



Roads: speed limits

Standard Note: SN468
Last updated: 17 April 2013
Author: Louise Butcher
Section: Business and Transport

This note outlines the legislation on speed limits and how local authorities can vary limits in their areas. It also explains the policy of successive governments towards speed limits, including their views on 20 mph zones, motorway speed limits and speeds in rural areas.

In built up areas the general speed limit is 30mph; on single carriageway roads it is 60 mph and on dual carriageways, 70 mph. However, highway authorities have the power to vary the speed limits on the roads they control – for example in urban areas, particularly around schools, there has been a growing trend for local highway authorities to reduce the limit to 20 mph. Similarly single and dual carriageways often have a lower limit than that indicated above – particularly as they approach heavily populated areas.

The Coalition Government has indicated that it will look at revising the maximum speed limit from 70 to 80 mph, but no consultation on such a proposal has yet been published.

In January 2013 the Government published revised guidelines to local authorities on the setting of speed limits. Broadly this reiterates pre-existing policy, emphasising the options available to local authorities to introduce 20 mph limits in urban areas and to assess speed limits in rural areas based on safety criteria. It also launched a new speed limit appraisal tool for local authorities.

Speed limits are enforced by road traffic police and automated detection devices such as speed cameras. Penalties can range from a Fixed Penalty Notice and three points on the licence to a £1,000 fine and a disqualification.

Information on other roads-related issues can be found on the [Roads Topical Page](#) of the Parliament website.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

1	Setting appropriate speed limits	2
1.1	Legislation	2
1.2	Guidance	3
1.3	20 mph limits	5
1.4	Villages and rural areas	7
1.5	Enforcement	8
2	Policy of the Coalition Government, 2010-	10
3	Policy of the Labour Government, 1997-2010	11

1 Setting appropriate speed limits

1.1 Legislation

The present legislation as to the legal maximum speed limits is contained in sections 81 to 88 of the *Road Traffic Regulation Act 1984*, as amended. Section 81(1) lays down a speed limit of 30 mph on a restricted road; section 81(2) allows a Minister to make an affirmative Order to increase or reduce the limit. Section 82 defines a road as a 'restricted road' in England and Wales if it has street lighting provided by lamps not more than 200 yards apart (the definition in Scotland is slightly different). It also allows the traffic authority for the road to make an Order specifying whether a road is restricted or not for the purposes of section 81.

Since 1978 there has been a general speed limit of 70 mph on dual carriageway roads (not being motorways); of 60 mph on single carriageway roads (not being motorways); and of 60 mph on certain specified dual carriageway roads and of 50 mph on specified single carriageway roads. This was provided for by the *70 Miles Per Hour, 60 Miles Per Hour and 50 Miles Per Hour (Temporary Speed Limit) (Continuation) Order 1978* (SI 1978/1548), made under section 88 of the 1984 Act.

In addition to these legal limits, highway authorities (the Secretary of State for trunk roads and the local authorities in respect of other roads) have the power to vary speed limits on roads other than restricted roads by way of Traffic Regulation Orders (TROs), made under section 84 of the 1984 Act.¹

Historically, there have always been speed limits of one type or another on urban roads, except for a brief period in the 1930s; though there was no 'national' speed limit until the mid-1960s. Between 1865 and 1896 locomotives on the highway had to be preceded by a pedestrian carrying a red flag and were subject to a speed limit of 2 mph in populated areas, and 4 mph elsewhere. The maximum speed limit was then increased to 14 mph and, in 1903, to 20 mph. In 1930 speed limits for cars and motorcycles were abolished because they were so widely ignored. The *Road Traffic Act 1934* later imposed a general 30 mph speed limit in built up areas. Other roads had no speed limit at all until 1965 when a general national upper limit of 70 mph was introduced for all roads including motorways.

¹ further information on the rules for making TROs can be found in HC Library note [SN6013](#)

In urban areas, the 1934 Act first introduced the idea of a speed limit being linked with street lighting. Section 1 of that Act made it unlawful for anyone to drive a motor vehicle on a road in a built up area at a speed exceeding 30 mph. A road in a built up area was defined as a road having a system of street lighting furnished by lamps placed not more than 200 yards apart. The [Road Traffic Act 1960](#) introduced the expression "restricted road" to replace "a road in a built up area".

