

**Proposed Decision to be taken by the
Portfolio Holder for Transport and Planning
on or after 25 October 2013**

**WARWICKSHIRE COUNTY COUNCIL (VARIOUS ROADS,
LEEK WOOTTON) (PROHIBITION OF COMMERCIAL
VEHICLES OF OVER 7.5 TONNES) ORDER 2013**

Recommendation

That the Portfolio Holder for Transport and Planning agrees that the Warwickshire County Council (Various Roads, Leek Wootton) (Prohibition of Commercial Vehicles of over 7.5 Tonnes) Order 2013 is made as advertised.

1.0 Key Issues

- 1.1 Warwick Road, between the A429 Coventry Road Roundabout and Rouncil Lane, is a C Class road with a 30mph limit through Leek Wootton itself, changing to the national speed limit either side of the village, however there are proposals for this speed limit to be reduced to 50mph in early 2014. Through the village and the northern section of the road has frontage residential development on both sides of the carriageway.
- 1.2 Hill Wootton Road, between Warwick Road and the B4115 Coventry Road, is a narrow D Class road with a 30mph limit within the extents of the village, changing to the national speed limit; however there are proposals for this speed limit to be reduced to 50mph in early 2014. Through the village there is frontage residential development on both sides of the carriageway, which changes to hedge lines as you exit the village.
- 1.3 Woodcote Lane, between Warwick Road and Rouncil Lane, is a narrow C Class road with a 30mph limit within the extents of the village, changing to the national speed limit. Through the village there is frontage residential development on one side of the carriageway, which changes to hedge lines as you exit the village.
- 1.4 Through discussions with the Local Councillor and with the support of the local residents and Parish Council a scheme was put forward to introduce a 7.5 tonne environmental weight limit on Warwick Road, Hill Wootton Road and Woodcote Lane, Leek Wootton.
- 1.5 Proposals to implement a prohibition of commercial vehicles over 7.5 tonnes order (various roads, Leek Wootton) were advertised in the Kenilworth Weekly News on 5 September 2013. The plan is attached at **Appendix A**.

- 1.6 One objection was received to the proposed 7.5 tonne environmental weight limit order and one letter of support. This report considers the objection and comments received and recommends how it should be dealt with.
- 1.7 The statutory criteria for decisions on making Traffic Regulation Orders is included as **Appendix B**.

2.0 Objections and Letters of Support

- 2.1 County Councillor Jose Compton is strongly in favour of the scheme and has given her full support to it. Leek Wootton Parish Council is also in favour of the scheme and has given its support.

The following further support has been received:

Comment A:

I am in favour of the introduction of a heavy goods vehicle weight restriction being extended to include Warwick Road and Hill Wootton Road. Quite apart from the environmental impact of heavy goods vehicles coming through the village at speed which, living on Warwick Road, I experience every day to my cost, a primary school also opens onto the road. Therefore it seems prudent to restrict traffic of this kind if only to ensure the safety of our children even above that of environmental considerations.

- 2.2 The following objection has been received:

Objection [1] – Warwickshire Police

As I am sure you are aware there are a myriad of local businesses and service providers within the proposed scheme which rely on Large Goods Vehicle (LGV) movements to sustain their operations, these vehicles would therefore persist in their movements if the order were to be instigated. In addition Warwick Road is a primary feed route into Kenilworth from the south.

The proposal does not include any supporting engineering features apart from statutory signing that are either to be considered or indeed practical given the large number of LGV's that will retain lawful exemption to the proposed order. It is for these reasons that Warwickshire Police believe that this proposed order will in no way be capable of creating a largely self-enforcing environment, thus creating a unrealistic demand for Police enforcement, where at present none exists.

Warwickshire Polices local policing resources are not a suitable mechanism for enforcing such orders, with this locations added complication of the lack of suitable and safe places to stop large vehicles, bar the centre of the village by the recreational ground, to allow the vehicles to be examined and the driver interviewed. There is no prospect of this area receiving targeted enforcement

by suitably trained and equipped officers due to the many competing policing priorities which already exist.

Consequently, Warwickshire Police formally object to this proposed environmental weight limit as it is the view of the Police it will not work and would be unenforceable.

2.3 Response

(1) Leek Wootton Parish Council has an agreement with the Abattoir on Rouncil Lane (Farmers Fresh Ltd), for them to use an alternate route to gain access to their premises.

(2) Clearly visible signage will be provided on the A429 at appropriate locations, advising drivers of the weight limit.

(3) There is already an existing 7.5 tonne environmental weight limit order on Woodcote Lane, which doesn't have a negative impact on Police enforcement.

