

# Public Document Pack



Neuadd Y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Mawrth, 1 Chwefror 2022

Annwyl Cynghorydd

## **PENDERFYNIADIAU AELOD CABINET UNIGOL**

Hysbysir drwy hyn y caiff y penderfyniadau dilynol a wnaed gan aelod o'r cabinet eu gwneud **Dydd Mercher, 9fed Chwefror, 2022,**.

### **AGENDA**

1. POLISI INTERIM AR GAFFES PALMANT

**CABINET MEMBER: County Councillor J Pratt**

**AUTHOR:**

Paul Keeble, Group Engineer Highways

**CONTACT DETAILS:**

**E-mail:** [paulkeeble@monmouthshire.gov.uk](mailto:paulkeeble@monmouthshire.gov.uk) **Tel:** 01633 644773

2. PROSIECT PEILOT ARFAETHEDIG GORCHYMYN TERFYN CYFLYMDER, 20, 30 A 40 MYA C  
FYNWY

**CABINET MEMBER: County Councillor J Pratt**

**AUTHOR:**

Paul Keeble, Group Engineer Highways

**CONTACT DETAILS:**

**E-mail:** [paulkeeble@monmouthshire.gov.uk](mailto:paulkeeble@monmouthshire.gov.uk)

Yr eiddwch yn gywir,

**Paul Matthews**  
**Prif Weithredwr**

**PORTFFOLIOS CABINET**

<b>Cynghorydd Sir</b>	<b>Maes Cyfrifoldeb</b>	<b>Gwaith Partneriaeth ac Allanol</b>	<b>Ward</b>
P.A. Fox (Arweinydd)	<b>Strategaeth a Chyfeiriad Awdurdod Cyfan</b> CCR Cyd Gabinet a Datblygu Rhanbarthol; Trosolwg Sefydliad; Gweithio Rhanbarthol; Cysylltiadau Llywodraeth; Bwrdd Gwasanaethau Cyhoeddus; WLGA	Cyngor WLGA WLGA Bwrdd Cydlynu Gwasanaethau Cyhoeddus	Porthysgewin
R.J.W. Greenland (Dirprwy Arweinydd)	<b>Menter</b> Cynllunio Defnydd Tir; Datblygu Economaidd; Twristiaeth; Rheoli Datblygu; Rheoli Adeiladu; Tai a Digartrefedd; Hamdden; Ieuencid; Addysg Oedolion; Addysg Awyr Agored; Hybiau Cymunedol; Gwasanaethau Diwylliannol	Cyngor WLGA Twristiaeth Rhanbarth y Brifddinas	Devauden
P. Jordan	<b>Llywodraethiant</b> Cefnogaeth y Cyngor a Phenderfyniadau Gweithrediaeth; Craffu; Safonau Pwyllgor Rheoleiddiol; Llywodraethiant Cymunedol; Cefnogaeth Aelodaeth; Etholiadau; Hyrwyddo Democratiaeth ac Ymgysylltu: Y Gyfraith; Moeseg a Safonau; Perfformiad Awdurdod Cyfan; Cynllunio a Gwerthuso Gwasanaeth Awdurdod Cyfan; Cydlynu Corff Rheoleiddiol		Cantref
R. John	<b>Plant a Phobl Ifanc</b> Safonau Ysgolion; Gwella Ysgolion; Llywodraethiant Ysgolion; Trosolwg EAS; Blynyddoedd Cynnar; Anghenion Dysgu Ychwanegol; Cynhwysiant; Cwricwlwm Estynedig; Derbyniadau; Dalgylchoedd; Cynnig Ôl-16; Cydlynu gyda Choleg Gwent.	Cyd Grŵp Addysg (EAS) CBAC	Llanfihangel Troddi
P. Jones	<b>Gofal Cymdeithasol, Diogelu ac Iechyd</b> Plant; Oedolion; Maethu a Mabwysiadu; Gwasanaeth Troseddu Ieuencid; Cefnogi Pobl; Diogelu Awdurdod Cyfan (Plant ac Oedolion); Anableddau; Iechyd Meddwl; Iechyd Cyhoeddus; Cydlynu Iechyd.		Rhaglan
P. Murphy	<b>Adnoddau</b> Cyllid; Technoleg Gwybodaeth (SRS); Adnoddau Dynol; Hyfforddiant; Iechyd a Diogelwch; Cynllunio Argyfwng; Caffaeliad; Archwilio; Tir ac Adeiladau (yn cynnwys Stadau, Mynwentydd, Rhandiroedd, Ffermydd); Cynnal a Chadw Eiddo; Swyddfa Ddigidol; Swyddfa Fasnachol	Consortium Prynu Prosiect Gwyrdd Cymru	Caerwent

S.B. Jones	<b>Gweithrediadau Sir</b> Cynnal a Chadw Priffyrdd, Rheoli Trafnidiaeth, Traffig a Rhwydwaith, Rheolaeth Stad; Gwastraff yn cynnwys Ailgylchu; Cyfleusterau Cyhoeddus; Meysydd Parcio; Parciau a Gofodau Agored; Glanhau; Cefn Gwlad; Tirluniau a Bioamrywiaeth; Risg Llifogydd.	SEWTA Prosiect Gwyrdd	Goetre Fawr
S. Jones	<b>Cyfiawnder Cymdeithasol a Datblygu Cymunedol</b> Ymgysylltu â'r Gymuned; Amddifadedd ar Arwahanrwydd; Diogelwch y Gymuned; Cydlyniaeth Gymdeithasol; Tlodi; Cydraddoldeb; Amrywiaeth; Y Gymraeg; Cysylltiadau Cyhoeddus; Safonau Masnach; Iechyd yr Amgylchedd; Trwyddedu; Cyfathrebu		Llanofar

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Ein diben

Adeiladu Cymunedau Cynaliadwy a Chydnerth

### Amcanion y gweithiwn tuag atynt

- Rhoi'r dechrau gorau posibl mewn bywyd i bobl
- Sir lewyrchus a chysylltiedig
- Cynyddu i'r eithaf botensial yr amgylchedd naturiol ac adeiledig
- Llesiant gydol oes
- Cyngor gyda ffocws ar y dyfodol

## Ein Gwerthoedd

**Bod yn agored.** Rydym yn agored ac yn onest. Mae pobl yn cael cyfle i gymryd rhan mewn penderfyniadau sy'n effeithio arnynt, dweud beth sy'n bwysig iddynt a gwneud pethau drostynt eu hunain/eu cymunedau. Os na allwn wneud rhywbeth i helpu, byddwn yn dweud hynny; os bydd yn cymryd peth amser i gael yr ateb, byddwn yn esbonio pam; os na allwn ateb yn syth, byddwn yn ceisio eich cysylltu gyda'r bobl a all helpu - mae adeiladu ymddiriedaeth ac ymgysylltu yn sylfaen allweddol.

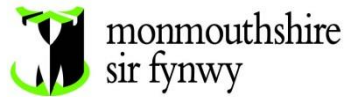
**Tegwch.** Darparwn gyfleoedd teg, i helpu pobl a chymunedau i ffynnu. Os nad yw rhywbeth yn ymddangos yn deg, byddwn yn gwrandao ac yn esbonio pam. Byddwn bob amser yn ceisio trin pawb yn deg ac yn gyson. Ni allwn wneud pawb yn hapus bob amser, ond byddwn yn ymrwymo i wrando ac esbonio pam y gwnaethom weithredu fel y gwnaethom.

**Hyblygrwydd.** Byddwn yn parhau i newid a bod yn hyblyg i alluogi cyflwyno'r gwasanaethau mwyaf effeithlon ac effeithiol. Mae hyn yn golygu ymrwymiad gwirioneddol i weithio gyda phawb i groesawu ffyrdd newydd o weithio.

**Gwaith Tîm.** Byddwn yn gweithio gyda chi a'n partneriaid i gefnogi ac ysbrydoli pawb i gymryd rhan fel y gallwn gyflawni pethau gwych gyda'n gilydd. Nid ydym yn gweld ein hunain fel 'trefnwyr' neu ddatrys-wyr problemau, ond gwnawn y gorau o syniadau, asedau ac adnoddau sydd ar gael i wneud yn siŵr ein bod yn gwneud y pethau sy'n cael yr effaith mwyaf cadarnhaol ar ein pobl a lleoedd.

**Caredigrwydd** – Byddwn yn dangos caredigrwydd i bawb yr ydym yn gweithio gyda nhw, gan roi pwysigrwydd perthnasoedd a'r cysylltiadau sydd gennym â'n gilydd wrth wraidd pob rhyngweithio.





<b>SUBJECT:</b>	<b>INTERIM PAVEMENT CAFÉ POLICY</b>
<b>MEETING:</b>	<b>INDIVIDUAL CABINET MEMBER DECISION</b>
<b>DATE:</b>	<b>9<sup>th</sup> February 2022</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL WARDS</b>

## 1. PURPOSE:

- 1.1 To consider the proposed interim pavement café policy which aims to support and make a positive contribution to the appearance and vibrancy of Monmouthshire towns as well as setting out the legal framework to assist with the consideration of applications as part of the licencing process.

## 2. RECOMMENDATIONS:

- 2.1 To agree to the interim café policy shown in appendix 2 up until the end of 2022.
- 2.2 To maintain the application fee at a minimum cost of £10 to support businesses in complying with the requirements and objectives of the interim policy.
- 2.3 To agree to review the policy including application fee during 2022 to reflect changes in legislation and best practice, with an amended policy and fee structure reported to the Cabinet Member for approval. This will include consultation with business forums and other interested parties whose suggestions will be considered as part of the updated policy.

## 3. KEY ISSUES:

- 3.1 Alfresco eating has become a widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life, and interest to an area. The provision of pavement cafés and the use of public spaces is also seen to aid the local economy and adds to the facilities offered to people who visit, live, and work in Monmouthshire.
- 3.2 At the start of the pandemic, outside eating became more important and Monmouthshire County Council supported businesses by making it easy to apply for pavement café licences and at a minimal cost. In addition, businesses were offered grants to purchase outside dining furniture and high streets were reconfigured to help with maintaining social distancing and to accommodate additional space for outside seating and trading.
- 3.3 The previous regulations regarding licencing such as time and noise level restrictions were removed during the pandemic and the main requirement focused on highway safety. This resulted in the setting up of a simpler process to deal with the demand for pavement café applications however despite these actions there has been a number of unauthorised

seating areas appearing on the high street which has led to concerns about obstructions to other users of the highway and in particular to less able persons.

- 3.4 The legal position is that any items placed on the public highway requires the consent of the Highway Authority and for pavement cafés this can be arranged by businesses applying for a licence under Section 115E of the Highways Act 1980. The licence process helps to ensure that proposed pavement cafés meet highway and other safety standards as well as to ensure compliance with conditions to allow for the protection of amenity areas and maintaining access for all users of the public highway as well as for the carrying out of maintenance works.
- 3.5 The proposed policy will also allow Highways to control the layout of the pavement café area including the requirements to define the approved boundary with barriers and ensure that all furniture should be neutral in colour and in keeping with the wider street scene.
- 3.6 The policy along with the online application process via MyMon will help officers and businesses to process applications effectively and support the wider objectives of the council and town councils for creating vibrant and sustainable town centres.
- 3.7 The policy will be updated during the 2022 calendar year, incorporating feedback from licence applicants and other stakeholders on the interim policy.

**4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

- 4.1 The proposal aims to standardise the provision of pavement café licences by creating safe areas for outside seating which is in line with the the council’s wider objectives of supporting the business community and creating vibrant environments within our town centres. The application process aims to protect the interest of groups such as those with limited mobility, learning disabilities, dementia and visual impairment.

**5. OPTIONS APPRAISAL**

5.1 Table One below therefore provides an options appraisal of the proposal:

Options	Benefits	Risks	Comments/Mitigation
Do Nothing	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Failure to protect the interest of vulnerable groups such as those in wheelchairs or visually impaired.</li> <li>Unsafely and safety hazards of street furniture and other structures placed on the public highway.</li> </ul>	This is not a sensible option
Re-issue existing licences unchanged until the end of December 2022, using the intervening period to develop and consult on a new pavement café policy to inform	<ul style="list-style-type: none"> <li>Maintains the status quo while a new permanent policy is developed, minimising disruption to businesses.</li> </ul>	<ul style="list-style-type: none"> <li>Absence of a policy framework against which to assess renewed licences or new licence applications.</li> <li>Fails to address concerns raised by disability groups</li> </ul>	This is not the preferred option.

future licence applications.		regarding some existing arrangements.	
Do minimum (assess applications on road safety requirements only)	<ul style="list-style-type: none"> <li>• Increase the number of pavement café areas</li> <li>• Reduce the burden and cost to applicants</li> <li>• Simplify the application process and reduce regulation.</li> </ul>	<ul style="list-style-type: none"> <li>• Failure to protect the interest of vulnerable groups such as those in wheelchairs or visually impaired.</li> <li>• Unsightly and safety hazards of street furniture and other structures placed on the public highway.</li> </ul>	This is not the preferred option.
Adopt the proposed interim policy.	<ul style="list-style-type: none"> <li>• Maintain safe pavement café areas within the highway</li> <li>• Ensure that all furniture and structures meet safety standards</li> <li>• Enhance the street scape and create vibrant places for recreational use.</li> <li>• Support the local economy and tourism.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential disruption to some businesses where licences need to be amended to ensure the pavement cafés operate safely.</li> </ul>	This is the preferred option. Feedback from licence applicants and other stakeholders will be used to inform the revised permanent policy.

## 6. REASONS:

- 6.1 The preferred option is to adopt the proposed interim pavement café policy as described within the report. This will ensure that a safe and vibrant environment is provided which meets highway and other safety requirements plus also protects the interest of disabled people and other minority groups.

## 7. RESOURCE IMPLICATIONS:

- 7.1 The processing of applications requires both a tabletop and on-site assessment of the proposed pavement café by a technical officer. Due to the current limited resources, it will be necessary in the short term to seek the assistance from an employment agent or consultant however the recent changes to the Highway & Flood Management Team include new positions within the Street Works Team to assist the Street Works and Asset Manager with assessing and approving pavement café licences. Enforcement of licences will be undertaken using in-house resource.
- 7.2 The proposed £10 charge is a nominal amount and will not cover the actual cost of processing pavement café licences. The actual cost will be assessed as part of the review of the policy and be based upon size of application and set alongside other fees and charges as part of the annual budget process.

## 8. CONSULTEES:

- Chief Officer People and Governance – Legal Services
- Chief Officer, Enterprise – including licencing, tourism, and regeneration officers
- Cabinet Member for Infrastructure and Neighbourhood Services
- Enterprise DMT
- SLT
- Strong Communities Select Committee
- Consultation with the business community and other interested groups will be undertaken during the review period of the interim policy.