On other (i.e. non-urban) roads, most of the changes that came about were the result of safety concerns or fuel crises. The general speed limit of 70 mph came into operation on 22 December 1965 on all roads not already subject to a lower rate.² The move followed a series of multiple crashes in November 1965 and was initially introduced for a trial period of four months. This was renewed for a further period to September 1967 to enable an evaluation of research into accidents by the Transport Research Laboratory (TRL).³ The limit was made permanent in 1967.⁴

In December 1973 lower speed limits were imposed as part of the Heath Government's energy conservation programme. Peter Walker, then Secretary of State, made a statement on fuel supplies in December 1973, during which he announced that a 50 mph speed limit would be imposed on all roads including motorways. There were two Orders, one of which covered motorways and the other which covered other roads.⁵ The restrictions were lifted in May 1974.⁶ In December 1974 the Labour Government announced a reduction in the maximum speed limits on single carriageway roads to 50 mph and on dual carriageways to 60 mph.⁷ Further Orders extended the temporary speed limits to 1977.⁸ In the April of that year the then Secretary of State, Bill Rogers, announced that from the beginning of June, the national speed limit on dual carriageway roads would be restored to 70 mph and on single carriageways the limit would be raised from 50 mph to 60 mph.⁹

1.2 Guidance

Councils must 'have regard' to the Government's guidance in devising speed limits. In England and Wales the guidance on setting local speed limits is contained in [Department for Transport circular 01/2013, *Setting Local Speed Limits*](#). The equivalent guidance for Wales is [Welsh Assembly Government Circular 24/2009, *Setting Local Speed Limits in Wales*](#) and in Scotland it is [ETLLD circular 1/2006, *Setting Local Speed Limits: Guidance for Local Authorities*](#).¹⁰

In mid-2011 the Coalition Government indicated its intention to publish new guidance to local authorities on the setting of speed limits, along with "an online tool to help councils make

² [Motorways Traffic \(Temporary Speed Limit\) \(England\) Regulations 1965 \(SI 1965/2063\)](#)

³ [HC Deb 23 February 1966, cc563-582](#)

⁴ [HC Deb 6 November 1967, cc773-95](#); and: [70 miles per hour Speed Limit \(England\) Order 1967 \(SI 1967/1040\)](#); and [Motorways Traffic \(Speed Limit\) \(England\) Regulations 1967 \(SI 1967/1041\)](#)

⁵ [Motorways Traffic \(Speed Limit\) Regulations 1973 \(SI 1973/2059\)](#) and: [Fuel control \(modification of enactments\) \(speed limits\) Order 1973 \(SI 1973/2051\)](#)

⁶ [Motorways Traffic \(Speed Limit\) Regulations 1974 \(SI 1974/502\)](#)

⁷ [HC Deb 9 December 1974, cc38-44](#)

⁸ [60 miles per hour and 50 miles per hour \(Temporary Speed Limit\) Order 1975 \(SI 1975/1895\)](#); and [60 miles per hour and 50 miles per hour \(Temporary Speed Limit\) Order 1976 \(SI 1976/1872\)](#)

⁹ [HC Deb 6 April 1977, c1198](#); and [HC Deb 6 April 1977, c519W](#); implemented by: [70 Miles Per Hour, 60 Miles Per Hour and 50 Miles Per Hour \(Temporary Speed Limit\) \(Continuation\) Order 1978 \(SI 1978/1548\)](#)

¹⁰ previous guidance in England was given in: [DfT Circular 1/2006, *Setting Local Speed Limits*](#); [Traffic Advisory Leaflet 2/06, *Speed assessment framework*](#); and: [Road Safety Good Practice Guide](#), October 2001

evidence-based decisions about local speed limits”.¹¹ A consultation on this new guidance was published in July 2012.¹² The new guidance was published in January 2013 alongside a new speed limit appraisal tool. The tool is designed to “help councils to assess the full costs and benefits of any proposed local speed limit schemes. As well as casualties and other traffic effects, we have made particular efforts to build into the tool effects that cannot be monetised, such as those that enhance quality of life”. The tool itself and the relevant user guidance can be found on the Gov.UK website.¹³

The guidance sets out certain general principles as well as detailed guidance. The considerations local highway authorities should make in setting speed limits are:

A study of types of crashes, their severity, causes and frequency, together with a survey of traffic speeds, should indicate whether an existing speed limit is appropriate for the type of road and mix of use by different groups of road users, including the presence or potential presence of vulnerable road users (including people walking, cycling or riding horses, or on motorbikes), or whether it needs to be changed. Local residents may also express their concerns or desire for a lower speed limit and these comments should be considered.

