

**North Yorkshire County Council**  
**Business and Environmental Services**

**Executive Members**

**15 November 2019**

**Brough Hall Bridge, Brough Lane - Bridge Protection Scheme**

**Report of the Assistant Director – Highways and Transportation**

**1.0 Purpose of Report**

- 1.1 The purpose of this report is to advise the Corporate Director Business and Environmental Services (BES) and the BES Executive Members of the outcome of the public consultation and statutory advertisement in regard to this proposal and for a decision to be made on whether or not a bridge protection scheme including width restriction should be introduced on Brough Hall bridge.
- 1.2 The Corporate Director, BES and the BES Executive Members decision is sought regarding the recommended option.

**2.0 Background**

- 2.1 Brough Lane is a narrow road between the A6108 (Catterick Central to Catterick Garrison) and Tunstall which has a small number of properties along its length but also the entrance to Richmond Equestrian Centre which attracts a large number of vehicles who do approach from all directions to the area.
- 2.2 Recent improvements to the A1 included changes to the direction signage for the Equestrian Centre which directs people in from the Tunstall approach which means that vehicles do not have to cross the narrow bridge.
- 2.3 The bridge has been repaired on a number of occasions with significant works and resources required, including planning approval for a period of time.
- 2.4 The local team introduced a temporary system of barriers, cones and signs at the site to attempt to reduce the number of times that damage occurs and this has achieved the desired outcome.

**3.0 Consultation**

- 3.1 The proposals as shown in Appendix A have been subject of consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The enabling Traffic Regulation Order (TRO) was advertised for public comment as INTRODUCTION OF WIDTH RESTRICTION in the local press, published on North Yorkshire County Council's website and by means of a notice erected on street in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Appendix B is a copy of the Statement of Reasons and schedule.
- 3.2 County Councillor Carl Les the ward member representing Catterick Bridge was contacted during the consultation and is supportive of the proposals.

3.3 At the conclusion of the advertising stage, objections and comments were received which are summarised in Appendix C, together with your officer comments.

3.4 The proposal is to formalise the existing temporary situation whilst reducing the 'clutter' and the unsightliness of the barriers.

#### **4.0 Officer Comments**

4.1 The site was investigated and it was considered that the most appropriate option was to introduce a bridge protection scheme including a width restrictions by means of a Traffic Regulation Order. Your officers consider that the proposed restrictions will assist in addressing the road safety concerns and the repetitive damage to the highway infrastructure which has been observed on site and thereby enable the County Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as 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, as set out in the Statement of Reasons for proposing to make the Order attached to this report in Appendix B. The proposed measures will also enable the County Council to carry out its 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 and both the more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network. It must be noted that minimum road widths are maintained.

4.2 Officers have considered each of the responses received and have summarised those responses along with an officer comment as Appendix C for consideration

#### **5.0 Financial Implications**

5.1 The scheme is part of the approved highways capital programme with a budget cost of £25,000

#### **6.0 Equalities Implications**

6.1 An initial equality and impact assessment screening form has been completed for the bridge protection works and is outlined in Appendix D.

#### **7.0 Legal Implications**

7.1 The process for the consideration of objections to Traffic Regulation Orders was approved by the Executive on 29 April 2014 and County Council on 21 May 2014. The consideration of objections to Traffic Regulation Orders (TROs) is now a matter for the Executive and the role of the Area Committee is changed to a consultative role on 'wide area impact TROs'. The consideration of objections has been delegated by the Executive to the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members. The new decision making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A 'wide area impact TRO' is classed as a proposal satisfying all of the three criteria set out below;

- The proposal affects more than one street or road and;
- The proposal affects more than one community and;
- The proposal is located within the ward of more than one County Councillor.

- 7.2 The proposed TRO has not been classed as a 'wide area impact TRO' and therefore the Area Constituency Committee's views have not been sought.
- 7.3 In the event that the BES Executive Members and BES Corporate Director resolves to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the County Council will be required to make the relevant Traffic Regulation Orders (with or without modifications) and publish a notice of making the Orders in the local press before the Order comes into operation. The County Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 7.4 In accordance with the protocol for BES Executive Member reports, the Local Member will be provided with a copy of this report and be invited to the meeting on 15 November 2019.
- 7.5 Where an Order has been made (i.e. sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks from the date on which the Order is made.
- 7.6 In recommending the implementation of the proposed TRO, officers consider that it will enable the County Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004, as detailed in Paragraph 4.1 above.

