

SUBJECT:	MAKING PERMANENT THE EXPERIMENTAL PROHIBITION OF DRIVING, CROSS STREET, MARKET STREET, ABERGAVENNY.
MEETING:	INDIVIDUAL CABINET MEMBER DECISION – COUNCILLOR CATRIN MABY
DATE:	28th June 2023
DIVISION/WARDS AFFECTED:	GROFIELD

1. PURPOSE:

- 1.1 This report seeks Cabinet Member approval to proceed with making permanent the current experimental prohibition of driving (except for access) traffic order in place at Cross Street and Market Street, Abergavenny.
- 1.2 The Traffic Order under consideration relates to an experimental traffic order which prohibits driving along Cross Street and Market Street, Abergavenny between 10.00am and 4.00pm Monday to Saturday. The proposed Order was advertised in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 1.3 If significant unresolved objections arise from the consultation, a public inquiry can be held to reach a decision. However, in this instance, it is considered that a public inquiry is not required and it is recommended that the proposal proceeds with the Traffic Order being made, as set out below.

2. RECOMMENDATION:

- 2.1 It is recommended to not hold a public inquiry, and to proceed to make the experimental order permanent, prohibiting driving along Cross Street and Market Street, Abergavenny between 10.00am and 4.00pm Monday to Saturday.

3. KEY ISSUES:

- 3.1 Originally, the prohibition of driving was introduced as part of the Covid 19 response as an emergency traffic order. At this time a number of seating pods were introduced along the length of Cross Street to allow outside seating/trading by local businesses. The traffic order also allowed pedestrians to use the space created unhindered by vehicular traffic allowing a more pleasant and safer shopping experience for visitors to Abergavenny town. Replacement (and net additional) disabled person parking bays were provided elsewhere in close proximity to the main retail streets at that time and these remain in place.
- 3.2 An 18 month Experimental Order was then introduced to continue this arrangement. An Experimental Order allows the Highways Authority to monitor the effects of changes, with an opportunity for objections or comments to be submitted during the first six months. The Council can then decide to revoke, amend or make permanent the Experimental Order.

- 3.3 The physical barriers at Cross Street with its junction with the A40 are operated by Abergavenny Town Team in accordance with the operating times of the order (10.00am – 4.00pm).
- 3.4 A placemaking plan for Abergavenny is currently in progress, with a public consultation exercise anticipated to take place later in 2023/early 2024. The longer-term function of Cross Street/Market Street will be included within this exercise. The proposal subject of this report is to enable the status quo to continue between the expiration of the 18 month Experimental Order and the implementation of any proposed changes arising from the Abergavenny placemaking plan following that consultation exercise and associated adoption of that co-produced plan by MCC and Abergavenny Town Council. If the placemaking plan determines that Cross Street/Market Street needs to be reopened to traffic, the Council can revoke the Order proposed via this report. Alternative options can also be considered at that time, for example different closing times/days.
- 3.5 Elected Members, Abergavenny Town Council, businesses and members of the public had the opportunity to comment on these proposals within the first 6 months of coming into operation. No responses were received. The officer recommendation is therefore to proceed to make this Experimental Order permanent to enable the status quo to prevail pending the outcome of the placemaking plan. This decision can be reviewed and if necessary the Order revoked and/or replaced once the Abergavenny placemaking plan is adopted and the conclusions implemented.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

- 4.1 The proposals aim to support a traffic free environment in Abergavenny town centre and improve the experience for all users, residents, businesses and visitors.

5. OPTIONS APPRAISAL

- 5.1 Table One below therefore provides an options appraisal of the proposal:

Options	Benefits	Risks	Comments/Mitigation
Do Nothing	<ul style="list-style-type: none"> The order will cease to exist, the roads will return to their original arrangement of vehicular traffic using the roads. 	<ul style="list-style-type: none"> Loss of amenity for visitors/users and businesses of Cross St/Market St Potentially reintroducing the closure or similar measures following the conclusion of the placemaking plan, confusing drivers and the local community and appearing to be indecisive and inefficient 	
Adopt the proposals and make the Order	<ul style="list-style-type: none"> Continue to provide a traffic free environment for visitors in Abergavenny town, maintaining the status quo until the outcome 	<ul style="list-style-type: none"> There is a risk that this decision is misunderstood as pre-determining the outcome of the placemaking plan 	<p>This is the preferred option.</p> <p>The risk will be mitigated by seeking to clearly</p>

	of the Abergavenny placemaking plan is known and can be implemented (should that propose a different solution).	consultation and conclusions.	communicate that this Order can be replaced or revoked once the placemaking plan exercise is concluded.
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6. REASONS:

