

BARROW HIGHWAYS ADVISORY SUB GROUP

Meeting date: 14 February 2020

From: Executive Director – Economy and Infrastructure

SANDY GAP LANE TRAFFIC REGULATIONS – VARIATION ORDER NO 41 PROPOSALS

1.0 EXECUTIVE SUMMARY

1.1 This report seeks a recommendation from the Barrow Highways Advisory Sub Group (HASG) for Barrow Local Committee to agree to proceed to statutory consultation and advertisement of a proposed Prohibition of Motor Vehicles restriction, to replace an existing One-Way traffic restriction on Sandy Gap Lane, Walney as indicated in Appendices 1a and 1b, attached to this report.

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 the County Council objective of meeting its casualty reduction targets and its delivery of Community Strategy and Cumbria Agreement outcomes and Council Plan priorities, which are

- 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**
- To promote sustainable economic growth, and create jobs**
- To be a modern and efficient council**

Members are advised that generally the measures contained in the proposal contribute to these commitments by continuing to ensure that the council are able to provide an effective and safe Highway Network.

2.2 The prioritisation, programming and design of highway improvement schemes have the potential to generate either beneficial or adverse impacts on people with mobility or vision impairments. The development of detailed proposals is undertaken in accordance with the County Council's policies and procedures for equality and diversity.

3.0 RECOMMENDATION

- 3.1** *That the HASG recommends that Barrow Local Committee agree to proceed to statutory consultation and advertisement of a variation to The County of Cumbria (Various Roads, Barrow-in-Furness) (Consolidation and Minor Amendment of Traffic Regulations) Order 2001, (“Variation Order No. 41”) in respect of the restriction set out in Appendices 1a and 1b to this report, 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 There is currently a One-Way traffic restriction which runs for a distance of approximately 30 metres on Sandy Gap Lane at the western end, which has the effect of preventing vehicles travelling onto the beach and foreshore. At present it is regularly ignored and is largely unenforced so vehicles are parking on the beach to access the coastal paths.
- 4.2 It has been requested by the Sandy Gap Community Interest Company (CIC) owners, Charlie MacKeith and Maddie Nicholson, for the current One-Way traffic restriction to be amended to a Prohibition of Motor Vehicles (at all times) with access exemptions. This would allow for the restriction to be made self-enforcing with a lockable gate (with keys provided to those that are exempt).
- 4.3 The restriction is requested to be extended to the eastern end of the buildings owned by the Sandy Gap CIC to tie in with the parking area that is adjacent to the buildings. The restricted length would be approximately 47 metres. There are proposals and planning permission for converting the existing buildings into a café.
- 4.4 The plan attached as appendix 1a shows the existing One-Way traffic restriction and the plan attached as appendix 1b shows the proposed extent of the Prohibition of Motor Vehicles (at all times) except for access restriction.
- 4.5 The proposed exemptions to the Prohibition of Motor Vehicles restriction are; emergency service vehicles; statutory undertakers; fishermen with rights of access and the Coastguard if required.
- 4.6 Subject to approval from Barrow Local Committee at its meeting on 6 March 2020, Variation Order No. 41 can be progressed to statutory consultation and advertising in March / April 2020.
- 4.7 The estimated £3,500 cost for progressing the proposed Variation Order and the additional costs for implementation of a suitable gate or barrier would be met by the Sandy Gap CIC.

5.0 OPTIONS

- 5.1 That Barrow HASG agree the recommendation at paragraph 3.1 of this report.
- 5.2 Alternatively, the Barrow HASG may decide to not to approve, or decide to amend the recommendation at paragraph 3.1 of this report.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 If HASG decide to recommend and Local Committee decide to pursue a Variation Order (recommendation 3.1) the estimated £3,500 cost of progressing and implementing the proposed Variation Order would be met by Sandy Gap CIC (paragraph 4.7).
- 6.2 HASG are asked to note that if it is decided to pursue the proposed Variation Order and the Variation Order was implemented, future maintenance costs estimated not to exceed £100 in any one year would need to be met from within the Highways Revenue budget devolved to Local Committee for that year.

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 at paragraph 7.2, in considering whether it is expedient to agree to the implementation of the restrictions detailed in this Report for the reason specified at section 1(1)(a) 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;
- 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 It is recommended that Barrow HASG agree the recommendation at paragraph 3.1 requesting the agreement of Barrow Local Committee that Variation Order No 41 proceed to statutory advertisement and consultation.

Angela Jones
Executive Director – Economy and Infrastructure

January 2020

APPENDICES

Appendix 1 1a Existing One-Way Traffic Restriction 1b Proposals for Variation Order No 41

Electoral Divisions: Walney North and Walney South

Executive Decision No

Key Decision No

If a Key Decision, is the proposal published in the current Forward Plan? N/A

Is the decision exempt from call-in on grounds of urgency? No

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained? N/A

Has this matter been considered by Overview and Scrutiny?
 If so, give details below. No

Has an environmental or sustainability impact assessment been undertaken? No

Has an equality impact assessment been undertaken? No

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]

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No previous papers

REPORT AUTHOR

Contact: Victoria Upton
Tel: 07500994077
Email: victoria.upton@cumbria.gov.uk