

**COUNTY COUNCIL LOCAL COMMITTEE FOR  
SOUTH LAKELAND  
HIGHWAYS AND TRANSPORTATION WORKING  
GROUP**

**Meeting date: 01 September 2021**

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

**WINDERMERE**

**TRAFFIC REGULATION ORDER 20><**

**1.0 EXECUTIVE SUMMARY**

- 1.1 *This report advises Members of the Highways and Transportation Working Group (the “Working Group”) of the responses to the statutory consultation and advertising of The County of Cumbria (Various Roads, South Lakeland Area)(Consolidation of traffic regulations) (Order 2002) (Various Roads, Windermere) Variation Order 20><*
- 1.2 *All of the proposals are summarised in the statutory notice which is attached as Appendix 1 and are shown on location plans attached as Appendix 3 to this report.*
- 1.3 *A copy of the Council’s Statement of Reasons for proposing to make the Order is attached as Appendix 2 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 proposals contribute to these commitments by continuing to ensure that the council can 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 Members of the Working Group recommend that South Lakeland Local Committee approves the bringing into operation of *The County of Cumbria (Various Roads, South Lakeland Area)(Consolidation of Traffic Regulations) (Order 2002) (Various Roads, Windermere) Variation Order 20>< ("the Order")* in its entirety, having taken into account the objections and representations 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 more specifically referred to at paragraph 7.2 of this Report:

### **4.0 BACKGROUND**

**4.1** The County Council has been requested by Councillor Ben Berry to review several areas within Windermere for consideration of parking restrictions following concerns of parking causing obstructions. Proposals have been developed to introduce restrictions at Craig Walk, Brook Road, St Marys Park and Church Street and New Road, Windermere.

**5.0** The proposed restrictions at Brook Road are to introduce No Waiting at Any Time restrictions at the junctions with Lake Road and New Road. This is to prevent the junctions becoming congested with parked vehicles.

**5.1** The proposed restrictions at Craig Walk are to introduce No Waiting at Any Time (double yellow lines) for the first 60 meters of Craig Walk from its junction with New Road. These proposals aim to prevent parking causing an obstruction.

- 5.2 The proposed restrictions at St Mary's Park are to introduce No Waiting at Any Time (double yellow lines) and waiting limited bay restrictions at the entrance to the estate and in front of St Marys Church on the A591 Church Street. These proposals seek to formalise the parking to ensure that the entrance to St Marys Park is not obstructed by parked vehicles, to ensure there is a turnover of parking available through waiting limited bay restrictions and to assist traffic flow
- 5.3 The proposed restrictions at New Road are to extend the No Waiting 9am-7pm restrictions that are currently part of New road in a southerly direction on to Lake Road up to its junction with Beresford Road. The proposals seek to prevent parking causing an obstruction and visibility issues along New Road.
- 5.4 Attached as Appendix 1 is the statutory notice for the advertising and consultation. Appendix 2 the Statement of Reasons for the Council proposing to make the Order.
- 5.5 The plans for the respective proposals are attached as Appendix 3.
- 5.6 Statutory consultation and advertising of the draft Order began on Thursday 1<sup>st</sup> July 2021 and ended on Thursday 22<sup>nd</sup> July 2021. Letters were delivered via Royal Mail to affected properties and businesses. Proposals were advertised in the Westmorland Gazette on Thursday 1<sup>st</sup> July 2021 and site notices were erected. Copies of the proposals were also available to view on the Cumbria County Council website for the duration of the statutory consultation and advertisement period.
- 5.7 It came to light within the statutory consultation and advertisement period that the notice had an error New Road which was incorrectly named as Lake Road. The notice was amended, and the details uploaded to our website
- 5.8 There was also an error on the plan for St Marys Park which did not show the private access to St Marys Church. This was amended and copies delivered to affected properties on St Marys Park via Royal Mail.
- 5.9 Appendix 4 summarises the comments and objections received and makes recommendations for the implementation of the Order.
- 5.10 A total of 5 responses were received to the proposals for Brook Road. All 5 were in support of the proposals..
- 5.11 The main query was a request to introduce a residents parking scheme for Brook Road. This request has been looked in to previously. The majority of properties on Brook Road have off street parking and therefore it is not appropriate to introduce a resident parking scheme. It is proposed to introduce keep clear markings for the private drives/accesses should the proposals be approved.
- 5.12 A total of 1 response were received to the proposals for Craig Walk. This response was in support of the proposal.

- 5.13 A total of 2 response was received for the proposals at New Road and Lake Road. These responses supported the introduction of the proposal.
- 5.14 A total of 11 responses were received regarding the proposals at St Mary Park. Of these responses 6 were in support, 3 objections and 2 no overall decision.
- 5.15 The main concern is that the proposals will displace parking in to the estate. It is proposed to introduce "Residents Parking please park elsewhere signs on the estate should the proposals be approved.
- 5.16 Requests to extend the no waiting at any time proposals (double yellow lines) were also made. It is not possible to extend the double yellow lines without readvertising the proposals.
- 5.17 The Local Member has been kept updated regarding relevant responses and throughout the consultation period.

## **6.0 OPTIONS**

- 6.1 Approve the Recommendation at paragraph 3.1;
- 6.2 Approve the Recommendation with amendments (provided that they are less onerous than those consulted and advertised upon)
- 6.3 Do not approve the Recommendation at paragraph 3.1

## **7.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS**

- 7.1 The cost of the Order in terms of staff resources and advertising is £3,000 and any implementation measures as a result of the making of the Order are estimated at £5,000 and funding has been allocated through the Members Highway Priority Works for the Windermere Division
- 7.2 Members are asked to note that there will be some future maintenance costs for Order and these are estimated at £100 per annum (based on 10 year cost estimation), which will need to be met from future revenue budget allocations if the order is approved and implemented.

(P Cameron 18.8.2021)

## 8.0 LEGAL IMPLICATION

8.1 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), (c) and (f) of the 1984 Act, as set out further in the attached Statement of Reasons which is attached as Appendix 3, 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

(c) for facilitating the passage on the roads or any other roads of any class of traffic (including pedestrians), or

(f) for preserving or improving the amenities of the area through which the roads run.

8.2 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.

8.4 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 –19.8.2021)

## 9. CONCLUSION

9.1 Having regard of the feedback received it is recommended that the Working Group makes a recommendation that South Lakeland Local Committee agree to approve the making and implementation of the Order, as advertised.

**Angela Jones**  
**Executive Director - Economy and Infrastructure**

*August 2021*

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### APPENDICES

<b>Appendix 1</b>	<b>Statutory Notice</b>
<b>Appendix 2</b>	<b>Statement of Reasons</b>
<b>Appendix 3</b>	<b>Windermere TRO Proposal Plans</b>
<b>Appendix 4</b>	<b>Consultation Summary and Recommendations</b>

Electoral Division(s): Windermere

Executive Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the decision exempt from call-in on grounds of urgency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has an environmental or sustainability impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has an equality impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS *[including Local Committees]*

**None**

### CONSIDERATION BY OVERVIEW AND SCRUTINY

***Not considered by Overview and Scrutiny.***

## **BACKGROUND PAPERS**

*Consultation responses*

## **REPORT AUTHOR**

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