



**Westmorland  
& Furness  
Council**

Date: 31<sup>st</sup> August 2023

Our reference: SLBRIDGE2023/EU

Owner/Occupier

To Whom It May Concern,

Westmorland and Furness Council is seeking comments and objections on proposals. The purpose of this consultation is to offer you the opportunity to let us know what you think about the proposals described herein including the corresponding plans. We are writing to inform you of the proposals and to allow you to comment or object before a decision on the final scheme, and whether to implement the restrictions, is made.

This statutory consultation gives you the opportunity to make your comments for consideration in the final decision. The consultation and objection period is 21 days and the deadline for replies is Thursday 21st September 2023.

Please find enclosed the following documents:

- Statement of reasons for the proposals
- Statutory notice (which states where to find the full set of documents on deposit for viewing)
- Drawing SLBRIDGE2023.001 High Cunsey Bridge
- Drawing SLBRIDGE2023.002 Rigmaden Bridge
- Draft Order with Schedules

## **Feedback**

The consultation and advertising period is from Thursday 31st August 2023. Please email your comments and objections to [TROconsultation@westmorlandandfurness.gov.uk](mailto:TROconsultation@westmorlandandfurness.gov.uk) , or by post to the address below or handed in to County Hall Reception, the attention of the Traffic Management Team with Reference SLBRIDGE2023/EU. Please return by Thursday 21st September 2023.

## **When will the proposals be finalised and implemented on the ground?**

Following advertising and consultation on the proposals, a report will be prepared to go before the Council Locality Board for South Lakeland this year. The Committee will make the final decision as to what will be implemented. We will endeavour to inform you of the committee decision in due course. If the Committee agree to implement the proposals, the making of the traffic order and the placing of signs and markings should take place within a 3 to 4 month period after the decision.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emma Ukaogo'.

Emma Ukaogo - Traffic Management Officer

County Hall, Busher Walk, Kendal, Cumbria, LA9 4RQ

T. 0300 373 3306

[westmorlandandfurness.gov.uk](http://westmorlandandfurness.gov.uk)

## WESTMORLAND AND FURNESS COUNCIL

### **(C5028 HIGH CUNSEY BRIDGE, NEAR FAR SAWREY) (PROHIBITION OF HEAVY COMMERCIAL VEHICLES OVER 7.5 TONNES MAXIMUM GROSS VEHICLE WEIGHT) AND (C5080 RIGMADEN BRIDGE, NEAR BARBON) (PROHIBITION OF ALL TRAFFIC) ORDER 2022**

#### **Statement of Reasons**

Westmorland and Furness Council considers that it is expedient to make the above order for the following reason (s) in Section 1(1) Road Traffic Regulation Act 1984:

(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

(b) for preventing damage to the road or to any building on or near the road.

#### **High Cunsey Bridge (Drawing SLBRIDGE2023.001)**

An inspection and structural assessment of High Cunsey Bridge has found that the bridge is incapable of carrying any load exceeding 7.5 tonnes without unacceptable risk to members of the public from potential sudden catastrophic collapse. We therefore had to close the bridge to all vehicles carrying any load exceeding 7.5 tonnes under a Temporary Order made by Cumbria County Council which came into operation on 14<sup>th</sup> March 2022, as a result of the unsafe bridge and to enable subsequent repair works to be carried out.

Repairs to the bridge will be a significant engineering project which will require time to design, to obtain all necessary statutory consents, and to construct. In addition, we will need to obtain the substantial funding for the scheme.

We therefore propose a Traffic Regulation Order to prohibit all vehicles exceeding 7.5 Tonnes Maximum Gross Vehicle Weight from proceeding along that section of C5028, near Far Sawrey from its junction with the U5057, extending in a southerly direction, over High Cunsey Bridge, for a total distance of approximately 47 metres.

NB: Police, Fire and Ambulance Vehicles will be exempt.

#### **Rigmaden Bridge (Drawing SLBRIDGE2023.002)**


An inspection and structural assessment of Rigmaden Bridge has found that the bridge is incapable of carrying any load without unacceptable risk to members of the public from potential sudden catastrophic collapse. A risk review to national guidelines has shown that this substandard bridge cannot be kept open with monitoring, nor can immediate repairs be undertaken to improve the load-carrying capacity. We therefore had to close the bridge to all traffic under a Temporary Order (TTRO) made by Cumbria County Council on 11 January 2022, which became operative on 18 January 2022, as a result of the unsafe bridge and to enable subsequent repair works to be carried out.

