

## Warminster Area Board – 10 May 2012

### Chairman's Announcement

#### Cleveland Bridge Weight Restriction

Bath and North East Somerset (B&NES) Council are proposing to implement an experimental weight restriction in Bath between the A36 Bathwick Street and the A36 Beckford Road (commonly known as the Cleveland Bridge restriction). This restriction will effectively prevent a significant proportion of large HGVs (those over 18 tonnes) from travelling through Bath along the A36 and will inevitably have some impact on other routes including some in Wiltshire.

The traffic order has been proposed to address road safety issues, intimidation and air pollution within the London Road area of Bath. This 'experimental' order allows B&NES Council to implement the restriction without the usual formal requirements / consultation of a normal traffic order for a period of 18 months. It also allows B&NES Council to implement the restriction without robust evidence or modelling; instead, B&NES Council will monitor the situation as it occurs. Significantly, the experimental order only allows representations to be made during the first six months of the order period. After the full 18 month period, the order can be made permanent.

Wiltshire Council, other neighbouring authorities, the Highways Agency, various community / parish groups and Area Boards have opposed this restriction on the basis that robust evidence and consultation has not been provided, and that the restriction is being proposed on a route that is part of the primary route network. It is considered that B&NES Councils evidence to support their assessment of the likely redistribution of HGV traffic particularly on Wiltshire roads is unrealistic.

A challenge to the legitimacy of placing a restriction on a Primary Route has been raised against B&NES Council first informally, and then by a Freedom of Information request. As stated Under EU Directive 89/460/EC, the Primary Route Network (of which the A36 forms a part) must provide unrestricted access to 40 tonne vehicles. This was recently re affirmed in the DfT's *Guidance on Road Classification and the Primary Route Network* (March 2012). Therefore placing such a restriction on a Primary Route as intended appears contrary to this directive. The guidance also states that *'Unless the agreement of all affected authorities can be obtained, including the Highways Agency where appropriate, then changes to the primary route should not be made'*. There are clearly still objections and the challenge to this scheme still remains, with B&NES Council withholding information on how the EU Directive can be denied, under legal advice.

Although opposed, B&NES council have decided to continue with this scheme and implementation has recently been delayed until June to allow Wiltshire Council time to purchase and place monitoring equipment within the County's boundary to record the 'before and after' traffic effects of the scheme.

It is understood that B&NES Council intend to produce a report by the end of April on the informal consultations that they have carried out to date. Prior to formally advertising the experimental order in June, B&NES Council propose to carry out a further selective round of informal consultation with those who have made a previous representation.

Given the limited nature of this consultation, if you consider that B&NES Council's proposed restriction may affect your community, please send your comments to [Councillor Roger Symonds](#) of B&NES Council.