## **8.0 Recommendations**

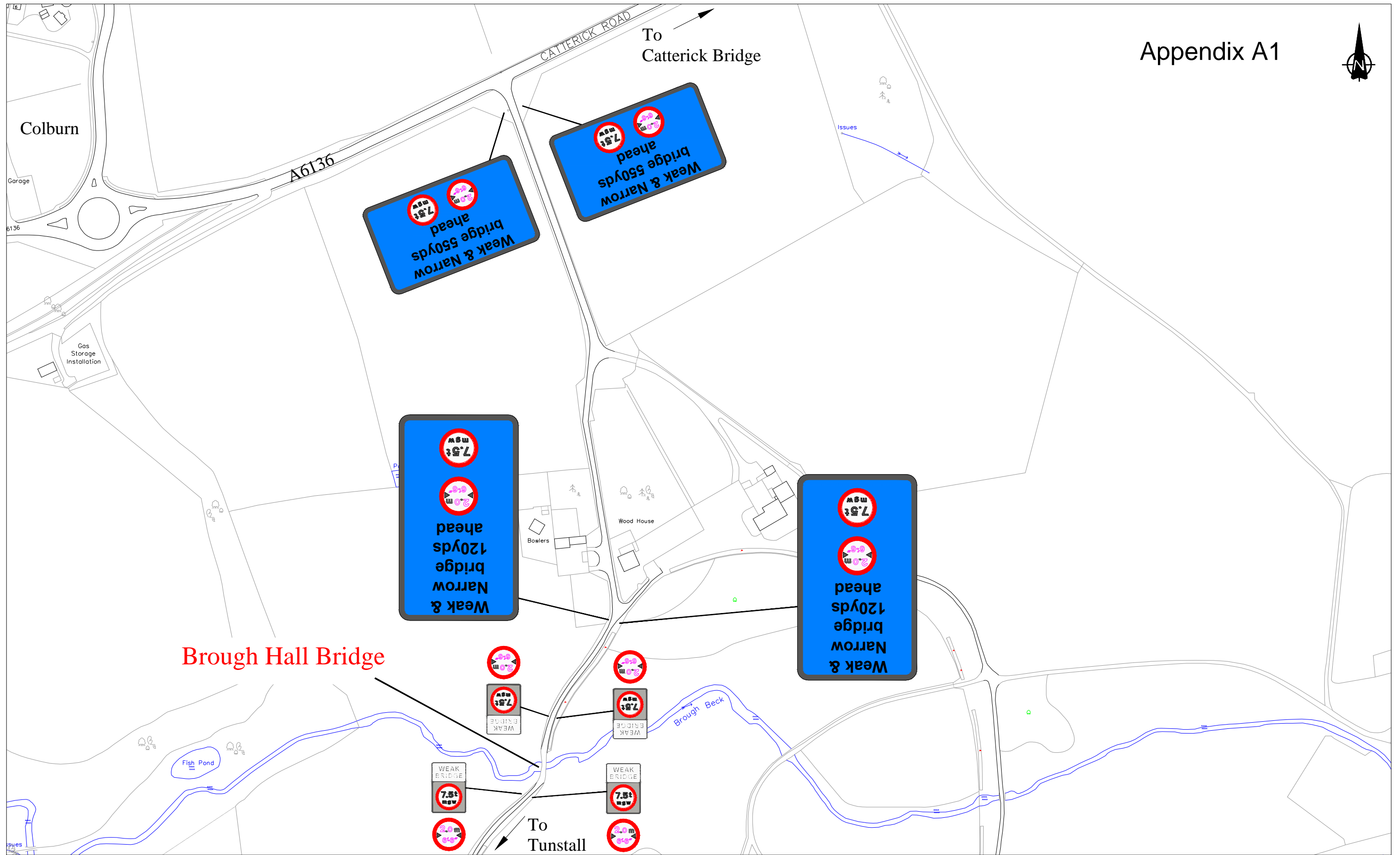
- 8.1 It is recommended that the Corporate Director, BES, in consultation with the BES Executive Members approves:
- i) The proposals to implement bridge protection including width restrictions as outlined in appendix A.
  - ii) That the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order to give effect to the proposed bridge protection scheme including width restriction identified in Appendix A, subject to any amendments and recommendations approved by the Corporate Director (BES) in consultation with the BES Executive Members in light of the objections received and that the objectors are notified within 14 days of the Order being made.

