

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

**THE WARWICKSHIRE COUNTY COUNCIL (NEWTON MANOR LANE,
RUGBY) (PROHIBITION OF COMMERCIAL VEHICLES OF OVER 7.5
TONNES) (VARIATION NO. 1) ORDER 2013**

**PROPOSED 7.5 TONNES WEIGHT LIMIT – BOUGHTON ROAD,
RUGBY**

Recommendation

That the Portfolio Holder for Transport and Planning agrees that the Warwickshire County Council (Newton Manor Lane, Rugby) (Prohibition of Commercial Vehicles of over 7.5 Tonnes) (Variation No. 1) Order 2013 is made as advertised.

1.0 Key Issues

- 1.1 Boughton Road, between the A426 Leicester Road and Mill Road, is a D Class road with a 40mph limit in the northern section, changing to 30mph before the canal over-bridge. The southern section of the road has frontage development on both sides of the carriageway which includes residential and commercial premises.
- 1.2 Capital funding is available following the construction of Technology Drive, which forms a more suitable link between the A426 and Mill Road.
- 1.3 Proposals to vary the existing prohibition of commercial vehicles over 7.5 tonnes order (Newton Manor Lane, Rugby) by adding Boughton Road, for its entire length, from its junction with the A426 Leicester Road, south easterly to its junction with Mill Road, were published in the Rugby Observer on 5 September 2013. The plan is attached at **Appendix A**.
- 1.4 The Local County Councillors and the local residents are in full support of these proposals.
- 1.5 One objection was received to the proposed 7.5 tonne environmental weight limit order and two letters of support. This report considers the objection and comments received and recommends how it should be dealt with.
- 1.6 The statutory criteria for decisions on making Traffic Regulation Orders is included as **Appendix B**.

2.0 Objections and Letters of Support

A summary of the support that has been received to date is provided below:

2.1 Comment A:

Thank you for your letter of 26 July 2013 on this subject. I have been speaking to residents of Boughton Road since 1984, when I was first elected to represent the area on Rugby Borough Council.

It is a common complaint; the weight of heavy vehicles using Boughton Road as part of a route I can best describe as Rugby's "northern relief road". Because of the difficulty in crossing the railway, heavy vehicles (and others) use Butlers Leap and Boughton Road as a way of travelling between the east and west sides of the town, and the industrial estates particularly on Butlers Leap and Mill Road, taking them the quickest way to the main A426 Leicester Road, the Rugby Western Relief Road and the A5 and M6.

Going back as little as 50 years ago, Butlers Leap did not exist; Boughton Road was an extension to Mill Road and ended in a footpath at the Oxford Canal. The houses particularly on the north side of Boughton Road, built years before and terraced and close to the highway are the ones worst affected by the heavy traffic. They are so close to the highway that heavy vehicular movements physically shake the foundations of the properties.

I tried to get traffic relief for Boughton Road before by way of a bypass along the River Avon serving the waterside estate. This was thwarted as money ran out, people moved in and opposed the change.

We now have "Technology Drive" designed exactly for this purpose. Let's get the heavy goods diverted here whilst we have the very last chance to provide respite to Boughton Road residents! Along with the proposed new signage to divert HGVs I welcome this move enormously.

2.2 Comment B:

Following our telephone conversation on August 8th 2013 on about the ever increasing HGV lorries on the Boughton Road, Brownsover 95% of these lorries have no need to use this Road because we already have a relief road in operation and the lorries for Butlers Leap and Mill Road Industrial Estates could use the new relief road to get to Leicester Road and Motorways. I would appreciate your help with this problem. I have read the notices you have posted regarding weight restrictions on this road.

At the moment we are getting lorries every one to two minutes sometimes these start at 4am and as late as 10pm. Look forward to hearing from you about resolving these problems.

