

COUNTY COUNCIL LOCAL COMMITTEE FOR EDEN
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Meeting date: 10th March 2020

From: Executive Director – Economy & Infrastructure
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PENRITH CONSOLIDATION ORDER - OUTCOME OF STATUTORY CONSULTATION AND ADVERTISEMENT

1.0 EXECUTIVE SUMMARY

- 1.1 *This report advises the Local Committee of the representations received to the statutory consultation and advertisement on a number of proposed changes to the Penrith traffic regulation order referred to at paragraph 3.1 of this Report, in relation to 5 locations. The proposed changes have come from a variety of sources including Member and resident requests and ongoing reviews of existing restrictions.*
- 1.2 *A copy of the Public Notice which included details of the proposed changes is attached as Appendix 1.*
- 1.3 *A summary of the representations received and the officer comments is attached as Appendix 2.*
- 1.4 *Full details of the proposals which were consulted on are shown in the plans attached as Appendices 3-7.*
- 1.5 *A copy of the Statement of Reasons for proposing to make the Order is attached as Appendix 8.*
- 1.6 *This report asks Members to determine the representations received and seeks a resolution for the proposed introduction of the Order, which will consolidate the provisions of The County of Cumbria (Various Roads, Penrith) (Consolidation and Provision of Traffic Regulations) Order 2017, together with its variations and the proposed changes, as referred to in the Recommendation 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 the*

Community Strategy and Cumbria Agreement outcomes and Council Plan priorities, In particular

- ***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***

2.2 ***No significant equality implications have been identified at this stage.***

2.3 ***The statutory consultation processes undertaken for the introduction of the Traffic Regulation Order provides a mechanism for any such perceived issues to be addressed.***

3.0 ***RECOMMENDATION***

3.1 ***Having taken into account the comments and objections which were received and having also taken into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 which are specifically referred to at paragraph 7.2 of this Report it is recommended that Members agree to introduce “The County of Cumbria (Various Roads, Penrith) (Consolidation and Provision of Traffic Regulations) Order 20><” (“the Order”), as advertised.***

4.0 ***BACKGROUND***

4.1 The proposed changes to the Order are a result of requests and comments from various sources as well as reviewing existing restrictions on an ongoing basis. This process allows for concerns to be addressed as they arise and for existing restrictions to be updated as traffic behaviour and patterns change.

4.2 **Sand Croft** - Following comments from residents relating to parking causing obstruction, we are proposing to introduce new ‘No Waiting At Any Time’ restrictions on parts of Sand Croft. Full details of the proposals are shown on the plan attached as Appendix 3.

4.3 **Friargate** - Following comments received relating to near misses when vehicles are entering/exiting the Friargate parking area, we are proposing to introduce a new ‘One-Way Traffic’ restriction in a northerly direction (Clockwise) on parts of Friargate. Full details of the proposals are shown on the plan attached as Appendix 4.

4.4 **Askham Crescent** - Following comments relating to the lack of room due to the narrow width of the road when vehicles are passing travelling in opposite directions, we are proposing to introduce a new ‘One-Way Traffic’ restriction in a southerly direction (Clockwise) on part of Askham Crescent. Full details of the proposals are shown on the plan attached as Appendix 5.

- 4.5 We received one response to these proposals details of which are attached in Appendix 2 along with our Officer comments which recommend that we overrule the objection and introduce the order as advertised
- 4.6 **Gillan Way** – Following complaints regarding damage to property from large vehicles parking and attempting to turn round on Gillan Way we are proposing to introduce a prohibition of heavy commercial vehicles over 7.5 tonnes maximum gross weight restriction, with except for access exemptions. Full details of the proposals are shown on the plan attached as Appendix 6.
- 4.7 **Harrison Street and Foster Street** – following comments received relating to vehicles driving on the footway when passing parked vehicles on Harrison Street we are proposing to remove the existing parking bay on Harrison Street, replacing it with a new ‘No Waiting At Any Time’ restriction and introduce a new ‘One-Way Traffic’ restriction in a north-easterly direction. We are reducing the length of waiting restrictions and increasing the length on the parking bays on both sides of Foster Street to provide some additional parking. Full details of the proposals are shown on the plan attached as Appendix 7.

5.0 OPTIONS

- 5.1 Members can agree the Recommendation at paragraph 3.1 of this report.
- 5.2 Members may choose not to agree the Recommendations at paragraph 3.1 of this report.
- 5.3 Members may choose to agree to introduce only parts of the Order, with (less onerous) amendments.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 The costs of implementing the proposals relating to recommendation 3.1, estimated at £14,000, are to be funded from next year’s Annual Review of Signs, Lines and Traffic Regulation Orders element of the Highways Capital Improvement budget, which is devolved to this Committee.

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), 1(1)(b) 1(1)(c) and 1(1)(g) of the 1984 Act, namely: -

- (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, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians).
- (d) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

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, prove 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 – 24.2.2020)

8 CONCLUSION

- 8.1 The traffic authority is required to constantly review and update restrictions to suit changing circumstances and to aid traffic management. The proposals help address some concerns raised by the Local Members, residents and highway users
- 8.2 It is recommended that the Order be brought into operation in accordance with the Recommendation.

Angela Jones
Executive Director – Economy and Infrastructure.
February 2020

APPENDICES

Appendix 1 - Public Notice

Appendix 2 - Summary of Consultation Responses and Officer Comments

Appendix 3 - Sand Croft No Waiting

Appendix 4 - Friargate One Way Traffic

Appendix 5 - Askham Crescent One Way Traffic

Appendix 6 - Gillan Way 7.5t Weight Restriction

Appendix 7 - Harrison St/Foster St waiting restrictions

Appendix 8 - Statement of Reasons for proposing to make the Order

Electoral Division(s): Penrith East, Penrith North, Penrith West

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

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]

Minute No 55 Eden Local Committee 18th November 2019

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers

REPORT AUTHOR

Contact: Julian Maclaine Tel 01768 812124
Email address: julian.maclaine@cumbria.gov.uk