

Westmorland and Furness Council

Report Title:	Bridge Restrictions Traffic Regulation Order
Meeting:	Locality Board - South Lakeland area
Meeting Date:	25 th January 2024
Report Author:	Helen Karaaslan, Traffic Management Team Leader
Lead Cabinet Member(s):	Peter Thornton
Wards Affected?	Coniston and Hawkshead High Furness Levens and Crooklands Windermere and Ambleside
PUBLIC, PART EXEMPT OR FULLY EXEMPT	Public
List of Appendices (if any)	Appendix 1 - Statutory Notice Appendix 2 - Plans of the proposals Appendix 3 - Statement of Reasons Appendix 4 - Summary of responses to Statutory Consultation

1. Executive Summary

- 1.1 This report sets out the responses to the statutory consultation and advertising of the Order referred to at paragraph 2.1 of this report.
- 1.2 All of the proposals are summarised in the statutory notice which is attached in Appendix 1.
- 1.3 The plans attached as Appendix 2 to this report show the extents of the proposed restrictions.
- 1.4 The Councils' statement of reason for proposing to make the Order is attached as Appendix 3.
- 1.5 The report seeks a resolution on the proposed introduction of the Order.

2. Recommendation

For the reasons set out in this report, it is recommended that –

- 2.1 Having taken into account the representation which were received during the statutory consultation and advertisement and having also 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 8.1 of this report, that the Westmorland and Furness Council (Various Bridges - South Lakeland Area) (Traffic Regulation) Order 20>< be brought into operation as advertised.

3. Information: the Rationale and Evidence

3.1 The Council has been requested by the Council's Bridges and Structures Team to consult upon weight and traffic restrictions. The proposals are as follows;

- 3.1.1.1 Introduce a prohibition of all motor vehicles on that length of the U5528 heading towards Middle Fell Farm, near Great Langdale, from a point 24 metres north of the centre of its junction with the U5528 towards Stool End, extending over the full expanse of Middle Fell Bridge;
- 3.1.1.2 Introduce a 7.5 Tonnes maximum gross vehicle weight limit on the following Bridges:-
 - a) U5614 Main Drain Bridge, near Levens;
 - b) U5082 Water Yeat (Old) Bridge, near Water Yeat;
 - c) U5001 Bridge End Bridge, near Little Langdale; and
 - d) U5001 Fell Foot Bridge, near Little Langdale.
- 3.1.1.3 Introduce a 10 Tonnes maximum gross vehicle weight limit on the U5518 Newland Mill Bridge, near Newland Bottom.

(NB: There are no exemptions to the above proposed restrictions.)

3.2 Middle Fell Bridge, near Great Langdale – The bridge has been assessed as capable of carrying vehicles up to 10 tonnes weight. As a weak bridge, it should be signed with a weight restriction. However, the required signage at this location would be detrimental to the character of the area, with consideration of the nature of the approaches (agricultural field to the north), the confines of the approaches (narrow walled track to the south), and the character of the area (picturesque tourist location). The road carried by the bridge is unsurfaced; at the bridge there is a thin layer of cobbles laid directly onto the extrados of the structural arch barrel. Tracking of motorised vehicles over the bridge will therefore be causing damage to the structure of the bridge because of lack of distribution of wheel loads. Further surfacing of the road would cause detriment to the character of the area by significantly altering the appearance of the bridge, including the need to increase the height the parapets of the arch to accommodate thickness of the road surface. It is evident on site that all vehicles accessing Middle Fell Farm and the field immediately to the north of the Middle Fell Bridge are using the adjacent spur of the U5528 over Dungeon Ghyll Bridge as an alternative, therefore this alteration to access would not be a deviation from present preferred routes to access properties over the bridge. For this reason, it is proposed to prohibit all motor vehicles over the full expanse of Middle Fell Bridge.

- 3.3 U5614 Main Drain Bridge, near Levens;
U5082 Water Yeat (Old) Bridge, near Water Yeat;
U5001 Bridge End Bridge, near Little Langdale; and
U5001 Fell Foot Bridge, near Little Langdale:-

An inspection and structural assessment of these bridges has found that each bridge is incapable of carrying any load exceeding 7.5 tonnes without unacceptable risk to members of the public and damage to the road and structure. For this reason, it is proposed to introduce a 7.5 tonnes maximum gross vehicle weight limit on each of the bridges.

- 3.4 U5518 Newland Mill Bridge, near Newland Bottom – An inspection and structural assessment of Newland Mill Bridge has found it is incapable of carrying any load exceeding 10 tonnes without unacceptable risk to members of the public and damage to the road and structure. For this reason, it is proposed to bring in a 10 tonnes maximum gross vehicle weight limit over the bridge.

- 3.5 Attached as Appendix 1 is the statutory notice for advertising and consultation. Attached as Appendix 2 are the plans detailing the extents of the proposals. Appendix 3 is the Council's Statement of reason for proposing to make the Order.

4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

- 4.1 A safe, sustainable and serviceable highway network underpins the Council Plan Vision for Westmorland and Furness to be a great place to live, work and thrive and supports many of the Council's priorities. A reliable highway network enables people, goods and service to be moved around the Authority area promoting new business creation, economic growth and enabling people to thrive within their communities.

5. Consultation Outcomes (with services, ward councillors and public consultation where required)

- 5.1 Statutory Consultation and advertising began on Thursday 7th November 2023 and concluded on 30 November 2023.
- 5.2 4 responses have been received regarding the proposals as follows;
- 1 response was to the proposals for Middle Fell, Fell Foot and Bridge End bridges
- 1 response was to the proposals for Main Drain and Water Yeat (Old) bridges
- 2 separate responses were for proposals for Main Drain Bridge.
- 5.3 Support was indicated for the proposed restrictions at Middle Fell Bridge, Fell Foot Bridge and Bridge End Bridge.