Where limits for air quality are in danger of being exceeded, compliance with those air quality limits could be an important factor in the choice of speed limit. But depending on the individual circumstances the imposition of a speed limit will not always be the solution. And the visible characteristics of a road affect the speed that a driver chooses: to be effective, the reasons for a limit need to be apparent.

It may well be that a speed limit need not be changed if the collision rate can be improved or wider quality of life objectives can be achieved through other speed management measures, or other measures. These alternative measures should always be considered before proceeding with a new speed limit.

Where there is poor compliance with an existing speed limit on a road or stretch of road the reasons for the non-compliance should be examined before a solution is sought. If the speed limit is set too low for no clear reason and the risk of collisions is low, then it may be appropriate to increase the limit. If the existing limit is in place for a good reason, solutions may include engineering measures or changes to the road environment to ensure it better matches the speed limit, or local education and publicity. Enforcement may also be appropriate, but should be considered only after the other measures and jointly with the police force.¹⁴

Circular 01/2013 contains tables setting out the environment and the type of road appropriate to a particular speed limit:¹⁵

¹¹ “Penning endorses council decision to abandon speed limit review”, *Local Transport Today*, 3 June 2011 [LTT 572]

¹² DfT, *Consultation of revision of DfT's Speed Limit Circular*, 13 July 2012

¹³ DfT, *Speed limit appraisal tool*, 18 January 2013

¹⁴ DfT, *Setting local speed limits* (DfT circular 01/2013), January 2013, paras 23-26

¹⁵ *ibid.*, paras 110 (table 1) and 127 (table 2)

Table 1: speed limits in urban areas - summary	
Speed limit (mph)	Where limit should apply
20 (including 20 mph zone)	In streets that are primarily residential and in other town or city streets when pedestrian and cyclist movements are high, such as around schools, shops, markets, playgrounds and other areas, where motor vehicle movement is not the primary function.
30	In other built-up areas (where motor vehicles movement is deemed more important), with development on both sides of the road.
40	On higher quality suburban roads or those on the outskirts of urban areas where there is little development, with few cyclists, pedestrians or equestrians. On roads with good width and layout, parking and waiting restrictions in operation, and buildings set back from the road. On roads that, wherever possible, cater for the needs of non-motorised users through segregation of road space, and have adequate footways and crossing places.
50	On dual carriageway ring or radial routes or bypasses that have become partially built up, with little or no roadside development.

Table 2: speed limits for single carriageway roads with a predominant motor traffic flow function	
Speed limit (mph)	Where limit should apply
60	Recommended for most high quality strategic A and B roads with few bends, junctions or accesses.
50	Should be considered for lower quality A and B roads that may have a relatively high number of bends, junctions or accesses. Can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow.
40	Should be considered where there are many bends, junctions or accesses, substantial development, a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road users.

The previous Labour Government had announced in 2006 that it expected local authorities to review the speed limits on all their A and B roads and implement any changes by 2011.¹⁶ It was reported in June 2011 that the Coalition Government “would not press councils to complete their reviews”.¹⁷

1.3 20 mph limits

DfT circular 01/2013 contains guidance on introducing 20 mph limits. Further, specific, guidance on implementing 20 mph limits can be found in [Traffic Advisory Leaflet 9/99, 20 mph Speed Limits and Zones](#), published in June 1999. Campaigners have long been calling for successive governments to make 20 mph limits or zones mandatory in urban areas where there are schools and other vulnerable road users. The guidance does not mandate this. It states:

In many urban centres, main traffic routes often have a mixture of shopping, commercial and/or residential functions. These mixed priority routes are complex and difficult to treat, but the most successful measures have included speed management to keep speed at appropriate levels in the context of both 20 and 30 mph limits and a reassignment of space to the different functions, taking into account the needs of people on foot or on bikes. Sometimes a decision about a road's primary or most important function needs to be taken

¹⁶ DfT press notice, “[Traffic authorities to review local speed limits](#)”, 7 August 2006

¹⁷ op cit., “Penning endorses council decision to abandon speed limit review”

[...]