**9. BACKGROUND PAPERS:**

None

**10. AUTHORS:**

Paul Keeble, Group Engineer Highways

**11. CONTACT DETAILS:**

**E-mail: [paulkeeble@monmouthshire.gov.uk](mailto:paulkeeble@monmouthshire.gov.uk) Tel: 01633 644773**

**Appendix 1: Wellbeing of Future Generations Equalities Impact Assessment**

**Appendix 2: Interim Pavement Café Policy**

# Appendices

## Appendix 1: Wellbeing of Future Generations Equalities Impact Assessment



monmouthshire  
sir fynwy

### Equality and Future Generations Evaluation

<p><b>Name of the Officer</b> completing the evaluation</p> <p><b>Paul Keeble</b> <b>Phone no: 01633 644773</b> <b>E-mail: <a href="mailto:paulkeeble@monmouthshire.gov.uk">paulkeeble@monmouthshire.gov.uk</a></b></p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To consider the proposed interim pavement café policy which aims to support and make a positive contribution to the appearance and vibrancy of Monmouthshire towns as well as setting out the legal framework to assist with the consideration of applications as part of the licencing process.</p>
<p><b>Name of Service area</b></p> <p>Placemaking, Regeneration, Highways and Flooding</p>	<p><b>Date 12<sup>th</sup> December 2021</b></p>

1. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	This proposal will benefit older groups such as those with limited mobility, dementia and visual impairment which are more prevalent among older people by maintaining a safe environment within town centres with areas that are free from obstruction as well as improved access to cafés and other facilities. In addition, younger people will benefit from being able to meet up with friends in a safe environment especially during high levels of Covid cases.	Some businesses may extend the boundary of their pavement café beyond that agreed within the terms of the licence and this may reduce the width of unobstructed pavement making access difficult.	Regular inspection and monitoring of the pavement cafes against the agreed licence will be undertaken and enforcement action considered if appropriate. Reports from the public will also be investigated and followed up where appropriate.
Disability	This proposal will benefit disabled groups such as those with limited mobility, learning difficulties and visual impairment by maintaining a safe environment within town centres with areas that are free from obstruction as well as improved access to cafés and other facilities	Some businesses may extend the boundary of their pavement café beyond that agreed within the terms of the licence and this may reduce the width of unobstructed pavement making access difficult.	Regular inspection and monitoring of the pavement cafes against the agreed licence will be undertaken and enforcement action considered if appropriate. Reports from the public will also be investigated and followed up where appropriate.
Gender reassignment	.None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	This proposal will benefit expectant mums and new parents with prams and pushchairs by maintaining a safe environment within town centres with areas that are free from obstruction as well as improved access to cafés and other facilities where they can rest and get refreshments if needed.	None	N/A

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

### The Socio-economic Duty and Social Justice

The Socio-economic Duty requires public bodies to **have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions** This duty aligns with **our commitment as an authority to Social Justice.**

Page 7	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Socio-economic Duty and Social Justice	The proposals aim to support local businesses and job opportunities which will offer a positive benefit to the community from a social-economic perspective.	None	N/A

## Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p><b>Policy Making</b></p> <p>Effects on the use of the Welsh language, Promoting Welsh language Treating the Welsh language no less favourably</p>	<ul style="list-style-type: none"> <li>• To align our policy with those of our neighbouring councils</li> <li>• To ensure a consistent approach to the requirements of pavement café licences within Wales.</li> </ul>	None	N/A
<p><b>Operational</b></p> <p>Recruitment &amp; Training of workforce</p>	None	None	N/A
<p><b>Service delivery</b></p> <p>Use of Welsh language in service delivery Promoting use of the language</p>	Both the policy and application forms will be available in Welsh and English languages on our website.	None	N/A







**4. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!


<b>Well Being Goal</b>	<b>Does the proposal contribute to this goal? Describe the positive and negative impacts.</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: The proposal will offer businesses increased opportunity for trade and improve the vibrancy of our towns supporting the local community and economy by creating job opportunities and encouraging tourism.</p>	<p>Positive: The proposals will ensure that the appearance of pavement cafés are in keeping with the local environment as well as keeping the highway safe for all users.</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>N/A</p>	<p>N/A</p>
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: The proposals will support safe outside seating areas encouraging offering people an environment where they can meet up with family and friends to enjoy food and drink.</p>	<p>Positive: The proposals will ensure that approval of licences is conditioned on maintaining a safe environment for all users of the highway.</p>
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>Positive: The proposals will help to create better town centre environments for the local community and visitors to enjoy. The proposals also offer a wider opportunity to regenerate our towns and make them safe and appealing places to visit thereby supporting not only the hospitality industry but also other shops and other services which operate within the town centres.</p>	<p>Positive: The proposals will ensure that the appearance of pavement cafes is in keeping with the local environment as well as keeping the highway safe for all users.</p>
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>N/A</p>	<p>N/A</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>Positive: the policy is supportive of street cafés and outdoor trading in appropriate locations and will allow communities to meet and socialise and enjoy our historic market towns, increasing dwell time for both residents and visitors which assists the local economy. This will assist with a thriving culture and successful businesses keep historic buildings in use and maintained, supporting our built heritage.</p>	<p>N/A</p>
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</p>	<p>Positive: the policy will ensure that pavement cafés operate within defined areas with sufficient highway remaining clear of obstruction for people with mobility difficulties or visual impairments or with pushchairs.</p>	<p>N/A</p>

**3) How has your proposal embedded and prioritised the sustainable governance principles in its development?**

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Balancing short term need with long term and planning for the future</p>	<p>The policy aims to set out a longer-term objective in supporting economic development of town centres whilst in the short-term ensuring that the safety of all users of the highway are properly considered as part of the annual application process.</p>	<p>The policy will support future enforcement action required to remove illegal and dangerous café areas. The highway has a duty to protect all users of the highway and the application process ensures that every pavement café area does not restrict or present a danger to the public. The criteria take in to account the needs of all users</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Working together with other partners to deliver objectives</p> <p><b>Collaboration</b></p>	<p>This policy is for the wider local and business community and in line with Monmouthshire Community Partnership objectives.</p>	<p>None</p>
 <p>Involving those with an interest and seeking their views</p> <p><b>Involvement</b></p>	<p>A number of organisations and individuals have been consulted:</p> <ul style="list-style-type: none"> <li>• Licencing Team;</li> <li>• Legal Services Team</li> <li>• Alan Burkitt, Welsh Language and Equality Officer, Monmouthshire County Council</li> </ul> <p>As well as responding to feedback from local elected representatives and business representatives, especially via the Business Resilience Forum.</p>	<p>None</p>
 <p>Putting resources into preventing problems occurring or getting worse</p> <p><b>Prevention</b></p>	<p>This proposal will both save resources and prevent potential problems with unsafe and unsightly pavement cafés within our towns.</p>	<p>None</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other</p>	<p>As the Highway Authority, we are responsible for ensuring that our streets are safe for all users and also maintain access for all users as well as the emergency services. The policy aims to balance the need to support food and drink premises whilst at the same time keeping the highway safe and free from obstruction for all users and those with restricted mobility or minority groups.</p>	<p>None</p>

**4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?**

	<b>Describe any positive impacts your proposal has</b>	<b>Describe any negative impacts your proposal has</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	Not applicable	Not applicable	n/a
Corporate Parenting	Not applicable	Not applicable	n/a

**5. What evidence and data has informed the development of your proposal?**

The approach taken by other Welsh councils (particularly those which neighbour our own) to mitigate issues of obstruction on the public highway and to protect the interests of all users.

We have:

- Researched the policies of other Welsh Councils
- Consulted with a wide range of other internal services who are impacted by the provision of pavement cafés within our towns.

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

**Positive impacts:** to reduce / eliminate obstruction of the public highway whilst supporting the wider objectives of creating safe, vibrant and healthy environments to support our town centres.

**7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

<b>What are you going to do</b>	<b>When are you going to do it?</b>	<b>Who is responsible</b>
Review the policy including the consideration of the views and suggestions of businesses and other interested parties.	September 2022	Asset & Street Works Team

**8. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.**

<b>Version No.</b>	<b>Decision making stage</b>	<b>Date considered</b>	<b>Brief description of any amendments made following consideration</b>
1	Initial draft	22 <sup>nd</sup> October 2021	
2	Final version	20 <sup>th</sup> December 2021	Addition of local pictures and update with comments from other internal teams.

Page 14

# Monmouthshire County Council's Pavement Café Licensing Policy.

## Contents

1. Introduction .....	3
2. Legal Framework and Controls .....	5
3. Private Land .....	6
4. Right of Access .....	6
5. Advertising .....	6
6. Designing the Pavement Cafe .....	6
7. Minimum Unobstructed Space Criteria .....	7
8. Lighting.....	7
9. Tables and Chairs shall be:.....	7
10. Parasols .....	7
11. Space Heaters .....	8
12. Barriers.....	8
13. Example of Good Practice.....	10
14. Managing the street café & Insurance .....	10
15. Operation.....	11
16. Fees .....	11
17. Granting of a licence .....	11
18. CONDITIONS FOR PAVEMENT CAFÉ LICENCES .....	12



## 1.0 Introduction

- 1.1 Alfresco eating is becoming a more widespread aspect of life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life, and interest to an area as well as supporting local businesses. Monmouthshire County Council supports and encourages the provision of pavement cafés in Monmouthshire as they can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live and work in Monmouthshire.
- 1.2 Tables and chairs placed on the highway without permission can be illegal as they could amount to an obstruction. However, permission to use the highway for pavement cafés may be granted the Council under Section 115E of the Highways Act 1980.
- 1.3 Accordingly, whilst the Council wishes to encourage pavement cafes, it is important that they are properly located and managed. This is to ensure that they meet the standards we expected by Monmouthshire County Council and that they do not obstruct the highway or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.
- 1.4 The area to be used must consider other needs in the immediate vicinity e.g. kerbside parking, bus stops and pedestrian crossings. Pedestrians' needs must be paramount. The expanse of the pavement café must not conflict with any access or dropped kerb crossings that are required for free passage. Barriers and tapping rails should be positioned and maintained to the satisfaction of Monmouthshire County Council and unless explicitly agreed otherwise in the approved licence, shall be totally removed outside the permitted hours of operation of the pavement café.
- 1.5 The pavement café is normally expected to be in an area directly in front of and visible from the existing premises. Emergency exit routes, including those of adjacent buildings, should not be obstructed by the pavement café and emergency service vehicles must always have access along all streets, even in pedestrianised streets.
- 1.6 In general, all parts of the highway may be used for pavement cafés, assuming all safety and non-obstruction requirements are met. The exceptions are:
  - Any live carriageway or 'shared use surface' used by vehicles;
  - Any highway verges;
  - Where width of the pavement makes it impractical;
  - Where authorised street furniture makes it impossible.
- 1.7 **Licences will not normally be granted where:**
  - A significant effect on road safety would arise either from the siting of the tables and chairs, or from customers visiting or leaving the licensed area; or
  - Where there are concerns over the recorded level of personal injury accidents in the locality where the tables and chairs will be sited; or
  - There would be a significant loss of amenity caused by traffic, noise, rubbish, potential for the harbourage of vermin, odour, or fumes; or
  - There is a conflict with Traffic Orders, such as waiting restrictions; or
  - The site obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use; or
  - The tables and chairs obstruct the safe passage of users of the footway or carriageway; or

- The area to be licensed interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities; or
- The site does not allow the licence holder, staff, and customers to park in a safe manner; or
- The trading activity is carried out after dusk and the site is not lit to allow safe access and egress from the site for both customers and staff; or
- The Council is not satisfied that applicants have made satisfactory arrangements for the storage and collection of all refuse associated with their business; or
- The Council is not satisfied that applicants have made satisfactory arrangements for the storage of all tables and chairs off the highway without impeding any access or egress from the premises.

- 1.8 In considering the above matters, the standard guidance will be that a licence will only be issued if an adequate unimpeded pedestrian route can be maintained at all times, having particular regard to those with a disability. All applications will be considered on their own merits.
- 1.9 Pavement café licences will only be issued to cafés, restaurants, public houses, or other catering establishments that serve food and drink within the premises.
- 1.10 The Council will carry out periodic inspections to make sure that all the terms and conditions of the licence are being observed.
- 1.11 A pre-licensing visit will be made to each premise upon receipt of an application for the renewal, or variation of a pavement café licence, to discuss the application process, the proposed operation of the café etc. to provide advice and information to the applicant.
- 1.12 Once the pavement café licence has been issued, a further visit will be made to the premises to review the practical day-to-day operation of the café. An additional visit may also be undertaken to ensure the premises is meeting licence conditions.

## **2.0 Legal Framework and Controls**

- 2.1 Permissions to use the highway for pavement cafés are granted by the issue of licences by the Council as the Highway Authority under Section 115E of the Highways Act 1980. Tables and chairs placed on the highway without permission are an illegal obstruction and the Council will take enforcement action in such cases. A fine of up to £1,000 can be levied by a Magistrates' Court for committing an offence of obstructing the highway.
- 2.2 Granting a licence to operate a pavement café does not imply an exclusive right to the area. The operator of the café should be aware that the Council reserves the right to gain access to the café area for cleaning, repairing, and maintaining the highway or street furniture. Other statutory organisations may also require access for maintenance and repair of their equipment. The Council therefore reserves the right to suspend the licence temporarily if, for any reason, it becomes necessary.
- 2.3 If it appears to a Council that a person to whom they have granted a permission under Section 115E above, has committed any breach of the terms of that permission, they may serve a notice requiring such steps to be taken to remedy the breach as are specified in the notice within such time as is so specified.
- 2.4 If a person who is served a notice and fails to comply with the notice, the Council has the power to take whatever steps are necessary themselves.
- 2.5 Where the Council has incurred expenses in the exercise of the power, then those expenses, together with interest at a reasonable rate, may be recovered by the Council from the Licence holder.
- 2.6 Under the terms of the Highways Act 1980, the Council cannot grant permission unless it obtains the express consent of interested frontages that may be materially affected by the proposal.
- 2.7 (Section 115A (7) of the 1980 Act states that "frontages" means: "the owners and occupiers of any premises adjoining the part of the highway on, in or over which facilities for recreation or refreshment or both, have been, are being or would be provided.)
- 2.8 For express consent of a consultee to be required, the proposed pavement café would need to directly affect that consultee's frontage.
- 2.9 The pavement café must operate in accordance with the conditions of the licence. Any breach of the conditions may lead to action by the Highways Section to revoke or refuse a licence in the future.
- 2.10 The Council will not permit any wheeled refuse containers, beer kegs, bottle crates to be stored on or adjacent to the pavement café area.
- 2.11 The barriers, table, chairs, and layout shall be as agreed by the Council and shall always conform to the approved plan.
- 2.12 The premises shall not use any boards or advertising signs or any other unsightly or unapproved items placed adjacent to the area.
- 2.13 The Licence holder shall make no claims or charge against the Council in the event of the street furniture being lost, stolen, or damaged in any way from whatever cause except where the same is attributable to negligence of the part of the Council or any of its officers.
- 2.14 If for whatever period or reason a public liability insurance policy is not in force, the Council shall be deemed to have withdrawn this Licence for the period during which the said policy is not in force and the licence holder may be held liable for obstruction of the highway and prosecution under Section 137 of the Act.

- 2.15 The licence holder shall not cause or undertake any alterations to the highway surface.
- 2.16 The licence holder shall not assign, sub-let, or part with his interest or possession of a licence.
- 2.17 The Council may suspend or terminate a licence if any of the conditions of the licence are breached.
- 2.18 The licence does not take precedence over Police powers to preserve public order.

### **3.0 Private Land**

- 3.1 This policy relates only to pavement cafés on a public highway. Cafés on private land are not covered by this policy. However, although a pavement café on private land may not need a licence, it may require planning permission if the structures and fittings are not of a temporary nature or if there is a material change of use of the land. Before proceeding, it would be wise to check with Council Planning Services to establish if planning permission is necessary.
- 3.2 Land that might to be private may in fact have become part of the highway if the public have enjoyed access over it for at least twenty years or if the Council has formally adopted the land.

### **4.0 Right of Access**

- 4.1 Authorised Officers of the Council and Police Officers shall have access to a pavement café at all reasonable times.

### **5.0 Advertising**

- 5.1 Advertising of alcoholic or smoking products or their manufacturers will not be permitted on the barriers or furniture within the pavement café area. Advertising may only relate to the premises or business and will require the approval of Monmouthshire County Council as part of the pavement café licence.

### **6.0 Designing the Pavement Café**

- 6.1 The size and layout of the proposed pavement café will be dependent upon the characteristics of the site outside of the premises particularly the space available considering the needs of other users and it is not appropriate for this Policy to set a standard size for the pavement café.
- 6.2 Plans will need to be submitted with an application and shall be drawn to scale and with written metric dimensions and must include:
  - An up-to-date location plan (1:1250 scale) showing the outline of the premises and the proposed location of the street café
  - Site layout plan (1:100 or 1:50 scale) showing the proposed boundary, kerb and building lines, enclosure barriers, points of access, table and seating layout, location of parasols, heaters etc, dimensions of the remaining pavement for pedestrian use, location of any street furniture such as bollards or streetlights within or adjacent to the pavement café area.
  - Photographs or drawings of the proposed furniture and barriers and details of where they will be stored outside of the licencing hours.