**BARRIE MASON**

Assistant Director – Highways & Transportation, Business and Environmental Services

Author of Report: Neil Linfoot

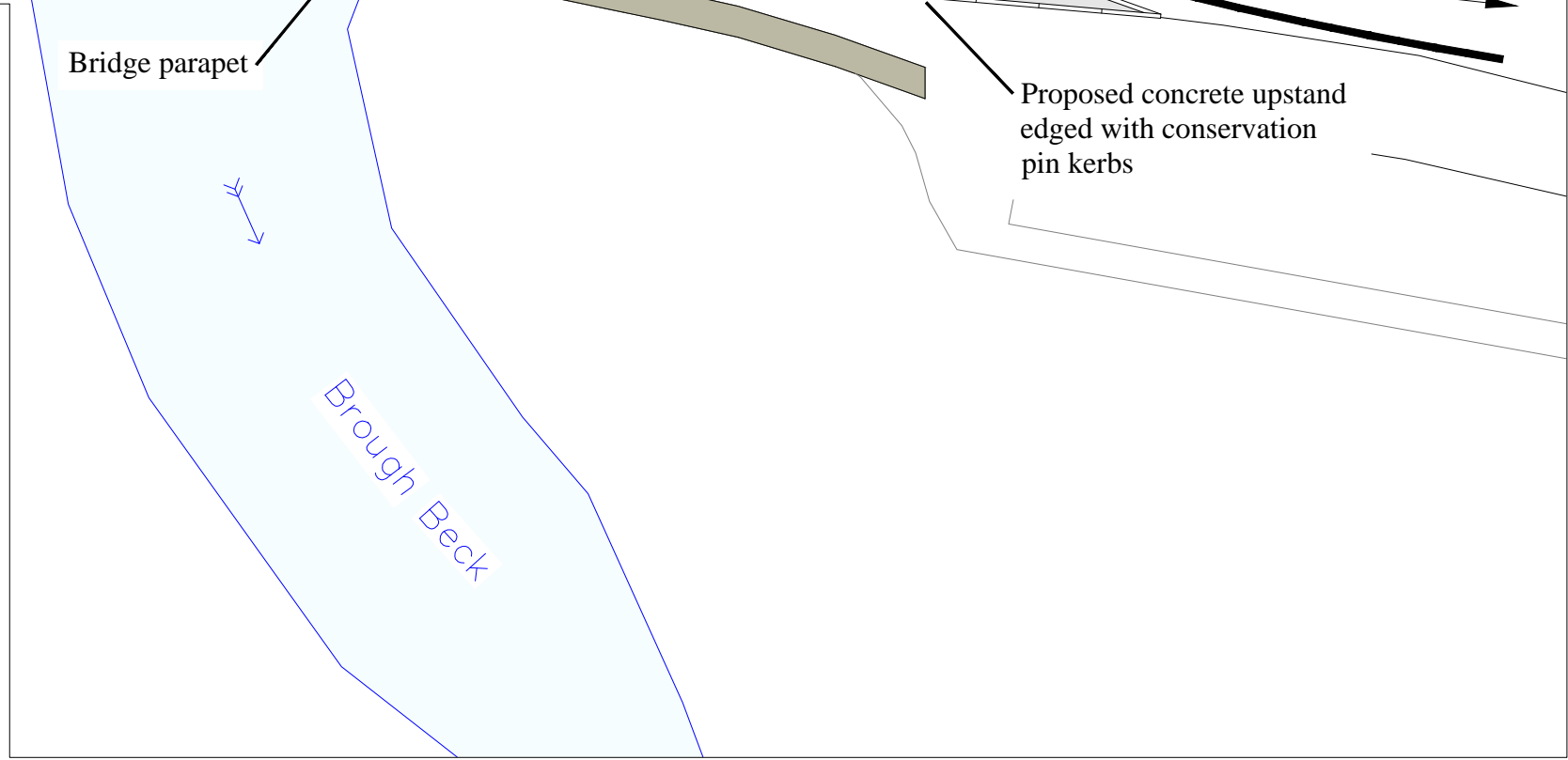
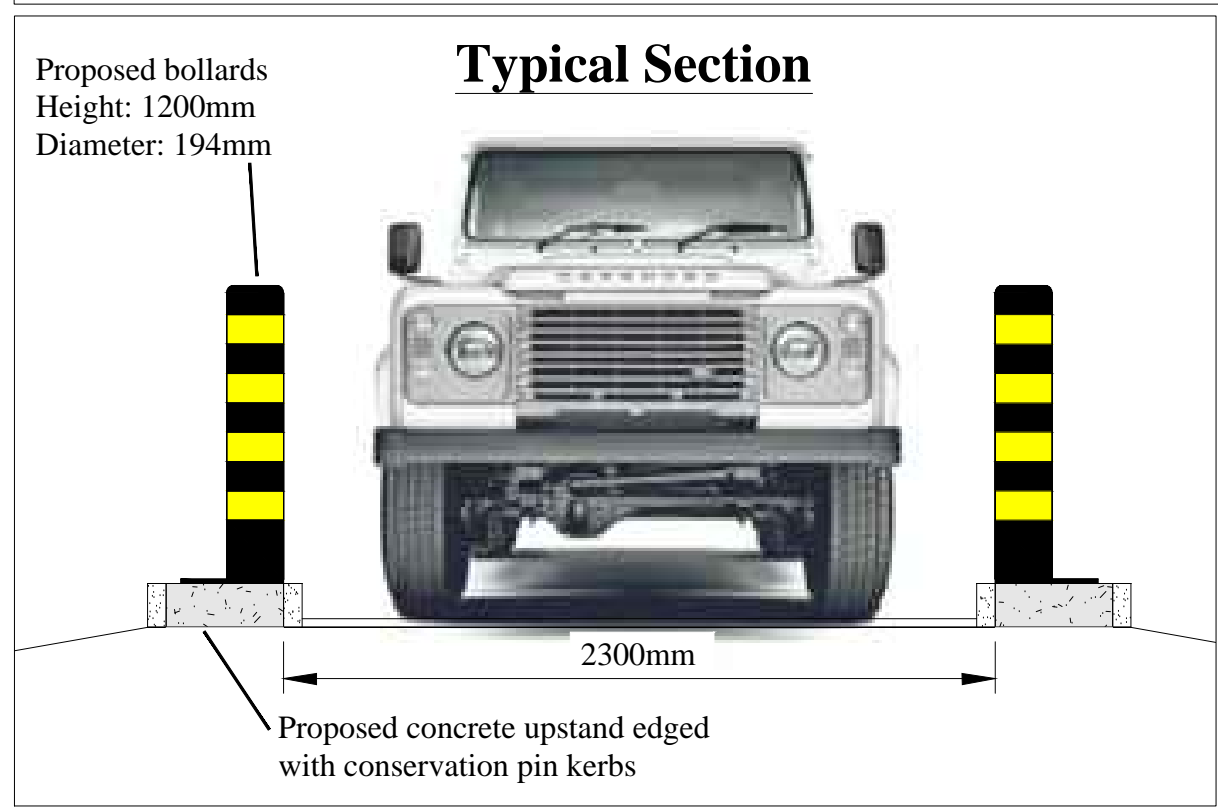
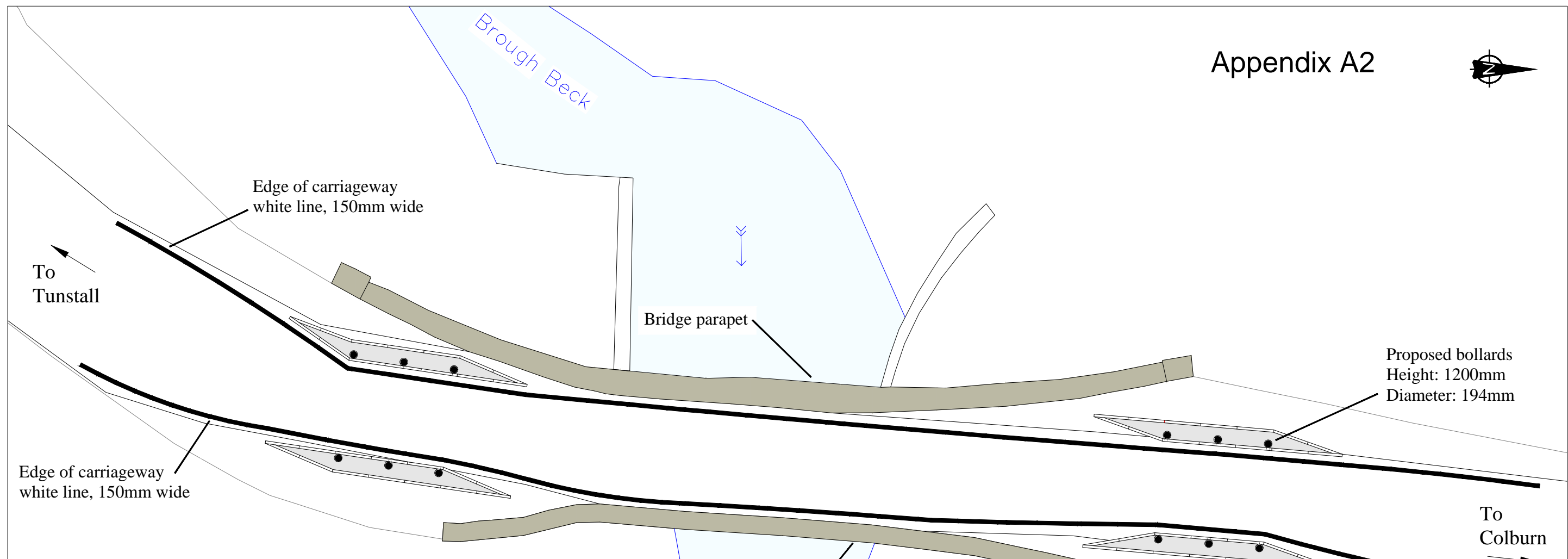
Background Documents: None