- 5.4 Requested in the feedback was that signage required to be installed to indicate restrictions to highway users, should the proposals be approved, at Middle Fell Bridge, Fell Foot Bridge and Bridge End Bridge, that the designs should consider the context and environment and not be placed on the boundaries of historic properties to minimise any negative impact.
- 5.5 Should the proposed restrictions be approved for these bridges this will be taken into consideration and every effort taken to ensure signage is sensitively placed whilst ensuring it adheres with the legal requirements.
- 5.6 3 responses have been received regarding the proposed 7.5 tonnes gross vehicle weight limit.
- 5.7 A request was received for Main Drain Bridge to have an exemption to allow refuse vehicles of 12 tonnes. This is to be able to facilitate the collection of waste and recycling due to being a single track road with limited turning for the council's collection vehicles, the nearest junction being 300 yards away.
- 5.8 An inspection and structural assessment of Main Drain Bridge has found that they are incapable of carrying any load exceeding 7.5 tonnes without unacceptable risk to members of the public and damage the road and structure. The assessment aims to avoid danger to persons or other traffic using the road which runs over the bridges, and to prevent the use of the road by vehicular traffic in a manner which is unsuitable having regard to the existing character of the road and bridge. Consideration is given to the needs for efficient distribution of goods and services along with the needs of the environment and communities. Nevertheless, since the risk is unacceptable it is not possible to exempt vehicles above the proposed weight limit to use the bridge.
- 5.9 An objection to the proposed weight limit at Main Drain Bridge was received. The objection was that farm machinery and delivery vehicles use this road to access Levens Village and Lords Plain. The objection said that this was the only alternative route for the A590 and widely acknowledged as a dangerous section of road. Additional farm vehicles, delivery vehicle turning onto the road as the Hare and Hounds pub to Gilpin Bridge crossing the carriageway will increase the hazards, increasing the likelihood of accidents and potential temporary closure of the A590. Movement of excavators for drainage of the farmland on this area will be compromised. The road can serve as a strategic alternative route to the A590 in the event of a temporary closure of the A590. The issue is if the consultation is taking the safety of the current specific bridge in isolation from the overruling requirement for a replacement at a greater capacity as was previously the case.
- 5.10 An inspection and structural assessment has found that it is incapable of carrying any load exceeding 7.5 tonnes without unacceptable risk to members of the public or damage to the road and structure. The assessment aims to avoid danger to persons or other traffic using the roads which runs over Main Drain Bridge, and to prevent the use of the road by vehicular traffic in a manner which is unsuitable having regard to the existing character of the road and bridge. Consideration is given to the needs for efficient distribution of

goods and services along with the needs of the environment and communities. Nevertheless, since the risk is unacceptable is it not possible to exempt vehicles above the proposed weight limit to use the bridge. This is not an agreed diversion route for the A590. Diversion routes for the A590 are only be approved on A, B, or C classification roads.

- 5.11 1 response has been received in support of the proposal for Main Drain Bridge but did raise a concern regarding enforcement as following the implementation of temporary signage at the bridge large LGV's have been seen using the bridge.
- 5.12 Enforcement of the proposed restrictions, should the Order be approved, would be for Cumbria Constabulary who have the powers to take enforcement action. Cumbria Constabulary have been consulted regarding all the proposed restrictions.

6 Alternative Options Considered

- 6.1 The inspection and structural assessment findings indicate without the proposed restrictions members of public would be at unacceptable risk. There is not therefore a suitable alternative.

7 Financial Implications and risk

- 7.1 If Locality Board decide to agree recommendation at paragraph 2.1 the estimated the cost in terms of staff resources and advertising would be £3,500 and any implementation measures as a result of the making of the Order are estimated at £13,750. This would be funded through the Central Bridge Assessment Review budget.
- 7.2 The Locality Board are asked to note that if it is decided to agree recommendation at paragraph 2.1 the ongoing maintenance cost of signage for the restrictions is approximately £50 a year which would need to be met from within the Highways revenue budget.

8 Legal & Governance Implications

- 8.1 Westmorland and Furness 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 bringing the Order into force as per the Recommendation in this Report for the reason specified at sections 1(1)(a), (b) and (d) of the 1984 Act, namely: -

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

(b) for preventing damage to the roads or to any building on or near the roads,
or

- (d) for preventing the use of the roads 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 roads or adjoining properties.
- 8.2 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.

Pursuant to Paragraph 14.12.2 (d) of the Constitution, Locality Boards may *“consider and determine traffic regulation orders, speed limit orders, experimental orders, parking places orders and revocation orders, with the exception of those that require urgent determination or are temporary in nature, in all cases, the relevant local member will have been notified of the matter.”*

9 Human Resources Implications

- 9.1 There are no human resources implications for consideration in connection with the TRO proposals or decision whether to make the Order.

10 Equality & Diversity Implications (including the public sector equality duty, Armed Forces Families, Care Leavers and Health inequalities implications)

- 10.1 The restrictions on the bridges have been considered carefully and are required on health and safety grounds for the travelling public. There are not considered to be any equality or diversity implications as a result of these restrictions or this decision.

11 Background Information & Sources (used in preparation of this Report)

- 11.1 The statutory requirements of the Road Traffic Regulation Act 1984 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 have been followed and will be signed in accordance with the Traffic Sign Regulations and General Directions 2016.
- 11.2 Full details on the background to this Order referred to within this report can be found in the Appendix documents 1-4.