

# Speed Limits on Roads (Devolved Powers) Bill

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**B I L L**

TO

Amend Part VI of the Road Traffic Regulation Act 1984, and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, to make provision about the powers and duties of parish and town councils in relation to applying for speed limit orders; to provide for the conduct of local referendums to determine whether such applications should be made; and for connected purposes.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Power to change local speed limits**

- (1) Parish and town councils (the “applicant councils”), acting singly or jointly, shall have the power to make an application to the Secretary of State, or where applicable the Ministers, for a reduction or increase in the speed limit on one or more roads, or within a designated area, within their parishes and towns in accordance with the provisions of this Act. 5
- (2) The Road Traffic Regulation Act 1984 is amended in section 81, after subsection (2), by the insertion of—
  - “(3) The Secretary of State, or the Ministers acting jointly as the case may be, must, by order made by statutory instrument and approved by a resolution of each House of Parliament, increase or reduce the rate of speed from that fixed by subsection (1) above, or as subsequently varied, on one or more than one road, or in an area, as designated by an application under, and compliant with, the Speed Limits on Roads (Devolved Powers) Act 2016.” 10 15
- (3) When in receipt of an application which is compliant with the provisions of this Act, the Secretary of State or the Ministers acting jointly, as the case may be, must proceed to make an order under Section 81(3) of the Road Traffic Regulation Act 1984.
- (4) The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 shall not apply, and the provisions of this Act shall apply, to 20

orders sought by applications from parish and town councils to change speed limits made in accordance with the provisions of this Act.

## 2 Proposals to change local speed limits

- (1) For an application for an order under section 1 to be valid, the following conditions must be satisfied. 5
- (2) Condition A: The proposals—
- (a) would, if implemented, only apply to road or roads that are—
    - (i) local,
    - (ii) B, or
    - (iii) single carriageway A 10
 where the existing speed limit is no higher than 60 miles per hour (mph),
  - (b) may not increase an existing speed limit if the road in question is adjacent to a school, or school playing field, site (and there are no effective measures in place to physically separate pedestrians from the roadway), 15
  - (c) may only apply to a maximum of three roads within a single application,
  - (d) must take account of applicable Local Plans, and
  - (e) must be subject to amendment on the advice of the police on the grounds of road safety, including a recommendation of not proceeding. 20
- (3) Condition B: The proposals to be contained within the application must have been the subject of local public consultation, including at least one public meeting. 25
- (4) Condition C: Following public consultation, the final proposals to be contained within the application, and on which the applicant councils will vote, must have been published, and available for inspection at one or more reasonably accessible locations, including within or near the area affected, at least six months before the process envisaged in Condition D is implemented. 30
- (5) Condition D: Following formal approval by the applicant councils of the final proposals, the proposals must be approved by simple majority in a single joint referendum of the residents of the applicant councils affected.

## 3 Conduct of a referendum on proposals to change local speed limits

- (1) A referendum under section 2(5) may only be conducted— 35
- (a) in conjunction with local, national, European or PCC elections, and
  - (b) after a period of 30 days has elapsed starting with the day on which the affected county councils or unitary authorities received notice of the result of the referendum from the appropriate officer designated by the applicant councils. 40
- (2) The applicant councils under section 2(5) are jointly responsible for costs arising from the conduct of referendums.

**4 Other provisions**

- (1) If a proposed speed limit is approved by a referendum, the applicant councils must submit the application for an order under section 1 within a period of 30 days starting on the day after the referendum was held.
- (2) Once a speed limit has been implemented under subsection (2), it may not be subsequently be further altered for a period of five years starting on the day the order was approved by both Houses of Parliament, save where the Secretary of State agrees with a traffic authority that exceptional circumstances have arisen. 5
- (3) When exceptional circumstances, as mentioned in subsection (2) are determined to have arisen, the Secretary of State may make an amending order giving effect to a change agreed with the relevant traffic authority. 10
- (4) Nothing in this Act prevents traffic authorities determining and implementing variations in speed limits by virtue of powers vested in them by any other enactment. 15

**5 Regulations, extent, commencement and short title**

- (1) The Secretary of State, or the Ministers acting jointly as the case may be, may by regulations make further provision about the implementation of sections 2 to 4 of this Act.
- (2) This Act extends to England and Wales. 20
- (3) This Act comes into force on the day after the day it is passed.
- (4) This Act may be cited as the Speed Limits on Roads (Devolved Powers) Act 2016.

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To amend Part VI of the Road Traffic Regulation Act 1984, and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, to make provision about the powers and duties of parish and town councils in relation to applying for speed limit orders; to provide for the conduct of local referendums to determine whether such applications should be made; and for connected purposes.

*Ordered to be brought in by Scott Mann,  
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Derek Thomas,  
Alex Chalk and  
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*Ordered, by The House of Commons,  
to be Printed, 18 November 2015.*

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