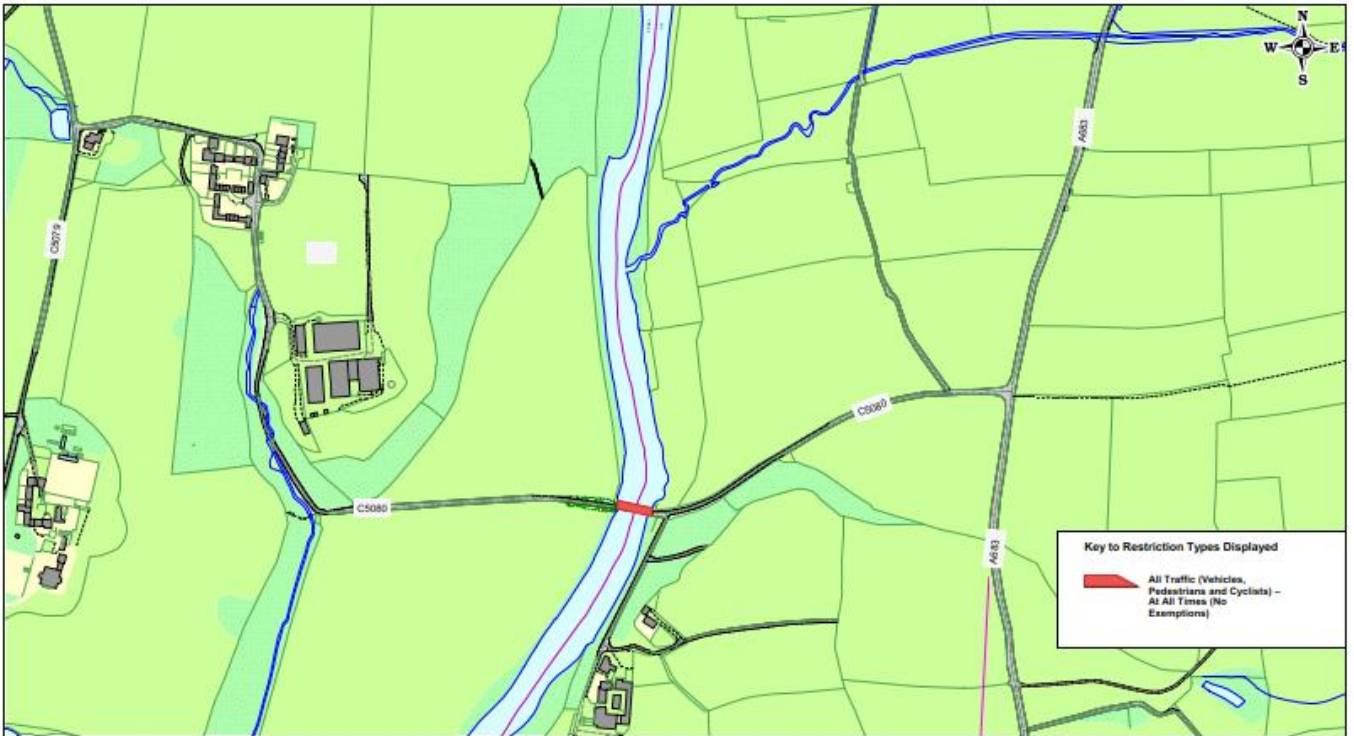
The TTRO has been continued in force with the approval of the Secretary of State for Transport until 18 January 2024.

Repairs to the bridge will be a significant engineering project which will require time to design, to obtain all necessary statutory consents, and to construct. In addition, we will need to obtain the substantial funding for the scheme.

We therefore propose a Traffic Regulation Order to replace the TTRO. The proposal is to prohibit all traffic (i.e., vehicles, pedestrians and cyclists and horse-riders) from proceeding along that section of the C5080 carried by Rigmaden Bridge.



 <p><b>Westmorland &amp; Furness Council</b></p>	<p><b>High Cunsey Bridge Weight Restriction Not Exceeding 7.5 Tonnes</b></p>	SCALE	<b>1 : 2500</b>
		DATE	<b>05/07/2023</b>
		DRAWING No.	SLBRIDGE2023.001
		DRAWN BY	<b>EU</b>
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**Rigmaden Bridge - Proposed Prohibition of All Traffic (Vehicles, Pedestrians and Cyclists) – At All Times (No Exemptions)**

SCALE	1 : 5500
DATE	03/07/2023
DRAWING No.	SLBRIDGE2023.002
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## WESTMORLAND AND FURNESS COUNCIL

### (C5028 HIGH CUNSEY BRIDGE, NEAR FAR SAWREY) (PROHIBITION OF HEAVY COMMERCIAL VEHICLES OVER 7.5 TONNES MAXIMUM GROSS VEHICLE WEIGHT) AND (C5080 RIGMADEN BRIDGE, NEAR BARBON) (PROHIBITION OF ALL TRAFFIC) ORDER 202><

