

COUNTY COUNCIL LOCAL COMMITTEE FOR SOUTH LAKELAND
Meeting date: 24th November 2022
From: Executive Director – Economy and Infrastructure

CHURCH WALK AND TARNSIDE AREA TRAFFIC REGULATION ORDER

1.0 EXECUTIVE SUMMARY

- 1.1 *This report sets out the responses to the statutory consultation and advertising of the Order referred to at paragraph 3.1 of this report. All of the proposals are summarised in the statutory notice which is attached as Appendix 1.*
- 1.2 *The plans attached as Appendices 2.1 and 2.2 to this report show the details of the proposed restrictions and an overview of the location.*
- 1.3 *The Councils' statement of reasons for proposing to make the Order is attached as Appendix 3.*
- 1.4 *A summary of the representations which were received during the statutory advertisement and consultation, together with officer comments, is attached as Appendix 4.*
- 1.5 *The report seeks a resolution on the proposed introduction of the Order.*

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 promote health and wellbeing, and tackle poverty*
- *To protect and enhance Cumbria's world class environment*
- *To provide safe and well maintained roads and an effective transport network*
- *To promote sustainable economic growth, and create jobs*
- *To support older and vulnerable people to live independent and healthy lives*
- *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 are able to provide an effective and safe Highway Network.

3.0 RECOMMENDATION

3.1 *Having taken into account the objections and representations which were received during the statutory consultation and advertisement, 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, that The County of Cumbria (Various Roads, South Lakeland) (Consolidation of Traffic Regulations) (Order 2002) (Ulverston - No.9) Variation Order 20>< ("the Order") be brought into operation as advertised.*

4.0 BACKGROUND

4.1 The County Council has been requested to review the Church Walk area of Ulverston for consideration of parking restrictions to improve parking and congestion. Proposals have been developed to introduce restrictions at Church Walk and Tarnside area of Ulverston.

4.2 Initial consultation was carried out in 2019 for the consideration of restrictions which include a resident's parking scheme and No Waiting at Any Time Restrictions. Feedback received in response to this consultation indicated that there was no consensus on the proposed restrictions.

4.3 Following discussion with County Councillor Judy Filmore it was agreed further initial consultation would be carried out regarding No Waiting at Any Time Restrictions.

4.4 It is proposed to introduced sections of "No Waiting at Any Time" double yellow line restrictions at Church Walk, Sea View, Church Fields and Tarnside.

- 4.5 It is proposed that the “No Stopping on School Entrance Markings” will be enforceable 8:00am – 5:00pm on school days only.
- 4.6 The full plans and background to the proposals are presented in the appendices to this report for information; Appendix 1 – Statutory Notice; Appendix 2 – Plans of the proposed restrictions; Appendix 3 – Statement of Reasons
- 4.7 The proposals were consulted upon and advertised on 23rd September 2022, with the statutory 21 days statutory consultation and advertisement period ending on 14th October 2022.
- 4.8 Appendix 4 summarises and recommends the outcomes from comment received during the statutory consultation period.
- 4.9 1 response has been received in response to the consultation.
- 4.10 The respondent objected to the proposals due to concerns regarding the impact this would have on available parking especially near the school, church and vets on Church Walk. The respondent requested residents parking on Church Walk.
- 4.11 This concern has been carefully considered. The parking restrictions are proposed at sections of the highway where parked vehicles can restrict visibility, at junctions, for example and/or obstruct the highway. The length of the restrictions has been minimised, where possible, in order to fulfil these aims whilst retaining the greatest amount of parking provision. Proposed amendments to the times that the school keep clear markings are enforceable will free up this section to allow parking at evenings, weekends and school holidays, thus creating more available parking.
- 4.12 Requests were made for residents parking to be introduced. Resident’s parking would limit available parking by formalising the current parking arrangements through the introduction of formalised parking bays. The restrictions are to prevent obstruction of the highway taking place.
- 4.13 It is recommended that the Order be brought into operation as advertised.

5.0 OPTIONS

- 5.1 Local Committee approve the recommendation at paragraph 3.1 of this report.
- 5.2 Local Committee do not approve the recommendation at paragraph 3.1 of this report.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 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 £1,575 and funding has been allocated through the Members Highway Priority Works for the Ulverston West division.

- 6.2 Members are asked to note that there will be some future maintenance costs for the Order and these are estimated at £50 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.

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 Order detailed in this Report for the reason specified at sections 1(1)(a) and (c) of the 1984 Act, as set out in the 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 road of any class of traffic (including pedestrians)*

- 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. (KB – 26.10.2022)

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny

BACKGROUND PAPERS

No background papers

REPORT AUTHOR

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