

Division(s): Burford & Carterton North, Carterton South & West, Charlbury & Wychwood, Chipping Norton, Eynsham, Hanborough & Minster Lovell, Witney North & East, Witney South & Central, Witney West & Bampton, Woodstock

CABINET MEMBER ENVIRONMENT – 15 NOVEMBER 2018

BURFORD WEIGHT LIMIT

Report by Director for Planning and Place

Introduction

1. In October 2017 a report on a Burford Environmental Weight Limit was considered by the Cabinet Member for Environment. This proposed a 7.5 tonne environmental weight limit covering Burford High Street between the A40/A361 roundabout in the south and the A361/A424 roundabout in the north.
2. The results of public consultation were considered and some supporters spoke at the meeting (including Burford and Chipping Norton Town Councils) as well as opponents (including two local businesses located just outside Burford).
3. The Cabinet Member for Environment decided to postpone making a decision pending further work on the impact of the scheme elsewhere and consideration of alternative measures. This further work has now been carried out including traffic modelling and discussions with Gloucestershire County Council.
4. This report seeks a decision on whether or not to approve in principle an experimental environmental weight limit in Burford, subject to a number of conditions including local community funding, success criteria, monitoring in Burford and other locations, enforcement and the operation of a permit scheme.

Exempt Information

5. None

Background

6. Burford Town Council, local residents and successive local members of the county council have been campaigning for a weight limit in the town for many years. Their main concerns have been the impact of heavy lorries in terms of safety, noise and vibration including the impact on the town's many listed buildings and on tourism businesses.
7. The County Council's Local Transport Plan supports an environmental weight limit in principle in Burford and two other named towns, subject to funding and resources being available

Legal Background

8. Weight restriction orders and various other traffic orders are a function of the County Council as local traffic authority further to powers conferred by the Road Traffic Regulation Act 1984. Section 122 of that Act specifies that it is the duty of a local authority upon whom functions are conferred by the Act to exercise them (so far as practicable having regard to matters specified below) so as to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of adequate parking facilities on and off the highway. The matters referred to and to be considered are: -
 - a. the desirability of securing and maintaining reasonable access to premises;
 - b. the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - c. National air quality strategy;
 - 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 local authority to be relevant. *This would include network management duty under section 16 of the Traffic Management Act 2004 to secure the expeditious movement of traffic on the authority's road network.*

Traffic modelling and surveys

9. Traffic surveys of lorry traffic using Burford High Street show this being split evenly to the north between the A424 to/from Stow and the A361 to/from Chipping Norton. To the south the dominant flow is east via the A40 to/from Witney. Traffic modelling shows a somewhat different pattern, with the dominant flow south via the A361 to/from Swindon, and a curiously large number to the north with origins and destinations in Lincolnshire and Northamptonshire.
10. The modelling predicts there would be benefits of a weight limit for Burford and Chipping Norton but disbenefits for Charlbury, Witney and Carterton, due to lorries diverting from the A361. This would be unacceptable, particularly in Witney which already suffers from congestion and poor air quality. However, there is some scepticism that lorries would use such an unattractive diversion route, suggesting strategic diversion via M40/A34/A420 as being more likely.
11. It has been concluded that, while the modelling does flag up potential diversion of lorries through other towns which would be unacceptable, the only way to be sure would be to implement an experimental weight limit order and monitor lorry traffic levels in Burford and on these potential diversion routes.

Implementation including signing

12. The county council has designed a signing scheme for an 18-month experimental weight limit. This would cover the length of Burford High Street between the A40 roundabout to the south and the A361/A424 junction just north of Burford Bridge. The signing for this would cost approximately £54,000 not including take down costs if the experiment is unsuccessful. This would be charged to the local community. The county council would implement the necessary traffic orders, which would also be locally funded.

Monitoring and Evaluation criteria

13. Before and after traffic surveys would be carried out using video equipment to monitor at four sites:
 - Burford High Street
 - Chipping Norton town centre A44/A361 junction (all legs)
 - Bladon roundabout A44/A4095 (all legs)
 - Witney town centre A4095/B4022 junction (all legs)

The cost is estimated at £500 per site per day so three rounds of surveys (one before, two after) would cost £6,000.

