for your reply of 5th August. I take on board your explanations and accept that it would be 2009/10 before you could make an assessment. However a more serious concern has been brought to my attention.

The pavement on the A40 (Monmouth Road) from station road to the Plas Derwen estate is extremely narrow being less than a metre in width, with this even made narrower where there are lamp posts situated. The road itself is also narrow at this point, and when two vehicles meet they are dangerously near to the pedestrians. Recently a resident of Plas Derwen Estate was knocked on the shoulder by the mirror of a passing car. He was not damaged badly enough to need immediate medical attention, but was extremely shaken up. How anyone with a child in a push chair manages to keep the pushchair actually on the pavement is a miracle. The wall which is beside the pavement is next to a piece of amenity ground of grass and trees, so it would be possible to move it back. The other side of the road is flanked by a very high wall, behind which are houses and there is no footpath. I am led to understand that the Assembly has been approached about this some years ago, but again, as there had been no deaths, nothing was done. Do we have to wait until a child or anyone else is killed, before anything is done? I enclose a photograph showing the pavement.

Yours sincerely

County Councillor Maureen Powell Email; maureenpowell@monmouthshire.gov.uk Tel: 01873 851761 Mob:07890943796



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Dear Comeil Rovell

Thank you for your letter of 25 September concerning the pavement on the A40 Monmouth Road at Abergavenny from station road to the Plas Derwen Estate.

The Welsh Assembly Government's South Wales Trunk Road Agency (SWTRA) has also received a recent enquiry from a local resident regarding this issue. SWTRA subsequently evaluated the various options and, after consulting with Assembly Government Transport officials, concluded that the introduction of "Narrow Footway" signs was the most appropriate road safety measure for this location.

This will further focus drivers' attention to the particular road layout ahead of them. Police records do show there have been no incidents involving pedestrian injury adjacent to the narrow footway in the period 1st May 2003 to 31st July 2008.

Installation of the signs is programmed in the next financial year, subject to the availability of funding and priorities amongst competing Assembly Government Transport schemes.

leuan Wyn Jones

Letter from the Deputy First Minister #1 Ieuan Wyn Jones AC/AM Dirprwy Brif Weinidog /Deputy First Minister

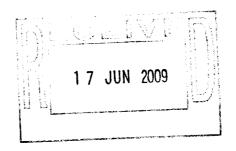


Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref PET-03-220 Ein cyf/Our ref DFM 962/09

Val Lloyd AM **Petitions Committee** National Assembly for Wales **Cardiff Bay** Cardiff **CF99 1NA**

Dee Vel



1 June 2009

Thank you for your letter of 22 May seeking an update on previous correspondence between Monmouthshire County Councillor Margaret Powell and myself regarding the A40 near Abergavenny.

A bid for funding was submitted by the South Wales Trunk Road Agency for this current financial year but the proposal to implement additional signing was unsuccessful when considered against other higher priority schemes.

Despite ongoing strong competition amongst high-ranking schemes for a successful allocation from Assembly Government's Transport budgets, it may be possible that resources become available later in the year to progress this signage work at Abergavenny.

leuan Wyn Jones

Gweinidog dros yr Economi a Thrafnidiaeth

Minister for the Economy and Transport

PS. DeputyFirstMinister@wales.gsi.gov.uk

Dea Sanda

leuan Wyn Jones AC/AM Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref PET-03-220
Ein cyf/Our ref DFM/05302/09
Sandy Mewies AM
Temporary Chair of the Petitions Committee
Cardiff Bay
CARDIFF
CF99 1NA



🐆 July 2009

I am responding to your letter of 14th July 2009 sent on behalf of the Petitions Committee requesting a copy of the guidelines for "Setting Local Speed Limits in Wales".

I am pleased to be able to inform you that I have recently approved the proposed guidelines "Setting Local Speed Limits in Wales". We plan to publish these guidelines towards the end of the summer. I will arrange for my officials to forward a copy of the guidelines to the Committee when they are published. The guidelines will also be made available on the Assembly web-site.

