

CARLISLE HIGHWAYS & TRANSPORT WORKING GROUP

Meeting date: 9 December 2020

From: Executive Director – Economy & Infrastructure

TRAFFIC REGULATION ORDERS REVIEW: VARIATION ORDER 58

1.0 EXECUTIVE SUMMARY

1.1 *This report advises Members of the Carlisle Highways Working Group (“the Working Group”), of the outcome of representations received in response to the statutory consultation and advertisement of*

The County of Cumbria (Various Roads, Carlisle Urban and Rural Area) (Consolidation And Minor Amendment of Traffic Regulations) (Order 2001) Variation (No. 58) Order 20>< (“the Order”)

1.2 *A copy of the Notice which summarises the restrictions which are proposed to be introduced under the Order is attached as Appendix 1.*

1.3 *Plans showing the proposed restrictions are attached as Appendix 2;*

1.4 *The consultation responses are included as Appendix 3 and*

1.5 *A copy of the Council’s statement of reasons for proposing to make the Order, is attached as Appendix 4*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

2.1 *In considering any implications, members must consider if the proposals impact on the Council Plan, including supporting delivery of Community Strategy and Council Plan priorities, specifically*

- *To safeguard children, and ensure that Cumbria is a great place to be a child and grow up*
- *To enable communities to live safely and shape services locally*
- *To provide safe and well maintained roads and an effective transport network*

2.2 *No significant equality implications have been identified at this stage, and the statutory processes provide the mechanisms for any Equality Issues to be raised and aired.*

3.0 RECOMMENDATION

3.1 The Working Group is being asked to consider the representations which have been received to the statutory consultation and advertisement of The County of Cumbria (Various Roads, Carlisle Urban and Rural Area) (Consolidation and Minor Amendment of Traffic Regulations) (Order 2001) Variation (No. 58) Order 20>< (“the Order”), and, 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: -

3.1.1 In respect of the proposals for Rosegate, Aglionby – to recommend that Local Committee overrule the objections and agree that the restrictions be implemented as advertised.

3.1.2 In respect of the proposals for Broad Street, Carlisle – to recommend that Local Committee overrule the objection and agree that the restrictions be implemented as advertised.

3.1.3 In respect of proposals for Warwick Street, Carlisle- to recommend that Local Committee overrule the objections and agree that the restrictions be implemented as advertised.

3.2 As no representations to the following proposals have been received, the Working Group, 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 recommend that Local Committee agree that the following remaining restrictions proposed under the Order be brought into operation as advertised, namely to:

- a) Introduce ‘No Loading and Unloading At Any Time’ restrictions on Bush Brow, Carlisle.**
- b) Introduce a ‘Prohibition of Motor Vehicles, Except for Access’ restriction on Irthing Street/Short Street Back Lanes.**
- c) Introduce ‘No Waiting 4pm to 10am Monday to Saturday inclusive’ in loading bay on Lowther Street, Carlisle**
- d) Introduce ‘No Waiting At Any Time’ restrictions on the junction of St Peters Close and Lowry Hill Road.**
- e) Introduce ‘Restriction of Waiting at School “Keep Clear” markings, 8am-5pm Monday to Friday’, outside Raughton Head School in Raughton Head.**
- f) Introduce a ‘Prohibition of all vehicles’ on the access road to Tesco superstore Warwick Road, only at such times that there is a risk of flooding or the flood gates are being tested.**

4.0 BACKGROUND

4.1 There are ongoing requests for Traffic Regulation Orders which are recorded and progressed as a package of work. The statutory consultation for the Order includes the following proposed schemes:

- **Rosegate, Aglionby-** Introduce a section 'No Waiting At Any Time' (double yellow line) restrictions. This proposal aims to improve visibility from the Rosegate Junction.
- **Broad Street, Carlisle-** Introduce a new disc parking bay in the vicinity of number 68 Broad Street, to improve parking capacity on the street.
- **Bush Brow, Carlisle-** Introduce 'No Loading or Unloading At Any Time' restrictions. This proposal aims to prevent obstruction of the carriageway by parked vehicles.
- **Irthing Street/Short Street back lane-** Introduce a 'Prohibition of motor vehicles, except for access', to reduce rat running and inappropriate parking.
- **Lowther Street-** Introduce a 'No Waiting 4pm to 10am Monday to Saturday inclusive' in the loading bay within the bus lane. This is to prevent the bus lane being blocked by parked vehicles outside of the loading bay operating hours.
- **Raughton Head-** introduce 'Restriction of Waiting at School "Keep Clear" markings, 8am-5pm Monday to Friday', to keep the carriageway clear for the safety of pupils and school transport.
- **St Peters Close-** introduce 'no waiting at any time restrictions' on the junction of St Peters Close and Lowry Hill road. This proposal aims to ensure visibility is maintained for vehicles exiting St Peters Close on to Lowry Hill Road.
- **Tesco, Warwick Road-** Introduce 'Prohibition of all vehicles' on the access road to Tesco superstore Warwick Road, only at such times that there is a risk of flooding or the flood gates are being tested.
- **Warwick Street, Carlisle-** Introduce 'No Waiting At Any Time' (Double yellow lines) and 'No Loading and Unloading At Any Time' on a section of Warwick Street. These restrictions are proposed to bring the legal order in line with the restrictions that are already in place as part of a restricted zone.

