

COUNTY COUNCIL LOCAL COMMITTEE FOR SOUTH LAKELAND
Meeting date: 4 April 2011
From: Corporate Director – Environment

APPLEBY NEW FAIR TRAFFIC REGULATION ORDER 2011- OUTCOME OF CONSULTATION

1.0 EXECUTIVE SUMMARY

- 1.1 *This report provides a summary of the consultation on a proposed traffic regulation order for Appleby New Fair.*
- 1.2 *The proposed traffic regulation order comprises road closures, one-way traffic and no waiting at any time restrictions. The proposals cover the A683 from Kirkby Lonsdale through Sedbergh to the Eden / South Lakeland district boundary including all the side roads and lay-bys off the A683 and some off the A684.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *The introduction of Traffic Regulation Orders is a devolved function of this Local Committee and helps support County Council objectives towards meeting its casualty reduction targets.*
- 2.2 *The proposals do have equality implications and could potentially have a disproportionate effect on the travelling community. Consultation has been undertaken with representatives of the travelling community. No adverse comments have been received regarding the proposals. Representatives have indicated that the restrictions, if approved, could be widely communicated through the Appleby Fair and other websites if they were to be implemented to ensure visitors to the Fair were aware of them.*

3.0 RECOMMENDATION

- 3.1 *That The County of Cumbria (Various Roads, South Lakeland Area) (Appleby Horse Fair) (Traffic Regulation) Order 20><, be made operative 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 at paragraph 7.2 of this Report.

4.0 BACKGROUND

- 4.1 The Appleby Horse Fair occurs annually in June attracting many additional visitors to Appleby and the surrounding area. Following the introduction of a temporary traffic regulation order for South Lakeland in 2010 covering the duration of the Fair it is proposed to introduce a permanent traffic regulation order. The order is proposed to minimise the impact of the Appleby Fair traffic on the main southern approach road through South Lakeland to Appleby. This is the A683 from Kirkby Lonsdale through Sedbergh to the district boundary at Rawthey Bridge.
- 4.2 It is proposed that the order would come into force annually between 1 April and 30 June to cover the Appleby Horse Fair. However, restrictions would neither necessarily be required for the full duration nor have to be applied to the full extent of the roads. The order would be in force only “as and when signs are displayed”.
- 4.3 Appendix 1 contains the draft traffic regulation order for full details of the proposals. Plans showing the restrictions are available on request and will be available at the meeting should they be required. There are such a large number it is not considered appropriate to attach them to this Local Committee paper.
- 4.4 There were several additional restrictions requested by Cumbria Police following last year’s temporary order. These were No Waiting At Any Time for Stonehall Lane and the U5402 Devil’s Bridge Loop Road, where parking is suspended off the A683 and on the A65 between the Lancashire County boundary and the B6254 Kirkby Lonsdale junction. There were also prohibition of driving except for access restrictions for U5484 Buckbank Lane, Stonehall Lane and the U5402 Loop Road near Devil’s Bridge off the A683.

Traveller consultation

- 4.5 Representatives of the travelling community have been consulted and no objections have been received. The representative advised that if the proposals were to be implemented then wider communication could be undertaken through the Appleby Fair website etc to disseminate information.
- 4.6 Two responses were received regarding the proposals, one from the Yorkshire Dales National Park Authority (YDNPA) and one from Barbon Parish Council.

YDNPA consultation response.

- 4.7 YDNPA indicated that they understood it was not the intention to restrict horse drawn vehicles from either parking or using the roads listed in the order. It was commented that YDNPA understood that camping ground

provisions were available as an alternative to the use of the road verges. YDNPA did not have any objection to the proposals.

Barbon Parish Council consultation response

- 4.8 Barbon Parish Council responded to the consultation indicating that they had considered the proposals at their meeting of 21 February 2011. The Parish Council approved the proposals but requested that restrictions should only be implemented following either a request by, or after consultation with, the Parish Council. This was requested because no problems have previously occurred and the proposals may cause adverse impact on sections of the local community e.g. residents, businesses such as the Barbon Inn and Barking Mad, and visitors to the village and the Church.
- 4.9 Barbon Parish Council also requested that the U5394 "terrace road" below Barbon Low Fell and the U5391 through Barbondale as far as the cattle grid that denotes the border with Dent Parish be included in the Order if possible. There are large verges on both additional stretches of road that could be used as parking areas. However, it is not possible as part of this traffic regulation order process to make it more restrictive than was advertised. These requests are recommended to be monitored and listed for inclusion in a future traffic regulation order if required.
- 4.10 Barbon Parish Council approved the closure of Hodge Bridge lay-by off the C5083. They requested that the closure of the lay-by be in place for as short a time as possible. This is because there are some farms in Barbon which have limited access and use the lay-by to offload large deliveries.
- 4.11 There have been no objections to the proposed restrictions for the Appleby New Fair and therefore it is recommended that the proposals are implemented as advertised. The additional requests by Barbon Parish Council are recommended to be monitored over the 2011 and future years Appleby Fair with possible future inclusion in a traffic regulation order if required.

5.0 OPTIONS

- 5.1 Make the order as advertised with no amendments (the recommended option). This option provides value for money by obviating the need for annual temporary TROs. Any future variations would require variation orders, but the order has been extended in scope from 2010 specifically to allow some scope for future variations should the need arise.
- 5.2 Do not make the traffic regulation order. This would require an annual temporary traffic regulation order which does not represent good value for money.
- 5.3 Make the order with modifications. However, the order cannot be extended without further advertising and the nature of the order already provides flexibility to omit sections by not displaying signs. Therefore this is not the recommended option.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 Funding for this traffic regulation order has been provided through the approved Members Highways Priority Works allocation for Sedbergh and Kirkby Lonsdale Division in the 2010/11 Highways Revenue budget.

7.0 LEGAL IMPLICATIONS

- 7.1 The County Council, as Traffic Authority, having taken into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 (“the 1984 Act”) detailed below at paragraph 7.2, considers that it is expedient to agree to the implementation of the Order detailed at paragraph 3.1 of this Report for the reason specified at sections 1(1)(a), 1(1)(c) and 1(1)(f) of the 1984 Act, namely for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising; for facilitating the passage on the road of any class of traffic and for preserving or improving the amenities of the area.
- 7.2 Under Section 122(2), the matters which were 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.

8.0 CONCLUSION

- 8.1 The proposed order reflects temporary measures introduced last year to improve management of the Appleby New Fair. When applied in conjunction with temporary campsites and other facilities, it is considered that the measures represent a reasonable balance between the interests of the travelling community and the effective management of the Fair.
- 8.2 It is therefore recommended that the traffic regulation order is made as advertised.

Andrew Moss
Assistant Director – Highways and Transport

23rd March 2011

APPENDICES

Appendix 1 Appleby New Fair draft traffic regulation order

IMPLICATIONS

Electoral Division(s): Sedbergh & Kirkby Lonsdale

Executive Decision

Yes	
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Key Decision

	No
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If a Key Decision, is the proposal published in the current Forward Plan?

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

	No
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If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?

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

	No
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Has an environmental or sustainability impact assessment been undertaken?

	No	
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Has an equality impact assessment been undertaken?

	No	
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PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

None

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers.

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