

ALLERDALE HIGHWAYS WORKING GROUP

Meeting date: 27th May 2022

From: Executive Director – Economy & Infrastructure

PROHIBITION OF MOTOR VEHICLES: PROPOSED AMENDMENT TO COCKERMOUTH TRAFFIC REGULATION ORDER

1.0 EXECUTIVE SUMMARY

- 1.1 *The purpose of this report is to provide Members of the Highways Working Group (“the Working Group”) with the background and detail of a proposed introduction of a prohibition of motor vehicles (except for access) restriction, by way of the amendment and consolidation of The County of Cumbria (Various Roads, Cockermouth and Surrounding Area) (Consolidation and Provision of Traffic Regulation) Order 2020.*
- 1.2 *A plan showing the proposed restriction is attached as Appendix 1.*
- 1.3 *A copy of the Council’s Statement of Reasons for proposing to introduce the proposed restriction, is attached as Appendix 2.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *The proposed traffic restriction is designed to create an area for safe active travel and allow access to adjacent land.*
- 2.2 *The restrictions which are proposed comply with Cumbria County Council’s forward plan of creating a safe and secure community, whilst providing a high-quality environment for all.*
- 2.3 *There are no Equality implications at this stage.*

3.0 RECOMMENDATION

- 3.1 *That the Working Group recommend that Local Committee agree to proceed to statutory consultation and advertisement of a Traffic Regulation Order which would consolidate the provisions of The County of Cumbria (Various Roads, Cockermouth and Surrounding Area) (Consolidation and Provision of Traffic Regulation) Order 2020,*

and propose to introduce a Prohibition of Motor Vehicles (except for access), as shown on the plan attached as Appendix 1 (“the Order”).

3.2 That the Working Group recommend that Local Committee agree that, subject to there being no unresolved objections received at the end of the statutory consultation and advertisement of the Order referred to in paragraph 3.1 above, that the Order be brought into operation, as advertised, having taken into consideration the matters contained in Section 122(2) of the Road Traffic Regulation Act 1984 which are more specifically referred to in paragraph 7.2 of this Report.

4.0 BACKGROUND

4.1 Cumbria County Council are making improvements to the Greyhound Inn/Torpenhow junction. As part of the scheme right hand turning lanes will be constructed into School Lane and Torpenhow Road. The road to Torpenhow will be realigned with a new section of road to form a staggered junction. The existing road to Torpenhow will be retained to create an area for safe active travel and allow for any necessary land access. The Council propose to introduce a Prohibition of Motor Vehicles (except for access) to the retained section of road, installing vehicle barriers at either end.

4.2 A Traffic Regulation Order (TRO) is therefore required to introduce the proposed Prohibition of Motor Vehicles (except for access) restriction.

Exemptions to the proposed restriction will apply to those vehicles:

- Being used for the conveyance of persons, animals, goods or burden to or from premises/land on or adjacent to that length of road;
- Being used in connection with the carrying out on, or in premises situated on or adjacent to that length of road of any of the following operations, namely:-
 - In the removal of obstructions to traffic
 - In the maintenance, improvement or reconstruction of roads
 - In the laying, erection, alteration or repair in, or in land adjacent to, that length of road of any sewer or of any main pipe of apparatus for the supply of water, gas, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984,
 - In building, industrial or demolition operations;
- Being used for Fire Brigade, Police or Ambulance purposes;
- Being used in the service of a local authority or a water or sewerage undertaker which is being used in pursuance of statutory powers or duties
- Being used for or in connection with mechanical road cleansing or mechanical refuse collection;
- For the purposes of agriculture in connect with land adjacent to the said length of road

Details of the proposed location and restriction are as follows:

4.2.1 Proposal 1 – U2103, Torpenhow. To implement a Prohibition of Motor Vehicles (except for access) restriction to create an area for safe active

travel and allow for any necessary land access. A plan showing this proposal is attached as Appendix 1.
An alternative route will be available for vehicles via the new junction 100m north.