Based on [a] positive effect on road safety, and a generally favourable reception from local residents, traffic authorities are able to use their power to introduce 20mph speed limits or zones on:

- Major streets where there are – or could be - significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic.

This is in addition to

- Residential streets in cities, towns and villages, particularly where the streets are being used by people on foot and on bicycles, there is community support and the characteristics of the street are suitable.

Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed.¹⁸

In a slight change from the 2006 guidance, it also states:

The implementation of 20 mph limits over a larger number of roads, which the previous Speed Limit Circular (01/2006) advised against, should be considered where mean speeds at or below 24 mph are already achieved over a number of roads. Traffic authorities are already free to use additional measures in 20 mph limits to achieve compliance, such as some traffic calming measures and vehicle activated signs, or safety cameras. Average speed cameras may provide a useful tool for enforcing compliance with urban speed limits.¹⁹

By way of background, it was the Conservative Government, in the early 1990s, that first introduced trial schemes of 20 mph limits. The system at first was rather cumbersome, with Government approval required in every case to change the speed limit, and high costs due to extra signage requirements and traffic calming measures. The first trial 20 mph traffic zone was approved in January 1991 and made permanent in June 1992. By 1994 many local authorities were beginning to see the benefits in terms of safety improvements and in 1996 the Parliamentary Advisory Council for Transport Safety ([PACTS](#)), recommended trials of 20 mph zones without extensive re-engineering, where compliance would be secured through well-targeted local publicity.²⁰

The Labour Government took the scheme further and abolished the requirement for local authorities to obtain government consent to lower their speed limits to 20 mph.²¹ It also took the view that all 20 mph limits are supposed to be self-regulating and should not require unreasonable levels of enforcement by the police. To this end, the Labour Government

¹⁸ op cit., [Setting local speed limits](#) (DfT circular 01/2013), paras 78, 84 & 85

¹⁹ *ibid.*, para 97

²⁰ "Local authorities warm to 20 mph zones as results confirm safety benefits", *Local Transport Today*, 15 September 1994; and PACTS, *Taking action on speeding*, 1996

²¹ via the *Road Traffic Regulation Act 1984 (Amendment) Order 1999* ([SI 1999/1608](#)) and came into force on 16 June 1999; debated in Delegated Legislation Committee on [21 April 1999](#)

increased the types of traffic calming measures (such as road humps and chicanes) that local authorities could introduce in support of lower limits.²²

As to the effects of 20 mph limits, DfT Circular 01/2013 states:

Research into signed-only 20 mph speed limits shows that they generally lead to only small reductions in traffic speeds. Signed-only 20 mph speed limits are therefore most appropriate for areas where vehicle speeds are already low. This may, for example, be on roads that are very narrow, through engineering or on-road car parking. If the mean speed is already at or below 24 mph on a road, introducing a 20 mph speed limit through signing alone is likely to lead to general compliance with the new speed limit.

20 mph limits covering most streets in Portsmouth have demonstrated that it is possible to introduce large-scale 20 mph limits in some built-up environments. Traffic speeds in most of the streets treated were relatively low (less than 20 mph) to start with. The early evidence suggests that it is likely that some speed and casualty reductions have taken place and this is consistent with previous research that has indicated that 20 mph limits without traffic calming reduce mean speeds by about 1 mph on average. A minority of streets in Portsmouth had average speeds of 25 mph or higher before the 20 mph speed limits were introduced and here the reductions in average speed tended to be greater, but insufficient to make the resulting speeds generally compliant with the new 20 mph limits. City-wide schemes may also contribute to changing travel and driving behaviour positively in the longer run, and the objectives of the Portsmouth speed limits spread well beyond improving road safety. Schemes need to aim for compliance with the new speed limit.²³

This refers to research conducted by Atkins Transport Planning and Management on the Portsmouth City Council (PCC) area-wide 20 mph speed Limit scheme using signing alone, between 2006 and 2008.²⁴

For a number of years now accident figures produced by the Department for Transport have shown that fatal and serious injuries on roads with a 20 mph speed limit are higher as a *proportion of all accidents on that type of road* than the equivalent for 30 mph limits.²⁵

