

SURREY COUNTY COUNCIL

CABINET MEMBER FOR TRANSPORT DECISIONS

DATE: 15 SEPTEMBER 2020



LEAD OFFICER: KATIE STEWART, EXECUTIVE DIRECTOR FOR ENVIRONMENT, TRANSPORT & INFRASTRUCTURE

SUBJECT: CHERTSEY BRIDGE WEIGHT LIMIT

SUMMARY OF ISSUE:

Chertsey Bridge on the borough boundary between Spelthorne and Runnymede carries the B375 Bridge Road/Chertsey Bridge Road over the River Thames and is subject to an 18 tonne weight limit.

The weight limit was originally introduced due to the bridge being weak. Whilst the bridge has subsequently been strengthened, the weight limit has been retained for environmental reasons (i.e to prevent the use of the bridge by vehicular traffic of a kind which is unsuitable having regard to the existing character of the bridge). However, the traffic order imposing the weight limit has not been remade to reflect the weight limit now applies on environmental rather than structural grounds. As a result, there are currently no exemptions to the weight limit.

It is therefore proposed that a new traffic regulation order is made imposing the 18 tonne weight limit on Chertsey Bridge on environmental grounds, including the standard exemptions that would normally apply to an environmental weight limit.

RECOMMENDATIONS:

It is recommended that:

1. a notice is advertised in accordance with the Road Traffic Regulation Act 1984, the effects of which would be to revoke any existing traffic orders necessary, and impose an 18 tonne weight limit across Chertsey Bridge on environmental grounds including the exemptions detailed in Annex 2; and
2. any objections to the Traffic Regulation Order should be considered and resolved by the Cabinet Member for Highways in consultation with the North West and North East Area Highways Managers and the Chairmen of the Runnymede and Spelthorne Joint Committees.
3. the Order be made once any objections have been considered and resolved.

REASON FOR RECOMMENDATIONS:

The existing 18 tonne weight limit on Chertsey Bridge is currently imposed on structural grounds and includes no exemptions. However, after the bridge was previously strengthened, the traffic regulation order imposing the weight limit should have been remade on environmental grounds. It is also normal practice to include a

limited number of exemptions (such as for emergency service vehicles, vehicles in local authority service and vehicles associated with carrying out essential works required over the length of the restriction) to an environmental weight limit.

The existing order therefore needs to be revoked and remade on environmental grounds, so the restriction is brought into accordance with appropriate guidance and good practice.

The introduction of the standard exemptions for an environmental weight limit as part of this process will simply formalise existing necessary activity and is not expected to cause any increase in large vehicles passing over Chertsey Bridge or result in any impacts for residents.

DETAILS:

Background

1. Chertsey Bridge (which carries the B375 Bridge Road/Chertsey Bridge Road over the River Thames) is on the borough boundary between Spelthorne and Runnymede (the river is the boundary). The bridge is subject to an 18 tonne weight limit, the extent of which is indicated on the location plan attached as Annex 1.
2. A weight limit was originally introduced on the bridge in 1985 due to the bridge being identified as a weak structure. However, the bridge was refurbished and strengthened by Surrey County Council in 1991 enabling it to carry vehicles up to the maximum weight permitted on UK roads.
3. Runnymede Borough Council (acting as agents on behalf of the county council at the time) proposed the removal of the weight limit in 1991 following the bridge strengthening works. However, the Borough Council deferred making a decision on the proposal after objections were received from local residents and the restriction has remained in place ever since.
4. As a result of the strengthening works the restriction is now an environmental weight limit. Accordingly, a new traffic regulation order should have been made to reflect the restriction is imposed on environmental grounds rather than the original structural grounds. This did not happen and, whilst the existing weight limit is still considered to be enforceable, a new order should be made on environmental grounds now the issue has been identified.
5. Runnymede Borough Council refuse vehicles use the bridge when travelling to and from the Shepperton Community Recycling Centre. The weight of these vehicles exceeds the 18 tonne weight limit. However, the Borough understood there to be an exemption that allowed their vehicles to use the bridge.
6. In response to a concern raised with both Runnymede Borough Council and Surrey County Council about refuse vehicles using the bridge, further investigation of the matter established that there are no exemptions for any vehicles within the traffic order that imposes the weight limit (since it was originally made on structural grounds and was not updated following strengthening of the bridge).

7. Runnymede Borough Council has advised that rerouting the refuse vehicles to avoid using the bridge would result in a lengthy diversion and would have a significant impact on service delivery, as well as increase vehicle emissions. As such, the Borough Council has requested that an exemption to the weight limit is introduced for refuse vehicles.

