

COUNTY COUNCIL LOCAL COMMITTEE FOR EDEN
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Meeting date: 15 January 2020

From: Executive Director – Economy and Infrastructure
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APPLEBY FAIR – COSTS AND BUDGET 2018/19

1.0 EXECUTIVE SUMMARY

- 1.1** This report informs members of the Eden Local Committee of the Multi-Agency Strategic Coordination Group (MASCG) arrangements that were carried out during the 2019 Appleby New Fair (“the Fair”). Eden Local Committee will be presented with a draft revenue budget programme report in January 2020 for comment and the final revenue budget programme report will be presented in March for approval, both of which will include reference to the 2020 Appleby New Fair budget.
- 1.2** This report also asks Members to approve the consolidation of the Traffic Regulation Order and the Variation Order referred to at clause 3.1 of this report, and its amendment to include additional restrictions that were introduced this year on a temporary basis, and which are likely to be needed again to ensure the continued safety of visitors and travellers attending the Fair.

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1** *This report supports the aims and outcomes of the Council Plan and the Local Transport Plan as they relate to the local economy, and road safety*
- 2.2** *The Fair is a large annual gathering within the District of Eden. In order to aid the safe passage of people, both attendees to the Fair and ad-hoc visitors, Cumbria County Council constantly reviews the traffic regulation orders and physical measures needed to ensure that the Fair goes ahead in the safest manner possible.*
- 2.3** *There are no equality implications arising out of this report.*

3.0 RECOMMENDATION

3.1 That Local Committee note the content of this report.

3.2 That the Local Committee agree to proceed to statutory consultation and advertisement of the proposed variations to, and consolidation of, The County of Cumbria (Various Roads, Eden Area)(Appleby Horse Fair)(Consolidation and Provision of Traffic Regulations) Order 2014 and The County of Cumbria (Various Roads, Eden Area) (Appleby Horse Fair) (Consolidation and Provision of Traffic Regulations) (Order 2014) Variation (No. 1) Order 2015, 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, to introduce the changes shown at Appendix 3 to this report, which in summary are as follows.

3.2.1 U3337 Castle Bank Appleby – to prohibit all motor vehicles (except for access), from Jubilee Ford to the junction with the B6260;

3.2.2 B6260 Bridge Street Appleby – to prohibit horse drawn vehicles and ridden or accompanied horses from using Bridge Street between Low Cross Street and its junction with The Sands

3.2.3 B6542 The Sands - to prohibit horse drawn vehicles and ridden or accompanied horses from using the Sands from a point 10m north of its junction with Bridge Street to Bridge Street

3.3 Any representations received will be reported back through the Local Committee process for determination. However, in the absence of any such unresolved representations, the Local Committee to agree that the restrictions detailed in paragraph 3.2 above, be brought into operation as advertised.

4.0 BACKGROUND

4.1 Appleby New Fair (“the Fair”) occurs in the first week of June every year. It is an annual gathering that occurs in the County and has no recognised organiser. In 2008 the key agencies affected by the Fair formed a Multi-Agency Strategic Coordination Group (MASCG) to develop an operational plan to provide coordinated community leadership. However, while MASCG has an overall co-ordinating role for community leadership issues, it does not have direct responsibilities for the Fair itself, which is a gathering from the gypsy and traveller communities with visitors and tourists coming to witness it. The primary aim of MASCG is to ensure the safety of those visiting the fair and the local community affected by it.

4.2 In this respect it is generally considered that the multi-agency management of the 2019 Fair was reasonably successful, with highways issues that arose being dealt with in a timely and effective manner. An evaluation report is being finalised by the MASCG group and this will be available on the Appleby Fair website shortly. Feedback received from communities within the Kirkby Stephen and Appleby division regarding the 2019 event has been generally good although concerns have been raised, particularly about the effectiveness of the posts for the restrictions on the A685.

4.3 Prohibition of Waiting Restrictions.

Since 2011 permanent Traffic Regulation Orders have been in place to impose restrictions on traffic both in the Eden and South Lakeland areas, for increased road safety. Although permanent, the restrictions are only in place between the 30th of April and 30th of June and are only enforceable when the appropriate signage is displayed. Details of the No Waiting at Any Time restrictions can be found in the Appleby Fair Traffic Management Plan, which is attached as Appendix 1 to this report.

4.4 Vehicle Movement Restrictions.

In accordance with the Eden TRO, One Way Traffic and Prohibition of Motor Vehicles restrictions are implemented on a number of streets within Appleby-in-Westmorland and the surrounding area for the duration of the Fair.

To afford pedestrians protection from horses being led between the River Eden and Fair Hill, temporary barriers are installed on The Sands, which is also subject to a road closure during daytime hours (variable), throughout the Fair.