Older figures from the mid-1990s showed that as a result of the introduction of 20 mph zones, the average number of accidents in those areas had been cut by 60 per cent, the number of accidents involving child pedestrians and cyclists had fallen by 67 per cent and overall vehicle speeds had fallen by an average 9.3 mph.²⁶

1.4 Villages and rural areas

DfT circular 01/2013 contains guidance on introducing speed limits in villages. Further, specific, guidance on implementing village speed limits can be found in [Traffic Advisory Leaflet 1/04, Village speed limits](#), published in January 2004. The relevant guidance on implementing quiet lanes in rural areas is [Traffic Advisory Leaflet 3/04, Quiet lanes](#),

²² for more information on traffic calming, see HC Library standard note [SN3437](#)

²³ *ibid.*, paras 95-96

²⁴ Atkins for DfT, [Interim evaluation of the implementation of 20 mph speed limits in Portsmouth](#), 16 September 2010

²⁵ see RAS1003 in: DfT, [Reported Road Casualties Great Britain 2011: Annual Report](#), September 2012, p124; this shows that averaged over 2005-09 the proportion of fatal and serious accidents on all 20 mph roads was 14.4%, compared to 12.9% for 30 mph roads; and in 2011 the proportion on 20 mph roads was 14.8%, compared to 13.3% on 30 mph roads

²⁶ TRL, [Review of traffic calming schemes in 20 mph zones](#) (TRL report 215), September 1996

published in June 2004, and [DfT circular 2/2006, *The Quiet lanes and Home Zones \(England\) Regulations 2006*](#), published in August 2006.

DfT Circular 01/2013 reiterates local authority powers to vary speed limits on dual carriageway rural roads and recommends that on single carriageway rural roads that “consideration of collision history, road function, mix of road users including presence of vulnerable road users, road geometry, engineering and environment, and actual traffic speed should enable traffic authorities to determine the appropriate limit”.²⁷ The guidance on villages refers back to TAL 1/04, mentioned above. The 2013 circular states that:

It is ... government policy that a 30 mph speed limit should be the norm through villages. It may also be appropriate to consider 20 mph limits or zones in built up village streets which are primarily residential in nature, or where pedestrian and cyclist movements are high. Such limits should not, however, be considered on roads with a strategic function or where the movement of motor vehicles is the primary function.²⁸

This is another area where the initiative was taken by the previous Conservative Government. In July 1991 the Village Speed Control Working Group (VISP), was set up composed of members of the county surveyors' society, the Department of Transport, and the transport research laboratory (TRL). Its purpose was to look at the problem of speeding traffic in villages and to investigate the costs, benefits and effectiveness of various ways of controlling the speed of vehicles. Its final report, published in June 1994, concluded that low cost schemes only secured small reductions in speed and that the more comprehensive the proposals the more effective they were. In September 1995 the Department published a 16 page booklet, *Safer by Design*, which set out various ways in which speed could be contained.²⁹

The Labour Government published a speed policy review in 2000 which stated that the main concern on rural roads was that a general 60 mph limit was not always appropriate for the conditions, and proposed that a ‘rural road hierarchy’ should be defined to help manage speed in these areas.³⁰ The only policy change in this area came in 2000: section 268 of the [Transport Act 2000](#), as amended, enables local traffic authorities to designate roads as home zones or quiet lanes. Quiet Lanes are defined as minor rural roads which are appropriate for shared use by walkers, cyclists, horse riders and motorised users. They should have low traffic flows travelling at low speeds. There have been two Quiet Lanes National Demonstration Projects, in north Norfolk and west Kent; supported by the Countryside Agency working in association with Norfolk and Kent County Councils.

1.5 Enforcement

Information on enforcement of speeding with the use of cameras can be found in HC Library standard note [SN350](#).

The Association of Chief Police Officers (ACPO) issues guidance to chief constables on speed enforcement policy. This was re-issued in July 2000 and reviewed in October 2002. It states that the enforcement of traffic law by the police should be guided by the principles of:

²⁷ op cit., [Setting local speed limits](#) (DfT circular 01/2013), para 122

²⁸ ibid., paras 131-132

²⁹ the findings were summarised in: DoT, [VISP – a summary](#) (TAL 1/94), June 1994

³⁰ DETR, [New directions in speed management: a review of policy](#), March 2000, paras 137-138; a progress report was published 18 months later, see: DTLR, [Development of a rural road hierarchy for speed management, a progress report](#), October 2001

