

DEPARTMENT FOR TRANSPORT

DfT Circular 02/2006
Department for Transport
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9 August 2006

THE QUIET LANES AND HOME ZONES (ENGLAND) REGULATIONS 2006

INTRODUCTION

1. In pursuance of section 268(7) of the Transport Act 2000, this Circular gives guidance on issues that local traffic authorities in England must consider when deciding whether or not to designate a road as a Quiet Lane or a Home Zone.
2. This Circular also gives guidance on the procedures for the making, variation and revocation of a designation of a road as a Quiet Lane or Home Zone, use orders and speed orders.
3. In Quiet Lanes and Home Zones, objectives for improving and maintaining the quality of life for local residents should take precedence over general objectives to ease traffic movements. A road in a Quiet Lane network or in a Home Zone is a place where the whole of the space is available for a range of different uses. The speed of vehicles must be low enough to satisfy the local traffic authority that any permitted activities may be enjoyed safely by people of all ages and abilities. Designated roads should be recognised as places where prescribed local activities may be carried out, as well as being public thoroughfares.

QUIET LANES

4. Quiet Lanes are minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles. The aim of Quiet Lanes is to maintain the character of minor rural roads by seeking to contain rising traffic growth that is widespread in rural areas. There are three key elements to a Quiet Lanes scheme: community involvement to encourage a change in user behaviour; area-wide direction signing to discourage through traffic; and Quiet Lane entry and exit signs to remind drivers that they are entering or leaving a Quiet Lane, a place where they may expect people to be using the whole of the road space for a range of activities.

5. In a Quiet Lane it may be appropriate to use development controls, where the local planning authority (after consulting other stakeholders) considers it necessary, to control the generators or destinations of traffic to a level commensurate with the Quiet Lane concept. However, it is for each local planning authority to decide which policies to incorporate in its development plan for the area, the relevance of any particular issue when assessing a planning application and the relative weight that should be given to any factor when reaching its decision.
6. The Department considers that only minor roads or networks of minor roads which have low flows of motorised vehicles travelling at low speeds and are suitable for shared use by walkers, cyclists, equestrians and motorists are appropriate for designation as Quiet Lanes. They should be rural in character, though they do not necessarily have to be in a rural area. Whilst single roads can be designated under the Act, the aim of creating a coherent network of routes for non-motorised users should remain.
7. It is recommended that designated Quiet Lanes should have no more than about 1000 motor vehicles per day. Vehicle speeds should be kept to levels appropriate to the mix of uses and activities expected to take place, usually with the 85th percentile speed below 35 mph. Traffic calming and traffic management measures may be required to achieve these conditions; these should be designed to be in keeping with the local environment but must still be effective. Pedestrians, cyclists and equestrians should feel able to use Quiet Lanes safely from the time of designation. Uses might include recreation, social interaction and education, and could include uses that do not involve passing along the lane.

HOME ZONES

8. Home Zones aim to improve the quality of life in residential roads by making them places for people, instead of just being thoroughfares for vehicles. The key elements to a Home Zone are: community involvement to encourage a change in user behaviour; and for the road to be designed in such a way as to allow it to be used for a range of activities and to encourage very slow vehicle speeds (usually involving sensitively designed traffic calming).
9. The Department considers that only roads which are predominantly residential and either have very low traffic speeds already (well below 20 mph), or have measures applied to bring speeds down to these levels, are appropriate for consideration for designation as a Home Zone. Home Zones can be designed as part of new residential developments, or retrofitted into existing residential areas by redesigning the streets. A Home Zone may include some other non-residential premises, for example local shops or schools, but the majority of premises should be residential.
10. Within a designated Home Zone, traffic flows should be low: no more than about 100 motor vehicles in the afternoon peak hour is recommended, with little or no through traffic. Traffic management measures may be used to constrain motorised vehicle flows. Vehicle speeds should be kept to low levels appropriate to the mix of activities being undertaken by different users in the Home Zone. The intention should be to ensure that, for example, children can play games or that people can stand and talk in safety, even though they may need to move occasionally to allow vehicles to pass. Home Zone entry and exit signs remind drivers that they are entering or leaving a Home Zone, a place where they may expect people to be using the whole of the road space for a range of activities, including children playing.