6.1 The proposals will support the traffic free environment in Abergavenny, and maintain the status quo pending the outcome of the Abergavenny placemaking plan. The Order can be revoked should the placemaking plan outcome require it.

7. RESOURCE IMPLICATIONS:

7.1 The administrative work will be funded from the Council's Road Safety and Traffic Management budget. The gates will continue to be opened/closed by Abergavenny Town Team.

8. CONSULTEES:

- Cabinet Member for Climate Change and the Environment and the Cabinet Member for Sustainable Economy (Deputy Leader)
- Councillors for Abergavenny
- Abergavenny Town Council
- Communities and Place DMT
- Placemaking, Highways and Flooding DMT
- SLT including Monitoring Officer and S151 Finance Officer
- The Traffic Orders were publicised in accordance with the statutory process including notification of the County Councillor for the ward and Abergavenny Town Council.

9. BACKGROUND PAPERS:

10. Appendix 1: Schedule of consultation responses
Appendix 2: Notice of Making
Appendix 3: Statement of Reasons
Appendix 4: Drawing no 1923
Appendix 5: Integrated Impact Assessment

11. AUTHORS:

Mark Hand, Head of Placemaking, Regeneration, Highways and Flooding
Graham Kinsella, Traffic and Road Safety Manager

12. CONTACT DETAILS:

E-mail: markhand@monmouthshire.gov.uk or grahamkinsella@monmouthshire.gov.uk

Appendix 1: Summary of Consultation Responses – (None received)

Name/Details	Representations	Officer's Response
	None	

Appendix 2:

SECTION 9 – ROAD TRAFFIC REGULATION ACT 1984

NOTICE OF MAKING AN EXPERIMENTAL ORDER

MONMOUTHSHIRE COUNTY COUNCIL

(TRAFFIC REGULATION ORDER)

(CROSS STREET AND MARKET STREET, ABERGAVENNY, MONMOUTHSHIRE)

(EXPERIMENTAL) TRAFFIC ORDER 2022

NOTICE IS HEREBY GIVEN that MONMOUTHSHIRE COUNTY COUNCIL in accordance with the Local Authorities Traffic Order (Procedure) (England & Wales) Regulations 1996 and the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”), as amended, and Part IV of Schedule 9 to the Act and of all other enabling powers and after consultation with the Chief Officer of Police, has made an Experimental Order which shall come into force on the 26th January 2022 and shall remain in force for not more than eighteen months.

The EFFECT OF THE ORDER shall be:

CROSS STREET, MARKET STREET, ABERGAVENNY

To implement a Prohibition of Driving (except for access) Order on (a) Cross Street from its junction with Lower Castle Street to its junction with Market Street and on Market Street from its junction with Cross Street to its junction with the exit from Brewery Yard car park. This Prohibition of Driving (except for access) Order shall be operative from 10 am to 4 pm, Monday to Saturday.

If made permanent, the Order shall have the effect of amending the Monmouthshire County Council (Various Roads) (Traffic Regulation and Speed Limit) Consolidation Order 2019, in that the Map Schedules specified in the First Schedule shall be amended and the Map Schedule specified in the Second Schedule to this Order shall be implemented.

A copy of the proposed Order, Maps indicating the new restrictions, together with the Statement of Reasons for proposing to make the Order, may be inspected during normal office hours at County Hall, The Rhadyr, Usk, NP15 1GA or online via the Monmouthshire County Council website www.monmouthshire.gov.uk/public-consultation-traffic/ which can also be accessed by scanning the QR code shown.

If any person wishes to question the validity of this Order or of any of its provisions on the ground that it or they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with, that person may, within six weeks from the date of this notice apply for the purpose to the High Court.