- proportionality in applying the law and securing compliance;
- targeting of enforcement action;
- consistency of approach;
- transparency about what enforcement action is undertaken, and why; and
- recognition that effective partnerships with other organisations are essential.³¹

The guidance states that it is anticipated that, other than in the most exceptional circumstances, the issue of Fixed Penalty Notices (FPNs) and summonses is likely to be the minimum appropriate enforcement action as soon as the following speeds have been reached:³²

Limit	Fixed Penalty	Summons
20 mph	25 mph	35 mph
30 mph	35 mph	50 mph
40 mph	46 mph	66 mph
50 mph	57 mph	76 mph
60 mph	68 mph	86 mph
70 mph	79 mph	96 mph
	<i>Fixed penalty of £60 (pending) Licence endorsed with 3 penalty points</i>	<i>Magisterial discretion (level 2) maximum of: £1000 fine Licence endorsed - range of penalty points available Disqualification Compulsory re-testing</i>

However, it also states that the guidance:

...does not and cannot replace the police officer's discretion and they may decide to issue a summons or a fixed penalty notice in respect of offences committed at speeds lower than those set out in the table. Moreover, in particular circumstances, driving at speeds lower than the legal limit may result in prosecution for other offences, for example dangerous driving or driving without due care and attention when the speed is inappropriate and inherently unsafe.³³

A fixed penalty involves payment of £60 and three penalty points; however, if a case goes to court magistrates may impose a fine of up to £1,000 and endorse with three to six points. Section 17 of the [Road Safety Act 2006](#) extended the range of possible penalty points which may be imposed for speeding offences from “3-6 or 3 (fixed penalty)” to “2-6 or appropriate penalty points (fixed penalty)”. In effect, this means that provision could be made for a more graduated arrangement of fixed penalties in respect of speeding offences. In November 2008 the Labour Government published a consultation document which proposed increasing the number of penalty points for fixed penalties issued for the most extreme speeding offences to 6 penalty points, but this would *not* be accompanied by a decrease in the lower number of

³¹ ACPO, [Speed enforcement guidelines](#), 9 October 2002, p4

³² *ibid.*, p6; these guidelines are reiterated in the Crown Prosecution Service's guidance on fixed penalty notices, see: CPS, [Road Traffic Offences: Guidance on Fixed Penalty Notices](#) [accessed 17 April 2013]

³³ *ibid.*, p6

points available.³⁴ However, no decision was taken to make this change before the 2010 General Election.

2 Policy of the Coalition Government, 2010-

The Conservative-Liberal Democrat Coalition Government that took office in May 2010 made no mention of speed limits in their Coalition Agreement.³⁵ Similarly, there was no mention of the issue in either the Conservative or Liberal Democrat manifestos for the 2010 election.³⁶ The Road Safety Minister, Mike Penning, gave an idea of the Government's policy on the issue in response to a Parliamentary question in July 2010:

All speed limits are kept under constant review to ensure they remain appropriate. There are no current plans to change the default urban 30 mph speed limit. To do so would have significant resource implications and place additional burdens on local authorities. Local authorities already have the power to implement 20 mph limits and zones where they decide it is appropriate.³⁷

This followed press reports that the Government was proposing to make changes to its guidance to encourage further 20 mph limits in urban areas and to lower rural speed limits.³⁸ Mr Penning's statement chimes with the Government's broader policy of devolving transport powers to local authorities and to allowing them to take decisions about what is best in their areas. This was set out more fully in the *Strategic Framework for Road Safety*, published in May 2011:

It is ... important to consider the impacts of road safety measures on the economy, the environment and communities. Speed limits can have impacts on each of these.

Local authorities are able to use their power to introduce 20 mph speed limit zones where (a) major streets where business on foot is more important than slowing down road traffic and (b) lesser residential roads in cities, towns and villages, particularly where this would be reasonable for the road environment, there is community support and streets are being used by pedestrians and cyclists. The evidence suggests that in residential streets, and in town centres where there is likely to be a conflict between vehicles and pedestrians, carefully implemented 20 mph zones can contribute to an improvement in road safety.

