

CUMBERLAND COUNCIL (VARIOUS ROADS, KESWICK AND SURROUNDING AREA)
(CONSOLIDATION AND PROVISION OF TRAFFIC REGULATIONS) ORDER 2023

STATEMENT OF REASONS

(As amended by the Minutes of the Meeting of the Highways and Transport Strategic Board on Friday 10 November 2023 AND the attached Officer Decision Notice)

Cumberland Council propose to make the above Order, for the following reasons specified in Section 1(1) Road Traffic Regulation Act 1984, namely to:

- (i) Replace the existing “No Waiting At Any Time” restrictions with a “Goods Vehicle Loading/Unloading Area – At All Times” in the new layby outside the Premier Inn on Main Street/High Hill, Keswick; *(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), (f) for preserving or improving the amenities of the area through which the road runs.*

- (ii) To introduce “No Waiting At Any Time” restrictions on the following roads:

C2057 Portinscale to Grange road (Swinside) – various lengths;
C2058 Portinscale to Swinside road (Swinside) – various lengths;
C2057 Portinscale to Grange road (Catbells) – various lengths;
U2219 and C2057 Portinscale – various lengths;
U2222 (off B5289 Borrowdale Road) Keswick; and
B5289 Borrowdale Road, Keswick;
U2220 Stonethwaite, Keswick

(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 (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), (f) for preserving or improving the amenities of the area through which the road runs.

- (iii) Introduce a “Prohibition of All Traffic” restriction on the U7003 at Thirlmere; *(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.*

- (iv) Introduce two sections of “Prohibition of Motor Vehicles” restriction on the U7003 at Thirlmere; *(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.*

- (v) To introduce a 10 tonnes maximum gross weight limit on the U2224 Chapel Bridge near Little Town, Keswick; *(b) for preventing damage to the road or to any building on or near the road.*

- (vi) To introduce a 13 tonnes maximum gross weight limit on the U2925 Hazel Bank Bridge, near Rosthwaite; *(b) for preventing damage to the road or to any building on or near the road.*
- (vii) To introduce a 3 tonnes maximum gross vehicle weight limit on the U2235 Sosgill Bridge ; St John's in the Vale; *(b) for preventing damage to the road or to any building on or near the road.*
- (viii) To introduce a 7.5 tonnes maximum gross vehicle weight limit on the U3132 Mariel Bridge, Mosedale; *(b) for preventing damage to the road or to any building on or near the road.*
- (ix) To remove a 6 tonnes maximum gross vehicle weight limit on the U2903 Station Road Bridge, Keswick; as the bridge was strengthened to C&U40/44 tonnes in 1984 and therefore the restriction is no longer required.

Item TSTB.7/23

RESOLVED, that

- (1) that, having taken into consideration the matters contained in Section 122(2) of the Road Traffic Regulation Act 1984, which were more specifically referred to in the Legal section of the report, that it be agreed that the Cumberland Council (Various Roads, Keswick and Surrounding Area) (Consolidation and Provision of Traffic Regulations) Order 20>< ("the Order"), be brought into operation, as advertised, in respect of the following proposals: -
 - (i) Main Street/High Hill, Keswick; Portinscale to Grange (various roads); B5289 and U2222 Borrowdale; and U2220 Stonethwaite outlined in paragraphs 2.1 to 2.4 inclusive of the report;
 - (ii) Chapel Bridge (U2224), near Little Town, Keswick, outlined in paragraph 2.7 of the report;
 - (iii) Sosgill Bridge (U2235), St John's in the Vale; Mariel Bridge (U3132), Mosedale; and Station Road Bridge (U2903), Keswick, outlined in paragraphs 2.9 to 2.11 inclusive of the report; EXCEPT that the 13t maximum gross weight limit on Hazel Bank Bridge (U2925), near Rosthwaite, Keswick detailed at paragraph 2.8 of this report, be not introduced;
- (2) that, in relation to proposals at paragraph 2.5 of this report relating to Thirlmere: -

- (i) having taken into consideration the matters contained in Section 122(2) of the Road Traffic Regulation Act 1984, which were more specifically referred to in the Legal section of the report;
- (ii) and having taken into consideration the Evolving Risk Posed by Rough Crag report produced by Jacobs on behalf of United Utilities and the recommendations of the Council's independent review of that report by Waterman Infrastructure & Environment Ltd which were presented to the Board as a confidential Appendix to the report;
- (iii) having taken into consideration the Petition (attached as Appendix 12) to the report and the Handout (attached as Appendix 13) to the report, which were referred from Full Council on 26th September 2023, and the response from the Council to the questions raised in the Handout (attached as Appendix 14) to the report, that it be agreed that the proposals detailed in paragraph 2.5, namely the proposal to introduce a 'Prohibition of All Traffic' restriction and two sections of 'Prohibition of Motor Vehicles' restriction on the U7003 at Thirlmere, be brought into operation as part of the Cumberland Council (Various Roads, Keswick and Surrounding Area) (Consolidation and Provision of Traffic Regulations) Order 20><, save that wording of Article 44A of the Order be delegated to the Assistant Director – Highways and Transport, in consultation with the Chair and the legally qualified officer of the Council once a definitive answer was received from the Department for Transport as to whether horse-riders could be prohibited.

Reason for decision:

The Order be brought into operation as per the recommendations in the Report.

OFFICER DECISION RECORD (Dated 12 December 2023) – Assistant Director – Highways & Transport

Decision: Following communications with Department for Transport and subsequent Legal Counsel advice, the Officer Decision is to word Article 44A as follows: "44A. Save as provided in Article 44B, no person shall proceed or cause or permit any vehicle (including a pedal cycle) to proceed in the lengths of road specified in Schedule 33A to this Order."