4.3 Informal consultation began on 11th March 2022 and ended on 29th April 2022. 3 responses were received including responses from the Police and Bothel Parish Council; no objections were raised.

4.4 A copy of the Statement of Reasons is attached as Appendix 2.

5.0 OPTIONS

5.1 Members may recommend that Local Committee agree the recommendations at paragraphs 3.1 and 3.2.

5.2 Members may recommend that Local Committee agree the recommendations at paragraphs 3.1 and 3.2 IN PART.

5.3 Members may recommend that Local Committee agree that the proposals are not progressed to statutory consultation and advertisement.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 There are no direct resource implications arising from the recommendations in paragraph 3.

6.2 Should the recommendations at paragraph 3 be agreed, there are no direct implementation costs for the Local Committee budgets. Costs arising from these works would be met from an allocation in the Bothel Strategic Improvement Project (Capital Works), which is funded by a £5million grant from Cumbria Local Enterprise Partnership and Highways core budget (Maintenance). There would, however, be a commitment to ongoing maintenance costs.

7.0 LEGAL IMPLICATIONS

7.1 The County Council, as Traffic Authority, must take into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") detailed below, in considering whether it is expedient to agree to the implementation of the Order detailed in this Report for the reasons specified at sections 1(1) (c) and (d) of the 1984 Act, as set out further in the attached Statement of Reasons which is attached as Appendix 2, namely: -

- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property

7.2 Under Section 122(2), the matters which must be taken into account in exercising that duty are: -

- (a) The desirability of securing and maintaining reasonable access to premises;
- (b) The effect on amenities of an area;
- (c) The national air quality strategy prepared under section 80 of the Environment Act 1995;
- (d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- (e) Any other matters appearing to the authority to be relevant.

7.3 Local Committees may, pursuant to Part 2D, paragraph 5.1.2 g) of the Constitution, approve the making of traffic regulation orders in accordance with powers under Parts I, II and IV of the Road Traffic Regulation act 1984, **except** for the making of Traffic Regulation Orders which involve the introduction for on-street residents permits, which are delegated to the Executive Director – Economy and Infrastructure subject to a decision of the appropriate member body to introduce such charges. (18.5.2022)

8.0 CONCLUSION

8.1 That Members of the Highways Working Group agree the recommendations at paragraphs 3.1 and 3.2 to protect the structural assets on the local network.

Angela Jones
Executive Director – Economy and Infrastructure

27th May 2022

APPENDICES

Appendix 1 - Location Plan detailing proposal for U2103 Torpenhow
Appendix 2 – Statement of Reasons

Electoral Division(s): Bothel and Wharrels

** Please remove whichever option is not applicable*

Executive Decision	<input type="checkbox"/> Yes
Key Decision	<input type="checkbox"/> No*
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="checkbox"/> N/A*
Is the decision exempt from call-in on grounds of urgency?	<input type="checkbox"/> No*
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<input type="checkbox"/> N/A*
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="checkbox"/> No*
Has an environmental or sustainability impact assessment been undertaken?	<input type="checkbox"/> No*
Has an equality impact assessment been undertaken?	<input type="checkbox"/> No*