- 6.3 The layout of furniture and means of enclosure will only be approved if adequate provision has been made for customers with disabilities.
- 6.4 The pavement café should:
- occupy an area directly in front of the Applicant's premises.
  - be visible from these premises; and
  - Not extend beyond the width of its frontage (unless in exceptional circumstances and granted by Highway Authority).
- 6.5 Emergency routes from adjacent buildings and the Applicant's premises should not be obstructed by the pavement café. If the emergency services object to the proposal on safety grounds, it is highly likely that the Council will refuse it.

## **7.0 Minimum Unobstructed Space Criteria**

- 7.1 On a normal street, there must remain at least 1.8 metres of unobstructed pavement space to allow pedestrians to pass by safely. Each case will be judged on its merits. This requirement may be waived by the Council in exceptional circumstances: any such decision will be made on safety grounds and in no circumstances may the clear pavement width be reduced below 1.2 metres.

## **8.0 Lighting**

- 8.1 The Applicant for a pavement café licence should, if intending to open beyond dusk, carefully consider the level of lighting in the proposed pavement café area. Whilst street lighting may be perfectly adequate for a public highway, it may need supplementing to allow the pavement café to operate safely. Any additional lighting equipment and supply must be specified in the application to enable its impact upon the highway to be considered.

## **9.0 Tables and Chairs shall be:**

- 9.1 Of a neutral colour scheme e.g., chrome, brushed aluminium, black, brown, beige, grey or white, with natural or neutral stained timber or wicker detailing; all must be fitted with rubber feet to reduce noise when moving and damage to paved surfaces.
- 9.2 The Council reserves the right to reject applications where inappropriate furniture is proposed. So, it is advisable to discuss furniture proposals with the Highways Section before any furniture is purchased. Full details of proposed furniture will be required upon submission of the application, including metric dimensions and material and a photo or drawing. When choosing furniture regard needs to be had of the highway surface on which it will stand: uneven or sloping surfaces may require more sturdy styles of furniture and tables and chairs with narrow or thin legs may cause damage to certain paving.

## **10 Parasols**

- 10.1 If you intend to use parasols, their metric dimensions, materials and colour must be specified as part of the application and their proposed locations shown on the site layout plan.
- 10.2 Parasols, when opened, should be safely secured, and contained entirely within the boundaries of the pavement café to ensure they do not cause an obstruction or present a danger to any user of the street café or any other users of the highway.

- 10.3 The design and colour of parasols will not be restricted to a particular type, but they should be made of high-quality materials and fabric and be of a uniform design and colour. Garden style umbrellas are not acceptable. The base of the parasol must not cause a trip hazard in the pavement café area.
- 10.4 The only advertising permitted on parasols is the name of the café/ business. Such advertising must not be too dominant and should not detract from the appearance of the building and its setting, especially in conservation areas. Parasols advertising alcohol or tobacco will not be allowed.
- 10.5 Canopies, awnings, blinds etc. which are to be attached to the building may require advertisement consent or planning permission. Advice should be sought from Planning Services. See the contacts section at the end of this guide.

## **11 Space Heaters**

- 11.1 Space heaters are not compatible with our climate emergency ambitions however the need to support hospitality businesses through pandemic is recognised and therefore Monmouthshire County Council reluctantly accept that electric infrared heaters which have a lower carbon footprint will be accepted. Therefore, if you intend to use this type of heater then the specification of unit, along with the metric dimensions, materials and colour, should be set out within the application and their proposed locations shown on the accompanying site layout.
- 11.2 In considering an application, Monmouthshire County Council will have regard to the inherent safety of the equipment, its location, storage of fuel cylinders, maintenance, and training arrangements.
- 11.3 Applicants will be required to submit a formal risk assessment as required by the Management of Health and Safety at Work Regulations 1999 in support of your application. This should be carried out by a competent person (someone who has knowledge of the law, British Standards, and Health and Safety Executive Codes of Practice and Guidance).
- 11.4 Monmouthshire County Council will consider the adequacy of the risk assessment which must:
- Identify the hazards e.g., fire, explosion, burns, impact from falling equipment / cylinders;
  - Decide who may be harmed and how;
  - Evaluate the risks and decide whether proposed precautions will be adequate or whether more could be done;
  - Record findings;

## **12 Barriers**

- 12.1 Barriers or other means of enclosure are required to ease/ guide pedestrian movement, guide the visually impaired, protect users of the facility and mark the boundary of the licensed area.

- 12.2 The agreed pavement café boundaries shown on the plan that will be attached to the licence if successful must be always adhered to. The boundaries are required to be enclosed by either barriers or planters. Unless explicitly agreed otherwise in the approved licence, barriers and all furniture shall be totally removed outside the permitted hours of operation of the pavement café.
- 12.3 It is essential that the means of enclosure is fit for purpose and suitable for the terrain in which that the pavement café operates. Should the Council deem barriers unsafe, we may ask that the tables and chairs be removed until suitable barriers are provided. The means of enclosure must:
- Be stable and sturdy for all weather conditions the pavement café will operate in, including windy conditions: additional weights may be necessary to ensure barriers remain stable and secure;
  - Not contain protruding parts;
  - Have a tapping rail along the bottom of the barrier that visually impaired pedestrians can use to navigate around the street café using a stick;
  - Only display the name of the café/ business. They must not be used to advertise products or services. No alcohol advertising or tobacco advertising is permitted. Proposed details of means of enclosure must be provided with the application;
  - Hoops or post and chain type barriers and low-level objects that are a trip hazard will not be acceptable.

**Barriers must not be permanently fixed to the ground where this is public highway**



### 13 Example of Good Practice

(add photos here)



### 14 Examples of furniture not permitted



### 15 Managing the street café & Insurance.

15.1 The licensee will be required to indemnify the Council against all actions, demands, costs, charges, or expenses arising from using the highway under the permission granted. The



Council will, therefore, require the licensee to take out third party public liability insurance in the sum of at least £5,000,000.

## **16 Operation**

- 16.1 Hours of operation will be determined on the application's merits, although the following maximum hours will apply: 9:30hrs to 23:00hrs. Shorter hours may be required in some locations, for example due to part time road closures. Unless explicitly otherwise agreed in the approved licence, posts, barriers, tables and chairs shall not be placed upon the highway before the commencement of the pavement café approved hours and shall be removed entirely before the end of the pavement café approved hours. The area shall be left clean and tidy and free of any rubbish.
- 16.2 All furniture should be removed outside of the licenced hours unless the premises is licensed under the Licensing Act 2003 (for sale of alcohol). In this case, barriers can remain in place until either when premises close, or no later than 04:00hrs to create a "smoking area". No furniture other than space heaters, parasols should be present in the "smoking area" and no alcoholic drinks or glassware shall be present in this area after 22:30hrs.
- 16.3 Licences are granted for a maximum of one year and are renewable annually. Licences for new sites will be subject to a three-month probationary period.
- 16.4 A copy of the Licence and plan must be always kept on the premises and be available for inspection. When the area of a pavement café has been agreed, a definitive plan of the area showing the boundaries and the dimensions will be attached to, and form part of, the Licence.

## **17 Fees**

- 17.1 The administration fee for processing a street café licence application is £10.00\* and contributes towards the administrative and legal costs incurred in the preparation and issuing of the licence.
- 17.2 Upon approval of the licence, the balance of the fee will be required which covers the monitoring and enforcement and is based upon the number of chairs and tables and hours of use.

\*This fee will be subject to an annual review and is likely to increase to recover the Council's costs of issuing the licences.

## **18 Granting of a licence**

- 18.1 Under the terms of the Highways Act 1980, the Council is required to advertise applications for pavement café licences for not less than 28 days by posting a notice in the vicinity of the proposed street cafe. These notices set out details of the proposals and invite representations to be made by people who may be affected. If no objections are raised, the Licence will be granted within 5 working days of the expiration of the publicity period. If an objection is raised, the Service Manager will be required to determine the application within 20 working days or refer the matter to an external arbitrator as required by the Highways Act 1980 if no determination can be made.

## 19 CONDITIONS FOR PAVEMENT CAFÉ LICENCES.

**Please note that these conditions are not an exhaustive list, and each application will be considered on its own merits and bespoke conditions may be attached where deemed appropriate.**

1. The maximum permitted hours of operation as stated on the attached licence shall not be exceeded without prior permission from the Council.
2. Unless explicitly otherwise agreed in the approved licence, posts, barriers, tables and chairs shall not be placed upon the highway before the commencement of the pavement café approved hours and shall be removed entirely before the end of the pavement café approved hours. The area shall be left clean and tidy and free of any rubbish.
3. A copy of the licence and pavement café layout must remain at the premises and must be produced to any authorised officer on request.
4. Food or non-alcoholic drinks must be always available when the pavement café is open.
5. Furniture stored within the premises should not at any time block a fire exit.
6. The use of advertisement boards is prohibited
7. The advertising of alcohol or cigarettes is prohibited
8. Barriers and parasols can advertise the name of the business only.
9. The café area must be always supervised whilst it is operational.
10. No live or recorded music shall be played within any part of the Pavement Café.
11. Emergency routes from adjacent buildings and the applicant's premises shall not be obstructed by the pavement café.
12. The licence holder shall not cause or permit any alterations to the highway surface.
13. The licence holder shall not assign, sub-let, or part with his interest or possession of a licence.
14. Authorised Officers of the Council and Police Officers shall have access to a pavement café at all reasonable times.
15. If requested by a Police Officer or an Authorised Officer of the Council, all items shall be removed from the highway. These items shall remain off the highway for as long as is required.
16. The licence holder shall be responsible for the conduct of people, both patrons and employees, within the pavement café area.
17. Patrons shall not be permitted to remove food, drinks, crockery, or any cutlery from the pavement café.
18. All tables must be cleared of all uneaten food, used crockery, cutlery etc. and thoroughly cleaned of any spillage immediately they are vacated by customers.
19. Food and drink must not be stored or prepared outside the normal premises
20. All the food and drink that is consumed within the pavement café area must be ordered and purchased there.
21. All furniture shall be of high quality constructed of wood or metal and approved by the Council.
22. Parasols, when opened must not overhang the boundary of the pavement café and must remain closed in periods of high winds.
23. Permitted receptacles to be used within the pavement café are: - Glasses made of toughened or tempered safety glass Glasses made of polycarbonate or plastic Paper Cups China cups, saucers, and plates

24. The use of barbecues, rotisseries, ice cream machines, drinks machines or any other equipment for the preparation and / or sale of food and drink for consumption on or off the premises will not be permitted within the pavement café area.
25. The entire pavement café (apart from entrances) shall be enclosed in its entirety with a suitable barrier, the design, and dimensions of which must be agreed, in writing, by the Council. Space will be required for circulation and access within the enclosed area in addition to that for tables and equipment.
26. All activity associated with the pavement café shall be contained within the boundary including tables, chairs, and other permitted equipment.
27. The agreed boundary and layout of the pavement café as defined by the plan attached to the Licence shall not be altered without the express permission of the Council.
28. Barriers must not be permanently fixed to the ground on a public highway.
29. On a normal street, there must remain at least 1.8 metres of unobstructed pavement space to allow pedestrians to pass by safely. Each case will be judged on its merits. This requirement may be waived by the Council in exceptional circumstances: any such decision will be made on safety grounds and in no circumstances may the clear pavement width be reduced below 1.2 metres.
30. The licence holder shall always keep the area within the boundaries clean and litter free. Any litter that escapes from the inside of the licensed area to the outside of the area shall be collected by the licence holder.
31. Suitable litter/refuse bin(s) shall be provided within the pavement café area at all times of operation and taken inside at close of trading. The licence holder shall be responsible for disposing of all waste produced at the pavement café.
32. The licence holder shall provide Public Liability insurance cover for the pavement café and shall indemnify the Council against all claims in respect of injury, damage or loss arising out of the granting of permission, (e.g., damage to the highway or highway furniture) to a minimum value of £5,000,000 unless such claims arise out of the Council's own negligence.
33. If for whatever period or reason a public liability insurance policy is not in force, the Council shall be deemed to have withdrawn this Licence for the period during which the said policy is not in force and the licence holder may be held liable for obstruction of the highway and prosecution under Section 137 of the Act.
34. Where repair or maintenance of the pavement/highway is to be undertaken, Monmouthshire County Council will not be liable for any loss of trade and/or income. Whilst repair/maintenance is carried out. The Licence Holder/s must allow the Council reasonable access for such works.
35. Where gas heaters are used, the connections, including the regulator, hose & clips must be fit for purpose and checked on a regular basis and not be exposed in such a way that they are a trip hazard.
36. All customers using the pavement café will be required to be seated.
37. If the area is going to be used after 21:00hrs, CCTV will be installed to cover all the area. The date and time settings on the system must be correct and the CCTV system must be capable of recording images to a suitable medium that allows reply. Recordings must be retained for a minimum of 31 days. Staff shall be trained in the maintenance and operation of the CCTV system with a record kept of the date and name of person trained. A trained member of staff should be on duty to operate the system whenever the premises are open.
38. If 6 or more tables are used, 50% of the area should be also a non-smoking area until 23:00hrs

This page is intentionally left blank

<b>SUBJECT:</b>	<b>PROPOSED MCC 20, 30 &amp; 40MPH SPEED LIMIT ORDER PILOT PROJECT</b>
<b>MEETING:</b>	<b>INDIVIDUAL CABINET MEMBER DECISION</b>
<b>DATE:</b>	<b>9<sup>TH</sup> FEBRUARY 2022</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL WARDS</b>

1. **PURPOSE:**

- 1.1 To consider the proposed 20, 30 & 40mph speed limit Orders subsequent to advertisement in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

2. **RECOMMENDATIONS:**

- 2.1 It is recommended to not hold a public inquiry, and to proceed to approve and implement the proposed Orders.

3. **KEY ISSUES:**

- 3.1 In May 2019 the First Minister announced that 20mph should be the default speed limit for all residential roads in Wales. A task force was then established and reported back on an implementation plan for the legal process for the project to commence in 2023.
- 3.2 The proposal forms a key part of the Welsh Government's policy for Road Safety and Active Travel by aiming to create a culture for slower speeds, reducing the number and severity of road casualties and supporting alternative travel modes such as walking and cycling by making the roads less intimidating to non-vehicle users.
- 3.3 As part of the implementation plan, Welsh Government invited Local Authorities to bid for funding to introduce eight pilot schemes to help identify best practice and support the national rollout of 20mph limits in 2023. Monmouthshire County Council was successful in its bid for two pilots: Abergavenny and Severnside. Following this announcement, the Traffic Team have progressed these schemes to the stage of preparing a schedule to support the legal process and the making of the relevant traffic orders to support the new lower speed limits.
- 3.4 The development of the project has involved extensive speed and volume surveys to help inform the design and limits of the proposed schemes, including 30 and 40mph buffer speed limits to help reduce speeds at the approach to the 20mph limits. Officers have run consultation events with members and the respective local communities, including discussions with neighbouring authorities from both Wales and England eg Gloucestershire CC who have an interface with the proposed amended speed limits. More information on the pilot and additional 20mph schemes are shown in the presentation at Appendix 1 including the locations and extents of the proposals.

3.5 The pilot schemes for Abergavenny and Severnside have now been finalised and the proposed traffic order schedule prepared as shown in Appendix 2. It is planned to deliver the 20mph pilot schemes this financial year by employing a local supplier under the South East Wales Contract Framework.

3.6 The Welsh Assembly Government’s Circular 24/2009 provides national guidance for Setting local speed limits in Wales. MCC has considered paragraph 5.6 to 5.11 of the Welsh Assembly Government’s Circular 24/2009 in particular 5.7 and 5.10. A decision has been made to depart from this guidance for the following reasons; to create a culture for slower speeds, reducing the number and severity of road casualties and supporting alternative travel modes such as walking and cycling by making the roads less intimidating to non-vehicle users.

3.7 A summary of consultation responses can be found in Appendix 3 together with Officer responses. None of issues or comments raised cannot be overcome or that change the Officer recommendation to proceed with making the speed limit changes.