The Order will come into effect on the 26th January 2022 and will remain in operation for a period of up to eighteen months. If the



provisions of the Order continue in operation for a period of at least six months, the Council will consider in due course whether the provision of the experimental Order should be continued in force indefinitely by means of a permanent Order. Any person desiring to object to the making of an Order for the purpose of such indefinite continuation may, within six months of the Order coming into operation, send a statement in writing of the objection and the grounds on which it is made to the Head of Legal and Monitoring Officer at County Hall, The Rhadyr, Usk, NP15 1GA or by email to Traffic@monmouthshire.gov.uk quoting the reference Cross Street and Market Street, Abergavenny (Experimental Traffic Order) 2022.

By virtue of Section 11 of the Road Traffic Regulation Act 1984, any person who contravenes a restriction or prohibition imposed under Sections 9 and 10 of the Act shall be guilty of an offence.

Dated: 19th January 2022

Mark Hand

Head of Placemaking, Housing, Highways, Flooding and Planning

Monmouthshire County Council

PO Box 106

Caldicot

Monmouthshire

NP26 9AN

Appendix 3:

**MONMOUTHSHIRE COUNTY COUNCIL
(TRAFFIC REGULATION ORDER)
(CROSS STREET, MARKET STREET, ABERGAVENNY, MONMOUTHSHIRE)
(EXPERIMENTAL) TRAFFIC ORDER**