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers

RESPONSIBLE CABINET MEMBER

Cllr Keith Little

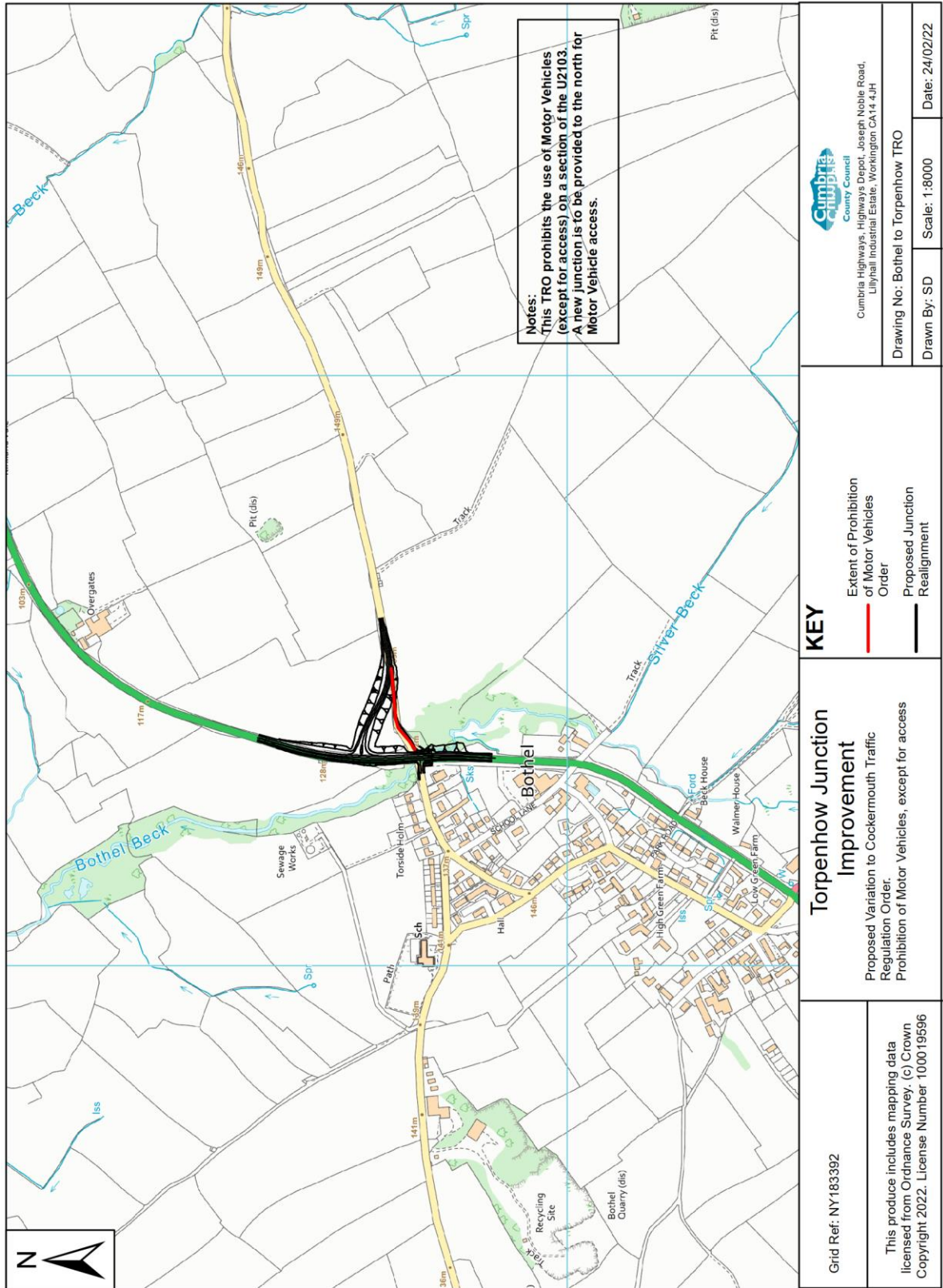
REPORT AUTHOR

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APPENDIX 1



APPENDIX 2

THE COUNTY OF CUMBRIA (VARIOUS ROADS, COCKERMOUTH AND SURROUNDING AREA) (CONSOLIDATION AND PROVISION OF TRAFFIC REGULATION)

ORDER 20><

STATEMENT OF REASONS

Following a review of the structural capability of bridges and structures in the Cockermouth area, Cumbria County Council propose to make the above Order, for the following reasons specified in Section 1(1) Road Traffic Regulation Act 1984, namely to :-

Proposal 1 – U2103, Torpenhow. To implement a Prohibition of Motor Vehicles (except for access) restriction to create a safe active travel route.

- (c) *for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or*
- (d) *for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property*