(4) It is not possible for Warwickshire County Council to implement physical measures, such as an Automatic Number Plate Recognition System, to make the weight limit self-enforcing due to budgetary constraints.

2.4 **Recommendation**

That the Portfolio Holder for Transport and Planning agrees that the Warwickshire County Council (Various Roads, Leek Wootton) (Prohibition of Commercial Vehicles of over 7.5 Tonnes) Order 2013 is made as advertised. These recommendations can be implemented from within 2013/2014 delegated budget provisions.

3.0 **Timescales associated with the decision and next steps**

3.1 The aim will be for the environmental limit for Warwick Road, Hill Wootton Road and Woodcote Lane to be implemented within 12 weeks of the decision.

4.0 **Background papers**

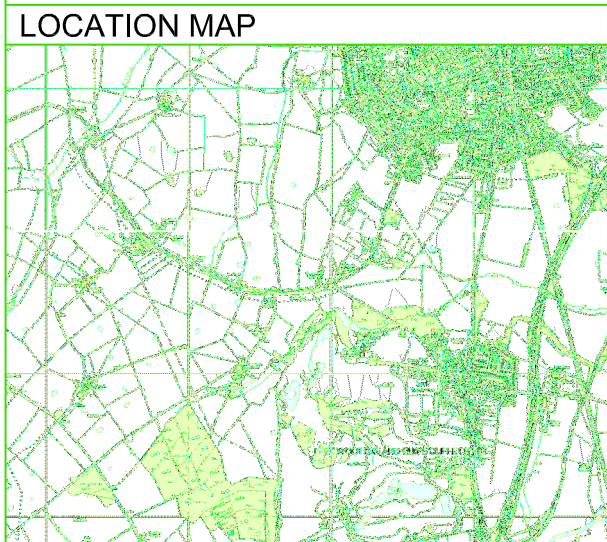
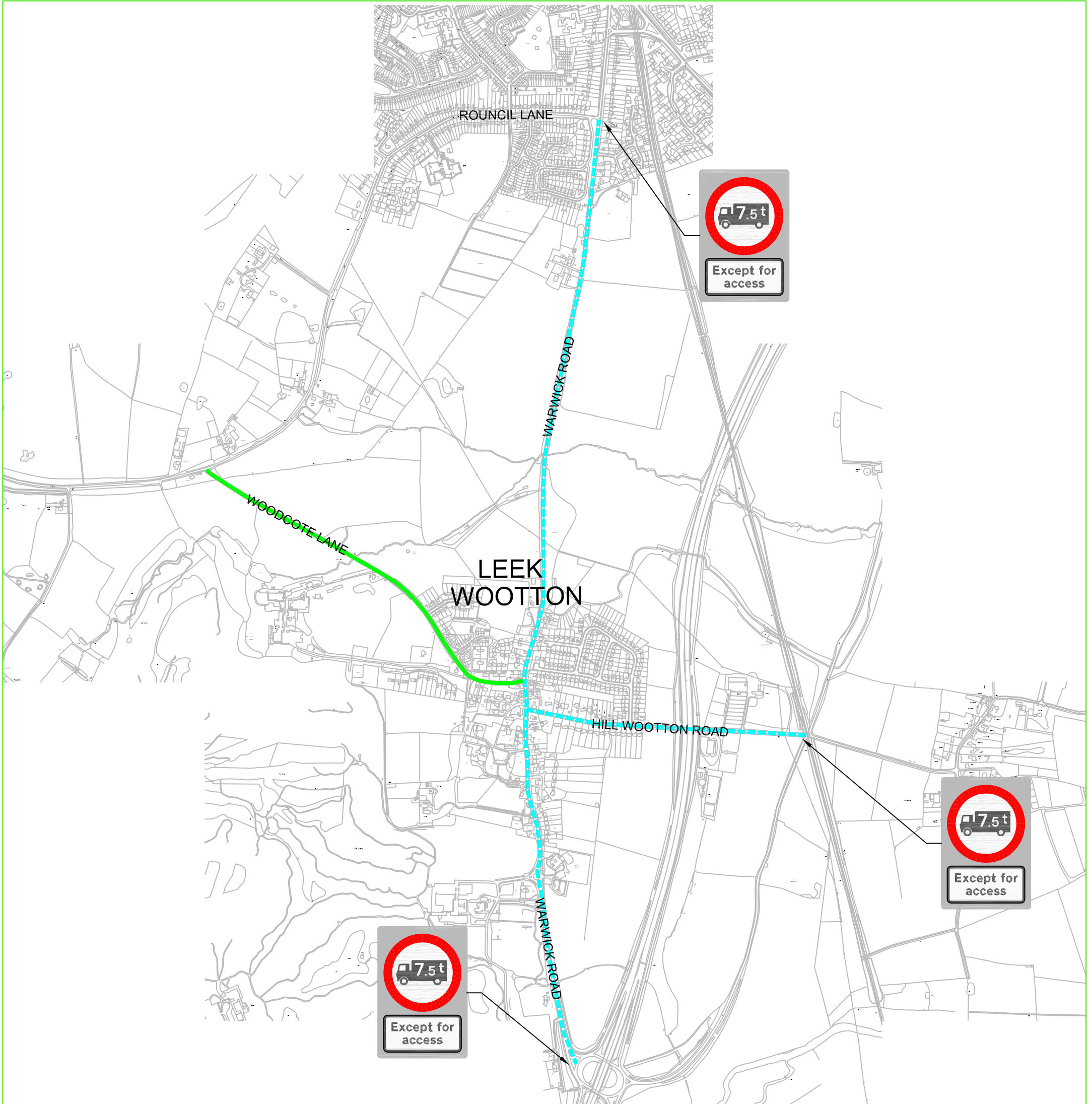
- 1) One letter of objection
- 2) Letter of support