**4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

4.1 The proposal aims to support the national policy for reducing speed and thereby improving road safety as well as contributing towards providing a safer environment to encourage people to walk and cycle in line with the objectives of the Active Travel Act. The new lower speed limits will also protect the interest of groups such as those with limited mobility, additional learning needs, dementia and visual impairment.

**5. OPTIONS APPRAISAL**

5.1 Table One below therefore provides an options appraisal of the proposal:

Options	Benefits	Risks	Comments/Mitigation
Do Nothing	<ul style="list-style-type: none"> <li>Less demand on office time and resource</li> </ul>	<ul style="list-style-type: none"> <li>The Welsh Government has confirmed the national urban speed limit will reduce to 20mph in 2023. These proposals are intended to evaluate the process and compliance levels of motorists prior to the 2023 implementation date. Failure to deliver</li> </ul>	The benefits outweigh the resource implications.

		the pilots will have a detrimental effect on the data gathered.	
Do minimum	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Unable to “do minimum”</li> </ul>	Option not available
Adopt the proposals	<ul style="list-style-type: none"> <li>Ensure the speed limit reductions are introduced as planned.</li> <li>Collect traffic data to ascertain levels of compliance.</li> <li>Collect casualty data to understand the general effect of the lower speed limits</li> <li>Collect usage data to understand what impact lowered speed limits have in respect of modal shift</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	This is the preferred option.

## 6. REASONS:

- 6.1 The proposed speed limit orders are deemed necessary to support Welsh Government’s proposal of reducing the national urban speed limit to 20mph in 2023. The introduction of the pilot schemes will provide useful information and data as we move towards 2023.

## 7. RESOURCE IMPLICATIONS:

- 7.1 The proposals are funded by Welsh Government Road Safety Grant.
- 7.2 Further Welsh Government funding has been offered for 2022/23 which can be used towards the existing programme of 20mph zones for next financial year. In the longer term, the Welsh Government intends to make 20mph the new default speed limit in existing 30mph built up areas. Funding arrangements for that are not yet known. However, this report relates solely to the fully funded pilot projects at Abergavenny and Severnside.

## 8. CONSULTEES:

- Cabinet Member for Infrastructure and Neighbourhood Services
- Enterprise DMT

- SLT
- The Traffic Orders were publicised in accordance with the statutory process
- A Member workshop was held for all Members, and meetings held with the relevant town and community councils where requested, as well as with the Magor Speed Watch group.

**9. BACKGROUND PAPERS:**

Notice of Intention, drawing no's 1911, 1912, 1913, 1914, 1915, 1916, draft order, schedule of responses

**10. AUTHORS:**

Paul Keeble, Group Engineer Highways

**11. CONTACT DETAILS:**

E-mail: [paulkeeble@monmouthshire.gov.uk](mailto:paulkeeble@monmouthshire.gov.uk)



**Appendix 1:**

---



## Monmouthshire 20mph Pilot Project

Mark Hand – Head of Placemaking, Regeneration, Highways and Flooding  
Paul Keeble – Group Engineer - Highways & Flood Management  
Graham Kinsella – Traffic & Road Safety Manager



## Wales 20mph Pilot Project

- May 2019 First Minister announced that 20mph should be the default speed limit for all residential roads in Wales.
- Task force established in July 2019 comprising of LA's Emergency services, transport operators and businesses
- Desired outcomes from the Task Force were;
  - Compliance rate
  - Changes in speed
  - Pedestrian/cyclist casualty rates
  - Active travel
  - Journey time reliability
  - Social interaction changes
- Joint WG/WLGA Task force produced a report on the implementation of 20mph on 15 July 2020  
<https://gov.wales/sites/default/files/publications/2020/07/20mph-task-force-group-report.pdf>
- Program for implementation
  - Publish report 15 July 2020
  - Ministerial Statement and Senedd vote 15 July 2020
  - Commence Pilots Sept 2020 – (delayed until Nov/Dec 2020)
  - Public consultation on changing default speed limit from 30mph to 20mph July - Sept 21
  - Pass Statutory Instrument October 2021
  - Commencement date for national implementation 2023



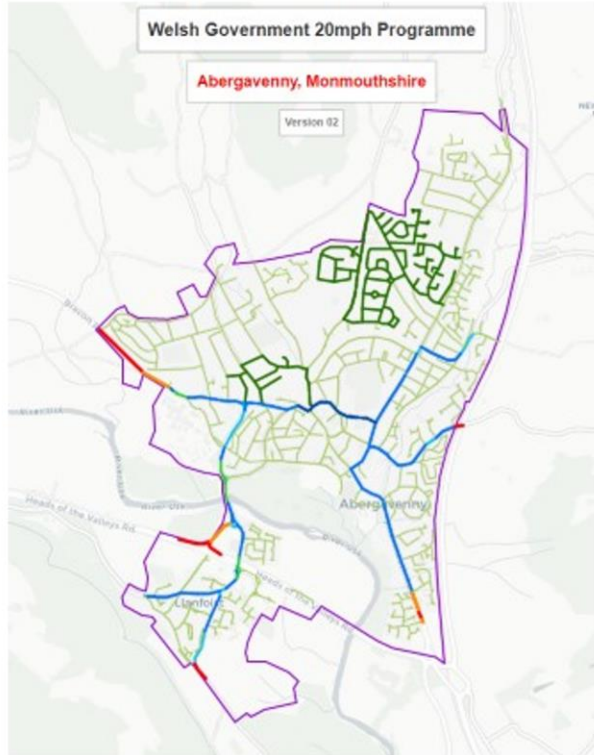
### Why are we doing this?

- Lower travelling speeds through our communities will;
  - Reduce casualties
  - Improve air quality
  - Increase the use of alternative travel modes such as walking/cycling and scooting for short journeys
  - Creating a more welcoming/comfortable space for residents/visitors

### Where are we now?

- All Welsh LA's were invited to bid for funding to implement 20mph speed limits - Dec 2020
- 8 pilots identified across Wales with MCC being awarded 2 areas (Abergavenny & Severnside – Magor/Undy, Rogiet, Caldicot/Portskewett & Caerwent)
- Speed and volume surveys have been completed in both settlements to understand current travelling behaviours
- Work is currently underway to shape what these pilot areas will look like
- Ongoing work to develop the national rollout of 20mph which will apply to the majority of urban settlements within the County.





### What does this mean for the Abergavenny pilot area?

- All the publicly maintained roads within the area will become a 20mph speed limit including the A40
- Gateway features will be introduced to encourage compliance and change the feel of entering into a distinctly different environment
- Electronic speed signs will be erected at strategic points through the area
- Engagement with the community will begin to get the message out to residents and will be essential for the community to understand why we are doing this.





#### What does this mean for the Severnside pilot area?

- All the publicly maintained roads within the residential areas will become a 20mph speed limit including the sections of the B4245 through the villages/town
- Gateway features will be introduced to encourage compliance and change the feel of entering into a distinctly different environment
- Electronic speed signs will be erected at strategic points through the area
- Buffer limits will be introduced to incrementally reduce speeds coming into the 20mph areas where necessary
- Engagement with the communities will begin to get the message out to residents and will be essential for the communities to understand why we are doing this





### Next Steps

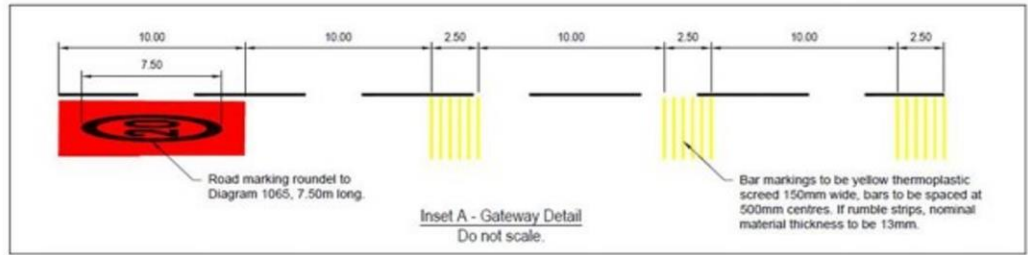
- Comms package currently under development by Transport for Wales
- Targeted comms to engage specific user groups (18-24 year olds, commuters, parents/carers on the school run) currently being developed by MCC via social media channels, radio/TV, MCC website
- Speed monitoring to gauge current traveling speeds, ongoing monitoring of the pilot areas will carry on for the next 5 years
- Detailed design work & drafting of permanent traffic orders
- Enforcement plan – whilst speed limit enforcement byGoSafe will be necessary, an overall enforcement strategy is currently in development

### Timescales

- Comms package – Nov/Dec 2021
- Pre implementation speed/vol monitoring – July 2021
- Semi permanent speed/vol monitoring – Nov/Dec 2021
- TRO consultation – Dec/Jan 2021
- Implement 20mph limit on the ground – Jan/Feb/March 2022
- Ongoing monitoring – 5 years to 2026



### Typical Gateway Carriageway Markings



### Typical Speed Indicator Device (SID)



## 20mph Speed Limits Outside the Pilot Areas

In addition to the pilot areas, we are intending to progress a number of additional 20mph speed limits this financial year.

- Devauden
- Shirenewton/Mynydd Bach
- Mathern
- Monmouth – whole town including Wyesham
- Chepstow – Mounton Rd, Lower Chepstow and Welsh St/Kingsmark area
- Tintern – Temp 20mph currently in place as part of the C19 response will be made permanent
- Raglan – Temp 20mph currently in place as part of the C19 response will be made permanent
- Bulwark/Thornwell experimental 20mph order will be made permanent

Consultation drawings will be completed asap for these additional areas, it is anticipated these traffic order consultations will be run concurrent with the pilot 20mph orders.





## Forward Program for 20mph Speed Limits

### 2022/23

Chepstow

Dingestow

Gilwern

Mitchel Troy

Usk

Wye Valley Villages (St Arvans, Penallt, The Narth, Llandogo, Llanishen, Catbrook)

### 2023/24

Wales wide introduction of 20mph within the built up environment

It is anticipated that all residential areas not previously covered with a 20mph speed limit will be included in the national roll out of 20mph.



**Appendix 2:**

**SECTION 84 - ROAD TRAFFIC REGULATION ACT 1984**

**NOTICE OF INTENTION TO MAKE A PERMANENT ORDER**

**MONMOUTHSHIRE COUNTY COUNCIL  
MONMOUTHSHIRE COUNTY COUNCIL TRAFFIC REGULATION, SPEED LIMITS AND PARKING REGULATIONS CONSOLIDATION ORDER 2019  
(AMENDMENT ORDER NO 1) 2022**

**PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC  
ORDERS AT VARIOUS LOCATIONS WITHIN ABERGAVENNY, LLANFOIST, MAGOR WITH UNDY, ROGIET, CALDICOT, PORTSKEWETT AND  
CAERWENT IN MONMOUTHSHIRE COUNTY COUNCIL**

**NOTICE IS HEREBY GIVEN** that Monmouthshire County Council of County Hall, The Rhadyr, Usk, NP15 1GA ("the Council") propose to make a Road Traffic Regulation Order as follows:

**EFFECT OF THE ORDER:** to introduce 20, 30 & 40mph speed limits within the localities identified on the plans, which are available to view at County Hall, Usk or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic>

Further details of the proposed Order, comprising plans and a statement of reasons for proposing to make the Order may be examined via pre-arranged appointment at County Hall, Usk NP15 1GA (appointments can be arranged by e-mailing [traffic@monmouthshire.gov.uk](mailto:traffic@monmouthshire.gov.uk)) or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic> or the via the below QR code

Any objections in respect of this proposal should be made in writing, stating the grounds on which the objection is being made and should be sent to Traffic Section, Monmouthshire County Council, County Hall, Usk NP15 1GA not later than the 20<sup>th</sup> of January 2022 or via scanning the QR code below and selecting "How to comment on a proposed TRO", where the public consultation response form can be accessed.

**Date: 22<sup>nd</sup> December 2021**



## MONMOUTHSHIRE COUNTY COUNCIL

### Monmouthshire County Council Traffic Regulation, Speed Limits and Parking Regulations Consolidation Order 2019 (Amendment Order No 1) 2022

#### **Proposed Provision and Amendments to Traffic Orders at Various locations within Abergavenny, Llanfoist, Magor with Undy, Rogiet, Caldicot, Portskewett and Caerwent in Monmouthshire County Council**

##### **Statement of General Effect**

The effect of the Order will be to implement a 20, 30 & 40mph speed limits through the residential enclaves identified. The proposal is intended to reduce travelling speeds and provide a safer highway environment for all users.

##### **Statement of Reasons**

The Welsh Government are to introduce a national default 20mph speed limit for residential restricted roads in Wales by August 2023. In advance of this initiative, Welsh Government invited bids from local authorities across Wales to introduce a limited number of 20mph speed limits. A bid was submitted to the Welsh Government for 2 areas in Monmouthshire - Abergavenny and Llanfoist, Severnside (Magor with Undy, Rogiet, Caldicot, Portskewett, Caerwent). These schemes form part of the first phase of implementation of a change in default speed limit to 20mph and will bring considerable benefits of improving road safety within the wider residential and commercial areas.

The proposal is intended to reduce travelling speeds through the identified communities, which in turn will encourage the use of alternative travel modes, such as walking, cycling and scooting. It will also have a positive impact on the health and wellbeing of the community . The proposals will contribute to creating a safer, more welcoming highway environment for all highway users and lessen the severity of road collisions.

Dated: 22nd of December 2021



**CYNGOR SIR FYNWY**

**Gorchymyn Cydgrynhoi Rheoliadau Rheoleiddio Traffig, Terfynau Cyflymder a Pharcio Cyngor Sir Fynwy 2019 (Gorchymyn Diwygio Rhif 1) 2022**

**Darpariaeth a Diwygiadau Arfaethedig i Orchmyinion Traffig mewn lleoliadau amrywiol yn y Fenni, Llanffwyst, Magwyr gyda Gwndy, Rogiet, Cil-y-coed, Porth Giwied a Chaerwent yn Sir Fynwy**

Mae Cyngor Bwrdeistref Sirol Caerffili (y 'Cyngor') drwy arfer eu pwerau o dan

Ddeddf Rheoleiddio Traffig Ffyrdd 1984 ('Deddf 1984') a Deddf Rheoli Traffig 2004 (Deddf '2004') a phob pŵer galluog arall, ac ar ôl ymgynghori â Phrif Swyddog yr Heddlu yn unol â Rhan III o Atodlen 9 i Ddeddf 1984, drwy hyn y gwneud y Gorchymyn canlynol:

2022  
44

**1 ENWI A DYDDIAD CHYCHWYN**

Daw'r Gorchymyn hwn i rym ar y \*\* diwrnod o \*\*\*\*\* 2022 a gellir ei enwi fel Gorchymyn Cydgrynhoi Rheoliadau Rheoleiddio Traffig, Terfynau Cyflymder a Pharcio Cyngor Sir Fynwy 2019 (Gorchymyn Diwygio Rhif 1) 2022

**2 EFFAITH Y GORCHYMYN**

Bydd Gorchymyn Cydgrynhoi Rheoliadau Rheoleiddio Traffig, Terfynau Cyflymder a Pharcio Cyngor Sir Fynwy 2019 yn cael ei ddiwygio drwy:

- a) **Ddirymu Cynlluniau**  
AP60,AQ59,AQ60,AR58,AR59,  
AR60,AS57,AS58,,AS59,AS60,

**MONMOUTHSHIRE COUNTY COUNCIL**

**Monmouthshire County Council Traffic Regulation, Speed Limits and Parking Regulations Consolidation Order 2019 (Amendment Order No 1) 2022**

**Proposed Provision and Amendments to Traffic Orders at Various locations within Abergavenny, Llanfoist, Magor with Undy, Rogiet, Caldicot, Portskewett and Caerwent in Monmouthshire County**

The Monmouthshire County Council (the 'Council') in exercise of their powers under the Road Traffic

Regulation Act 1984 (the '1984 Act') and the Traffic Management Act 2004 (the '2004' Act) and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