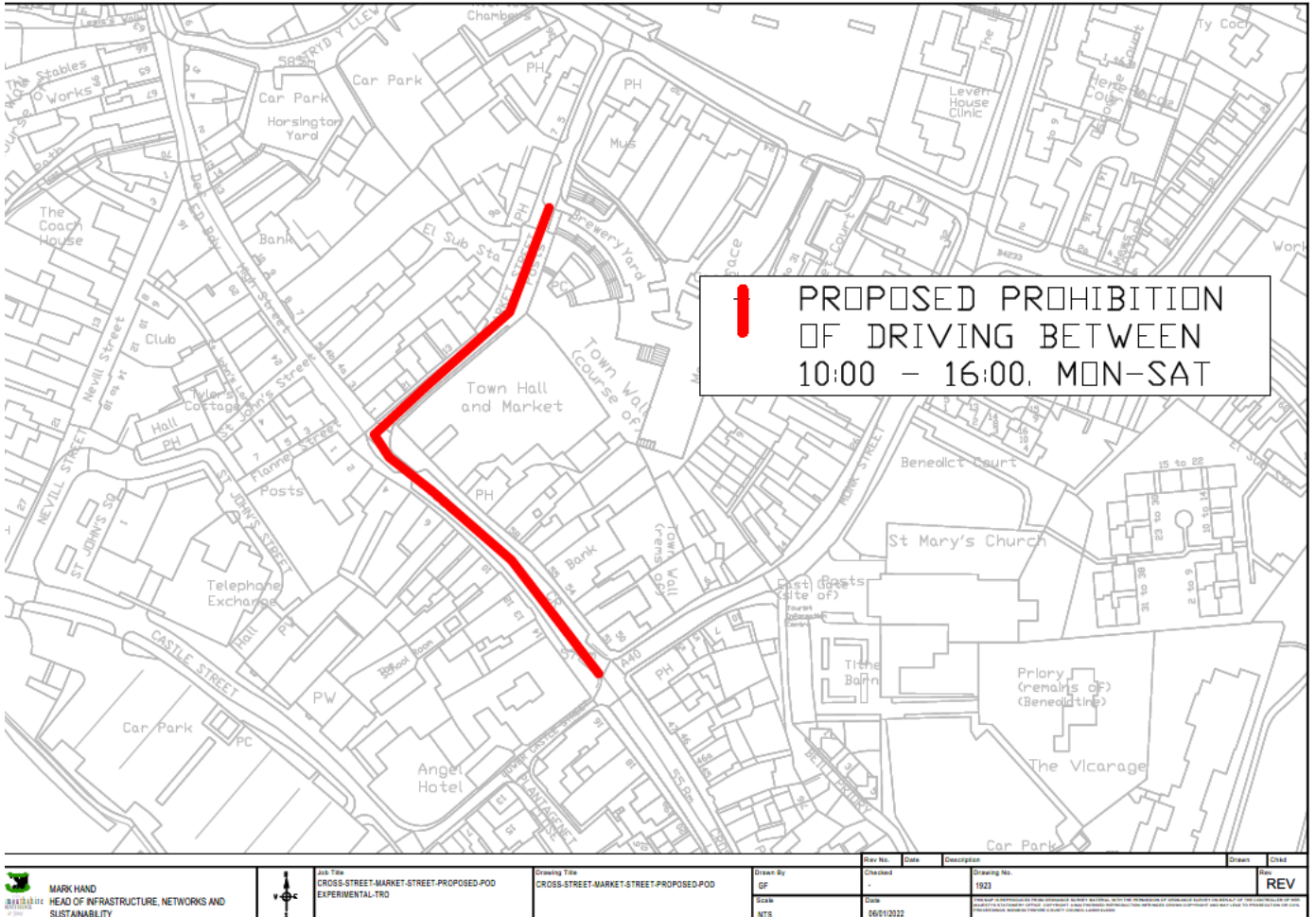
Statement of Reasons


Monmouthshire County Council propose to implement an experimental prohibition of Driving (except for access) Order on part of Cross Street and part of Market Street.

This Order is required in order to raise the level of road safety for pedestrians, other vulnerable highway users and for all other highway users of the roads within the extent of the proposed Experimental Traffic Order whilst facilitating vehicular access within a specified permitted time period only also.

The Experimental Traffic Order will enable the Council the facility to assess and review the effectiveness and the operation of this proposed Prohibition of Driving (except for access) Order.

Appendix 4: Drawings




MARK HAND
 HEAD OF INFRASTRUCTURE, NETWORKS AND SUSTAINABILITY



Job Title
 CROSS-STREET-MARKET-STREET-PROPOSED-POD
 EXPERIMENTAL-TRD

Drawing Title
 CROSS-STREET-MARKET-STREET-PROPOSED-POD

Drawn By
 GF
 Scale
 NTS

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Appendix 5: Wellbeing of Future Generations Equalities Impact Assessment



<p>Name of the Officer completing the evaluation</p> <p>Mark Hand Phone no: 01633 644773 E-mail: markhand@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To make permanent the current experimental prohibition of driving (except for access) traffic order in place at Cross Street and Market Street, Abergavenny.</p>
<p>Name of Service area</p> <p>Placemaking, Regeneration, Highways and Flooding</p>	<p>6th June 2023</p>

1. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Making the order permanent will allow residents, workers and visitors of all ages to move around the space in a safer manner without the risk of encountering vehicular traffic. The outdoor café areas provide seating for resting.	Between 10am and 4pm Monday to Saturday, on-street parking cannot be accessed.	Ample town centre parking remains in place in close proximity to the main shopping streets. The on-street spaces were 30 minute waiting or blue badge holder spaces only.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	Making the order permanent will allow disabled residents, workers and visitors to move around the space in a safer manner without the risk of encountering vehicular traffic. The outdoor café areas provide seating for resting.	Between 10am and 4pm Monday to Saturday, on-street parking cannot be accessed. A small number of disabled person parking bays are affected.	In June 2020, replacement and additional disabled person parking bays were provided within close proximity to the main shopping streets, primarily at Tiverton Place off Lion Street
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	Making the order permanent will allow pedestrians to move around the space in a safer manner without the risk of encountering vehicular traffic. The outdoor café areas provide seating for resting and feeding.	None	N/A
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

The Socio-economic Duty and Social Justice

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions This duty aligns with our commitment as an authority to Social Justice.

	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Socio-economic Duty and Social Justice	Providing a traffic free environment in Abergavenny will allow visitors, residents and workers to feely use the public space available during the road closure times. Additionally, it will enable businesses to expand into the public realm, creating a vibrant place and supporting businesses to trade.	On-street parking is inaccessible during the closure times. Initial concerns were raised in June 2020 about access to the bank and pharmacy by people with limited ability to walk distances, and loss of on-street parking used by business workers in particular the estate agents.	Ample town centre parking remains in place in close proximity to the main shopping streets albeit this is not free. The on-street spaces were 30 minute waiting (and therefore not suitable for workers in the local businesses to park for extended periods) or blue badge holder spaces only. In June 2020, replacement and additional disabled person parking bays were provided within close proximity to the main shopping streets, primarily at Tiverton Place off Lion Street.