We plan to revise and reissue the guidance on speed limits in urban areas with the aim of increasing flexibility for local authorities. We will provide an economic tool to help them to assess the full costs and benefits of any proposed schemes. We expect this toolkit to help local authorities to make robustly defensible decisions about local speeds.³⁹

In June 2011 the Government also announced that the signage requirements for 20 mph zones would be relaxed.⁴⁰ As indicated above, in January 2013 the Government published new guidance on setting speed limits, along with a speed limit appraisal tool.

³⁴ DfT, *Road safety compliance consultation*, November 2008, para 2.39

³⁵ HMG, *The Coalition: Our Programme for Government*, May 2010

³⁶ Conservative Party, *Invitation to join the Government of Britain: the Conservative manifesto 2010*, April 2010; and: Liberal Democrats, *Liberal Democrat Manifesto 2010*, April 2010

³⁷ HC Deb 15 July 2010, c832W

³⁸ see, e.g.: "Ministers want 20 mph limit", *The Sunday Telegraph*, 27 June 2010; and "Speed limits on half of rural roads are quietly reduced", *The Daily Telegraph*, 4 May 2010

³⁹ DfT, *Strategic Framework for Road Safety*, 11 May 2011, para 3.26

⁴⁰ DfT press notice, "Minister cuts traffic signs red tape for local councils", 9 June 2011

In early 2011 there was speculation that the Government intended to look at raising the motorway speed limit to 80 mph.⁴¹ There was no mention of this in the May 2011 road safety framework.⁴² However, in October 2011 the then Secretary of State for Transport, Philip Hammond, confirmed the Government's intention to consult on raising the maximum speed limit from 70 to 80 mph.⁴³ No consultation has yet been published, and there were calls for the Government to re-think this policy following the fatal crash on the M5 in early November 2011.⁴⁴ Most recently, in February 2013 the Minister, Norman Baker, said: "The matters about 80 mph are being carefully evaluated and the Secretary of State will make a statement on that in due course".⁴⁵

Quite independently of what happens in England and Wales, there is a possibility that the maximum speed limit could change in Scotland where sections 21 and 22 of the [Scotland Act 2012](#) enable Scottish Ministers to set separate speed limits for roads in Scotland and to make Regulations establishing different speed limit signs to indicate those limits. In theory, this could mean that Scotland could have a higher or lower national speed limit than England and Wales, and the signs to indicate that speed limit could be different to those elsewhere in the UK.

3 Policy of the Labour Government, 1997-2010

Before it lost office in May 2010 the evidence from the Labour Government's policy documents and consultations was that it intended to change its guidance to local authorities to ensure wider use of 20 mph limits in urban areas and lower limits in rural areas. However, no change was made before the 2010 General Election and Labour's manifesto for that election made no comment on the issue.⁴⁶

In its 1998 transport White Paper, the Labour Government announced a review to "develop a speed policy that takes account of the contribution of reduced speeds to environmental and social objectives as well as to road safety".⁴⁷ The review was launched in October 1998 and, amongst other things, it looked at how speed management could mitigate the adverse effects of traffic on the environment and on the general quality of people's lives.⁴⁸ In March 2000 the government published its road safety strategy to 2010 and a separate review of speed management.⁴⁹ In its road safety document the government stated that its speed management strategy was to:

- publicise widely the risks of speed and the reasons for limits;
- develop a national framework for determining appropriate vehicle speeds on all roads, and ensuring that measures are available to achieve them;

⁴¹ "Minister signals 80mph limit", *The Times*, 27 February 2011

⁴² the DfT last assessed the possible effects of raising the motorway speed limit to 80mph in 2001 under the previous Labour Government; a copy of the factual note summarising the conclusions was published in 2006 under FOI and is available to view [via this link](#)

⁴³ DfT press notice, "[Government Proposes 80mph Motorway Speed Limit](#)", 3 October 2011

⁴⁴ see, e.g.: "Calls for a rethink over the relaxation of speed limits", *The Times*, 7 November 2011

⁴⁵ [HC Deb 28 February 2013, c457](#)

⁴⁶ Labour Party, *A Future fair for All: the Labour Party Manifesto 2010*, April 2010, p1.8

⁴⁷ DETR, *A new deal for transport: better for everyone*, Cm 3950, July 1998, paras 3.228

⁴⁸ DETR press notice, "Whitty launches national speed policy review", 23 October 1998

- research a number of speed management problems to gain the necessary information to develop and test new policies; and
- take into account environmental, economic and social effects of policies when assessing their ability to reduce casualties.⁵⁰