**1 CITATION AND COMMENCEMENT**

This Order shall come into operation on the \*\*th day of \*\*\*\*\* 2022 and may be cited as Monmouthshire County Council Traffic Regulation, Speed Limits and Parking Regulations Consolidation Order 2019 (Amendment Order No 1) 2022

**2 EFFECT OF THE ORDER**

Monmouthshire County Council Traffic Regulation, Speed Limits and Parking Regulations Consolidation Order 2019 shall be amended by:

- a) **The revocation of Plans**  
AP60,AQ59,AQ60,AR58,AR59,

AT55,AT56,AT57, AT58,AT59,AU53,  
AU54,AU55,AU56,AU57,AU58,AU59  
AV53,AV54,AV55AAV57A,AV58A,  
AV59,AV60,AV61,AW54,AW55,  
AW56A,AW57A,AW58A,AW59,  
Ax55,AX56a,AX57b,AX58,AX59, AV56B  
AY56,AY57,AY58b,Az54,AZ55,AZ56  
AZ58,BA54,BA55,BA56,BA58,BB54  
BB58,DO100,DP98,DP99,AY55  
DP101,DQ100,DQ101,DQ102,DR101  
DS101,DS102,DT103A,DT104A,DU102A  
DU103A,DU104A,DV101,DP100,DV102  
DV103A,DV104A,DW101A,DW102,DW103B  
DW104B,DW105,DW106,DX101,DX102  
DX103A,DZ104,DX105,DX106  
DY101,DY102,DY103,DY104,DY105  
DY106,D0100,DP98,DP99,DP100,DP101  
DQ100,DQ101,DR101,DX97A, DX98  
DX99,DY97A,DY98A,DY99,DV107,DW107  
DW108,DW109,DW110,DW111,DU109,DU110  
DX107,DX108,DX109,DX111, DY108  
DY109,DY110,DZ109,DZ110,DY88  
DY89,DY90,DY91,DY92,DY93,DY94  
DZ88,DZ89,DZ90,DZ91,DZ92, DZ93  
DZ94,EA87,EA88,EA89,EA90,EA91  
EA92,EA93,EB91,EB92  
**sydd ynghlwm wrth y Gorchymyn hwn a  
mewnosod Cynlluniau**  
AP60A,AQ59A,AQ60A,AR68A,AR59A,AR60A

AR60,AS57,AS58,,AS59,AS60,  
AT55,AT56,AT57, AT58,AT59,AU53,  
AU54,AU55,AU56,AU57,AU58,AU59  
AV53,AV54,AV55AAV57A,AV58A,  
AV59,AV60,AV61,AW54,AW55,  
AW56A,AW57A,AW58A,AW59,  
AX55,AX56A,AX57B,AX58,AX59, AV56B  
AY56,AY57,AY58B,AZ54,AZ55,AZ56  
AZ58,BA54,BA55,BA56,BA58,BB54  
BB58,DO100,DP98,DP99,AY55  
DP101,DQ100,DQ101,DQ102,DR101  
DS101,DS102,DT103A,DT104A,DU102A  
DU103A,DU104A,DV101,DP100,DV102  
DV103A,DV104A,DW101A,DW102,DW103B  
DW104B,DW105,DW106,DX101,DX102  
DX103A,DZ104,DX105,DX106  
DY101,DY102,DY103,DY104,DY105  
DY106,D0100,DP98,DP99,DP100,DP101  
DQ100,DQ101,DR101,DX97A, DX98  
DX99,DY97A,DY98A,DY99,DV107,DW107  
DW108,DW109,DW110,DW111,DU109,DU110  
DX107,DX108,DX109,DX111, DY108  
DY109,DY110,DZ109,DZ110,DY88  
DY89,DY90,DY91,DY92,DY93,DY94  
DZ88,DZ89,DZ90,DZ91,DZ92, DZ93  
DZ94,EA87,EA88,EA89,EA90,EA91  
EA92,EA93,EB91,EB92  
**attached to this Order and the insertion of  
Plans**

AS57A,AS58A,AS59A,AS60A,AT55A,AT56A  
 AT58A,AT59A,AU53A,AU54A,AU55A,AU56A  
 AU57A,AU58A,AU59A,AV53A,AV54A,AV55B  
 AT57A,AV57B,AV58B,AV59A,AV60A,AV61A  
 AW54A,AW55A,AW56B,AW57B,AW58B  
 AW59A,AX55a,AX56B,AX57C,AX58A  
 Ax59A, AV56C,AY56A,AY57A,AY58C,AZ54A  
 AZ55A,AZ56A,AZ58A,BA54A,BA55A,BA56A  
 BA58A,BB54A,BB58A,D0100A,DP98A  
 DP99A, AY55A,DP101A,DQ100A,DQ101A  
 DQ102A,DR101A,DS101A,DS102A,DT103B  
 DT104B,DU103B,DU103B,DU104B,DV101A  
 DP100A,DV102A,DV103B,DV104B,DW101B  
 DW102A,DW103C,DW104C,DW105A,DW106A  
 DX101A,DX102A,DX103B,DX104A, DX105A  
 DX106A,DY101A,DY102A,DY103A,DY104A  
 DY105A,DY106A,DO100A,DP98A,DP99A  
 DP100A,DP101A,DQ100A,DQ101A,DR101A  
 DX97B, DX98A,DX99A,DY97B,DY98B,DY99A  
 DV107A,DW107A,DW108A,DW109A,DW110A  
 DW111A,DU109A,DU110A,DX107A,DX108A  
 DX109A,DX111A,DY108A,DY109A,DY110A  
 DZ109A,DZ110A,DY88A,DY89A,DY90A  
 DY91A,DY92A,DY93A,DY94A,DZ88A,DZ89A  
 DZ90A,DZ91A,DZ92A,DZ93A,DZ94A,EA87A  
 EA88A,EA89A,EA90A,EA91A,EA92A,EA93A  
 EB91A,EB92A

**i'r Gorchymyn hwn.**

AP60A,AQ59A,AQ60A,AR68A,AR59A,AR60A  
 AS57A,AS58A,AS59A,AS60A,AT55A,AT56A  
 AT58A,AT59A,AU53A,AU54A,AU55A,AU56A  
 AU57A,AU58A,AU59A,AV53A,AV54A,AV55B  
 AT57A,AV57B,AV58B,AV59A,AV60A,AV61A  
 AW54A,AW55A,AW56B,AW57B,AW58B  
 AW59A,AX55A,AX56B,AX57C,AX58A  
 AX59A, AV56C,AY56A,AY57A,AY58C,AZ54A  
 AZ55A,AZ56A,AZ58A,BA54A,BA55A,BA56A  
 BA58A,BB54A,BB58A,D0100A,DP98A  
 DP99A, AY55A,DP101A,DQ100A,DQ101A  
 DQ102A,DR101A,DS101A,DS102A,DT103B  
 DT104B,DU103B,DU103B,DU104B,DV101A  
 DP100A,DV102A,DV103B,DV104B,DW101B  
 DW102A,DW103C,DW104C,DW105A,DW106A  
 DX101A,DX102A,DX103B,DX104A, DX105A  
 DX106A,DY101A,DY102A,DY103A,DY104A  
 DY105A,DY106A,DO100A,DP98A,DP99A  
 DP100A,DP101A,DQ100A,DQ101A,DR101A  
 DX97B, DX98A,DX99A,DY97B,DY98B,DY99A  
 DV107A,DW107A,DW108A,DW109A,DW110A  
 DW111A,DU109A,DU110A,DX107A,DX108A  
 DX109A,DX111A,DY108A,DY109A,DY110A  
 DZ109A,DZ110A,DY88A,DY89A,DY90A  
 DY91A,DY92A,DY93A,DY94A,DZ88A,DZ89A  
 DZ90A,DZ91A,DZ92A,DZ93A,DZ94A,EA87A  
 EA88A,EA89A,EA90A,EA91A,EA92A,EA93A  
 EB91A,EB92A

**to this Order.**

Rhoddir dan sêl gyffredin Cyngor  
Sir Fynwy

Ar y \*\* diwrnod o \*\*\*\*\* 2022

Gosodwyd Sêl Gyffredin  
**Cyngor Sir Fynwy**  
yma ym mhresenoldeb

y Swyddog Awdurdodedig.

Given under the common seal of Monmouthshire County  
Council

This \*\* day of \*\*\*\*\* 2022

The common Seal of  
**Monmouthshire County Council**  
Was hereunto affixed in the presence of

Authorised Officer.

**Appendix 3:**

**Proposed 20, 30 & 40MPH SPEED LIMIT ORDER PILOT PROJECT**

**Summary of Consultation Responses**

<b>Name/Details</b>	<b>Representations</b>	<b>Officer's Response</b>
Resident (objection)	The speed limit restriction through Undy and Magor is a ridiculous proposal. The lower the speed the high the gear making more pollution. All types of vehicles will take longer to get through .	The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. Current research in regard to the implementation of 20mph does not support the claim that air quality is significantly affected. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.



<p>Resident (objection)</p>	<p>This the main thoroughfare from the M4 to Chepstow and to reduce the speed limit to 67% of what it currently is likely to cause worsened flow of traffic, and consequently more pollution from idling cars, and potentially therefore more accidents.</p> <p>If the council are concerned about schools being on the route- I can only see one directly on the route being Durand Primary and Nursery school (as Magor Church in Wales Primary School is not directly on the main road) then surely a better idea would be to have a lights based 20mph restriction near that school with the narrative “20 mph when lights are flashing” which of course would be at dropping off and picking up times.</p> <p>However, I would suggest and would agree with that every “spur” or subsidiary road leading off the B4245 along the full route for example Queens Gardens, Blenheim Avenue, St Brides Road (in Magor) be reduced to 20 mph as has been instigated in Caldicot with great effect eg Dewstow Road &amp; New Road. Furthermore, I would also like to understand the variability of the speed limit on the B4245 after Undy which increases to 60mph for 0.6 miles (which is faster than you can travel on the M4 between Jcns 24 to 28) then 40mph for 0.2 miles until Rogiet (through which of course then is currently 30mph) and then for some ridiculous unfathomable reason, it increases once more to 40mph for the 0.4 mile section in between Rogiet and Caldicot.</p> <p>Would it not make more sense to reduce the speed limit from Undy all the way to Caldicot to 30 mph as surely this would be more beneficial to the environment and improve safety on that stretch of road?</p>	<p>The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government’s intention to reduce the national urban speed limit from 30mph to 20mph in 2023. The existing speed limits between settlements currently meet Welsh Government guidance, amendments to these speed limits are outside the scope of the 20mph proposals. Speed limits are intended to reinforce people’s assessment of what is a safe speed to travel and encourage self compliance. To reduce the speed limit between residential enclaves whilst being outside the scope of this proposal, it is something that could be considered further, if and/or when any changes are made to the highway environment in the future.</p>
-----------------------------	--	--

Resident (support)	<p>I write regarding the TROs in relation to the new town-wide 20mph zone for Abergavenny. This is a much welcome policy in my view, but I am concerned that some of the lane-like roads in and around Cantref Ward have been omitted from the order and will remain at the national speed limit of 60mph.</p> <p>The section of Chain Road / Deri Road from the top of Chapel Rd to Pen y Pound - currently marked as 'outside of scope' - is a much-used pedestrian route, especially among school children (including my own) going to KHVIII School. This seems like an anomaly, particularly as it is within the 'Pilot Boundary Area' - I think a 20mph limit is appropriate here, not 60mph.</p> <p>Meanwhile, there are other major anomalies just outside the Pilot Boundary Area:</p> <ul style="list-style-type: none"> <li>• Pentre Lane, from Chapel Road to the Sugarloaf Vineyard, which is a popular recreational walking route. It shouldn't be left at 60mph.</li> <li>• the lane down the hill from the Vineyard</li> <li>• the section of Chapel Road north of Chain Road junction - popular with walkers and currently driven fast by many drivers.</li> </ul> <p>I do understand that the outer boundary of the Pilot Area has to be drawn somewhere but these lanes are popular leisure walking routes with both townspeople and tourists - could they be brought within the Pilot Boundary?</p>	<p>The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023. Whilst it is acknowledged that the rural single track lanes are used by pedestrians, elevated vehicles speeds along these routes are not anticipated due to the immediate highway characteristics, i.e. single track lanes with limited intervisibility. The existing speed limits on rural lanes are outside the scope of the 20mph proposals.</p>

Resident (partially agree))	<p>I fully support any of the roads (streets) within a residential area that has houses facing it being changed from 30mph to 20mph. I disagree with the more main roads like the B4245 being reduced from 30mph to 20mph. Although the severity of the injuries in an accident are less the risk of it happening can actually increase do to lack of concentration by drivers. (It is not good enough to say that they should still concentrate, when performing a task that is slow and repetitive concentration after a short period can be dramatically reduced, so the risk increases)</p> <p>This will also increase commuting times for someone who lives in Caldicot and works in Newport.</p> <p>Finally if we are so worried about safety why is the stretch between Caldicot and Rogiet (B4245) remaining at 40mph. Children walk this route to school everyday as they are not entitled to a bus. (although they do not have to cross this road), however in Portskewett where again children are not entitled to a bus and there no dedicated road crossing on a stretch of road where there are parked vehicles and a blind bend to negotiate.</p>	<p>The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.</p> <p>The speed limits on the B4245 between the towns and villages have been reviewed and the amendments proposed as part of this Order are considered to be appropriate and meet the recognised guidelines.</p>
Resident (objection)	<p>Whilst I fully appreciate the need for safety, 30mph is legally recognised limit for built up areas and reducing this to 20 will only add and slow down the severe traffic issues that we experience in the town and surrounding areas. In addition, this will require additional funding to implement and given the current climate, this cannot be a priority. Please invest our tax payer monies into more immediate and absolutely undisputed causes eg support for</p>	<p>The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed</p>

	families, young people, elderly and the underprivileged in our community. Thank you.	limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.
Resident (objection)	Reducing the speed limit to 20mph will have several deleterious effects: a) more drivers will be frustrated at being held up and will carry out dangerous driving manoeuvres such as overtaking or harrassing drivers sticking to the 20 mph limit; b) travel time through the village(s) will be prolonged and so there will be more vehicles moving through and producing noise and air pollution for considerably longer periods; c) drivers waiting to move out into the main road from the many turnings and driveways will find it more difficult to judge whether there is time and enough distance to do so safely and could take more risks. Collisions could be just as likely (they are uncommon as it is).; d) pedestrians, and maybe children, will imagine that it's safer than before to quickly cross the road, when there may in fact be more danger from the impetuous drivers referred to in (a).	The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.
Resident (partially agree)	Although, I agree in principal with the reduction of speed limits in the area of Caldicot, Rogiet, Undy and Magor, I would instead propose a reduction in the speed limit to 30mph for the whole of the B4245 from Magor to Caldicot i.e. keep the speed limits at 30mph as are current but reduce the speed limits between Undy and Rogiet and Rogiet and Caldicot .	The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting,

	<p>There is only 1 school that is directly situated on this road (and that does not have direct access via the B4245, it uses a side road) - the others do not have any direct access to the B4245. It would serve the community better if the parents of the children attending the 2 schools in Undy and Magor did not park on both sides of the B4245 causing traffic congestion.</p> <p>Our almost non-existent public transport service will be even more restricted and cause those who do use it to catch earlier buses to ensure they make their appointments and onward travel modes (Severn Tunnel Junction, Caldicot Halt). The school children travelling to outlying schools will have to be picked up earlier to ensure they get to school on time.</p> <p>I suggest that a public split footpath/cycle path be constructed between Undy and Rogiet to allow pedestrians to safely walk from Undy to Severn Tunnel Junction train station and cyclists to travel safely along the route.</p> <p>Further, I suggest a junction to the M4/M48 be constructed between Undy, Rogiet or Caldicot to allow traffic wanting to use the M4/M48 to join earlier than at Magor. This would greatly alleviate traffic flow along the B4245 and thus would negate the requirement for the 20 mph speed restriction</p> <p>Finally, there appears to be little or no traffic speed management along this road at present so if the 20 mph speed restriction is imposed on the residents-who will monitor that motorists will adhere to the new speed limits and how is this going to be monitored?</p>	<p>and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.</p> <p>Separate projects related to the Burns Commission report and improvements to Severn Tunnel Junction will be looking at improved walking and cycling links alongside the B4245 and the potential for a junction onto the M48. These measures are not part of the 20mph pilots.</p> <p>Ongoing monitoring will be carried out to ascertain levels of compliance over the next 5 years. Gwent Police have committed to enforcing the speed limits where necessary.</p>
Resident (objection)	I don't support the proposed 20MPH traffic order in its current format and base this objection on road safety, efficiency of the road	The proposals to introduce a 20mph speed limit are intended to improve road safety and