Policy making and the Welsh language.



How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
Policy Making Effects on the use of the Welsh language, Promoting Welsh language Treating the Welsh language no less favourably	There are no direct impacts but it could be argued that the part-time road closure makes the town centre more attractive to visitors, therefore supporting tourism and increasing exposure to the Welsh language.	None	N/A
Operational Recruitment & Training of workforce	None	None	N/A
Service delivery Use of Welsh language in service delivery Promoting use of the language	None	None	N/A




4. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: Providing a traffic free environment in Abergavenny will encourage businesses to expand into the public realm.</p> <p>Maintains the status quo pending the outcome of the placemaking plan proposals.</p>	<p>N/A</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Neutral</p>	<p>In the longer term, pending the outcome of the placemaking plan exercise, amendments to the public realm could enable additional street planting with pollenators.</p>
<p>A Healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Neutral. Additional cycle parking has been provided to encourage active travel but at present it is little used.</p>	<p>In the longer term, pending the outcome of the placemaking plan exercise, amendments to the public realm could better encourage active travel for example with better cycle parking.</p>
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Positive: Providing a traffic free environment in Abergavenny will increase the levels of highway safety and encourage businesses to expand into the public realm.</p>	<p>N/A</p>
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>Neutral</p>	<p>N/A</p>
<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People</p>	<p>Positive: An improved pedestrian environment can support the visitor experience and promote tourism. Abergavenny has a rich culture as a</p>	<p>N/A</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
are encouraged to do sport, art and recreation	Welsh market town centred around the nearby castle and the market hall.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Neutral	N/A

3. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	The proposal maintains the status quo pending the outcome of the placemaking plan exercise, making best use of resources and avoiding uncertainty for stakeholders.	N/A
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	The proposal maintains the status quo pending the outcome of the placemaking plan exercise, making best use of resources and avoiding uncertainty for stakeholders. The placemaking plan will be co-produced with the Town Council with other stakeholders involved and will be subject to widespread consultation informing longer term plans for the town centre.	N/A

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p data-bbox="125 437 282 464">Involvement</p> <p data-bbox="331 217 495 427">Involving those with an interest and seeking their views</p>	<p data-bbox="533 217 1279 284">Statutory consultation has been undertaken with all necessary stakeholders including the general public.</p>	<p data-bbox="1352 217 2121 284">There will be further consultation on long term options via the placemaking plan.</p>
 <p data-bbox="136 715 275 742">Prevention</p> <p data-bbox="331 477 501 762">Putting resources into preventing problems occurring or getting worse</p>	<p data-bbox="533 478 1330 619">The proposal aims to support businesses, reduce traffic within the town centre core area and support active travel. These aims benefit the economy, culture and wellbeing.</p>	<p data-bbox="1352 478 1435 505">None</p>
 <p data-bbox="141 1029 280 1056">Integration</p> <p data-bbox="107 1082 210 1109">bodies</p> <p data-bbox="331 791 510 1077">Considering impact on all wellbeing goals together and on other</p>	<p data-bbox="533 793 1330 933">The proposal aims to support businesses, reduce traffic within the town centre core area and support active travel. These aims benefit the economy, culture and wellbeing.</p>	<p data-bbox="1352 793 1435 820">None</p>

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Social Justice	N/A	N/A	N/A
Safeguarding	N/A	N/A	N/A
Corporate Parenting	N/A	N/A	N/A

5. What evidence and data has informed the development of your proposal?

- The prohibition of driving has been in place over the last 3 years. The forthcoming placemaking plan will also carry out further consultation with the community.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

Positive impacts: The proposal aims to support businesses, reduce traffic within the town centre core area and support active travel. These aims benefit the economy, culture and wellbeing.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible
Make the order permanent	Following agreement from the Cabinet member	Traffic Team (Graham Kinsella, Phaedra Cleary, Gareth Freeman)

8. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Cabinet Member decision	June 2023	n/a
2			
3			