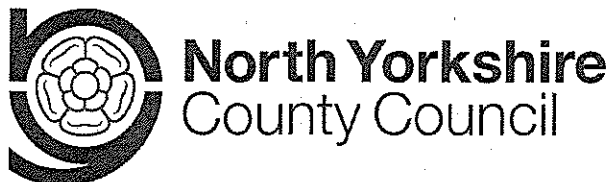
Brough Hall Bridge







	INITIAL	REV	AMENDMENT	DATE
DRAWN BY				
CHECKED BY				
SCALE	1:100 & 1:25			
DATE	October 2018			



Your Ref:

Our ref: NL/ADM

Contact: Neil Bacon

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03 July 2019

Dear Resident

**Brough Hall Bridge, Brough Lane Bridge Protection**

As you are probably aware the above bridge has been damaged on several occasions resulting in the road being closed each time for a significant time period.

We recently completed temporary works on each approach to the bridge including the placing of temporary concrete barriers in an attempt to restrict access over the bridge for larger vehicles. It was believed to be these larger vehicles that were causing the damage.

Since the placing of the temporary barriers the bridge has not been damaged.

It has therefore been deemed necessary that to prevent further damage to the bridge, the temporary concrete barriers be replaced with something of a more permanent construction.

As such, I am writing to seek your views on the proposals to protect the bridge from further damage.

I have attached for your attention a copy of drawings showing the proposals at the bridge itself and advanced warning signs on the approaches to dissuade larger vehicles from travelling along the road and attempting to cross the bridge.

It would therefore be appreciated if you could inspect the proposals and pass any comments on the proposals using the enclosed reply sheet and pre-paid envelope before 22 July 2019.

Should you wish to discuss this matter further please contact Neil Bacon, Project Engineer, via telephone on 01609 780780, or via email at [area1.richmond@northyorks.gov.uk](mailto:area1.richmond@northyorks.gov.uk)

Yours sincerely

A red rectangular box intended for a signature.

Neil Linfoot  
Improvement Manager



**INTRODUCTION OF WIDTH RESTRICTION****'BROUGH HALL BRIDGE' - BROUGH WITH ST GILES****STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER****LEGAL POWERS AND DUTIES**

Under Section 1(1) of the Road Traffic Regulation Act 1984 the County Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (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, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality).

Section 122(1) of the Road Traffic Regulation Act 1984 also provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as 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.

**REASONS FOR MAKING THE ORDER**

The County Council considers that it is expedient to make this TRO on grounds (b) and (d) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-

**Location(s) of Proposed Order**

The Width Restriction which will be set at 2.0 metres / 6' 6" comes in order to prohibit vehicles in excess of the width of the bridge from approaching it. The parapets of the bridge have been damaged on a regular basis by vehicles which are too wide to pass between them and this has caused the bridge to be closed to all traffic for extended periods of time.

The proposal is as illustrated on Drawing LA 208093 / 01 / SP 01.

Traffic Officer - Ian Beighton ( Area 1 Highways)

## **CONSIDERATION OF OBJECTIONS**

Under the County Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director - Business and Environmental Services (BES) in consultation with the BES Executive Members. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director - BES may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Area Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined as a proposal satisfying all of the three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor

The report will seek the views of the Area Committee and these views will then be included in a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The Corporate Director - BES may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director - BES to have his decision making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director - BES has delegated powers to make decisions on TROs where there are no objections.

