

Mr M Pope
Clerk & Responsible Financial Officer
Croft Parish Council
Smithy Lane
Croft
WA3 7JE

Our reference: PD/MT/DO/AR/WL
Please ask for: Mark Tilley
Direct line: 01942 489108
Date: 18 October 2019

Dear Mr Pope

A579 Winwick Lane, Lowton – 7.5 tonne southbound weight limit traffic regulation order.

As you are aware we introduced an experimental 7.5 tonne southbound weight limit Traffic Regulation Order (TRO) on Winwick Lane in February 2018. This was introduced following numerous enquiries from a local Elected Member of Parliament, Councillors and local resident's complaining about the high number of Heavy Goods Vehicles (HGV) that use Winwick Lane as a 'short-cut' between the A580 East Lancashire Road and Junction 22 of the M6. We acknowledge that you have objected to the experimental TRO.

To protect our health, the UK Government set the following air quality objective for NO₂ in their Air Quality Strategy:

The annual objective, which is the concentration of NO₂ in the air averaged over a period of a year. This aims to protect us from being exposed to NO₂ over a long time. This objective should not exceed 40 µg/m³ as an annual average.

As a direct consequence, NO₂ diffusion tubes were installed at three locations surrounding Winwick Lane in April 2018. The NO₂ diffusion tube on Winwick Lane exceeded the Government's annual objective in 2018 following verification of the annual data; it was 57.7 µg/m³. The peak reading on Winwick Lane in January 2019 was 80.3 µg/m³ with no subsequent monthly results being under 40 µg/m³. Whilst the 2019 data will require verification at the end of the year, the early indication is that it is likely to exceed the Government's objective again. This situation is clearly not acceptable to the Council and effective action is deemed necessary.

Residents have already expressed concerns about their health and have advised us that there are 14 children living within 100 metres of the junction of Winwick Lane/Newton Road. Public Health England published guidance in November 2018 - Health matters: air pollution. The report identified that poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as

Please reply to Traffic Group

Wigan Council, Places Directorate: Economy, Waste and Infrastructure, Wigan Council, PO Box 100, Wigan WN1 3DS.
Phone: 01942 244991
E-mail:
www.wigan.gov.uk

cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy.

It contributes to the equivalent of 1,200 deaths a year in Greater Manchester.

- 1 in 11 children across the UK has asthma.
- Poor air quality stunts the growth of children's lungs in ways that will affect them for the rest of their lives.
- Poor air quality is a cause of cancer and it increases the risk of asthma, strokes, lung and heart diseases.

These exceedances can't be ignored as the Government has instructed Wigan to take quick action to reduce harmful Nitrogen Dioxide (NO₂) levels following the Secretary of State issuing a direction under the Environment Act 1995. Wigan has therefore been mandated by Government to achieve NO₂ compliance in the shortest possible time. The instruction from Government advises that it is the duty of the local authority to comply with a direction given to it.

As Winwick Lane has been identified as requiring improvements to pollution levels, the local authority must, under Section 83 of the Environment Act 1995 designate an Air Quality Management Area (AQMA) where air quality objectives are not being achieved, or are not likely to be achieved, as set out in the Air Quality (England) Regulations 2000. Once the area has been designated, Section 84 requires the local authority to develop an Action Plan detailing remedial measures to tackle the problem within the AQMA.

We must act to tackle NO₂ exceedances on Winwick Lane therefore we are proposing to introduce a permanent 7.5 tonne southbound weight limit on this road to help address this issue and benefit the local residents who are suffering with air quality issues. Once the TRO is implemented, the weight limit restriction will be displayed through satellite navigation systems to direct HGVs to use the A580/M6 junction 23 when travelling southbound rather than Winwick Lane.

I have attached a copy of the TRO and notice and you will note that we have added exemptions to help alleviate the concerns raised to the experimental TRO.

We trust you understand that we are now proposing to introduce a permanent TRO to help tackle the air quality issue which has been identified since we introduced the experimental TRO.

If you have any queries then do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Miley', written in a cursive style.