Speed limits on trunk roads are kept under general review across the network. Issues such as higher than average accident statistics would draw attention to the possible need for a more detailed review. A study of types of accidents, their severity, causes and frequency, together with a survey of traffic speeds, should indicate whether an existing speed limit is appropriate for the type of road and mix of use by different groups of road users, or whether it needs to be changed. Local speed limits would not be set in isolation, but as part of a package with other measures to manage vehicle speeds.

leuan Wyn Jones

Gweinidog dros yr Economi a Thrafnidiaeth Minister for the Economy and Transport

> Bae Caerdydd • Cardiff Bay Caerdydd • Cardiff CF99 1NA

English Enquiry Line 0845 010 3300 Llinell Ymholiadau Cymraeg 0845 010 4400 Ffacs * Fax 029 2089 8198 PS. DeputyFirstMinister®wales.gsi.gov.uk



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref PET-03-220 Ein cyf/Our ref DFM/05990/09 Val Lloyd AM Chair Petitions Committee Cardiff Bay CARDIFF CF99 1NA

Der Val

21

October 2009

I am responding to your letter of 5th October 2009 addressing questions raised by Sandy Mewies AM who at that time was the Temporary Chair of the Petitions Committee. One of the issues addressed was the request for a copy of the guidelines for "Setting Local Speed Limits in Wales" to be sent to the Petitions Committee when they become available.

As stated in my letter of 30th July (copy enclosed) I have arranged for my officials to forward a copy of the guidelines to the Petitions Committee when they are published. Due in part to the summer recess, the launch date for these guidelines has been rescheduled for this autumn, not late summer as stated in my original letter.

The guidelines will also be made available for viewing on the Assembly Government website.

leuan Wyn Jones

Paratowyd y ddogfen hon gan gyfreithwyr Cynulliad Cenedlaethol Cymru er mwyn rhoi gwybodaeth a chyngor i Aelodau Cynulliad a'u cynorthwywyr ynghylch materion dan ystyriaeth gan y Cynulliad a'i bwyllgorau ac nid at unrhyw ddiben arall. Gwnaed pob ymdrech i sicrhau fod yr wybodaeth a'r cyngor a gynhwysir ynddi yn gywir, ond ni dderbynir cyfrifoldeb am unrhyw ddibyniaeth a roddir arnynt gan drydydd partion.

This document has been prepared by National Assembly for Wales lawyers in order to provide information and advice to Assembly Members and their staff in relation to matters under consideration by the Assembly and its committees and for no other purpose. Every effort has been made to ensure that the information and advice contained in it are accurate, but no responsibility is accepted for any reliance placed on them by third parties

Petitions Committee

<u>Legal Briefing Note – 'Setting local Speed Limits in Wales'</u>

1. Background

- 1.1 The guidance was issued in October 2009 and replaces Circular Roads 1/93 (Department of Transport/Welsh Office 1993). The guidelines are to be used by highway authorities for setting all local speed limits on single and dual carriageway roads in both urban and rural areas.
- 1.2 The guidance is split into seven sections. This note summarises the key points in each section

2. Section 1 - Introduction

- 2.1 The overall speed limit framework, including the setting of national limits for different road types, and to which exceptions to the general limits can be applied, is the responsibility of central government.

 Currently the three national speed limits for cars and motorcycles are:
 - > 30mph on street lit roads
 - ➤ 60mph on rural single carriageway roads
 - 70mph on dual carriageway motorways
- 2.2 Speed Limits should be evidence led, self explaining and seek to reinforce people's assessment of what is a safe speed to travel.
- 2.3 Highway authorities set 'local speed limits' in situations where local needs and considerations deem it desirable for drivers to adopt a speed which is different from the national speed limit. Local speed limits could be lower or higher depending upon the conditions and evidence.
- 2.4 The guidance is to be used for setting all local speed limits on trunk and county roads (excluding motorways) whether single or dual carriageways in both urban and rural areas. It is also to be used as the basis for future assessments of local speed limits, for developing route management strategies, and for developing speed management strategies dovetailing with Regional Transport Plans.

2.5 Highway authorities are asked to review the speed limits on all of their A and B roads, and implement any necessary changes, by **31**st **December 2014** in accordance with this guidance.

3. Section 2 - Background and Objectives

- 3.1 Highway authorities continue to have the flexibility to set local speed limits that are right for individual roads, reflecting local needs and considerations.
- 3.2 Local speed limits should ideally be considered as part of a package of measures to manage vehicle speeds.