**Results Of Consultation On Proposed Bridge Protection Measures - 'Brough Hall Bridge'**Schedule Of Responses In Support Of Proposal

<u>Consultee</u>	<u>Consultee Comment</u>	<u>Officer Comment</u>
Public 1	In Full support	Noted
Public 2	Requests that the signs and bollards which will be introduced will have an appropriate level of reflectivity so that they are visible in darkness	Whilst the signs and bollards will not be externally illuminated they will have retroreflective materials so will be visible in the light from car headlights
	Asks for confirmation that the permanent bollards will be installed on an appropriate alignment to ensure that cars are not damaged as they pass	This will be the case
Public 3	The proposal looks good	Noted
	The 'Sat Nav' companies should be advised of the restriction	Enquiries will be made with a view to advising these companies
Public 4	The scheme is long overdue	Noted
	A location where prohibited vehicles can be turned should be identified at the end of Breckenbrough Lane to the south of the bridge	This will be investigated

District Councillor Threlfall	Acknowledges that HGV access will still be available to all properties on the lane so is in support of the proposal	Noted
Brough With St Giles Parish Meeting	In support	Noted
NYCC Passenger Transport	The proposal does not impact on the operation of either home to school or local bus services	Noted

## Results Of Consultation On Proposed Bridge Protection Measures - 'Brough Hall Bridge'

### Schedule Of Responses Not In Support Of Proposal

<u>Consultee</u>	<u>Consultee Comment</u>	<u>Officer Comment</u>
District Councillor Rowe	The proposed scheme would make it impossible for agricultural machinery to pass over the bridge which would penalise local road users	The proposed permanent width restriction has been in place on a temporary basis for 18 months and does not appear to have caused undue problems for such traffic. The width restriction is set at the width of the bridge deck so any vehicle which could previously pass over the bridge should still be able to do so
	If there is a weight issue then the bridge should be made fit for purpose	The issue is not do with the weight of vehicles passing over the bridge but the width of such vehicles which are causing regular damage to the parapets
Public 1	The 'Prohibition Of Vehicles In Excess Of 7.5 Tonnes' signs at the bridge are misleading as large vehicles below this weight attempt to cross and then get stuck due to their size	The 7.5 Tonnes signs need to remain as the bridge is regarded as a 'weak structure' and needs to be protected from heavy vehicles. The width restriction presently proposed will prevent larger vehicles which weigh less than 7.5 Tonnes from crossing
	The 'Sat Nav' companies should be advised of the restriction	Enquiries will be made with a view to advising these companies of the restriction
	The advance information signs for the restriction which are sited on the A6136 on the approach to the northern end of the road to the bridge are not conspicuous	This will be included in final design check to ensure compliance

<p>The width restriction will be difficult to navigate in darkness as there is no road lighting</p>	<p>The signs and bollards will have retroflective materials so will be visible in the light from car headlights</p>
<p>The emergency services are not aware of the width restriction</p>	<p>There are advance signs at the junctions on the approach to the bridge but a formal notification will be sent</p>
<p>Would it not be better to place the weight and width restriction at some distance prior to the bridge</p>	<p>This would cause unnecessary disruption to the movement of large / heavy vehicles wishing to access premises remote from the bridge</p>
<p>There needs to be an opportunity for otherwise prohibited vehicles to turn easily before they reach the bridge</p>	<p>This will be evident from the signage</p>
<p>Problems are particularly prevalent for the drivers of horse boxes who know that they are below the 7.5 Tonnes limit but then get stuck on the bridge</p>	<p>The available width at the bridge is clearly signed and it is the responsibility of the driver to know the width of their vehicle as well as the weight</p>

<b>Initial equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
<b>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</b>			
<b>Directorate</b>	BES		
<b>Service area</b>	H&T		
<b>Proposal being screened</b>	Introduction of bridge protection scheme Brough Lane		
<b>Officer(s) carrying out screening</b>	Neil Linfoot		
<b>What are you proposing to do?</b>	Introduce a bridge protection scheme		
<b>Why are you proposing this? What are the desired outcomes?</b>	The bridge has been damaged on a number of occasions at great cost and resource implications		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	No		
<b>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</b> As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <b>If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
<b>NYCC additional characteristic</b>			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	

<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	No.			
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	The bridge has always been narrow and difficult to manoeuvre for large vehicles. With our works we are not changing the existing access width			
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	✓	Continue to full EIA:	
<b>Reason for decision</b>	The proposed works will have no negative impact on the operation of the highway from the current position.			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	08/11/2019			