

<b>COUNTY COUNCIL LOCAL COMMITTEE FOR ALLERDALE</b>
<b>Meeting date: 1<sup>st</sup> July 2022</b>
<b>From: Executive Director – Economy &amp; Infrastructure</b>

**TRAFFIC REGULATION ORDER – B5289 HIGH HILL, KESWICK, A591 & U7003 THIRLMERE**

**1.0 EXECUTIVE SUMMARY**

- 1.1 *The purpose of this report is to provide the Local Committee with the background and details of a proposed Traffic Regulation Order, following statutory consultation and advertisement of the Order referred to in paragraph 3.1 of this report.*
- 1.2 *A copy of the Notice, which summarised the proposed restrictions is attached as Appendix 1.*
- 1.3 *Plans showing the proposed changes are attached as Appendices 2, 3, 4 and 5.*
- 1.4 *A summary of responses received to each proposal is attached as Appendix 6.*
- 1.5 *A copy of the Council's Statement of Reasons for proposing to introduce the Order is attached as Appendix 7.*
- 1.6 *The report will enable the Local Committee to consider whether to approve the Order for implementation, taking into account letters of representation received during statutory consultation and advertisement.*

**2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS**

- 2.1 *The proposed traffic restrictions are designed to improve traffic management within the areas assessed, whilst also providing a safe and effective transport network.*

- 2.2 ***The restrictions which are proposed comply with 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 having taken into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 which are more specifically referred to at paragraph 7.2 of this report, the Local Committee agrees that "The County of Cumbria (B5289 High Hill, Keswick) (Prohibition and Restriction of Waiting at any time and Prohibition of Loading/Unloading, at any time) and (U7003 Thirlmere) (Prohibition of Motor Vehicles (except for access) and No Right Turn) and (A591 No U-Turn) Order 20><", ("the Order") be brought into operation, as advertised, EXCEPT that the following exemptions be added to the "Prohibition of Motor Vehicles (except for access)" restriction on the U7003 at Thirlmere: -***

***(e) Class 3 invalid carriage***

### **4.0 BACKGROUND**

- 4.1 Temporary Traffic Regulation Orders (TTRO) are currently in place for two separate cycling schemes; B5289 High Hill, Keswick and U7003 Thirlmere (dam road). The respective TTRO's are due to expire in August 2022, and therefore the statutory consultation and advertisement has been undertaken to allow the Local Committee to consider the continuation of these arrangements.

#### **4.2 Mandatory Cycle Lanes - B5289 High Hill, Keswick**

Cycle lanes on both sides of the carriageway along a section of the B5289 High Hill, Keswick were introduced in 2020. This cycle provision is well used by cyclists. The lanes assist in narrowing the carriageway width, which in turn psychologically impacts drivers behaviour.

The proposed No Waiting at any time (double yellow lines) and Prohibition of Loading/Unloading along this section ensures that the cycle lanes remain free from obstruction by parked vehicles. Whilst driving in a mandatory cycle lane can be enforced by the Police, a parked vehicle cannot and therefore relies upon the Council's Parking Services team to enforce such waiting/loading restrictions. A drawing detailing the proposal is attached as Appendix 2.

One representation was received regarding this proposal; a summary can be found at Appendix 6. ***Officers recommend implementing this proposal as advertised.***

### 4.3 Various Restrictions – A591 and U7003, Thirlmere

Supporting walls along the dam structure at Thirlmere have narrowed the carriageway in such a way that prevents two-way traffic. Officers have considered various design options to maintain traffic flow, however the majority are unfeasible due to the narrow carriageway width, length of the road over the dam structure and / or practicalities of enforcement.

An Active Travel scheme has therefore been designed to promote active travel modes and enable a pleasant, traffic-free environment over the dam structure.

The proposed restrictions relating to this project are as follows:

- Prohibition of Motor Vehicles (except for access) along the U7003, Thirlmere (dam road), detailed in Appendix 3
- Prohibition of Right Turn (No Right Turn) from the U7003 onto the A591, detailed in Appendix 4
- Prohibition of U-Turn (No U-Turns) on a section of the A591, detailed in Appendix 5

One response was received regarding this proposal; a summary can be found at Appendix 6. ***Officers recommend implementing this proposal as advertised.***

## 5.0 OPTIONS

5.1 The Local Committee agree the recommendation at paragraph 3.1.

5.2 The Local Committee agree the recommendation at paragraph 3.1 IN PART.

## 6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 Should Members agree to the recommendation at paragraph 3.1, implementation costs for those restrictions relating to Thirlmere will be funded by United Utilities through a S278 Agreement.

6.2 Should Members agree to the recommendation at paragraph 3.1, implementation costs of approximately £3k for the B5289 proposal would need to be funded by the Local Committee Keswick TRO budget.

6.3 Should Members agree to the recommendation at paragraph 3.1, there would be an ongoing commitment for maintenance costs from the Local Committee revenue budget for all proposals. (SEA 17/6/22)

## 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) (a), (c) and (f) of the 1984 Act, as set out further in the attached Statement of Reasons which is attached as Appendix 7, namely :-

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

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

(f) for preserving or improving the amenities of the area through which the road runs.

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. (KB - 15.6.2022)

## 8.0 CONCLUSION

8.1 That the Order be brought into operation as per the recommendation in paragraph 3.1 of this report.

**Angela Jones**  
**Executive Director – Economy & Infrastructure**

*July 2022*

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## **APPENDICES**

***Appendix 1 – Statutory Notice***

***Appendix 2 – Proposal 1 – B5289 High Hill, Keswick***

***Appendix 3 – Proposal 2 – Prohibition of Motor Vehicles – U7003 (dam road)***

***Appendix 4 – Proposal 3 – No Right Turn – U7003 (western road)***

***Appendix 5 – Proposal 4 – No U Turn – A591***

***Appendix 6 – Summary of Representations***

***Appendix 7 – Statement of Reasons***

Electoral Division(s): Keswick

*\* Please remove whichever option is not applicable*

Executive Decision

Key Decision

If a Key Decision, is the proposal published in the current Forward Plan?

Is the decision exempt from call-in on grounds of urgency?

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?

Has this matter been considered by Overview and Scrutiny?  
If so, give details below.

Has an environmental or sustainability impact assessment been undertaken?

Has an equality impact assessment been undertaken?

## **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.***

## **REPORT AUTHOR**

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