

<b>COUNTY COUNCIL LOCAL COMMITTEE FOR EDEN</b>
<b>Meeting date: 15 November 2021</b>
<b>From: Executive Director – Economy &amp; Infrastructure</b>

## **PENRITH VARIATION TRAFFIC REGULATION ORDER**

### **1.0 EXECUTIVE SUMMARY**

- 1.1 *This report advises Members of Eden Local Committee of the representations received to the statutory consultation and advertisement of the proposed changes to the Penrith Traffic Regulation Order which are referred to at paragraph 3.1 of this Report.*
- 1.2 *A copy of the Notice which summarises the proposals is attached as Appendix 1.*
- 1.3 *A summary of representations received is attached as Appendix 2.*
- 1.4 *Full details of the proposals which were advertised are shown in the plans attached as Appendices 3 & 4.*
- 1.5 *A copy of the Council's Statement of Reasons for making the Order is attached as Appendix 5.*
- 1.6 *This report seeks approval from Members to bring into force the Order which will vary the provisions of The County of Cumbria (Various Roads, Penrith) (Consolidation and Provision of Traffic Regulations) Order 2021 to include the proposed changes referred to in 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, 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 *That the Local Committee, having taken into consideration the responses which have been received through the statutory consultation and advertisement process, along with the Officers comments, agree that The County of Cumbria (Various Roads, Penrith) (Consolidation and Provision of Traffic Regulations) (Order 2021) Variation Order (No. 1) 20><, (“the Order”) be brought into operation, as advertised.*

### **4.0 BACKGROUND**

4.1 The proposed following changes are a result of the Penrith Transport Improvement scheme.

4.2 **Portland Place** - Following the development of the Penrith Transport Improvement scheme, the capacity of the junction of the A6 and Portland Place was identified as an issue. To increase capacity and improve journey times we are proposing to remove a single parking bay on the north west side of Portland Place and replace it with a ‘No Waiting at Any Time’ restriction. Full details of the proposals are shown on the plan attached as Appendix 3.

4.3 **Salkeld Road / Inglewood Road** - Following the development of the Penrith Transport Improvement scheme, several road safety issues were identified at the Salkeld Road / Scotland Road junction. To improve the safety at the junction, a new highway alignment is proposed, including a ‘Prohibition of Motor Vehicles, At Any Time’ and section of ‘No Waiting at Any Time’. Full details of the proposals are shown on the plan attached as Appendix 4.

4.4 The statutory consultation and advertisement of the proposals began on 23<sup>rd</sup> October 2021. Although the consultation is still open for representations at the time of writing this report, a total of 4 responses have been received (attached as Appendix 2 of this report), none of which object to the proposed changes to the traffic regulation order. The statutory consultation and advertisement period is due to conclude on 13<sup>th</sup> November and any additional comments received during this time will be reported to Eden Local Committee on the 15<sup>th</sup> November.

4.5 A copy of the Council’s Statement of Reasons for the proposed variation order is attached as Appendix 5 of this report.

## **5.0 OPTIONS**

- 5.1 That the Local Committee approves the recommendation set out in paragraph 3.1 of this report
- 5.2 That the Local Committee does NOT approve the recommendation set out in paragraph 3.1 of this report.
- 5.3 That the Local Committee decides that the Order be brought into force to an extent that differs to that recommended in paragraph 3.1 (providing that the extent of the restrictions proposed to be introduced are less onerous than those which were advertised).

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

- 6.1 The proposals relating to recommendation at paragraph 3.1 will be funded by the developers and as such no Local Authority funding would be required.
- 6.2 Members are asked to note that should the Order be approved and implemented that there will be ongoing maintenance costs to be met from revenue budgets in future years.

## **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) and (c) of the 1984 Act, as set out further in the attached Statement of Reasons which is attached as Appendix 5, 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

- 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. (3.11.2021)

## 8.0 CONCLUSION

*8.1 That the Local Committee agree to introduce the Order referred to at paragraph 3.1 of this report.*

**Angela Jones**

Executive Director - Economy and Infrastructure.

*November 2021*

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## **APPENDICES**

***Appendix 1 – Copy of the statutory Notice summarising the proposals***

***Appendix 2 - Consultation representations and Officers responses***

***Appendix 3 - Location Plan Portland Place***

***Appendix 4 - Location Plan Salkeld Road and Inglewood Road***

***Appendix 5 - Statement of Reasons***

Electoral Division(s): Penrith East and Penrith North

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?

		N/A
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Has an equality impact assessment been undertaken?

		N/A
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## **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 background papers.***

## **REPORT AUTHOR**

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