4. Section 3 – The underlying principles of local speed limits

- 4.1 WAG is responsible for determining local speed limits on the motorway and trunk road network. Local highway authorities are responsible for determining speed limits on the local road network.
- 4.2 Highway authorities and the Police should work together in determining any changes to speed limits.
- 4.3 Alternative speed management options should always be considered before a new speed limit is introduced.
- 4.4 The underlying aim should be to achieve a 'safe' distribution of speeds which reflects the function of the road and impacts on the local community. The needs of vulnerable road users and communities must be fully taken into account.
- 4.5 Highway authorities will wish to satisfy themselves that the benefits exceed the disbenefits before introducing or changing a local speed limit
- 4.6 The characteristics of the road and the needs of the vulnerable road user should be considered as factors when setting a speed limit.
- 4.7 Mean speeds should be used as the basis for determining local speed limits.
- 4.8 The minimum length of a speed limit should generally be not less than 600 metres although it may be appropriate to use shorter lengths in some circumstances.
- 4.9 Speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility at a bend.

5. Section 4 – The Legislative Framework

- 5.1 All speed limits, other than those on restricted roads should be made by order under Section 84 of the Road Traffic Regulation Act 1984.
- 5.2 Any permanent speed limits below 30mph, other than 20mph limits or zones, require individual consent from WAG.
- 5.3 For the purpose of determining whether or not a road is restricted, street lighting may extend not only to street lamps provided by highway authorities, but also to their provision by town or community councils with the consent of the respective highway authority.
- 5.4 Unless an order has been made and the road is signed to the contrary, a 30mph speed limit applies where there are three or more street lamps illuminating the carriageway and placed not more than 183 metres apart.
- 5.5 Highway authorities are not permitted to erect different speed limit signs relating to different classes of vehicle.
- 5.6 Vehicle activated signs must not be used as an alternative to static speed limit signing, but as an additional measure to warn or remind drivers as appropriate.

6. Section 5 – Speed Limits in Urban Areas

- 6.1 Lower speeds benefit all users of urban roads, especially vulnerable road users.
- 6.2 Highway authorities are encouraged to adopt the Institution of Highways and Transportation's Urban Safety Management Guidelines. The guidelines propose the use of a road hierarchy approach which reflects a road's function, the mix of vehicular traffic that it carries and its use by vulnerable road users
- 6.3 The national speed limit in urban areas is currently 30mph.
- 6.4 Highway authorities are encouraged to consider any new speed limits or modifications to existing limits on an individual case-by-case basis.
- 6.5 WAG encourages and supports 20mph speed limits and zones at appropriate locations. 20mph limits may even be introduced on trunk roads in exceptional circumstances, generally over short lengths or for limited times of the day.
- 6.6 40mph speed limits may be used where the highway features provide suitable facilities to accommodate the movements of all road users who normally use that length of road. 40mph speed limits will tend to be

- located on generally higher quality suburban roads or those on the outskirts of towns and villages where there is limited development.
- 6.7 50mph speed limits can be implemented on urban dual carriageways, radial routes or bypasses where the road environment and characteristics are appropriate. Generally vulnerable road users will not use or seek to cross these routes.

7. Section 6 – Speed Limits in Rural Areas

- 7.1 The current national speed limit on rural single carriageway roads is 60mph and a limit of 70mph applies on rural dual carriageways.
- 7.2 40 and 50mph speed limits may be used where appropriate, and the speed limit in rural towns and villages should generally be 30mph. Highway authorities should, however, consider each location on a case-by-case basis.
- 7.3 Highway authorities are encouraged to adopt the Institution of Highways and Transportation's Rural Safety Management Guidelines.
- 7.4 Speed Limits should be appropriate for the nature of the road and its use by all types of road user. Factors that should be considered include its strategic importance, the appropriateness of the current speed limit, the numbers and types of collisions, if it has a local access or recreational function and if it passes through or severs a local community. In addition, its geometry, the topography of the area and its use by vehicles and vulnerable road users should also be considered.
- 7.5 The TRL Speed Assessment Framework may be used in borderline cases where the choice of the appropriate speed limit is not clear, or for those roads with high collision rates.
- 7.6 Generally the minimum length of a speed limit should be 600metres. Highway Authorities may, however, lower this to 400 metres, and in exceptional circumstances, to 300 metres.

