

# **ALLERDALE HIGHWAYS WORKING GROUP**

**Meeting date: 9th December 2020**

**From: Executive Director – Economy & Infrastructure**

## **STRUCTURAL WEIGHT LIMIT: 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 weight 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 weight restriction is attached as Appendix 1.*
- 1.3 *A copy of the Council’s Statement of Reasons for proposing to introduce the weight restriction, is attached as Appendix 2.*

### **2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS**

- 2.1 *The proposed traffic restrictions are designed to protect weak bridges and prevent heavy vehicles from areas unsuitable for their size and weight, whilst also providing a safe and effective transport network.*
- 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 33 tonnes maximum gross vehicle weight restriction on Church Bridge, Loweswater, 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 The Bridges & Structures team have recently undertaken a study of bridges in Cumbria to determine those weak bridges that are currently unsigned.
- 4.2 One bridge in the Cockermouth area has been identified and requires a Traffic Regulation Order to put in place a structural weight limit to protect the asset and prevent heavy vehicles from areas unsuitable for their size and weight. Details of the proposed location and restriction are as follows:
- 4.2.1 Proposal 1 – U2212 Church Bridge, Loweswater. To implement a 33 tonnes maximum gross vehicle weight restriction to protect the weak bridge known as Church Bridge. A plan showing this proposal is attached as Appendix 1. No alternative route is available for vehicles exceeding 33 tonnes.
- 4.3 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 Costs arising from these works would be met from an allocation in the Bridges and Structures Additional Works budget, should Members agree to the recommendation in section 3 of this report.

## 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) and (b) of the 1984 Act, as set out further in the attached Statement of Reasons which is attached as Appendix 2, 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) (b) for preventing damage to the road or to any building on or near the road.

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 – 27.11.2020)

## 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**

*9<sup>th</sup> December 2020*

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## APPENDICES

Appendix 1 - Location Plan detailing proposal for U2212 Church Bridge, Loweswater

Appendix 2 – Statement of Reasons

Electoral Division(s): Bothel and Wharrels

*\* Please remove whichever option is not applicable*

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

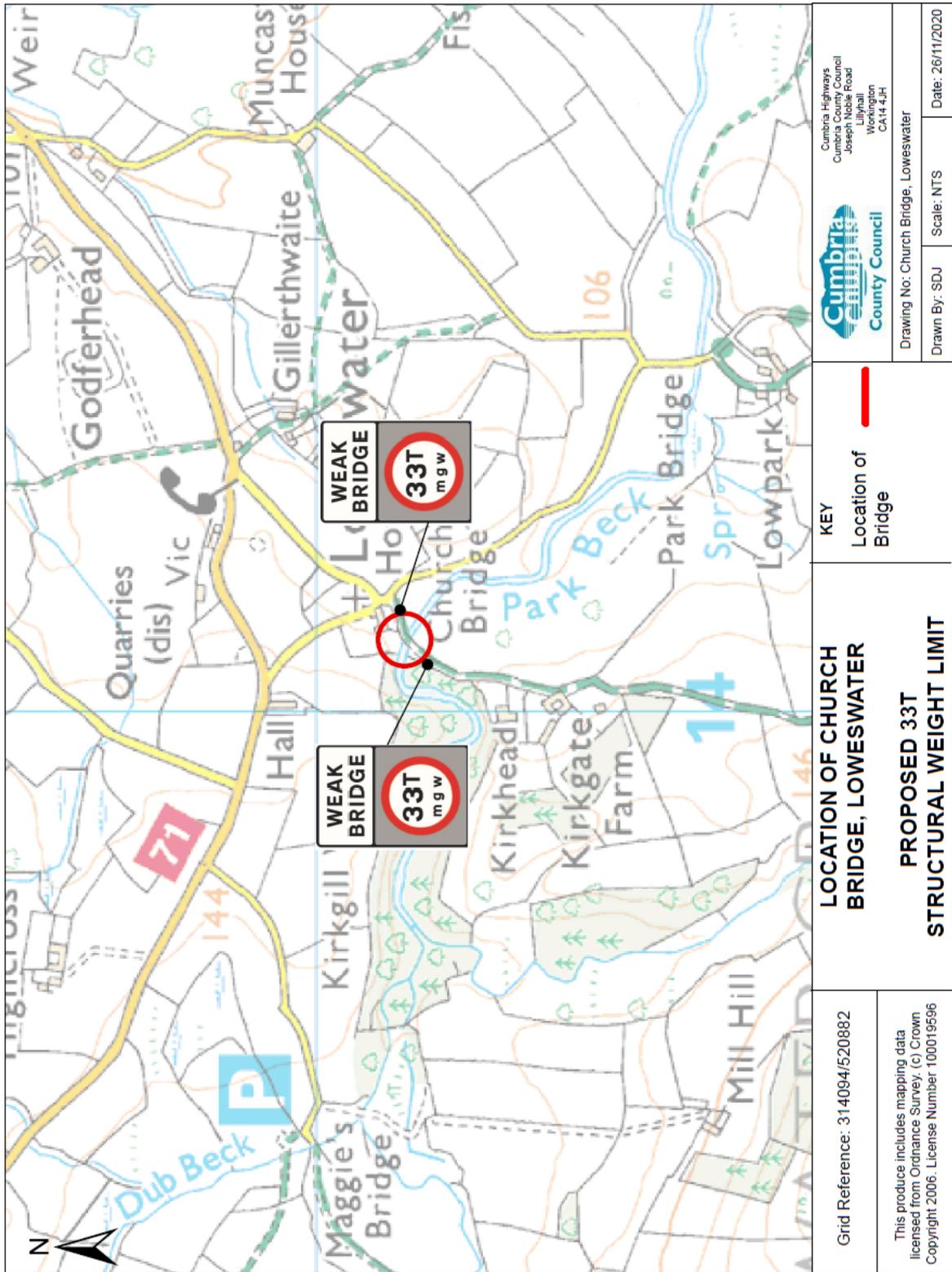
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APPENDIX 1



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 – U2212 Church Bridge, Loweswater. To implement a 33t weight restriction to protect the weak bridge known as Church Bridge.

- *(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*
- *(b) for preventing damage to the road or to any building on or near the road.*