WIGAN BOROUGH COUNCIL

WIGAN BOROUGH COUNCIL (WINWICK LANE, LOWTON) (7.5 TONNE WEIGHT LIMIT RESTRICTION) ORDER 2019

Wigan Borough Council, in exercise of its powers under Sections 1-4 of the Road Traffic Regulation Act 1984, hereby makes the following Order -

1. This Order may be cited as the Wigan Borough (Winwick Lane, Lowton) (7.5 Tonne Weight Limit Restriction) Order 2019 and shall come into operation on

2. In this Order –
 - (a) "Civil enforcement officer" means an individual authorised by or on behalf of the Council to supervise the roads/streets within the jurisdiction of Wigan Borough Council in accordance with the Traffic Management Act 2004;
 - (b) "Council" means the Council of the Borough of Wigan;
 - (c) "Specified" means specified in the Schedule to this Order;
 - (d) "Specified road" means the carriageway of any road or length of road specified in the Schedule to this Order;
 - (e) "Vehicle" includes any part of a vehicle

3. A reference in this Order to a numbered Article, is a reference to the Article having that number in this Order.

4. The Interpretation Act 1978 applies for the interpretation of this Order as it applies

5. Save as provided in Article 6, no person shall, except upon the direction or with permission of a police constable in uniform, cause or permit any vehicle in excess of 7.5 tonnes maximum gross weight in such a way that it proceeds along the length of road specified in the Schedule to this Order.

6. (1) Nothing in Article 5 of this Order shall apply:-
 - (a) so as to prevent a vehicle driving or waiting on any specified road referred to in that Article for so long as may be necessary to enable the vehicle to be used in connection with -
 - (i) any building, engineering or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of such length of road; or
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to, such length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telecommunications Act 1984;

Schedule

7.5 tonne weight limit restriction at any time on the following:

Road

Side and Length of Road

Winwick Lane, Lowton

In a southerly direction from its junction with A572
Newton Road to its constitutional boundary with
Warrington Borough Council

WIGAN BOROUGH COUNCIL

THE WIGAN BOROUGH COUNCIL (WINWICK LANE, LOWTON) (7.5 TONNE WEIGHT LIMIT RESTRICTION) ORDER 2019

STATEMENT OF REASONS

This document can be made available in other languages, on audio tape, CD, large print or other formats on request.

The Council have received enquiries from a local Elected Member of Parliament, Councillors and residents regarding the high level of Heavy Goods Vehicles (HGV) that use Winwick Lane, Lowton, as a short cut between the A580 East Lancashire Road and Junction 9 on the M62 or Junction 22 on the M6.

Winwick Lane, Lowton was de-primed in 2016 and is no longer a primary route. Nevertheless, this seems to have had little impact on reducing the number of HGV's that use the road. The properties on Winwick Lane, Lowton by its junction with Newton Road, front directly onto the footway and as such, residents living at the location are concerned with protecting the historic residential street and its community from heavier lorry traffic and air pollution.

Therefore, it is proposed to introduce a 7.5 tonne weigh limit restriction that would prohibit HGV traffic from travelling in a southerly direction on Winwick Lane, Lowton. Whilst the restriction would not be comprehensive, it will prohibit vehicles over 7.5 tonnes from travelling in one direction, which should help to reduce the number of HGV's travelling on the road. The restriction would force HGV's to make full use of the alternative major road network around the area, by directing them along the A580 to junction 23 of the M6.

The specific grounds which Wigan Council are using for the implementation of the proposed scheme as above, are the following sections of the Road Traffic Regulation Act 1984:

- Section 1(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.
- Section 1(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).

WIGAN BOROUGH COUNCIL

WINWICK LANE, LOWTON – 7.5 TONNE WEIGHT LIMIT RESTRICTION

NOTICE OF PROPOSALS

NOTICE IS HEREBY GIVEN that Wigan Borough Council, in exercise of the powers under Sections 1-4 of the Road Traffic Regulation Act 1984 proposes to make the Wigan Borough Council (Winwick Lane, Lowton) (7.5 Tonne Weight Limit Restriction) Order 2019.

The effect of the Order will be to impose a maximum weight limit of 7.5 tonnes on the following length of road at any time:

- On Winwick Lane, Lowton, travelling in a southerly direction, from its junction with A572 Newton Road to its constitutional boundary with Warrington Borough Council

There will be limited exceptions permitting vehicles over the 7.5 tonne weigh limit to travel on the road:

To enable access to make deliveries; for the purpose of building and similar operations, removing obstructions to traffic, road works and works by statutory undertakers; for local authority, Water Companies and Post Office purposes; if the vehicles are fire service or police vehicles or ambulances, (liveried vehicles) and it may be used as a tactical diversion route when the M6 junctions 23-22 are closed.

A copy of the proposed Order, the relevant map and a statement of the reasons for proposing to make the Order may be inspected at Wigan Town Hall, Library Street, Wigan, between 9am and 4:30pm on any day from Monday to Friday.

Any objection to the Order must be made in writing and specify the grounds thereof and must be made to the Assistant Director - Legal, Town Hall, Library Street, Wigan quoting reference RD/LS/SEC/CL48.382 not later than 2nd December 2019.

Dated this 29th day of October 2019

Mr. B. Whitworth, Assistant Director - Legal, Town Hall, Library Street, Wigan, WN1 1YN