Proposal

8. In response to the request from Runnymede Borough Council, the Runnymede Joint Committee has agreed an exemption should be introduced as part of its 2020/21 programme of works.
9. It is therefore proposed that the traffic regulation order that imposes the existing 18 tonne weight limit is revoked, and a new traffic regulation order is made on the correct environmental grounds which also incorporates the standard exemptions that normally apply to an environmental weight limit. These exemptions, which are listed in full in Annex 2, would enable refuse vehicles over 18 tonnes to legally travel over the bridge.
10. The absence of any exemptions from the existing weight restriction also means it is currently an offence for the following vehicles to pass over the bridge:
 - emergency service vehicles over 18 tonnes,
 - vehicles over 18 tonnes that are associated with any works required to maintain the bridge or the road that passes over it (this includes vehicles required to resurface the road),
 - any large vehicles over 18 tonnes involved in responding to a major incident or emergency situation (such as previous flooding incidents).
11. The proposed introduction of the new traffic regulation order made on environmental grounds, with the standard exemptions included, would bring the restriction in accordance with appropriate guidance and good practice. In addition, it would address the anomalies outlined in paragraph 10 which arise from the previous oversight in not remaking the order on environmental grounds following the bridge strengthening works.
12. The new traffic regulation order would impose the weight limit over the same extents as the existing weight limit. As such, there would not be any physical changes on site since there is no requirement to amend the existing signing.

Reason for referral to Cabinet Member for Highways

13. Whilst the Runnymede Joint Committee support the proposal to introduce the exemptions and has promoted it as part of its 2020/21 programme of works, the bridge is on the boundary between Spelthorne and Runnymede. As such, the approval of the Spelthorne Joint Committee is also required to introduce a new traffic regulation order imposing the 18 tonne weight limit on environmental grounds including the exemptions listed in Annex 2.
14. However, the Divisional Member for Laleham and Shepperton, who is also the Chair of the Spelthorne Joint Committee, has objected to the proposal on the grounds listed in Annex 2 of the report.

15. The Chair of the Spelthorne Joint Committee and Divisional Member for Laleham and Shepperton has met with the Chair of the Runnymede Joint Committee and the Chertsey Divisional Member to discuss the proposal further. However, it was not possible to reach an agreement.
16. Given the cross-boundary nature of the issue and the differing views, it was therefore agreed that the matter should be referred to the Cabinet Member for Highways to consider the relevant factors and make a decision.

Consideration of Objections

17. The common underlying concern in the grounds for objection, raised by the Chair of the Spelthorne Joint Committee and Divisional Member for Laleham and Shepperton, is that the proposal would result in an increased number of vehicles over 18 tonnes using the bridge and that this would have an adverse impact on residents and on road safety across the bridge.
18. However, the exemptions to the weight limit that would be introduced by the new traffic regulation order would apply to only a very small number of vehicles over 18 tonnes and only in very limited circumstances. Most of the exemptions relate to emergency service vehicles over 18 tonnes, vehicles over 18 tonnes being directed by police in response to emergency situations or vehicles over 18 tonnes connected with maintenance works taking place on the bridge itself or the road running over it.
19. The above exemptions would clearly apply relatively infrequently and in most instances these vehicles will already be using the bridge (either because drivers assume they have the right to do so or because they are responding to an emergency situation and consider the circumstances justify contravening the restriction).
20. Whilst Runnymede Borough Council refuse vehicles would use the bridge daily during the week, there would be a maximum of 10-15 movements across the bridge each day. This is a very small number of movements in the context of an overall weekday average daily flow across the bridge of approximately 25,000 vehicles.
21. As outlined by the above comments, the exemptions would only apply to a very small number of vehicles and most of these will already be crossing the bridge. The inclusion of the standard exemptions within the proposed traffic regulation order would therefore address an anomaly arising from a previous oversight and essentially formalise the existing situation. As such, there should be no significant change in the number of vehicles over 18 tonnes using the bridge. The proposal should therefore not result in any additional impacts on residents or road safety.

Alternative options

22. The alternative options that could be considered include (a) do nothing, (b) remove the weight restriction completely, or (c) impose a lower weight limit.
23. However, these options are not considered appropriate for the following reasons:

- Doing nothing would not resolve the problem of the existing traffic regulation order being incorrect as it was made on structural grounds which no longer exist. It would also mean there is no exemption to the weight limit for emergency service vehicles and other vehicles responding to emergency situations, vehicles carrying out essential maintenance works on the bridge or the road over it etc. It would also mean that Runnymede Borough Council refuse vehicles would not be able to legally use the bridge and would need to use a lengthy alternative route, which would have a significant impact on service delivery as well as resulting in increased emissions which would have an adverse environmental impact.
- Whilst the bridge can support vehicles up to the maximum weight permitted on UK roads, proposing the removal of the weight restriction would (as previously) almost certainly result in very significant objections being raised by residents on either side of the bridge.
- Introducing a lower weight limit would result in a significant number of vehicles having to follow a lengthy diversion route to use one of the other limited number of alternative crossing points over the River Thames. This would have adverse impacts on the highway network, environment (due to increased emissions) and potentially the local economy.