8 Relevance of guidelines to Petitions

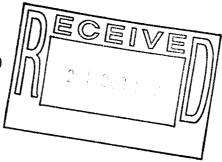
- 8.1 P-03-220 Lower the speed limit on the A40 near Abergavenny and P-03-240-Improvements to the A40 in Llanddewi Velfrey.
- 8.2 The A 40 is a trunk road and as such the Welsh Assembly Government who are a Highway Authority are directly responsible for setting local speed limits.
- 8.3 The Guidance makes it clear that it is directed to Highway Authorities (which would cover WAG) and is to be used for setting all local speed

- limits on trunk and county roads, whether single or dual carriageways in both urban and rural areas.
- 8.4 As a Highway Authority, WAG will have to review the speed limits on their relevant roads and implement any necessary changes, by 31st December 2014 in accordance with the guidance.
- 8.5 The relevant parts of the guidance are contained in Sections 2 6 and have been highlighted in the note.

National Assembly for Wales Legal Advisers November 2009

Eich cyf/Your ref P-03-220 Ein cyf/Our ref DFM 6391/09

Val Lloyd AM 97 Pleasant Street, Morriston, Swansea, SA6 6HJ.



Llywodraeth Cynulliad Cymru Welsh Assembly Government

December 2009

Dea Val

I am responding to your letter of 24 November regarding the petition to lower the speed limit on the A40 near Abergavenny. You requested an update to my letter of 16 June that referred to previous preliminary work for the installation of narrow footway signs on the A40 south of Abgergavenny town centre close to Station Road.

I am pleased to report that the necessary funding has been allocated to allow the scheme to progress. It is currently at the design stage and subject to a successful on site Road Safety Audit, to be undertaken shortly, the signs are scheduled for deployment in February 2010.

leuan Wyn Jones



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref
Ein cyf/Our ref DFM/06611/09
Val Lloyd AM
Chair
Petitions Committee
Cardiff Bay
CARDIFF
CF99 1NA

2 January 2010

Dea Vel

I am responding to your letter of 18th December 2009 sent on behalf of the Petitions Committee, seeking clarity on the time scale for the review of the speed limit on the A40(T) near Abergavenny, in accordance with the advice given in the Setting Local Speed Limits in Wales – Guidance document.

It is intended that all the speed limits across the trunk road network in Wales will be reviewed by December 2014.

The Assembly Government is currently developing a tool to prioritise individual routes within the wider review of the trunk road network. It is hoped that an initial list of prioritised sites for review will be prepared by Summer 2010.

I will write to you again in due course regarding the A40(T) near Abergavenny.



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref P-03-220 Ein cyf/Our ref DFM/00369/10

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

I am responding to your letter of 10 February following mine to your Committee of 12 January regarding Petition P-03-220 - Lower the speed limit on the A40 near Abergavenny.

My officials are in the early stages of preparing the prioritised sites for review that I referred to previously. This list is still scheduled for summer 2010 and whilst we are not yet in a position to confirm when the speed limit will be reviewed regarding the A40 near Abergavenny, I will write to the Committee in due course when details emerge for this location.

leuan Wyn Jones



Welsh Assembly Government

Eich cyf/Your ref P-03-220 Ein cyf/Our ref DFM/00885/10

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

O \ May 2010

Dear Christie

I am responding to your letter of 31st March, sent on behalf of the Petitions Committee, regarding the speed limit on the A40 (T) near Abergavenny and in particular the criteria that will be used when deciding the prioritisation of sites for speed limit reviews.

All prioritised sites for speed limit review will take account of overall collision rates, existing speed limits and the potential for lowering limits should it be deemed necessary. My officials are in the early stages of prioritising sites for review. This list is still scheduled for the summer 2010. I am not yet in a position to confirm when the speed limit along the A40 (T) near Abergavenny will be reviewed.

I will write to the Committee when I have more details about the A40 (T) near Abergavenny.

leuan Wyn Jones

Holding response from DFM

Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru Welsh Assembly Government

Eich cyf/Your ref P-03-220
Ein cyf/Our ref MB DFM 0539-10
Christine Chapman
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

October 2010

Dea Christe

I gave a commitment in my previous letter to you (5 May) to write to the Committee when I had more details of when the review of the speed limit would be undertaken on the A40 (T) near Abergavenny.

My officials undertook the prioritisation process during the summer and plan to review the A40 (T) near Abergavenny during the next six months.

leuan Wyn Jones