	<p>network and air quality reasons.</p> <p>This is primarily because of the blanket approach of 20MPH across the majority of the roads within the identified areas, where you have included those well engineered routes that are principal corridors for movement, which is at odds with the given statement of reason of the traffic order, that being for “residential restricted roads”. By making everything 20MPH it does dilute the intended impact and potential benefits of the proposals. If the main arterial routes, in this case if the B4245 were to remain 30MPH, then there is a clear differential when turning off into a residential area and into a 20MPH limit, not only by the presence of the terminal signs but that also of the nature and character of the road. Much as the impact of existing 20MPH Zone, mainly in the presence of school locations, where the Zone entry signs and speed/self-enforcing calming features highlight the change in speed, road character and need for increased vigilance. This is lost when everything is the same.</p> <p>Whilst appreciating that this is a Welsh Government initiative, it is the responsibility of MCC to identify those restricted roads, such as the B4245 through Magor, Rogiet and Caldicot, which should not be subject to a 20MPH. Where these exceptions should take into account the functions of each section of road, as a corridor for all types of movement, and in this case, specifically for these sections of road where a higher speed limit is justified as arterial routes and can remain at 30MPH.</p> <p>Where these strategic routes have not been identified as exemptions and are proposed to</p>	<p>lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government’s intention to reduce the national urban speed limit from 30mph to 20mph in 2023. Ongoing monitoring will be carried out to ascertain levels of compliance over the next 5 years. Gwent Police have committed to enforcing the speed limits where necessary.</p> <p>The proposed speed limit changes on the B4245 itself have been carefully considered against the Welsh Government’s criteria.</p>
--	--	---

	<p>be 20MPH, as well as the safety concerns, they will also result in a loss of efficiency in the road network and consequently on air quality as well. Journey times will inevitably be longer, eg. a 5 mile part of a journey will take an additional 5 minutes at 20MPH over the current 30MPH, without any further influence or delay. This will impact not only those in cars but that of the Public Transport journey times as well. An additional unintended consequence, will be the likely increase in wait time to join the main road from a side road. Presently a car at a side road has the opportunity to gap seek out onto the main road, as that traffic progresses along it at 30MPH. Where that main road is slower, at 20MPH, those vehicles are more likely to drive closer up to that in front and form longer platoons of traffic, where the opportunity to gap seek out will not present itself (much as we all experience on occasion with a slower than normal vehicle passing along the road). The cumulative effect of a resident from Portskewett travelling to access the M4 at Magor could increase their journey from 20 minutes to over 30 minutes.</p>	
Resident (objection)	Excessive reduction for most of the roads which are busy enough without slowing everything down.	The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on

		community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023.
Resident (objection)	<p>The order proposes blanket 20mph speed limits. While 20mph limits can improve road safety on some roads, they may not show improvement on others.</p> <p>The issue with a blanket policy is that by mixing both, the downsides on some can outweigh any benefits on others.</p> <p>This can be highlighted by annual reported-road-casualties-in-Great-Britain 2019.</p> <p>As can be seen the number of casualties on 20mph roads increased whereas all other road types showed a reduction. This could be said to be due to change of 30mph limit roads to 20mph and casualty rates staying the same. However the aim of such plans is to reduce casualties.</p> <p>If the wrong type of roads are being selected the statistics can go the wrong way.</p> <p>Pedestrians and Drivers can become complacent. The Portsmouth 20mph scheme highlighted the increased incidence of stepping out collisions. It's not unusual for implementation of a new 20 limit to result in a pedestrian stepping out in front of a bus and in Swansea, unfortunately, an off duty Police Officer was killed.</p> <p>Cycling is generally increasing. In Portsmouth although people said they would cycle more in a 20mph limit, however it was found that</p>	<p>The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023. Ongoing monitoring will be carried out to ascertain levels of compliance over the next 5 years. Gwent Police have committed to enforcing the speed limits where necessary. There are no current plans to review existing 20mph zones in other parts of the County.</p>



cycling increased more outside the zone than within it.

In Wales it is said that 1% of urban roads are now 20mph. If the accident rate were the same the death rate on 20mph roads should be 1% that of 30mph roads. The figures above show a rate of 10% of those on 30mph roads -10 times worse than would be expected.

The Guidance for setting local speed limits in Wales indicates that if an inappropriate speed limit is chosen for a road it can lead to increased non compliance.

The proposals have not demonstrated that they a safer environment will result for users. Surely Welsh Government would only intend to introduce 20mph limits where it can be demonstrated that they are at least as safe as 30mph limits.

In any event, Wales speed limit guidance suggests that speed limits should be no lower than mean traffic speeds - are figures available to confirm?

Surely these bids should only have been made with adequate reasoning to show that they would provide the suggested benefits.

Nothing has been provided to demonstrate that the 20mph limits will show the suggested benefits in road safety.

Nothing has been provided which suggests that there will be a significant reduction in travelling speeds or that this will encourage alternative modes of transport over retaining the present speed limits.

Nothing has been provided to demonstrate any positive impact or that severity of road collisions will be lessened

	<p>A number of towns and villages within Monmouthshire already have 20mph limits from which some data ought to be extractable. Across the UK, roll out of some 20mph limits has been halted and some removed. Are there any plans to revisit any local 20mph limits?</p>	
<p>Abergavenny Cycle Group (support)</p>	<p>we are strongly in favour of a 20mph zone for the town. Its effectiveness however, will depend on implementation on the ground. Is there any information available on this? Will it just be signage or will there be any redesign of the roads? Several roads in town are designed for speeds considerably higher than 20mph and I fear many drivers will find it difficult to reduce their speeds to 20mph? Will there be additional driver education and enforcement?</p> <p>Route 1 is the section of Old Hereford Road between Llwynu Lane (SO301158) and Deri Road (SO301160). This is the main walking route for people who live in the Mardy/Hillcrest area to reach the footpaths of the Deri and onwards to the Sugarloaf. There is a footpath on the fields on the west side of Old Hereford Road but access is quite sketchy, due to steep and uneven bank, and a dilapidated stile. As a result many people prefer to use the road despite the fact that it's narrow, fairly fast (national speed limit) and there is no footway. Including this short section of the Old Hereford Road in the 20mph zone would reduce road danger.</p> <p>Route 2 is the top part of Pen y Pound. This is another walking route up to the Deri, from the town centre. It is also a well used route for children walking to and from King Henry VIII school. There is no footway. In my view the 20mph zone should extend from Pen y Pound</p>	<p>The proposals are intended on being introduced with signing and lining only. No additional physical measures are being proposed. Gwent Police have committed to enforcing the speed limits where necessary.</p> <p>The existing speed limits on rural lanes are outside the scope of the 20mph proposals.</p>

	<p>at SO294153 to the junction with Deri Road (SO293154), from where the footpath through the field begins.</p> <p>Route 3. Deri Road from the top of Chapel Road to the Old Hereford Road. This is a very popular leisure walking route, and the westernmost section is both residential and used by many schoolchildren walking unaccompanied to and from King Henry VIII school. It is not a fast road as it is a fairly narrow lane, but anything that can be done to keep driving to an appropriate speed would be beneficial. I see no reason why this road should be excluded from the town-wide 20mph zone.</p>	
Resident (support)	<p>So in terms of the speed proposals I would like to say that this is very welcome in Portskewett especially on main road/caldicot road and crick road between the aforementioned and the B4245 - I'm not so sure around the minor roads but I suppose its makes everyone aware from the moment they join any highway.</p> <p>However, my concern is how is this going to be enforced.?</p> <p>I live and work in Portskewett and the speed traffic moves during the day (caldicot/main road) now well exceeds 30mph so I am pretty certain its not going to have any effect - will speed cameras fixed or mobile be introduced? Or is this just a political exercise?</p> <p>The amendment order no1 refers to 'encouraging alternative travel modes, such as.....scooting'</p>	<p>The proposals to introduce a 20mph speed limit are intended to improve road safety and lessen the severity of road traffic collisions. The proposals will encourage the use of alternate modes of transport, such as walking, cycling and scooting, and contribute to overall improvements of general health and wellbeing. Reduced speed limits through these communities should positively impact on community cohesion and improve opportunities for active travel. The proposals are being introduced in advance of the Welsh Government's intention to reduce the national urban speed limit from 30mph to 20mph in 2023. Ongoing monitoring will be</p>

	<p>Does this refer to an introduction of electric scooters to be allowed in these zones and if so what rules must they observe? Speed?visibility?lights?</p>	<p>carried out to ascertain levels of compliance over the next 5 years. Gwent Police have committed to enforcing the speed limits where necessary. The reference to “scooting” is specifically around push scooters. The use of electric scooters on the public highway is currently prohibited by law.</p>
Resident (support)	Safety for residents	Noted
Resident (support)	To reduce speeding in the area and make the community a safer place, to reduce pollution	Noted
Resident (support)	I am extremely worried that a serious accident is going to be caused. At times people are travelling well in excess of the speed limit and although serious offenders may not be too troubled in a 10mph limit decrease, it will highlight that speed is an issue, that the local community have had enough and coupled with a monitoring programme maybe convince them to adhere to the law	Noted
Resident (support)	We need to reduce the speed of vehicles in this area for safety purposes. However there needs to be other mechanism in play including Systems to reduce traffic and street furniture and crossings	Noted

## Appendix 1: Wellbeing of Future Generations Equalities Impact Assessment



monmouthshire  
sir fynwy

## Equality and Future Generations Evaluation

Page 61

<p><b>Name of the Officer</b> completing the evaluation</p> <p><b>Paul Keeble</b> <b>Phone no: 01633 644773</b> <b>E-mail: <a href="mailto:paulkeeble@monmouthshire.gov.uk">paulkeeble@monmouthshire.gov.uk</a></b></p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To consider the proposed 20mph pilot project, which reduces the speed limit from 30mph to 20mph for all publicly adopted roads in Abergavenny and Severnside. This project will also include 30 and 40mph buffer speed limits to reduce the approach speeds and compliment the 20mph limits.</p>
<p><b>Name of Service area</b></p> <p>Placemaking, Regeneration, Highways and Flooding</p>	<p><b>Date 22nd January 2022</b></p>

- 1. Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	This proposal will reduce the travelling speeds of all vehicles through the settlements. Which in turn will contribute to making the streets safer and reduce the severity of collisions. All highways users should feel safer negotiating the highway, due to the reduction in travelling speeds. Particularly those vulnerable members of society, such as older, younger and people with disabilities.	None	N/A
Disability	This proposal will reduce the travelling speeds of all vehicles through the settlements. Which in turn will contribute to making the streets safer and reduce the severity of collisions. All highways users should feel safer negotiating the highway, due to the reduction in travelling speeds. Particularly those vulnerable members of society, such as older, younger and people with disabilities.	None	N/A
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	None	None	N/A
Race		None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A

<b>Protected Characteristics</b>	<b>Describe any positive impacts your proposal has on the protected characteristic</b>	<b>Describe any negative impacts your proposal has on the protected characteristic</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
Sexual Orientation	None	None	N/A

**The Socio-economic Duty and Social Justice**

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions This duty aligns with our commitment as an authority to Social Justice.

	<b>Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage</b>	<b>Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
<b>Socio-economic Duty and Social Justice</b>	None	None	N/A

## Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<b>Policy Making</b> Effects on the use of the Welsh language, Promoting Welsh language Treating the Welsh language no less favourably	All new highway signs and carriageway markings will be bi-lingual with Welsh appear in front of English as per current guidance	N/A	N/A
<b>Operational</b> Recruitment & Training of workforce	None	None	N/A
<b>Service delivery</b> Use of Welsh language in service delivery Promoting use of the language	None	None	None








**4. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Neutral	N/A
<b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Positive: lower travelling speeds should contribute to enhancing biodiversity by reducing dependency on motorised vehicles and encourage more sustainable modes of transport such as walking, cycling and scooting.	N/A
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	Positive: lower travelling speeds will contribute to making the streets safer and more attractive for alternate transport modes such as cycling, walking and scooting.	N/A
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Positive: lower travelling speeds will contribute to making the streets safer and encourage community cohesion.	N/A
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: lower travelling speeds should contribute to enhancing general wellbeing by reducing dependency on motorised vehicles and encourage more sustainable modes of transport such as walking, cycling and scooting.	N/A
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	Positive: lower travelling speeds should contribute to encouraging more sustainable modes of transport such as walking, cycling and scooting and thereby less reliance on motorised transport.	N/A

### 3. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Long Term Balancing short term need with long term and planning for the future	Welsh Government intend to reduce the national urban speed limit to 20mph in 2023. This proposal is intended to evaluate and inform what will be required once the national reduction is introduced.	N/A
 Collaboration Working together with other partners to deliver objectives	Collaboration with partners in Gwent Police/GoSafe and Welsh Government has taken place in developing this proposal. Ongoing partnership working will be necessary to understand compliance levels.	N/A
 Involvement Involving those with an interest and seeking their views	Statutory consultation has been undertaken with all necessary stakeholders including the general public.	N/A

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p><b>Prevention</b> Putting resources into preventing problems occurring or getting worse</p>	<p>N/A</p>	<p>None</p>
 <p><b>Integration</b> Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposal should have a positive impact on wellbeing, safer streets should encourage the use of alternative travel modes such as walking, cycling and scooting and less reliance on motorised vehicles.</p>	<p>None</p>

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Social Justice	N/A	N/A	N/A
Safeguarding	N/A	N/A	N/A
Corporate Parenting	N/A	N/A	N/A

5. What evidence and data has informed the development of your proposal?

- Speed and volume data has been collected prior to the proposals being developed
- The proposals are intended to evaluate and understand what will be necessary when Welsh Government introduce a Country wide reduction in the national urban speed limit in 2023

6. **SUMMARY:** As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

**Positive impacts:** The proposed reduction in speed limits will have an overall positive impact on the communities. Lower travelling speeds will encourage the use of alternative travel modes and lessen the severity of road traffic collisions. The proposals will contribute to making the roads safer for all users. Ongoing monitoring will inform Welsh Governments proposal to reduce the national urban speed limit to 20mph in 2023.

**7. ACTIONS:** As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

<b>What are you going to do</b>	<b>When are you going to do it?</b>	<b>Who is responsible</b>
Implement to speed limit proposals as advertised	Following the making and publication of the traffic regulation orders	Traffic Team (Graham Kinsella, Phaedra Cleary, Gareth Freeman)

**8. VERSION CONTROL:** The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

<b>Version No.</b>	<b>Decision making stage</b>	<b>Date considered</b>	<b>Brief description of any amendments made following consideration</b>
1			
2			
3			



**SECTION 84 - ROAD TRAFFIC REGULATION ACT 1984**

**NOTICE OF INTENTION TO MAKE A PERMANENT ORDER**

**MONMOUTHSHIRE COUNTY COUNCIL  
MONMOUTHSHIRE COUNTY COUNCIL TRAFFIC REGULATION, SPEED LIMITS  
AND PARKING REGULATIONS CONSOLIDATION ORDER 2019  
(AMENDMENT ORDER NO 1) 2022**

**PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC  
ORDERS AT VARIOUS LOCATIONS WITHIN ABERGAVENNY, LLANFOIST,  
MAGOR WITH UNDY, ROGIET, CALDICOT, PORTSKEWETT AND CAERWENT  
IN MONMOUTHSHIRE COUNTY COUNCIL**

**NOTICE IS HEREBY GIVEN** that Monmouthshire County Council of County Hall, The Rhadyr, Usk, NP15 1GA ("the Council") propose to make a Road Traffic Regulation Order as follows:

**EFFECT OF THE ORDER:** to introduce 20, 30 & 40mph speed limits within the localities identified on the plans, which are available to view at County Hall, Usk or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic>

Further details of the proposed Order, comprising plans and a statement of reasons for proposing to make the Order may be examined via pre-arranged appointment at County Hall, Usk NP15 1GA (appointments can be arranged by e-mailing [traffic@monmouthshire.gov.uk](mailto:traffic@monmouthshire.gov.uk)) or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic> or the via the below QR code

Any objections in respect of this proposal should be made in writing, stating the grounds on which the objection is being made and should be sent to Traffic Section, Monmouthshire County Council, County Hall, Usk NP15 1GA not later than the 20<sup>th</sup> of January 2022 or via scanning the QR code below and selecting "How to comment on a proposed TRO", where the public consultation response form can be accessed.



