

Report Title	Traffic Regulation Order – Preston Street
Meeting	Furness Locality Board
Meeting Date	17 April 2024
Report Author	Mo. Dooz
Lead Cabinet Member(s)	Cllr Peter Thornton – Cabinet Member – Highways and Assets
Wards Affected	Hindpool
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	Appendix 1 Location Plan Appendix 2 Site Notice Appendix 3 Statement of Reasons Appendix 4 Consultation responses received

1. Executive Summary

- 1.1 This report informs Members of the outcome following the statutory advertisement and consultation of the Order referred to in paragraph 2.1 of this report concerning new parking arrangements on Preston Street, Barrow-in-Furness.
- 1.2 Full details of the proposals which were advertised are shown in the plans attached as Appendix 1.
- 1.3 A copy of the Notice which summarises the proposals is attached as Appendix 2 of this report.
- 1.4 A copy of the Councils Statement of Reasons for making the Order is attached as Appendix 3 of this report.
- 1.5 One representation were received in relation to the statutory advertisement and consultation. A summary is provided as part of this report which is attached as Appendix 4 of this report.
- 1.6 This report seeks a resolution on the proposed introduction of the Order.

2. Recommendations

- 2.1 Having taken into consideration representation received during statutory advertisement and consultation of the proposed Order, 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 9.2 of this Report, that the WESTMORLAND AND FURNESS COUNCIL (VARIOUS_ ROADS, BARROW-IN- FURNESS) (CONSOLIDATION AND PROVISION OF TRAFFIC REGULATIONS) ORDER 20>< (“the Order”), be brought into operation as advertised.

3. Information: the Rationale & Evidence for the Recommendations

3.1 Background.

Background and details of the proposals are listed below, and further detail can be found within the appendices to this report.

- 3.1.1 Preston Street currently has a number of “Loading Only Parking Place, Monday – Saturday, 8 am – 6 pm” restrictions. These parking bays were designated many years ago, but today motorists are abusing the use.
- 3.1.2 It is therefore proposed to replace those at the rear of the Cross Keys Hotel, Portland Walk, Cavendish Street with “No Waiting At Any Time” (double yellow lines).
- 3.1.3 Implementing a no-waiting at any time restriction would help to reduce congestion and improve the area's amenities.
- 3.1.4 The “Loading Only Parking Place, Monday – Saturday, 8am – 6pm” restriction on that part of Back Portland Walk/Preston Street, Barrow-in-Furness (behind no.s 5A, 6 and 7 Portland Walk and 21 Preston Street) WILL BE RETAINED.
- 3.2 A copy of the Notice which summarises the proposals is attached as Appendix 2 of this report.
- 3.3 A copy of the Council's Statement of Reasons for making the Order is attached as Appendix 3 of this report.
- 3.4 The statutory consultation and advertisement period commenced on 8th March 2024 and concluded on 29 March 2024.
- 3.5 One representation was received in relation to the statutory advertisement and consultation. A summary is provided as part of this report which is attached as Appendix 4 of this report.

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 services to be moved around the Authority area promoting new business creation, economic growth and enabling people to thrive within their own communities.

5. Consultation Outcomes

- 5.1 There was 1 representation received to the statutory advertisement and consultation of the Order - see Appendix 4 for full details.
- 5.2 A Portland Walk business owner supports the proposed parking restriction, stating that deliveries and refuse collection are constantly interrupted by the cars parking here. Thus, we are extremely happy to see the implementation of a no parking area behind my shop”
- 5.3 Based on one support response and no objections received, it is recommended that the Order is implemented as advertised.

6. Alternative Options Considered

- 6.1 Prior to proposing No Waiting At Any Time (double yellow lines) in replace of the Loading Only Parking Places, consideration was given for loading bays near the Cross Keys Hotel with no parking at any time restriction (double yellow lines) and to implement parking restriction from Monday to Saturday between 8am to 6pm (single yellow lines) on the north-west Side of Preston Street, behind the shops that face Dalton Street.
- 6.2 The only alternative option that was available would be replacing of the loading only bays with single yellow lines (no waiting or parking during the times shown on nearby signs). After consulting with our parking team, it was determined that replacing loading only with single yellow lines was inappropriate due to the high rate of vandalism of parking signs. With single yellow lines normally, parking is allowed between certain times. Signs on the road show the times parking is restricted, therefore single yellow lines must be accompanied by a sign until parking officers can enforce the restrictions. As a result, the proposal to replace the loading only bays with No Waiting At Any Time (doubled yellow lines) was progressed.

7. Reasons for the Recommendations

- 7.1 Having considered the response received and bearing in mind the large amount of engagement and consultation undertaken around the Preston Street area on this project through inception and design, that to replace the “Loading Only” parking place, Monday-Saturday, 8am-6pm” restriction with “No Waiting At Any Time” restriction Order is recommended to be implemented as advertised.

8. Climate and Biodiversity Implications

- 8.1 The proposal for replacement of Loading only Bay with “No Waiting At Any Time” is part of creating a safe environment for business and residents within Preston Street rear of William Street, Cavendish Street and Portland Walk. The scheme would help to reduce congestion and improve the area’s amenities.

- 8.2 The new parking arrangement would allow improved parking regulation enforcement on Preston Street, aiming to reduce the occurrence of any parking obstructions.

9. Legal and Governance Implications

- 9.1 Westmorland and Furness Council, as the 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 reasons specified at sections 1(1)(a) (b) and (f) 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,

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

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

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

- (1) The desirability of securing and maintaining reasonable access to premises;
- (2) the effect on amenities of an area;
- (3) the national air quality strategy prepared under section 80 of the Environment Act 1995;
- (4) 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
- (5) any other matters appearing to the authority to be relevant.

- 9.3 Pursuant to Paragraph 15.12.2 (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.”* (KB – 3.4.2024)

10. Human Resources Health Wellbeing and Safety Implications

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

11. Financial Implications

- 11.1 The estimated £2,500 cost of the Order would be met from the Annual Review of Signs and Lines allocation within the Furness Locality Board Budget. Members are

asked to note that if it is decided not to agree the recommendations to this report, any costs already incurred with preparing and consulting on the Order would still need to be met from this budget.

12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)

- 12.1 There are not considered to be any equality or diversity implications as a result of these restrictions or this decision.

13. Background Documents

- 13.1 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 the Order will be signed in accordance with the Traffic Sign Regulations and General Directions 2016.
- 13.2 Full details on the background to this Order referred to within this report can be found in the Appendices.