

**TRAFFIC REGULATION ORDER OBJECTIONS ASSOCIATED WITH  
BYWAYS OPEN TO ALL TRAFFIC IN HUNTINGDONSHIRE**

*To:* **Highways and Community Infrastructure Committee**

*Meeting Date:* **23<sup>rd</sup> September 2014**

*From:* **Executive Director: Economy, Transport &  
Environment**

*Electoral  
division(s):* **Sawtry and Ellington**

*Forward Plan ref:* **N/A** *Key decision:* **No**

*Purpose:* **To determine objections received to the Traffic  
Regulation Order (TRO) associated with Byways  
Open To All Traffic in Huntingdonshire**

*Recommendation:* **a) Approve and make the Order  
b) Inform the objectors accordingly**

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## **1. BACKGROUND**

- 1.1** A Byway Open to All Traffic (BOAT) is a public right of way. They can be paths or tracks and the surfaces of these may be paved over creating a formal surface or not at all. Anyone has the right to use them, provided a Traffic Regulation Order (TRO) is not in effect.
- 1.2** TROs used on the BOAT network are being updated and standardised in order to make them all fully enforceable. This in turn would make them easier to understand to members of the public and potentially help reduce year on year maintenance costs by reducing damage caused by vehicles.
- 1.3** The TRO will prevent vehicles with four wheels or more from using specific BOATs from the 1<sup>st</sup> of October to 30<sup>th</sup> of April each year or 'when barrier is locked closed'.
- 1.4** The restriction will prevent damage being caused by heavier vehicles during periods of poor weather and during the wetter winter months thereby helping to reduce associated maintenance costs. It will still allow motorcycles access as they are not as damaging to the route.
- 1.5** As part of a County wide implementation plan the standardised TROs will be implemented in Huntingdonshire first.

## **2. TRO PROCESS**

- 2.1** The TRO procedure is a statutory consultation process that requires the Highway Authority to advertise, in the local press and on-street, a public notice stating the proposal and the reasons for it. The advert invites the public to formally support or object to the proposals in writing within a twenty one day notice period.
- 2.2** The TRO was advertised in the Hunts Post on the 26<sup>th</sup> March 2014. The statutory consultation period ran from the 26<sup>th</sup> March - 18<sup>th</sup> April 2014.
- 2.3** The statutory consultation received one objection. Plans of the two BOAT concerned are shown in **appendix 1 and 2**; the objection is detailed in **appendix 3** with associated Officer's comments. There was no objection received from the Police and no further responses as a result of the consultation from other statutory consultees.
- 2.4** On the basis of this analysis it is recommended that this Order is made to:
  - Avoid danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising.
  - To preserve the ROW and prevent damage.

### **3. ALIGNMENT WITH CORPORATE PRIORITIES**

#### **3.1 Developing the local economy for the benefit of all**

There are no significant implications for this priority.

#### **3.2 Helping people live healthy and independent lives**

There are no significant implications for this priority.

#### **3.3 Supporting and protecting vulnerable people**

There are no significant implications for this priority.

### **4. SIGNIFICANT IMPLICATIONS**

#### **4.1 Resource Implications**

The necessary resources to progress this project have been secured through the Transport Delivery Plan.

#### **4.2 Statutory, Risk and Legal Implications**

The statutory process for this TRO has been followed. Should the objections not be determined by this Committee, it may be necessary to hold a public inquiry.

#### **4.3 Equality and Diversity Implications**

There are no significant implications within this category.

#### **4.4 Engagement and Consultation Implications**

The proposal has originated from the County Council's ROW Team and the statutory consultees have been engaged – (County Councillor, the Police and the Emergency Services).

Notices were placed in the local press and were also displayed on the paths affected by the TRO. The proposal was available to view at the Huntingdonshire District Council Office and the Castle Court County Council Office.

#### **4.5 Localism and Local Member Involvement**

The Local Highway Improvement Initiative empowers communities to take forward highway improvements through contributing to the cost of locally important highway improvements.

