Finance and Constitution Committee Questionnaire

This questionnaire is being sent to those organisations that have an interest in, or which may be affected by the Restricted Roads (20 mph speed limit) (Scotland) Bill FM.

In addition to the questions below, please add any other comments you may have which would assist the Committee’s scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

   Yes, I did respond to the original consultation by Mark Ruskell MSP and included comments relevant to the financial assumptions made.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

   Yes, on the whole, I believe they have. The assumptions in the FM are more soundly based than those in the original consultation document.

3. Did you have sufficient time to contribute to the consultation exercise?

   Yes.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

   The cost of signage is probably an under-estimate. In particular, the cost of new terminal signs between urban B class roads and C/U class roads does not appear to have been included in the calculations. In Aberdeenshire, the inclusion of B class roads would add around 70% to the cost based only on A class roads. In addition, estimates of the cost of adaptations to part time 20 limits have not been included owing to a lack of data. However, a significant number of adaptations would certainly be required, so the cost will not be zero.

   No figure has been included for the cost of making new traffic orders necessary for the implementation of the proposed bill. Although current advice is that local speed limits...
on A and B class roads should be imposed by speed limit orders under section 84 of the Road Traffic Regulation Act 1984, many have been historically imposed by restricted road orders under section 82. These would need to be replaced with orders under section 84 prior to implementation of the bill in order to avoid a confusing and irrational mixture of limits on urban A and B class roads. It is estimated that this would cost around £6,000 for Aberdeenshire which could be factored up to around £100,000 for Scotland. This cost could be largely eliminated if clause 3 of the proposed bill were to be clarified to remove any doubt as to whether the simplified procedure could be used for this type of consequential order. Although the current wording could be interpreted in this way, it is important that speed limit orders should not be open to challenge and clarification would remove this risk and allow local authorities to use the simplified procedure with confidence.

Taking account of these factors would probably add between £4m and £5m to the local authority costs shown in the FM. If the lower figure were added to the lower end of the range of costs and the higher figure to the upper end, this would give a revised range of local authority costs of £25-27m.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

Subject to the comments above, I consider the costs to be reasonably accurate.

The estimated savings were reasonable based on the information available at the time when the financial memorandum was prepared with the exception that the base accident figures used are overstated as they include those on urban B class roads which would not be covered by the proposal.

However, in November 2018 DfT published its 20 mph Research Study. This now represents the most comprehensive and authoritative source of information on the impact of 20 mph speed limits in the UK and the Financial Memorandum should be updated in the light of its findings. On the basis that the study found an average reduction of speed of around 1 mph on residential roads and no statistically significant change in collisions or casualties arising from the introduction of 20 mph limits, it would be reasonable to amend the higher estimate of accident reduction from 10% to 5% and the lower estimate from 5% to zero.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Based on the figures in the current version of the Financial Memorandum, the cost to Aberdeenshire Council would be around £500,000 for each of the first two years if the proposal were to be implemented. This cost would be unavoidable if the proposed legislation was implemented and so in the absence of any additional funding, something else would need to be cut. This cut would be on top of those already having to be made by most if not all councils to balance their budgets. In practical terms, as the additional spending would be mostly on works funded from the road maintenance budget, the cut would be most likely to fall on other road maintenance work, resulting in a deterioration in road condition.
Additional funding for local authorities from the Scottish Government in each of the first two years following implementation could alleviate these additional cuts so long as it was additional to the funding that would otherwise have been allocated to local government.

The additional costs in later years are much less and could be accommodated from within existing budgets.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

Yes, subject to a review of the savings in the light of the new DfT report as outlined above.

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

Yes, the FM reasonably identifies the parties on whom costs would fall and the main categories of these costs.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

There would need to be some subordinate legislation. However, this is already identified in the FM and the conclusion that the costs arising could be absorbed within existing budgets is reasonable both for the Scottish Government and for other relevant organisations such as local authorities. I do not believe that there would be other significant future costs.