1. Westmorland and Furness Council hereby give notice that it proposes to make the above Order under Sections 1 and 2 of the Road Traffic Regulation Act 1984.
2. The effect of the proposed Order will be to: -
  - i) Prohibit any vehicle exceeding 7.5 tonnes maximum gross vehicle weight from proceeding along that length of the C5028, near Far Sawrey, from a point approximately 47m south of the centre of its junction with the U5057, extending over the full expanse of High Cunsey Bridge, (NB: emergency service vehicles are exempt); and
  - ii) Prohibit all traffic (ie. all vehicles, pedestrians, cyclists and horse-riders) from proceeding along that length of the C5080 at Rigmaden, near Barbon, from a point approximately 450m south-west of the centre of its junction with the A683 extending over the full expanse of Rigmaden Bridge (NB: There are no exemptions to this restriction).

***Please refer to the documents on deposit and on the council's website for full details and exemptions.***

3. Full details of the proposed Order, together with plans showing the lengths of road concerned, and a statement of the Council's reasons for proposing to make the Order, may be: -
  - (i) viewed on the Council's website using the following [link](https://www.westmorlandandfurness.gov.uk/parking-streets-and-transport/streets-roads-and-pavements/road-maintenance-closures-and-improvements/proposed-traffic-regulation-orders-tros): -;  
<https://www.westmorlandandfurness.gov.uk/parking-streets-and-transport/streets-roads-and-pavements/road-maintenance-closures-and-improvements/proposed-traffic-regulation-orders-tros>
  - (ii) on deposit at Ambleside Library, Kelsick Road, Ambleside, LA22 0BZ; and
  - (ii) at the offices of the undersigned; and

(iii) may otherwise be obtained by emailing  
TROconsultation@westmorlandandfurness.gov.uk

4. If you wish to comment or make representations in relation to the proposals, you should write to the Traffic Management Team, County Hall, Buser Walk, Kendal LA9 4RQ or by email to TROconsultation@westmorlandandfurness.gov.uk by **21 September 2023, marking your correspondence with reference SLBRIDGE2023/EU.**

Chief Legal Officer, Westmorland and Furness, South Lakeland House, Lowther Street, Kendal, LA9 4DQ

Dated 31 August 2023





**(C5028 HIGH CUNSEY BRIDGE, NEAR FAR SAWREY) (PROHIBITION OF HEAVY COMMERCIAL VEHICLES OVER 7.5 TONNES MAXIMUM GROSS VEHICLE WEIGHT) AND (C5080 RIGMADEN BRIDGE, NEAR BARBON) (PROHIBITION OF ALL TRAFFIC) ORDER 202><**

Westmorland and Furness Council, in exercise of its powers under Sections 1(1) and 2(1) to (4) of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on >< and may be cited as Westmorland and Furness Council (C5028 High Cunsey Bridge, near Far Sawrey) (Prohibition of Heavy Commercial Vehicles over 7.5 Tonnes Maximum Gross Vehicle Weight) and (C5080 Rigmaden Bridge, near Barbon) (Prohibition of All Traffic) Order 202><
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
  - (1) "heavy commercial vehicle" has the same meaning as in section 138 of the 1984 Act and which has an operating weight exceeding 7.5 tonnes;
  - (2) "junction" means, unless otherwise indicated in this Order, intersection of the general alignment of the highway boundaries of two or more roads.
3. Save as provided in Article 4, no person shall cause or permit any heavy commercial vehicle, the maximum gross weight of which exceeds 7.5 tonnes, to proceed in the length of road specified in Schedule 1 to this Order.
4. Nothing in Article 3 shall apply to vehicles being used for Police, Fire Brigade or Ambulance purposes.
5. No person shall proceed or cause or permit any vehicle, cycle, or horse to proceed in the length of road specified in Schedule 2 to this Order.

6. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the >< day of >< 20><

THE COMMON SEAL OF )

**WESTMORLAND AND FURNESS COUNCIL** )

was hereunto affixed )

in the presence of:- )

### **SCHEDULE 1**

#### **7.5 Tonnes Maximum Gross Vehicle Weight Limit (except for Emergency Vehicles)**

That length of the C5028, near Far Sawrey, from a point approximately 47m south of the centre of its junction with the U5057, extending over the full expanse of High Cunsey Bridge.

### **SCHEDULE 2**

#### **Prohibition of All Traffic (Vehicles, Pedestrians, Cyclists and Horse-riders) – At All Times (No Exemptions)**

That length of the C5080 at Rigmaden, near Barbon, from a point approximately 450m south-west of the centre of its junction with the A683 extending over the full expanse of Rigmaden Bridge.