DEVELOPMENT OF PROPOSALS

11. The success of a Quiet Lane or a Home Zone can be judged by the extent to which the people who use the road or live there recognise the need for the scheme and take ownership of it. Such ownership largely depends upon effective community participation and involvement at all stages, from the original selection of the area through to implementation and beyond. The means for involving the community in developing a scheme are wide ranging, and there is no one approach that is most effective. A combination of methods is usually best, with the aim of engaging all sectors of the community, particularly groups that are often under-represented in the decision-making process; for example children, young people, people with disabilities (especially those with visual or hearing impairments, wheelchair users or people with learning difficulties) and people from ethnic minority groups.
12. In developing schemes, authorities should bear in mind that a number of stakeholders, not just local residents, will have an interest. It is important that all stakeholders are involved at the development of proposals stage, so that their requirements are not overlooked, leading to objections during formal consultation. Those with an interest may include other sections of the authority promoting the scheme, for example maintenance and service provision, as well as the emergency services, operational services, other local authorities, businesses, groups representing those using the road, local access groups, disabled persons groups and utility or service companies.
13. Authorities need to bear in mind that effective community and stakeholder participation to develop a scheme is likely to be time-consuming; they should ensure that they have adequate resources allocated for this phase. It is also important that people's expectations are realistic, as there is little benefit in encouraging the community to design a scheme that is physically, legally or financially impossible to implement or maintain. Care should be taken to ensure that communities are also given realistic predictions of the impact of the measures to be implemented.
14. As Quiet Lanes and Home Zones are relatively new concepts in England, a traffic authority that considers that an area might benefit from developing a scheme may first need to explain what they are and what might be involved. The authority should consider making available information of a general nature on the Quiet Lanes or Home Zones concept, for example likely benefits, potential negative impacts, and alternative options. The authority should also be able to explain the designation and order making procedures, as well as how their highway standards and any proposed traffic calming works would have an impact on the scheme.
15. The Regulations set out the **minimum** requirements for involving the local community in the development of a scheme prior to formal designation proposals being drawn up. By itself, designation will not change driver behaviour or how the road is used. The mechanisms for change are the community involvement, the making of use orders and speed orders, the design quality of the road, and measures implemented to reduce the speed of vehicles.

DESIGNATION

16. The Transport Act 2000 enables local traffic authorities to designate roads for which they are the traffic authority as a Quiet Lane or a Home Zone. In this instance 'road'

has the same meaning as in the Road Traffic Regulation Act 1984, where it is defined (in section 142) as meaning any length of highway or other road to which the public has access. The power to designate does not allow for designation of a part of a width, for example one side of a road only.

17. Where a road in a new development is to be designated, careful consideration needs to be given to the timing of the designation process. A new road built by a developer cannot be a highway until it is open for public passage; nor is a road to which the public is to have access such a road until that access is a fact. There is no power for prospective designations or orders under s.268 of the Transport Act 2000. Roads not maintainable at the public expense may still be designated if they are public highways.
18. In designing the layout of a new development, decisions on the layout of the roads will have been made before the roads are open to the public. However, although a road in a new development may, for example, be built in accordance with Home Zone objectives, it cannot be designated as a Home Zone until the public has access and the local traffic authority has been through the designation procedures outlined in the Regulations. Whilst occupiers of property in a newly built Home Zone must still be formally consulted about designation (or use orders or speed orders), it may be expected that they will be 'buying in' to the Home Zone concept. Good practice also dictates that those who have bought, or are in the process of buying, properties within an area being designated should be invited to participate in the scheme development and formal consultation process, whether or not they have yet occupied those properties.
19. Local traffic authorities should bear in mind that designation as a Quiet Lane or Home Zone neither provides the road with any additional legal protection, nor does it alter local authorities' other powers and responsibilities, for example when implementing traffic calming measures. Designation will, however, enable the local traffic authority to make use orders and speed orders which will set out authorised uses for the road, a specified speed and the measures to be implemented to control vehicle speed.

USE ORDERS AND SPEED ORDERS

20. The Regulations authorise local traffic authorities to make use orders and speed orders for roads they have designated. Use orders and speed orders cannot be made until the road to which they will apply has been designated as a Quiet Lane or Home Zone. There is no requirement to make a use order and/or a speed order for a designated road. However, given the overriding objective for introducing Quiet Lanes or Home Zones, it is unlikely that these interrelated orders will not be made.
21. The critical element in developing proposals for a successful Quiet Lane or Home Zone scheme is involving the local community fully in the process. The local traffic authority and the community will want to debate the range of activities that they wish to permit in the designated roads and the appropriate speed for vehicles travelling along them. The activities described in the use order, the specified speed and any associated measures described in the speed order will then reflect the local traffic authority's and local community's expectations for the scheme, the new activities expected within it, and hence help to alter driver behaviour.

