

STATEMENT OF THE COUNCILS REASONS FOR PROPOSING TO MAKE THE ORDER	
LEGAL POWERS AND DUTIES:	<p>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:-</p> <ul style="list-style-type: none"> (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). <p>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.</p>
REASONS FOR MAKING THE ORDER	<p>The County Council considers that it is expedient to make this TRO on grounds (a) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-</p>

LOCATIONS(S) OF PROPOSED ORDER/ OTHER COMMENTS:	<p><u>DIVISION; AINSTY</u></p> <p>Proposal location: C278 Station Road/ Cattal Street (Cattal Level Crossing)</p> <p>(Plan A6-TM-TRO-SL-Cattal-GA1)</p> <p>During recent upgrades to the Cattal Level Crossing barriers and rail infrastructure, Network Rail have undertaken a risk assessment which has identified safety concerns when Signallers are closing and re-opening the Level crossing barriers (and therefore the road to vehicular traffic) before allowing trains to proceed over the crossing. The upgrades increase the daily train count from 38 trains to 60 trains per day further exposing the Signaller to road safety hazards.</p> <p>The C278 is presently subject to the national speed limit of 60mph and Network Rail have therefore requested that a reduced speed limit be imposed to reduce accident potential, in conjunction with new road traffic signals which Network Rail have installed at the Level crossing.</p>
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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.

SCHEDULE 1

40mph SPEED LIMIT

<u>Column 1 Item</u>	<u>Column 2 Road</u>	<u>Column 3 Length</u>
1.	C278 Station Road, Cattal	From a point 24 metres south of its intersection point with the projected centre line of Gilsthwaite Lane (U3392), Kirk Hammerton for a distance of 215.5 metres in a southerly direction, to its intersection point with the C278 Cattal Street at the Cattal level crossing, measured along the eastern channel line.
2.	C278 Cattal Street, Cattal	From a point 108.6 metres north of its intersection point with the projected centre line of Stephenson's Lane, Kirk Hammerton for a distance of 347.4 metres in a northerly direction, to its intersection point with the C278 Station Road at the Cattal level crossing, measured along the eastern channel line.