The extents of the vehicle movement restrictions implemented and barriers installed during the 2019 Fair can be found in the Appleby Fair Traffic Management Plan, attached as Appendix 1 to this report.

Changes in the way people use Appleby during the fair over the last couple of years did result in additional restrictions being brought into effect in 2019. These involved closure of the U3337 Castle Bank, and Bridge Street and more of The Sands, both of which were managed through the implementation of a temporary traffic regulation order for the 2019 Fair. It is anticipated that these restrictions will be required again in the future and it is recommended that they are included in the permanent traffic regulation order for the Fair. The proposed changes are detailed in appendices 3 and 4

4.5 Long Marton Road, C3004 'Flashing Lane'.

Temporary barriers and warning notices were deployed at each end of the 'Flashing Lane' and at various points along its length. Grass cutting and verge clearance operations were carried out along Long Marton Road to discourage the tethering of horses along the length of verge that was anticipated to be used by pedestrians.

There is a desire within MASCG to implement permanent physical measures along the length of the C3004 'Flashing Lane', specifically upgrades to existing barriers, in order to provide protection for pedestrian and to minimize the risks associated with the mixing of pedestrian and equestrian traffic. There is however no funding available to introduce these physical measures.

Details of the measures implemented on the C3004, Long Marton Road during the 2019 Fair can be found in the Appleby Fair Traffic Management Plan, attached as Appendix 1 to this report.

4.6 A685 Brough to Kirkby Stephen.

Encampments located on the Primary Route Network and major roads can present significant risks to highway users and encamping travellers. In an effort to reverse an observed trend of annually increasing encampment being present along the A685, Brough to Kirkby Stephen during the weeks preceding the Fair, 'No Waiting at Any Time' restrictions were implemented on sections of the A685 prior to the 2015 event.

The application of waiting restrictions and community engagement work carried out by MASCG agencies, to discourage early arrival to the Fair, resulted in significantly reduced total 'nights of encampment' being observed during the 2015 and 2016 events (nights of encampments taken as the sum of the daily recorded number of caravans present on the A685 over an 18 day period; 10 days prior to the Fair, the 4 day Fair period, and 4 day following the Fair). However over that last 2 years numbers have risen significantly and are approaching those experienced before the current range of measures were introduced in 2015.

Following the concerns raised in 2018 The MASCG agreed to raise the level of Policing along the A685 for the 2019 Fair. It was recognised that it would not be possible to Police the whole of the route effectively and higher risk locations were identified for increased Policing. Whilst this did prove effective at those locations the A685 continues to be an area of significant concern and the level of Policing required to maintain safety at the specific locations identified is not believed to be sustainable. The total number of nights encampment appears to have decreased slightly from the 2018 figure although this may in part be explained that no data was obtained over the fair weekend. However numbers were higher over the two weeks before the fair which caused the concerns described above. As a result of the issues described above we have been asked to investigate other options such as water filled barriers or more permanent measures such as ditching and bunding or permanent posts. Ditching and bunding is not feasible due to the presence of underground services and the remaining measures such as the water filled barriers have significant cost implications, in excess of £40k.

4.7 Summary of Planned Highways Management Measures Undertaken in 2019 is detailed on Page 9 of the Traffic Management Plan attached as Appendix 1.

4.8 Summary of 2019 Expenditure.

The 2019 Appleby Fair did not require any major unplanned highways measures to be taken, the event being managed in line with the Eden Local Committee approved traffic management plan, costed at £50,000 prior to the event. Expenditure for the 2019 Fair saw a slight overspend, to date with costs that are not yet finalised.

5.0 OPTIONS

5.1 Members to note the report.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 There are no immediate financial implications resulting from 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 traffic regulation order and restrictions detailed in this Report for the reason specified at section 1(1)(as) of the 1984 Act, namely 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.

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 and 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 The work of the County Council through the MASCG has significantly contributed to the successful management of the 2019 Fair.

8.2 There will continue to be a need for the County Council to support the work of the MASCG to ensure that the Fair is managed safely with respect to the impact it has on the highways network.

Angela Jones
Executive Director Economy and Infrastructure

December 2019

APPENDICES

Appendix 1 - Appleby Fair Traffic Management Plan 2019 Am6

Appendix 2 – Recorded A685 Roadside Encampment Figures 2008 – 2019

Appendix 3 - Traffic Regulation Order Amendments and Location Plans

Electoral Division(s): All

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?

	No	
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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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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
[including Local Committees]

Report to Eden Local Committee 1st December 2014 - ELC 112
Report to Eden Local Committee 24th March 2015 - ELC 129
Report to Eden Local Committee 1st December 2015 - ELC 74
Report to Eden Local Committee 30th November 2016 – ELC 65
Report to Eden Local Committee 11th December 2017 – ELC 61
Report to Eden Local Committee 13th December 2018 – ELC 81

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers.

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