The following objection has been received:

2.3 Objection [1] – Warwickshire Police

The A426 Leicester Road and Boughton Road provide a long established route for large goods vehicles into certain Industrial Areas and other parts of Rugby Town. The route is well known by many drivers of these vehicles, is included in the existing directions provided by some firms and organisations, and will be indicated as being an appropriate route by certain satellite navigation systems. The route has a relatively good collision history (no large goods vehicles have been involved in injury collisions over the period examined) so in this respect it has operated safely.

The alternative route being proposed for large goods vehicles would represent a longer journey for some drivers, with potentially greater delays during congested periods. Whilst the adoption of signing for this 'recommended alternative route' is being proposed, the fact is many drivers do not look at advance direction signs as they either 'know the route', or are guided by driving aids or instructions.

It is noted that other than adjustments to some advance direction signs, no other engineering measures are proposed. Given these limitations it is the view of Warwickshire Police there is little prospect this Environmental Weight Limit will operate successfully and community concerns will raise an expectation of enforcement which will become an additional burden to local policing.

Consequently, Warwickshire Police formally object to these proposals as it is the view of the Police the proposed Environmental Weight Limit will not work consistently and enforcement involving large goods vehicles on this route would not be a practical, or necessarily safe, activity for local police resources.

2.4 Response

- (1) A new link road (Technology Drive) has been constructed for larger vehicles to use instead of the residential Boughton Road.
- (2) The alternate route (along Technology Drive) will be clearly signed from all approaches and additional signage will be provided to reaffirm the environmental weight limit.
- (3) Residents have long campaigned for large goods vehicles to be removed from Boughton Road, as many properties front onto the road, which causes noise and vibration problems to the resident's homes.

2.5 Recommendation

That the Portfolio Holder for Transport and Planning agrees that the Warwickshire County Council (Newton Manor Lane, Rugby) (Prohibition of Commercial Vehicles of over 7.5 Tonnes) (Variation No. 1) Order 2013 as shown on plan TP/8677 be implemented as advertised. These recommendations can be implemented from within capital budget provisions.

3.0 Timescales associated with the decision and next steps

- 3.1 The aim will be for the environmental limit for Boughton Road to be implemented within 12 weeks of the decision.