**Date: 22<sup>nd</sup> December 2021**

**Mark Hand,  
Head of Placemaking, Regeneration, Highways and Flooding,  
Monmouthshire County Council,  
County Hall,  
The Rhadyr,  
Usk,  
Monmouthshire.  
NP15 1GA**

This page is intentionally left blank



## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Monmouthshire County Council Traffic Regulation, Speed Limits and Parking Regulations Consolidation Order 2019 (Amendment Order No 1) 2022**

#### **Proposed Provision and Amendments to Traffic Orders at Various locations within Abergavenny, Llanfoist, Magor with Undy, Rogiet, Caldicot, Portskewett and Caerwent in Monmouthshire County Council**

##### **Statement of General Effect**

The effect of the Order will be to implement a 20, 30 & 40mph speed limits through the residential enclaves identified. The proposal is intended to reduce travelling speeds and provide a safer highway environment for all users.

##### **Statement of Reasons**

The Welsh Government are to introduce a national default 20mph speed limit for residential restricted roads in Wales by August 2023. In advance of this initiative, Welsh Government invited bids from local authorities across Wales to introduce a limited number of 20mph speed limits. A bid was submitted to the Welsh Government for 2 areas in Monmouthshire - Abergavenny and Llanfoist, Severnside (Magor with Undy, Rogiet, Caldicot, Portskewett, Caerwent).

These schemes form part of the first phase of implementation of a change in default speed limit to 20mph and will bring considerable benefits of improving road safety within the wider residential and commercial areas.

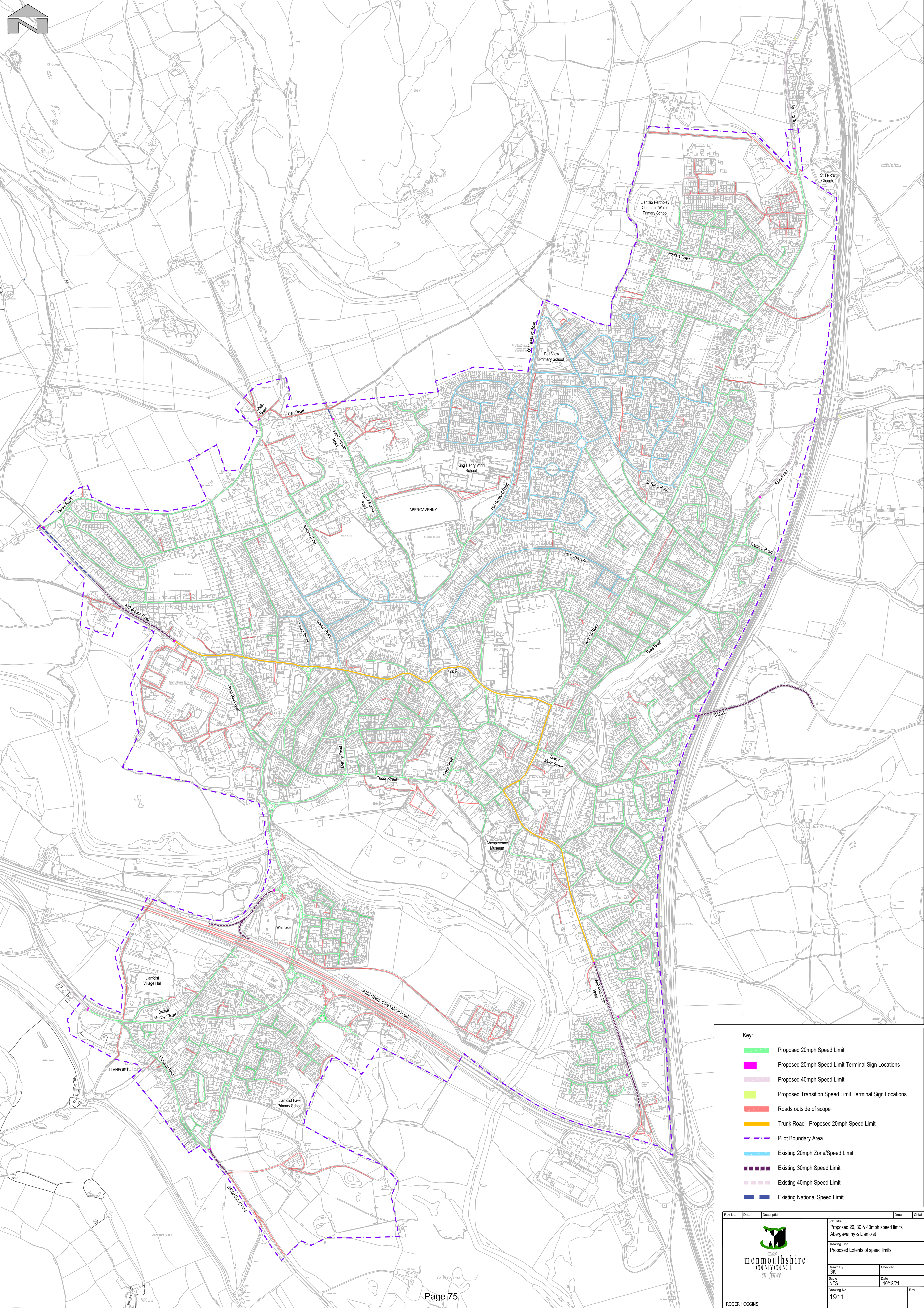
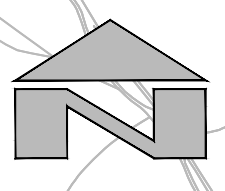
The proposal is intended to reduce travelling speeds through the identified communities, which in turn will encourage the use of alternative travel modes, such as walking, cycling and scooting. It will also have a positive impact on the health and wellbeing of the community. The proposals will contribute to creating a safer, more welcoming highway environment for all highway users and lessen the severity of road collisions.

Dated: 22nd of December 2021

Mark Hand  
Head of Placemaking, Regeneration, Highways and Flooding,  
Monmouthshire County Council,  
PO Box 106,  
Caldicot,  
Monmouthshire.  
NP26 9AN

This page is intentionally left blank





**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Proposed 40mph Speed Limit
- Proposed Transition Speed Limit Terminal Sign Locations
- Roads outside of scope
- Trunk Road - Proposed 20mph Speed Limit
- - - Pilot Boundary Area
- Existing 20mph Zone/Speed Limit
- Existing 30mph Speed Limit
- Existing 40mph Speed Limit
- Existing National Speed Limit

Rev No.	Date	Description	Drawn	CHKD

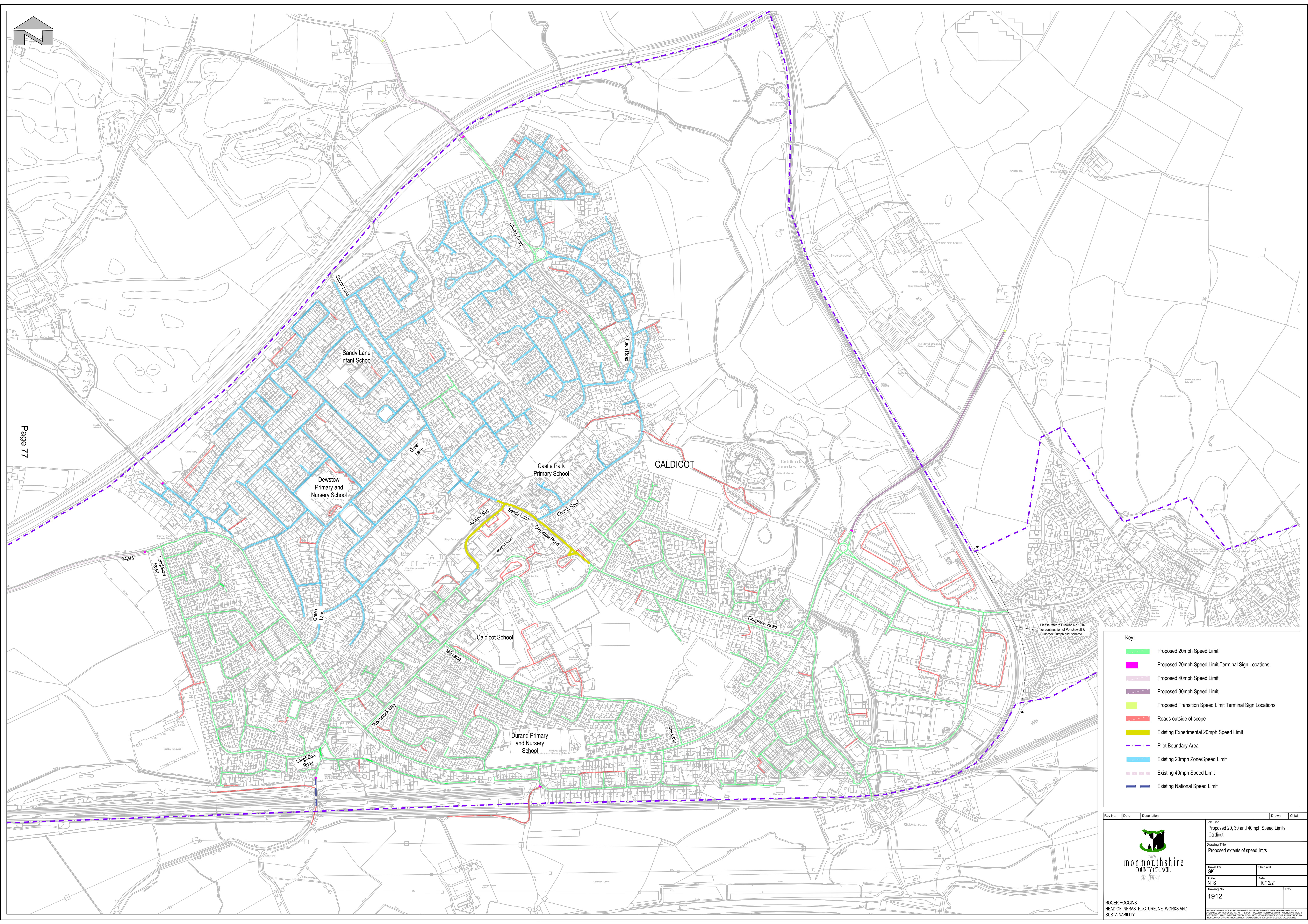
 <b>monmouthshire</b> COUNTY COUNCIL <i>si'r fynywi</i>		Job Title <b>Proposed 20, 30 &amp; 40mph speed limits          Abergavenny &amp; Llanfoist</b>	Drawing Title <b>Proposed Extents of speed limits</b>
Drawn By <b>GK</b>	Checked 		
Scale <b>NTS</b>	Date <b>10/12/21</b>		
Drawing No. <b>1911</b>	Rev 		

ROGER HOGGINS  
HEAD OF INFRASTRUCTURE, NETWORKS AND  
SUSTAINABILITY



This page is intentionally left blank






**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Proposed 40mph Speed Limit
- Proposed 30mph Speed Limit
- Proposed Transition Speed Limit Terminal Sign Locations
- Roads outside of scope
- Existing Experimental 20mph Speed Limit
- - - Pilot Boundary Area
- Existing 20mph Zone/Speed Limit
- - - Existing 40mph Speed Limit
- Existing National Speed Limit

Rev No.	Date	Description	Drawn	Check
<p>Job Title: Proposed 20, 30 and 40mph Speed Limits Caldicot</p> <p>Drawing Title: Proposed extents of speed limits</p> <p>Drawn By: GK</p> <p>Scale: NTS</p> <p>Drawing No: 1912</p>				
Date: 10/12/21		Rev:		


  
**monmouthshire**  
 COUNTY COUNCIL  
*str ynyw*

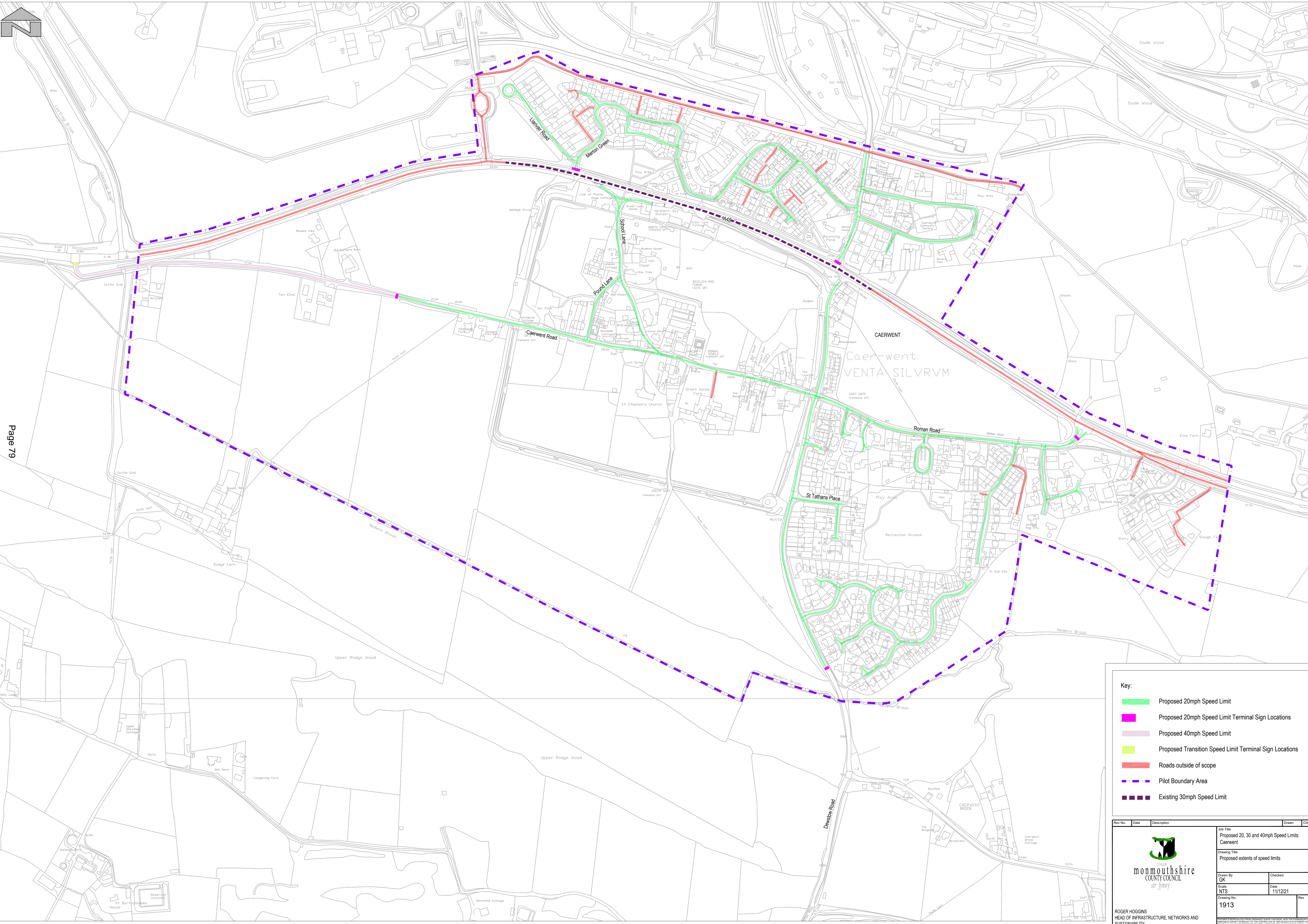
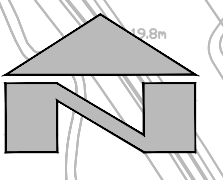
ROGER HOGGINS  
 HEAD OF INFRASTRUCTURE, NETWORKS AND SUSTAINABILITY