CONSULTATION:

24. The Divisional Member for Chertsey (Runnymede) and for Laleham and Shepperton (Spelthorne) have been consulted, as have the Runnymede Joint Committee and the Chairman of the Spelthorne Joint Committee.
25. The Divisional Member for Chertsey and the Runnymede Joint Committee support the proposed revoking of the existing traffic regulation order and the making of a new traffic regulation order imposing an 18 tonne weight limit on environmental grounds with the standard exemptions included. The proposal is included in the Runnymede Joint Committee's agreed programme of works for 2020/21.
26. The Divisional Member for Laleham and Shepperton, and also Chair of the Spelthorne Joint Committee, opposes the proposal (on the grounds listed in Annex 3 of this report) and requests that the Cabinet Member for Highways does not approve the recommendations of this report.
27. Surrey Police's Road Safety and Traffic Management Team have been consulted and have confirmed they have no objections to the proposal.
28. A further statutory consultation process will be undertaken as part of the traffic order making process if the recommendations of this report are agreed.

RISK MANAGEMENT AND IMPLICATIONS:

29. No financial risks have been identified in association with delivering the recommendations of this report. The costs of advertising and making the new traffic regulation order will be funded from within existing revenue budgets.
30. Failure to deliver the recommendations of the report would result in service delivery risks for Runnymede Borough Council, since their refuse vehicles would need to use an alternative lengthier route to access Shepperton Community Recycling Centre if they cannot cross Chertsey Bridge. This may result in reputation damage for the county council with the Borough Council.
31. Failure to deliver the recommendations of the report would mean the existing traffic regulation order imposing the 18 tonne weight limit on structural grounds would remain in place despite it being identified that the order should be remade on environmental grounds if the weight limit is to be retained. It would also result in the continued absence of any exemptions to the weight limit including for emergency vehicles and large vehicles association with essential maintenance works to the bridge and the road over it. Failing to make a new order on the correct grounds with appropriate exemptions could potentially lead to reputational damage for the county council.
32. Whilst legal advice suggests that the existing 18 tonne weight limit is enforceable, drivers may challenge any penalties issued for contravening the restriction and it would be up to the courts to decide whether they consider the restriction to be valid.

Financial and value for money implications:

33. The total cost of advertising and making the new traffic regulation order is approximately £1,500 - £2,000, which will be funded from within existing revenue budgets.

Section 151 Officer commentary:

34. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium-term financial outlook is uncertain as it is heavily dependent on decisions made by Central Government. With no clarity on these beyond 2020/21, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
35. The Section 151 Officer notes the low cost associated with amending the traffic order, which can be funded from within existing budget. Updating the order will enable exemptions for the use of the bridge by refuse vehicles. This will prevent the need to re-route those vehicles, avoiding the impact on the refuse service and increased costs for Runnymede Borough Council.

Legal implications – Monitoring Officer:

36. The Traffic Authority for a road outside Greater London may make an order under s1 of the Road Traffic Regulation Act 1984 (a “road traffic regulation order”) in respect of the road where it appears that it is expedient to make it. In England and Wales, outside Greater London the council of the county is the traffic authority for all roads in the county for which the Secretary of State is not the traffic authority.
37. S1(1)(d) of the 1984 Act allows the traffic authority to make an order to prevent the use of a road by vehicular traffic of a kind which is unsuitable having regard to the existing character of the road. Such a restriction may be imposed on routes which have been identified as unsuitable for use by heavy goods vehicles and where there is an alternative.
38. Subject to the Local Authorities’ Traffic Orders (Procedure)(England and Wales) Regulations 1996 the Traffic Authority may make an order to revoke an existing Traffic Regulation Order. Given that the structural imperative for imposing a weight limit no longer apply it is clearly appropriate to replace the current traffic regulation order with a new traffic regulation order citing environmental reasons.

Equalities and diversity:

39. The recommendations of this report do not have any significant implications for equalities and diversity. As such, an Equality Impact Assessment is not considered necessary.

WHAT HAPPENS NEXT:

40. Subject to the recommendations of this report being approved, a new traffic regulation order will be advertised which imposes an 18 tonne environmental weight limit on Chertsey Bridge (with the exemptions detailed in Annex 2) in place of the existing structural weight limit. Subject to the consideration of any objections received, the order will then be made and come into operation.

Contact Officer:

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Consulted:

Runnymede Joint Committee
Divisional Member for Chertsey
Divisional Member for Laleham and Shepperton
Chair of the Spelthorne Joint Committee
Surrey Police

Annexes:

Annex 1 - Chertsey Bridge - Location Plan

Annex 2 - List of exemptions to be included in proposed new traffic regulation order imposing an environmental 18 tonne weight limit on Chertsey Bridge

Annex 3 - List of objections raised by the Divisional Member for Laleham and Shepperton, and Chair of the Spelthorne Joint Committee, in response to the proposed new traffic regulation order imposing an environmental 18 tonne weight limit, with standard exemptions included, over Chertsey Bridge.

Sources/background papers:

n/a