USE ORDERS

22. Local traffic authorities are reminded that use orders are **only** applicable in designated Quiet Lanes or Home Zones and in no other situation. Use orders permit the road to be used for purposes other than passage. These activities are subject to requirements not to obstruct the lawful use of the road by others, or to deny reasonable access to premises. Use orders do not need to include movement of non-motorised users along a road; this is already a legal use of a highway (unless otherwise prohibited).
23. The Regulations set out the requirements for a use order. Traffic authorities are required to:
 - describe the area to which the order applies on a designated road(s);
 - describe the times and days or dates of application; and
 - describe the uses that the order permits.

In describing the area to which the order applies, authorities should note that the Regulations allow for the permitted use to be restricted to only a part of the width of the road as well as the whole width. In addition, the use order may apply to only some of the roads covered in the designation as a Quiet Lane or Home Zone, or to certain lengths of road. Use orders can apply at one or more of the following: at all times; at specified times every day; on specified days of the week; or on a recurring date(s) each year.

24. The Department for Transport does not wish to be prescriptive in these matters and it is for the local traffic authority, working with the community, to determine where and when the order applies and the uses that it permits. However, in considering the activities that are proposed, the local traffic authority will need to assess the safety implications and determine what measures will be needed for them to take place in safety. Consideration also needs to be given to how the road is already being used, and potential future uses, when preparing use orders.
25. Whilst the uses allowed by the order must fall within the generic activities specified in the Regulations, it is recommended that the local traffic authority considers setting out specific permitted uses in the order rather than allowing all uses that could be fall within the generic headings; for example ball games rather than recreational uses. This will enable the community to understand what uses are being allowed and help to prevent objections and complaints after the order has been made.

SPEED ORDERS

26. Local traffic authorities are reminded that speed orders are **only** applicable in designated Quiet Lanes or Home Zones and in no other situation. Speed orders enable the local traffic authority to set a specified speed in consultation with the local community. The term 'specified speed' refers to the speed stated in the speed order.
27. **Speed orders do not impose speed limits at the specified speed.** If wanted for enforcement purposes, local traffic authorities can make speed limit orders for individual roads under section 84 of the Road Traffic Regulation Act 1984. Any local

speed limit below 20 mph requires the approval of the Secretary of State. Due to factors such as the unreliability of speedometers at very low speeds, local traffic authorities should note that such approval is unlikely to be given.

28. The road design of the Quiet Lane or Home Zone, and any additional measures implemented, should aim to keep vehicle speeds at or below the specified speed.
29. Measures could include traffic calming measures but are not limited to them. They may also include non-physical measures, for example, publicity campaigns or community speed pledges. New build Home Zones should be designed to achieve low speeds through their layout and design, and additional speed-reducing measures should not normally be necessary once the road is open. Local traffic authorities should also consider the specified speed of a road when determining suitable highway design standards for a Quiet Lane or Home Zone.
30. It is important to note that the new provisions do not alter local authorities' existing powers. Normal procedures must be followed to authorise any traffic calming or traffic management measures, as the speed orders themselves do not confer such authorisation. However, normal procedures for the implementation of traffic calming measures can be carried out in conjunction with those for the introduction of speed orders in order to save on costs.
31. The Regulations set out the requirements for a speed order. Traffic authorities are required to:
 - state which classes of vehicle, i.e. motor vehicles, cycles or both motor vehicles and cycles, the speed order is targeting;
 - describe the measures that the traffic authority will take with a view to reducing the speed of the specified classes of vehicle; and
 - specify the speed below which the measures are intended to constrain the speed of the specified vehicles.

It should be noted that 'cycle' has the same meaning as in section 192 of the Road Traffic Act 1988 and 'motor vehicle' has the same meaning as in section 268 of the Transport Act 2000.

32. The specified speed will usually be lower than the speed limit for the roads in question and should be set at a level that will permit the activities proposed for the area to take place in safety.

FORMAL CONSULTATION

33. Before making a designation or a use order or speed order, the local traffic authority must formally consult those persons likely to be affected. It is important that all affected groups are consulted. Consultation should include those likely to benefit from the scheme as well as those who may be adversely affected. The requirements for consultation are set out in tabular form to make them easier to follow and understand. Groups covered by the term 'other organisations' are likely to include walking, cycling and equestrian groups, local access groups, groups representing disabled people

(including those representing visually or hearing impaired persons, wheelchair users or people with learning disabilities) and schools that are not on the road(s) in question but whose pupils use that road as a route to school.