4.0 Background papers

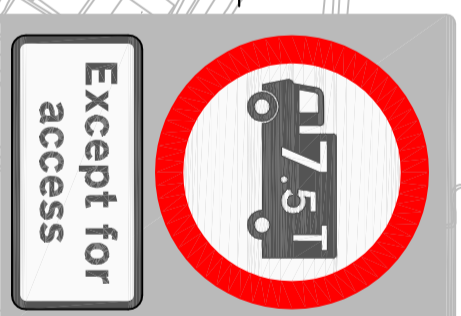
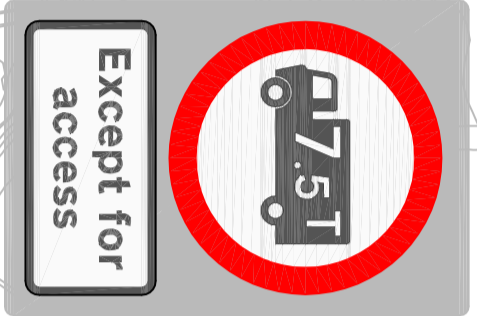
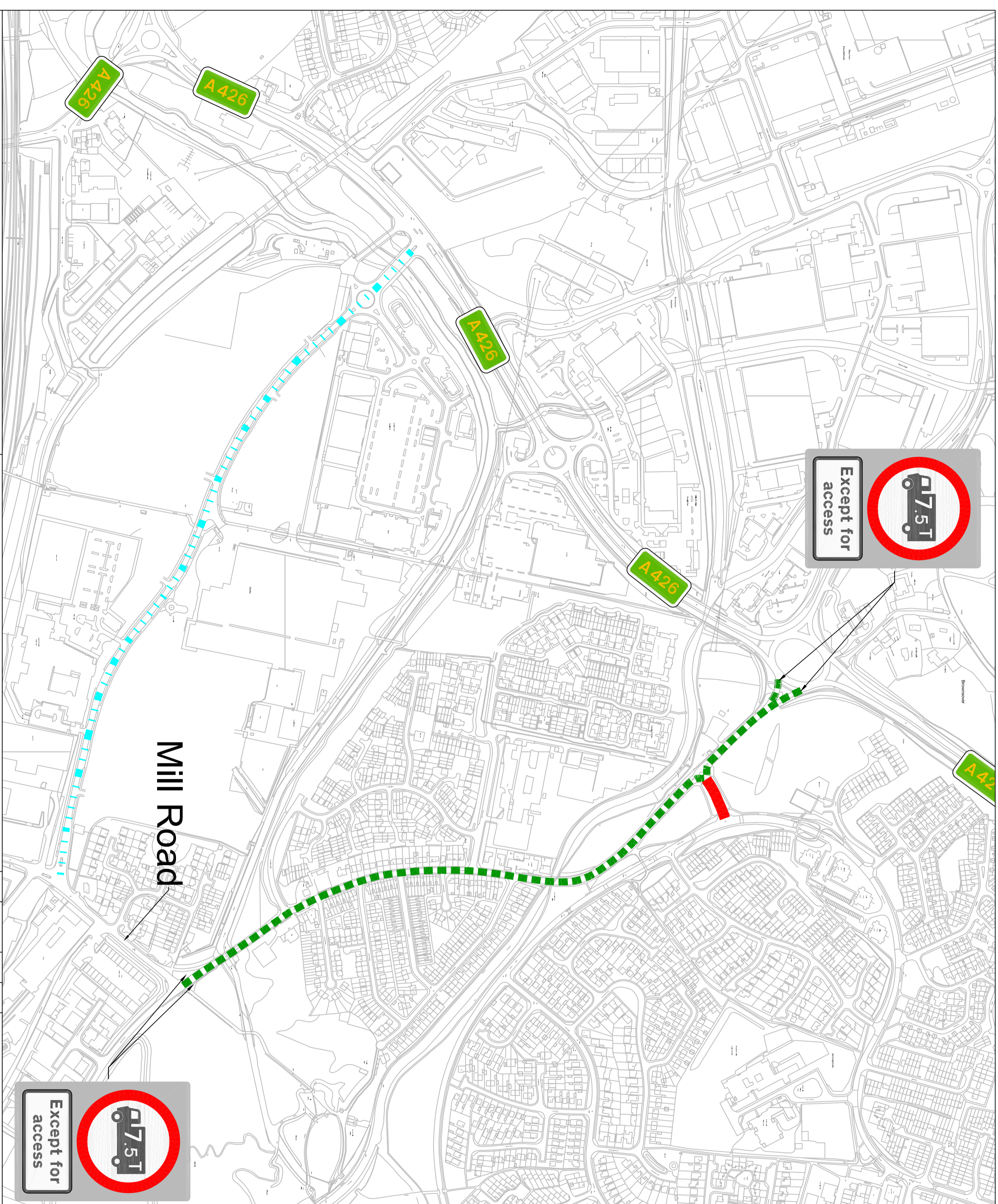
1. One letter of objection ref. M/RBC/01-2013
2. Letters of support

Appendices

Appendix A – Plan No. TP/8677

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

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KEY

Proposed
7.5 Tonne
environmental
weight limit

Existing
7.5 Tonne
environmental
weight limit

New link road
for HGV'S
(Technology
Drive)

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NOTES
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Warwickshire County Council.

REV	DATE	BY	CHK	AMENDMENT
-	-/-/-	-	-	-
-	-/-/-	-	-	-
-	-/-/-	-	-	-
-	-/-/-	-	-	-

Drawing title	7.5 TONNE ENVIRONMENTAL WEIGHT LIMIT LOCATION PLAN	
Project title	BOUGHTON ROAD - RUGBY	
Drawn by	MOC	Checked by
Date	11 September 2013	
Scale	NTS @ A2_L	
Drawing number	TP/8677	

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).