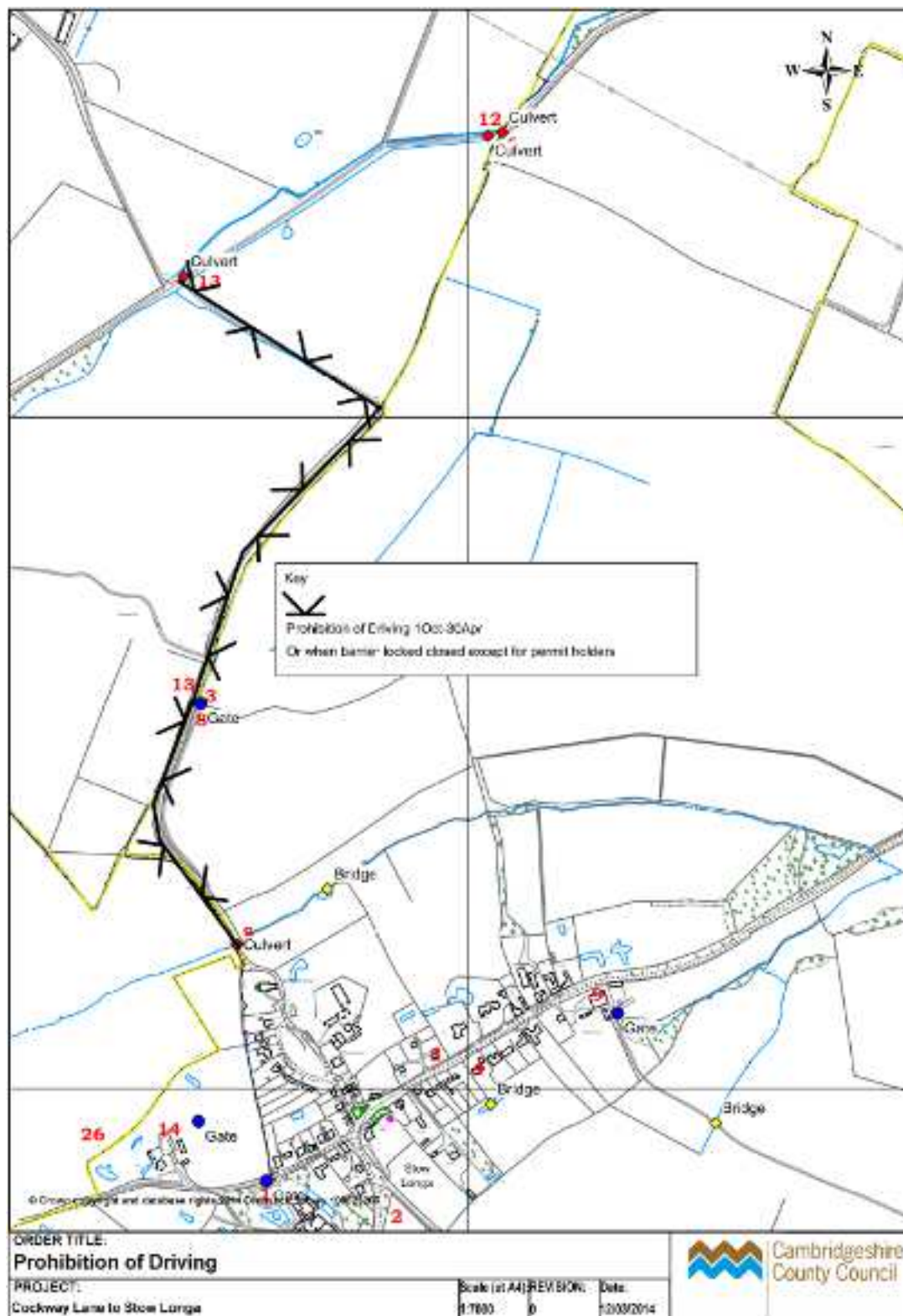
No comments were received from the Local Member.