34. The requirements for publishing proposals are broadly similar for designation and for use orders and speed orders. They entail:
 - publishing a notice of proposals in a local newspaper circulating in the area to which the designation or order relates
 - sending a copy of the notice of proposals to each person required to be consulted according to the consultation tables as set out in the Regulations
 - displaying notices on the roads affected and at other places the authority considers appropriate, for example in local community gathering places such as village halls, religious centres, doctors' surgeries, community centres, public houses, sports halls, schools etc.
 - taking such other steps as is considered appropriate to give adequate publicity about the proposals to those people likely to be affected, for example publishing documents on the authority's web site and permitting online responses.
35. In addition, deposited documents (details of the proposed designation or order, including a map) shall be made available for inspection. It is essential that inspection opportunities respect the needs of all sections of the community, for example by providing Braille or audio versions on request. Authorities may also wish to consider having staff on hand to explain the proposals.
36. Subject to the provisions within the Regulations, local traffic authorities are advised to minimise the time delay between the start of consultation and the implementation of the scheme. This will reduce the likelihood of complaints about measures from new residents who have not been involved in the scheme development.
37. Good practice dictates that notices about proposed designation, use orders or speed orders should be removed as soon as practicable to avoid clutter.

OBJECTIONS

38. Any person may object to a designation, a use order, or a speed order. Before designating a road as a Quiet Lane or a Home Zone or making a use order or a speed order, the local traffic authority shall consider any objections received and not withdrawn.
39. There is no requirement to hold a public inquiry to consider objections. Quiet Lanes and Home Zones should be schemes developed through close liaison with the community and other stakeholders, providing an opportunity for resolving any problems or dissenting views. Where the local traffic authority decides to proceed despite unresolved objections, the objectors must be provided with a written statement specific to the unresolved objections giving reasons why they have not been upheld.

MODIFICATIONS

40. A local traffic authority may make modifications to a designation, a use order, or a speed order before it is made. This may be as a result of the consultation process and the consideration of any objections, but is not necessarily restricted to these cases. However, if the proposed modifications appear to make substantial changes to the designation or order, the local traffic authority is required to inform those people likely to be affected by it, giving them an opportunity to make representations which shall then be duly considered.

DESIGNATION AND MAKING OF USE ORDERS AND SPEED ORDERS

41. Whilst it is possible for the local traffic authority to run the designation and use order and speed order processes in parallel, it is a requirement of the Transport Act 2000 that the road is formally designated before the use orders or speed orders can be made. If the local traffic authority is running the consultation procedures for designation and order-making in parallel, it should be made clear that the use orders and speed orders will not be made unless the road is designated.
42. When the local traffic authority has made a designation, a use order, or a speed order, it is a requirement that notice and publicity of the fact is given, and that documents are made available for inspection, as specified in the Regulations.

VARYING AND REVOKING DESIGNATIONS, USE ORDERS OR SPEED ORDERS

43. The Regulations set out the requirements for varying or revoking a designation, a use order or a speed order after it has been made. Essentially the local traffic authority must follow the same steps as if it were making a designation, a use order or a speed order in the first instance.

MAPS

44. The local traffic authority is required to prepare and keep up to date a map indicating each road, roads or part of a road to which a designation, a use order or a speed order relates. As a matter of good practice, a map illustrating the use order or speed order should also illustrate the full extent of the roads designated at the time when the road to which they relate was designated.
45. The map is a record of Quiet Lanes and Home Zones within the authority area. The Department for Transport recommends that the map is readily available for inspection, for example by being published on the authority's web site.

TRAFFIC SIGNS

46. In order to inform people that they are entering or leaving a Quiet Lane or a Home Zone, the local traffic authority must arrange for traffic signs to be erected as prescribed in The Traffic Signs Regulations and General Directions (TSRGD) (as amended). The signs must be maintained for as long as the designation remains in force.

47. The Department considers it important that traffic signs are consistent. For Home Zones the traffic signs to be used at the start and end of a designated zone are detailed at diagrams 881 and 882 of TSRGD 2002. Signs to be used at the start and end of a designated Quiet Lane in England were added to TSRGD, as diagrams 884 and 885, through the Traffic Signs (Amendment) Regulations 2006.
48. There is no requirement to replace signs previously authorised by the Secretary of State.

STATUS OF ROADS DESIGNATED BEFORE THE QUIET LANE AND HOME ZONE REGULATIONS CAME INTO FORCE

49. Designations of roads as Quiet Lanes or Home Zones made before the Regulations came into force remain valid. Such designations can only be revoked following the formal procedures set out in Regulation 16. The Regulations enable local traffic authorities to commence procedures for the implementation of use orders or speed orders on any roads already designated.

FURTHER INFORMATION

50. Enquiries on matters raised by this circular should be addressed to:

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Published by TSO (The Stationery Office) and available from:

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Printed by The Stationery Office Ltd under the authority and superintendence of the Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

Printed in Great Britain on paper containing at least 75% recycled fibre.

ISBN-13 978-0-11-552794-4

ISBN-10 0-11-552794-X

£6



www.tso.co.uk

ISBN 0-11-552794-X



9 780115 527944 >