Please refer to Drawing No 1916 for continuation of Portlewell & Subbrook 20mph pilot scheme



This page is intentionally left blank






**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Proposed 40mph Speed Limit
- Proposed Transition Speed Limit Terminal Sign Locations
- Roads outside of scope
- - - Pilot Boundary Area
- - - Existing 30mph Speed Limit

Rev No.	Date	Description	Drawn	Chkd

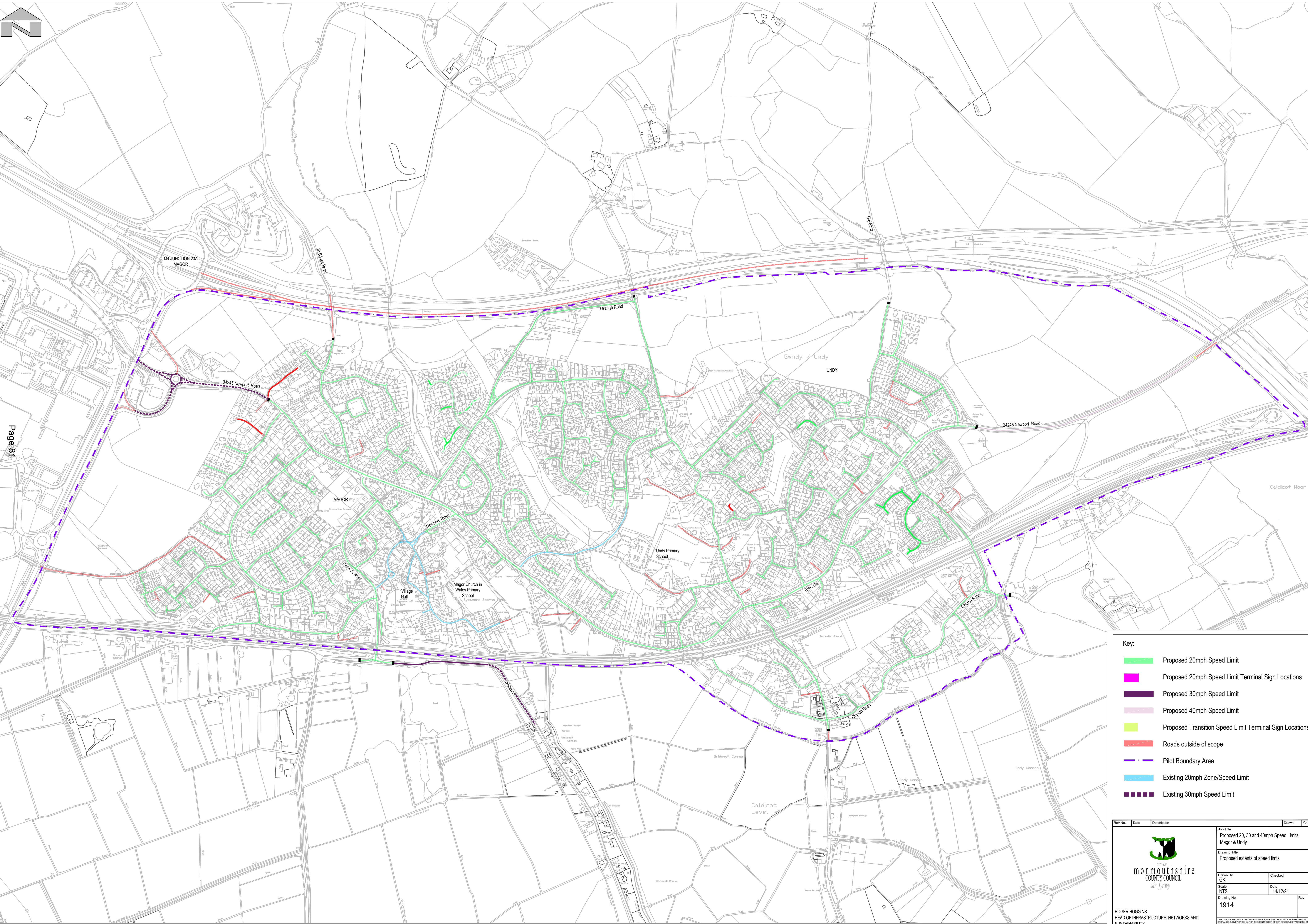
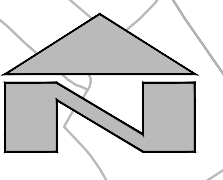
 <p>monmouthshire COUNTY COUNCIL <i>siŷ fyfyrwy</i></p>		<p>Job Title Proposed 20, 30 and 40mph Speed Limits Caerwent</p> <p>Drawing Title Proposed extents of speed limits</p> <p>Drawn By GK</p> <p>Scale NTS</p> <p>Drawing No. 1913</p>	<p>Checked</p> <p>Date 11/12/21</p> <p>Rev</p>
--	--	--	--

ROGER HOGGINS  
HEAD OF INFRASTRUCTURE, NETWORKS AND SUSTAINABILITY



This page is intentionally left blank





**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Proposed 30mph Speed Limit
- Proposed 40mph Speed Limit
- Proposed Transition Speed Limit Terminal Sign Locations
- Roads outside of scope
- - - Pilot Boundary Area
- Existing 20mph Zone/Speed Limit
- - - Existing 30mph Speed Limit

Rev No.	Date	Description	Drawn	Check

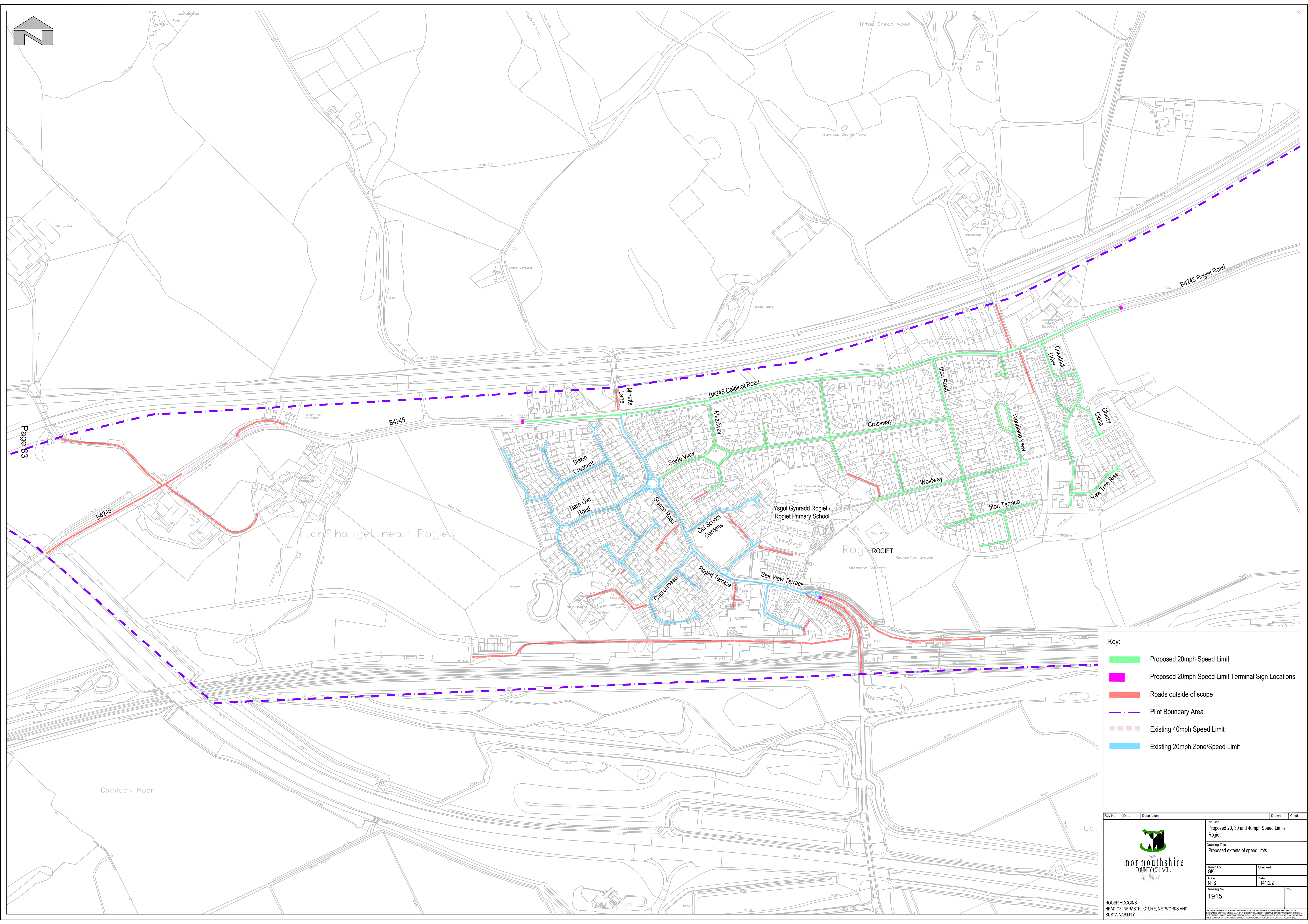
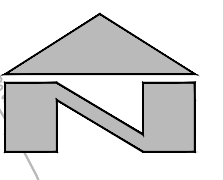
  

 <p><b>monmouthshire</b> COUNTY COUNCIL <i>siŷ ymydd</i></p>		<p>Job Title Proposed 20, 30 and 40mph Speed Limits Magor &amp; Undy</p> <p>Drawing Title Proposed extents of speed limits</p>
<p>Drawn By GK</p> <p>Date NTS</p> <p>Drawing No. 1914</p>	<p>Checked</p> <p>Date 14/12/21</p> <p>Rev</p>	<p>ROGER HOGGINS HEAD OF INFRASTRUCTURE, NETWORKS AND SUSTAINABILITY</p>



This page is intentionally left blank






**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Roads outside of scope
- - - Pilot Boundary Area
- - - Existing 40mph Speed Limit
- Existing 20mph Zone/Speed Limit

Rev No.	Date	Description	Drawn	Check

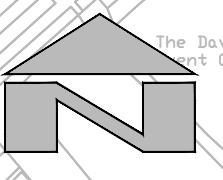
 <p><b>monmouthshire</b> COUNTY COUNCIL <i>siro yymy</i></p>		<p>Job Title Proposed 20, 30 and 40mph Speed Limits Rogiet</p> <p>Drawing Title Proposed extents of speed limits</p>
<p>Drawn By GK</p>	<p>Checked</p>	<p>Date 14/12/21</p>
<p>Scale NTS</p>	<p>Drawing No. 1915</p>	<p>Rev</p>

ROGER HOGGINS  
HEAD OF INFRASTRUCTURE, NETWORKS AND SUSTAINABILITY

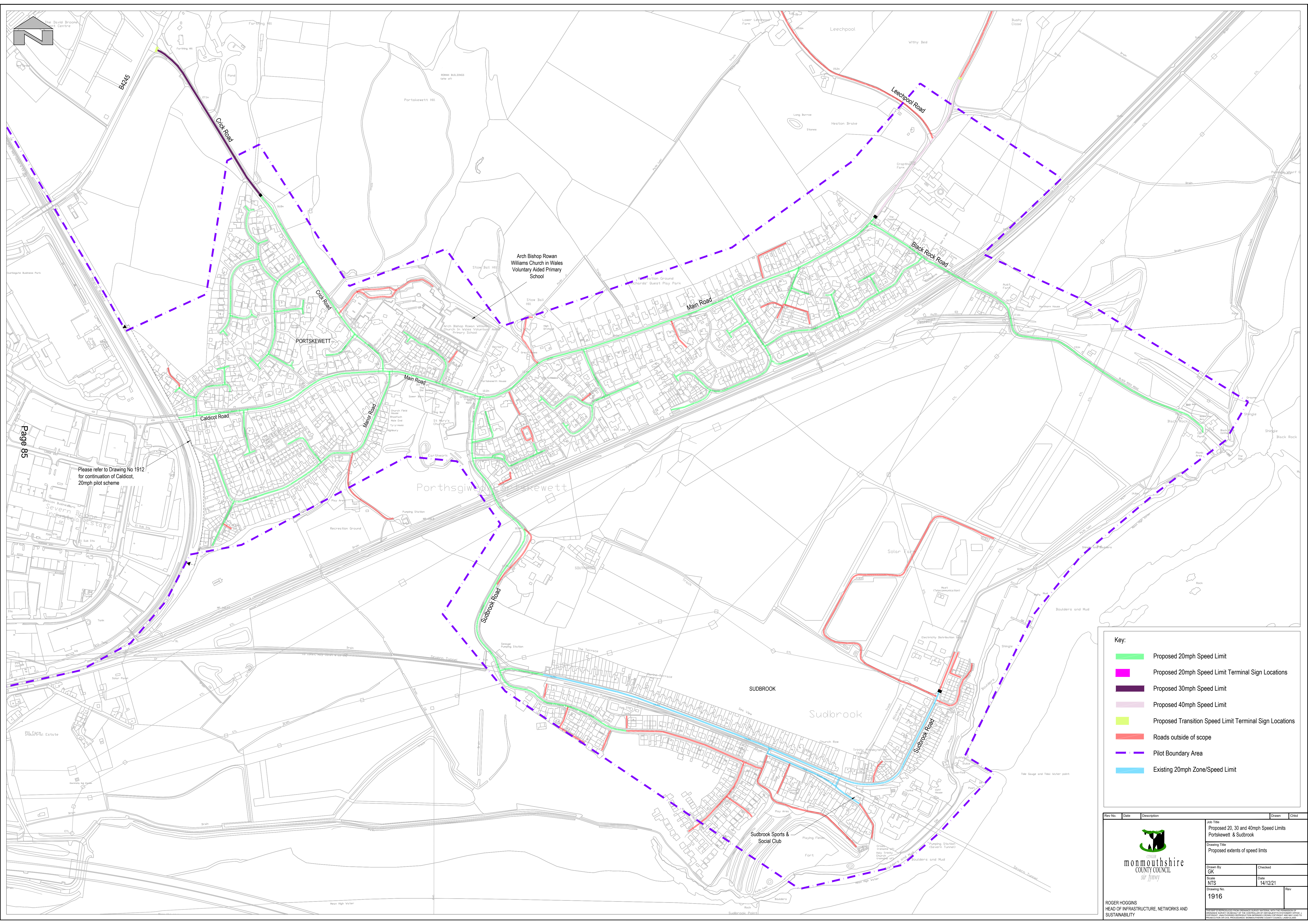


This page is intentionally left blank





Please refer to Drawing No 1912 for continuation of Caldoot, 20mph pilot scheme




**Key:**

- Proposed 20mph Speed Limit
- Proposed 20mph Speed Limit Terminal Sign Locations
- Proposed 30mph Speed Limit
- Proposed 40mph Speed Limit
- Proposed Transition Speed Limit Terminal Sign Locations
- Roads outside of scope
- - - Pilot Boundary Area
- Existing 20mph Zone/Speed Limit

Rev No.	Date	Description	Drawn	Chkd

<b>Job Title</b> Proposed 20, 30 and 40mph Speed Limits Portskewett & Sudbrook	
<b>Drawing Title</b> Proposed extents of speed limits	
<b>Drawn By</b> GK	<b>Checked</b> NTS
<b>Date</b> 14/12/21	<b>Rev</b> 1916

monmouthshire  
 COUNTY COUNCIL  
*siŷ ynyw*

ROGER HOGGINS  
 HEAD OF INFRASTRUCTURE, NETWORKS AND  
 SUSTAINABILITY



This page is intentionally left blank