#### **4.6 Public Health Implications**

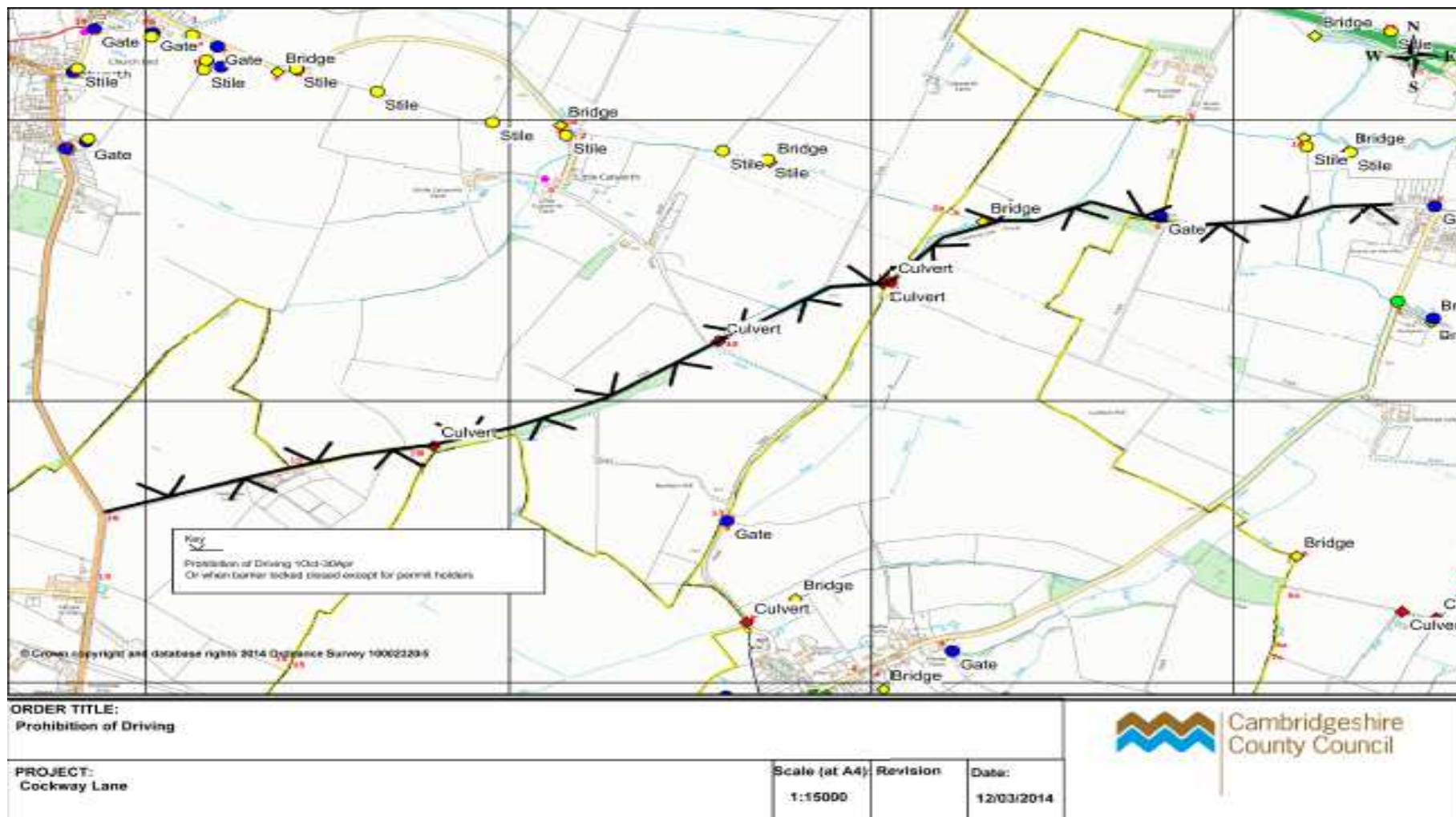
There are no significant implications within this category.

<b>Source Documents</b>	<b>Location</b>
Draft Traffic Regulation Order Letter of Objection	Room 209, Shire Hall Castle Hill Cambridge CB3 0AP

## Appendix 1- COCKWAY LANE TO STOW LONGA



## Appendix 2 – COCKWAY LANE



<b>Appendix 3 – RESPONSE RECEIVED</b>	
<b>Objections/Comments</b>	<b>Officer Response</b>
<p>1. Strongly objects proposal to allow motorcycles to use the byway in winter commencing from St. Botolph's Church, Stow Longa.</p> <p>The track is very well used. Parts of it feature steep banks either side and the route itself can be narrow and twisty in nature. As a result, visibility for all users is poor in places and this poses significant danger for anyone using the byway especially if there are motorbikes present.</p> <p>Due to its nature there is no escape routes available for users of the track should a motorbike come speeding down it as they have done so in the past. We have had several near misses involving motorbikes whilst I have been leading my 2 ponies along the path.</p> <p>Motorbikes are often an issue as they speed down the track, and there is no method of escape available for regular users or children who play there due to steepness of the embankment.</p> <p>The track is also very muddy and if a motorcyclist attempts to brake, they may well slide and cause an accident inadvertently.</p> <p>I also object to the proposals regarding the Spaldwick to Longa section of byway as it is similar, muddy, narrow and has poor visibility and no escape routes.</p>	<p>Noted.</p> <p>The route is currently open to all traffic in the summer when the same issues of visibility apply. All users need to proceed with caution and due regard for other path users irrespective of the time of year.</p> <p>The Council cannot enforce against irresponsible use of motor vehicles along its network of Rights of Ways. As a byway, there is an existing right for the public to use the path with motorised vehicles and they should be properly taxed and insured as any other vehicle on a highway. The Highway Code applies to users of byways in the same way as it does to all highway users.</p> <p>As above.</p> <p>The predominant cause of damage to these routes are from much heavier cars and all-wheel drive vehicles. This is exacerbated during the wetter winter months. The proposal will continue to exclude such users from the byway in the winter months. This proposal will bring uniformity to TROs across the County's ROW network thus creating efficiencies in the management of these TROs.</p>