Appendices

Appendix A – Plan No. TR 8962 / 12

Appendix B – Statutory criteria for decisions on making Traffic Regulation Orders /
Parking Order

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- NOTES**
- 1/ ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
 - 2/ THE CONTRACTOR IS RESPONSIBLE FOR LOCATING IDENTIFYING, AND SUBSEQUENTLY PROTECTING ANY EXISTING STATUTORY UNDERTAKERS SERVICES.
 - 3/ THIS DRAWINGS IS TO BE READ IN CONNECTION WITH ALL OTHER SCHEME DRAWINGS.
 - 4/ EXISTING CARRIAGEWAY, FOOTWAY, AND VERGE AFFECTED BY THE WORKS TO BE REINSTATED.
 - 5/ WHERE NECESSARY SERVICE COVERS AFFECTED BY THE WORKS SHALL BE ADJUSTED TO SUIT REVISED SURFACE LEVELS.
 - 6/ ALL EXISTING SIGNS TO BE CLEANED THROUGHOUT THE SECTION CONCERNED.
 - 7/ IT IS THE CONTRACTORS RESPONSIBILITY TO INVITE THE DESIGNER TO A JOINT SITE VISIT TO MARK UP THE SCHEME.

KEY

- Proposed 7.5 Tonne environmental weight limit
- Existing 7.5 Tonne environmental weight limit

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REV	DATE	BY	CHK	AMENDMENT
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 Warwickshire County Council.

Drawing title
**Warwick Road
 Leek Wootton**

Project title
Environmental Weight Limit

Consultation Drawing

Drawn by MOC	Checked by CB
Date 23 July 2013	
Scale NTS @ A3_P	
Drawing number TR 8962 / 12	

APPENDIX B

The Road Traffic Regulation Act 1984 enables the Council to implement Traffic Regulation Orders (TROs) for one or more of the following purposes:-

- a) avoiding danger to persons or traffic;
- b) preventing damage to the road or to buildings nearby;
- c) facilitating the passage of traffic;
- d) preventing use by unsuitable traffic ;
- e) preserving the character of a road especially suitable for walking and horseriding;
- f) preserving or improving amenities of the area through which the road runs;
- g) for any of the purposes specified in section 87(1)(a) to (c) of the Environment Act 1995 in relation to air quality.

TROs are designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. Permanent TROs remain in force until superseded or revoked.

TROs must not have the effect of preventing pedestrian access at any time or preventing vehicular access for more than 8 hours in 24 to premises on or adjacent to the road. This restriction does not apply if the Council states in the order that it requires vehicular access to be limited for more than 8 hours in 24.

In deciding whether or not to make a TRO, the Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable having regard to the matters specified in section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway.

The matters to which the Council must have regard are:-

- the desirability of securing and maintaining reasonable access to premises
- the effect on the amenities of any locality affected and 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
- the national air quality strategy prepared under section 80 of the Environmental Protection Act 1995

- 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 any other matters appearing to the Council to be relevant

Therefore whilst the overall objective of the Council must be to secure the expeditious convenient and safe movement of vehicular traffic this will sometimes need to give way to the objectives in section 122(2) and a balance has to be achieved between the overall objective and the matters set out in section 122(2).