4.2 Following informal consultation, statutory advertisement and consultation has been undertaken and the following proposals have received comments, which are included with Officer comments and recommendations as part of Appendix 3:

4.2.1 **Rosegate, Aglionby;**

This proposal received 2 objections and 7 letters of support. The first objection was from a resident who believes the restrictions are a waste of money and not necessary. The second objection was also from a resident who does not believe vehicles parked in this location cause a problem. The recommendation here is to implement the proposal as advertised, to ensure pedestrians can access the footway and driver's visibility is not reduced when exiting Rosegate.

4.2.2 **Broad Street, Carlisle**

This proposal received one objection and two letters of support including a petition of 14 signatures supporting the proposals. The objection is from a resident who suggests they will not be able to

access their property if a disc parking space is provided and visibility for other road users, using the side road, would be impacted by the parking provision. The recommendation here is to implement the proposal as advertised. There is 6 metres length between the tree and the dropped kerb for the garage access. This is the length that would be provided for one parking space. The new disc parking space would not impact on the existing established access.

4.2.3 **Warwick Street, Carlisle**

This proposal received one query and two objections. Both objections object to the proposal of No Waiting At Any Time and No Loading and Unloading running across their driveways as they wish to continue to park a vehicle there.

Warwick Street recently became part of the historic core restricted zone, in a restricted zone, vehicles are only permitted to park in marked bays. This section of Warwick Street was omitted from the legal order and this legal order is bring the legal order in line with what restrictions are already in place.

As a result, the recommendation here is to implement the proposal as advertised.

4.3 No responses were received to the other proposals, so the recommendation is to implement them as advertised.

5.0 **OPTIONS**

5.1 The Working Group could recommend that Local Committee;

- agree the Recommendations at paragraph 3.1 and 3.2 of this Report.
- decide not to agree the Recommendations at paragraphs 3.1 and 3.2 of this Report.
- Agree that VO 58 be brought into force to an extent that differs to that recommended in paragraphs 3.1 and 3.2 (providing that the extent of the restrictions proposed to be introduced are less onerous than that which was advertised).

6.0 **RESOURCE AND VALUE FOR MONEY IMPLICATIONS**

6.1 The estimated costs for implementation of the restrictions in this order are £2,000. It is unlikely that these works will be completed before the end of this financial year. The costs of implementation will be met from the Signs, Lines and TROs element of the 2021/22 Capital Devolved Budget.

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 4, 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
- (c) For facilitating the passage on the roads or any other roads of any class of traffic (including pedestrians); of
- (f) for preserving or improving the amenities of the area through which the roads 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.

8.0 CONCLUSION

8.1 This report informs the Working Group of the responses following statutory consultation and advertisement of the Order.

8.2 Three of the proposals received objections and these are detailed in section 4.2. The Working Group is asked to recommend to Local Committee to overrule these objections and introduce the Order as advertised.

Angela Jones
Executive Director – Economy and Infrastructure

December 2020

APPENDICES

- Appendix 1 – VO 58 Legal Notice
- Appendix 2 - Location Plans
- Appendix 3 - Consultation responses
- Appendix 4 - Statement of Reasons

Electoral Divisions: Belah, Botcherby, Castle, Dalston & Burgh, Wetheral

Executive Decision	<table border="1"><tr><td>Yes</td><td><input type="checkbox"/></td></tr></table>	Yes	<input type="checkbox"/>	
Yes	<input type="checkbox"/>			
Key Decision	<table border="1"><tr><td><input type="checkbox"/></td><td>No</td></tr></table>	<input type="checkbox"/>	No	
<input type="checkbox"/>	No			
If a Key Decision, is the proposal published in the current Forward Plan?	<table border="1"><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>N/A</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
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Is the decision exempt from call-in on grounds of urgency?	<table border="1"><tr><td><input type="checkbox"/></td><td>No</td></tr></table>	<input type="checkbox"/>	No	
<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?	<table border="1"><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>N/A</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
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Has this matter been considered by Overview and Scrutiny? If so, give details below.	<table border="1"><tr><td><input type="checkbox"/></td><td>No</td></tr></table>	<input type="checkbox"/>	No	
<input type="checkbox"/>	No			
Has an environmental or sustainability impact assessment been undertaken?	<table border="1"><tr><td><input type="checkbox"/></td><td>No</td><td><input type="checkbox"/></td></tr></table>	<input type="checkbox"/>	No	<input type="checkbox"/>
<input type="checkbox"/>	No	<input type="checkbox"/>		
Has an equality impact assessment been undertaken?	<table border="1"><tr><td><input type="checkbox"/></td><td>No</td><td><input type="checkbox"/></td></tr></table>	<input type="checkbox"/>	No	<input type="checkbox"/>
<input type="checkbox"/>	No	<input type="checkbox"/>		

N.B. If an executive decision is made, then a decision cannot be implemented until the expiry of the eighth working day after the date of the meeting – unless the decision is urgent and exempt from call-in and necessary approvals have been obtained.

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS

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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