Two reviews of the strategy were published in 2004 and 2007.⁵¹

In April 2009 the Labour Government published a consultation on its future road strategy from 2010-2020.⁵² Amongst other things, the consultation proposed changes to government guidance on 20 mph limits and limits on rural roads. Labour had always been generally in favour of introducing lower speed limits in urban areas, particularly outside schools. For example, the March 2000 speed management review stated that:

... we would wish to encourage more local authorities to use the increased powers they now have to introduce 20 mph zones and speed limits in residential areas, where appropriate. This should be a priority, particularly in areas where there is a large number of children such as in the vicinity of schools (where parking restrictions can also play a part in enhancing safety).⁵³

Also, in February 2007 the government published its child road safety strategy. Action 16 of the strategy stated that local authorities should “consider wider use of 20 mph zones in areas where children are active, traffic calming measures in these zones and other areas, and changes to residential street layouts to minimise through traffic”.⁵⁴

However, the April 2009 consultation represented a change of emphasis, moving to 20 mph as the standard speed limit on residential streets:

In order to improve safety on the streets where we live, we will amend our guidance on speed limits, recommending that highway authorities, over time, introduce 20 mph zones or limits into streets that are primarily residential in nature and which are not part of any major through route. Similarly, we will encourage local authorities to consider introducing 20 mph limits or zones in town or city streets, such as around schools, shops, markets, playgrounds and other areas where pedestrian and cyclist movements are high.⁵⁵

Similarly, on rural roads the Labour Government had long acknowledged a problem with ‘inappropriate speed’ in rural areas.⁵⁶ The April 2009 consultation included an announcement that local highway authorities would be encouraged to look at whether speeds should be reduced on ‘risky’ rural roads. In effect, this would mean cutting the speed limit on any roads thus identified from 60 mph to 50 mph:

⁴⁹ DETR, *Tomorrow's roads: safer for everyone*, March 2000; and op cit., *New directions in speed management: a review of policy*; TRL also published a report on the effects of drivers' speed on road accident frequency, which showed that in a given set of road and traffic conditions, the frequency of accidents increases with the speed of traffic, see: TRL, *The effects of drivers' speed on the frequency of road accidents* (TRL report 421), 2000 – this report was not without its critics, see, for example [this article from Safe Speed](#), August 2004

⁵⁰ op cit., *Tomorrow's roads: safer for everyone*, para 6.3

⁵¹ DfT, *Tomorrow's Roads – safer for everyone: The first three-year review*, April 2004; and: DfT, *Tomorrow's Roads – safer for everyone: The second three-year review*, February 2007

⁵² DfT, *A safer way: consultation on making Britain's roads the safest in the world*, 21 April 2009

⁵³ op cit., *New directions in speed management: a review of policy*, paras 6.26 and 6.28

⁵⁴ DfT, *Child road safety strategy*, February 2007, para 176

⁵⁵ op cit., *A safer way: consultation on making Britain's roads the safest in the world*, paras 5.19-5.23

⁵⁶ see, e.g.: [SC Deb \(D\) 11 March 2003, cc595-606](#)

Our current approach is to ask highway authorities to review their speed limits, giving priority to their 'A' and 'B' roads. We still think that this is the right mechanism for ensuring that right roads have the right speeds. Some authorities, such as Buckinghamshire and Warwickshire County Councils, have been making good progress with their reviews, resulting in reduced speeds and fewer casualties. However, we want authorities to take account of the forthcoming evidence on the riskiness of individual roads, and on the greatly enhanced risk at 60 mph compared to 50 mph ... Across the country as a whole, we are concerned that progress has generally been too slow and too patchy.

So, to complement the better data on risk ... we will also revise our existing guidance to highway authorities to assist the ongoing review of speed limits. We will recommend that they prioritise the review of 'A' and 'B' class national speed limit single carriageways, given the high proportion of traffic and casualties on these roads, and encourage the adoption of lower limits wherever the risks are relatively high and there is evidence that a lower limit would reduce casualties. We will keep track of authorities' progress in reviewing speed limits and will ensure that knowledge about successful speed limit review is shared.⁵⁷

⁵⁷ op cit., [A safer way: consultation on making Britain's roads the safest in the world](#), paras 5.29-5.30