14. Gloucestershire County Council would monitor impacts within Gloucestershire, particularly around Stow where they plan to introduce a similar weight limit on the A436 in parallel with the Burford weight limit.
15. Success criteria would need to be agreed with Gloucestershire County Council and Burford Town Council. These would indicate the magnitude of reduction of lorry traffic through Burford as well as the levels of increase elsewhere that would be cause for concern and which could reasonably be attributed to the Burford weight limit. These criteria could be expressed as a percentage where existing lorry flows are high and/or as an absolute change where existing lorry flows are low.
16. An experimental order may remain in force for a maximum of 18 months. Conversion to a permanent order requires consultation (which applying the relevant regulations may be undertaken in connection with notification of making an experimental order) and ensuing decision making. The outcome of the monitoring would be a relevant consideration.

Enforcement and the operation of a permit scheme

17. It is being investigated to what extent it may be possible and practicable to delegate the enforcement role, at least in part, to Burford Town Council. If this does not prove feasible, Burford Town Council would need to fund enforcement by OCC Trading Standards. There is a risk that it might not be possible to agree a way forward acceptable to both town and county councils. A separate report would be taken to a future Cabinet Member for Environment Delegated Decisions meeting (CMDE) when the position is clarified.

18. Enforcement would include operating a permit scheme. The purpose of this would be to permit lorry movements through Burford for access to and from locations just outside the town but not covered by the exemption for access to the town itself, as well as road rescue vehicles. This would address the concerns raised when this was considered previously in October 2017.
19. Criteria would need to be agreed for the issue of permits which could include the need to access a location within a defined zone around or north of Burford or within a maximum distance of the town, as well as a minimum distance saving from travelling via Burford compared with the shortest HGV suitable alternative. It might even be possible to specify a maximum weight for vehicles granted permits – higher than the 7.5 tonne weight limit but lower than the maximum 44 tonnes permitted otherwise.

Financial and Staff Implications

20. The majority of the cost of introducing the experimental order would be locally funded – signing, traffic orders and enforcement. There would be some County Council officer time required to support the proposal, and the costs of the surveys are also proposed to be met from existing budgets, as they would form part of our Countywide surveys programme.
21. The full costs of and funding for the proposals, specifically covering the proposed approach to enforcement set out in paragraphs 16 to 18 will be clarified and set out in more detail in a future report to CMDE.

Legal implications

22. Once the approach to enforcement has been agreed, these will also be clarified in the future report to CMDE referred to above, including setting out how it is considered that the making of an experimental order would be appropriate applying section 122 RTRA.

Sustainability implications

23. An environmental weight limit should reduce noise and vibration in Burford and Chipping Norton as well as contributing to better air quality in these towns. There is a risk of adverse environmental impacts of the same kind in other towns such as Witney, but only if lorries no longer travelling via Burford re-route via these locations, but if these occur it is unlikely that the experimental weight limit would be made permanent. Lorries making longer journeys to avoid Burford could result in increased carbon emissions.

Risk assessment

24. There is a risk that a mutually agreeable solution (to both Town and County Councils) to enforcement of the experimental order cannot be identified. There are clearly some options to explore but, until there is greater clarity on the legal and practical limits of delegation to the Town Council, there is a

chance that the County Council would need to put some capacity and resources into the enforcement of the order. It is also uncertain to what extent we would be able to recover the costs associated with this work. When the position is clarified, the separate report will be taken to CMDE.

Equalities Implications

25. None

RECOMMENDATION

25. **The Cabinet Member for Environment is RECOMMENDED to**
- (a) **approve in principle an experimental weight limit order for Burford, subject to agreement on local funding, evaluation and success criteria, and enforcement arrangements as described above;**
 - (b) **request a further report setting out these proposals in detail for consideration at a future Cabinet Member for Environment Delegated Decisions meeting, to enable the scheme to be implemented subject to their approval.**

SUSAN HALLIWELL

Director for Planning and Place

Background papers: NONE

Contact Officer: John Disley, 07767 006742

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