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**Urban Environment Scrutiny Committee - Wednesday 22<sup>nd</sup> January 2014**

**Report of the Director of the Urban Environment**

**Traffic Regulation Orders – The Process**

**Purpose of Report**

1. To provide Scrutiny Committee Members with an overview of the findings of the ‘virtual’ review of the Traffic Regulation Order process.

**Background**

2. On the 9<sup>th</sup> September 2013, Members of the Scrutiny Committee endorsed the scoping of the review which it was suggested would include an approved policy on delivering the service, a robust selection criteria and annual programme of works.

It should be noted that the programme would not include development related, temporary, emergency/urgent or experimental orders that are dealt with by separate processes.

3. There have been three mail outs of information as part of the virtual scrutiny process:-

17<sup>th</sup> October 2013 – Introduction to scoring requests which includes an outline of the scoring process, explanation of the elements and criteria within the scoring sheets and examples of how the scoring system is applied.

Member feedback suggested more points should be given to vulnerable road users and sustainable modes of transport. In these cases, it should be noted that the maximum score will apply so should not be an issue.

16<sup>th</sup> December 2013 – Improving the Traffic Regulation Order process which includes; an outline of the current TRO process, advantages of the current process, areas for improvement and proposed improvements to Member Consultation stages through the introduction of a Cross Party Members Working Group.

Member feedback suggested using local free newspapers rather than the regional commercial newspapers and possibly including proposals within Community Forum Agenda.

It should be noted that advertisement is a statutory requirement and must be made in a purchasable newspaper, potentially available to the whole of the community; local free papers do not satisfy this requirement. However, there is no reason why the issues could or should not be discussed at Community Forum meetings, but this would only be by way of informing the Members and receiving comments for consideration by the Members Working Group.

13<sup>th</sup> January 2014 – Improving the Traffic Regulation Order process continued, which includes initial sift, expectations of applicants, summary of trial programme and indicative timescales for implementation.

At the time of writing the report no feedback had been received, subsequent feedback will be verbally reported at the Final Report Scrutiny Committee meeting on Wednesday 22<sup>nd</sup> January 2014.

#### 4. Annual Programme

It is proposed each year to develop an annual programme of Traffic Regulation Orders for implementation within the budget allocations provided from the Integrated Transport Block. This programme would include an initial prioritised list of proposed Traffic Regulation Orders and a further list of prioritised reserve proposals for inclusion should any of the initial proposals prove to be undeliverable.

#### 5. Scoring Criteria

Proposed Traffic Regulation Orders to be included in the programme should be prioritised by an agreed scoring criteria; which identifies a number of key criteria. These criteria include:-

##### Physical

- Road type
- Width of carriageway
- Whether the road is used by public transport

##### Environmental

- Issues relating to visibility such as obstructive parking
- How long the problem exists during the day
- Who is affected by the problem

##### Community

- How the request has been made
- Impact on vulnerable users

It is anticipated that requests that fail to achieve one-third of the maximum potential points (i.e. 17 out of 51 points), would be deemed outside the scoring range and would not be subject to any further consideration.

## 6. Enhancements to Member Consultation

Ward Members do not have a formal opportunity to comment on the proposals following public consultation or at which point the views of the electorate are known. It is therefore suggested that a cross party working group of Members be created to agree the content of any future programme. It is anticipated that this group would meet to consider the outcome of the initial consultations at the latter end of the second quarter of the financial year. Consideration of reserved proposals that have been brought forward for inclusion in the programme will take place during the third quarter of the financial year.

## 7. Initial Sift

On receipt, requests will be subject to a technical check to determine their feasibility. Requests that are considered impractical or would compromise safety, will be rejected and the applicant informed of this. If the request is considered feasible, the applicant will be informed that the request will be considered in more detail for possible inclusion in the following annual programme.

## 8. Customer Expectations and Timescales

It is anticipated the applicant will be contacted within 2 weeks of their request, with the outcome of the initial sift and that if successfully included in the programme, further consultation will be undertaken as part of delivery of the annual programme and in accordance with any statutory requirements.

It is suggested that improving information available online, such as the public facing steps within the Traffic Regulation Order process and indicative timescales, would provide a greater level of transparency on what customers can reasonably expect.

## 9. Implementation of an Annual Programme

It is anticipated that requests having satisfied the initial sift will be considered on block during the third quarter of the financial year. The outcome of the budget allocations will then be used to inform the scale of the programme that will then be subject to consideration by the Cabinet Member and Shadow Cabinet Member for Transportation. The programme will then be subject to a decision of the Cabinet Member for Transportation for implementation in the following financial year.

## 10. Small scale changes / proposals held in reserve

In the event of a programmed Traffic Regulation Order proving to be undeliverable, the proposal will be deleted from the programme and a reserve proposal brought forward for inclusion in the programme.

### **Finance**

11. The cost of operating the revised scrutiny arrangements will be contained within the existing budget allocations.

Traffic Regulation Orders are delivered using capital funds from the Integrated Transport Block.

### **Law**

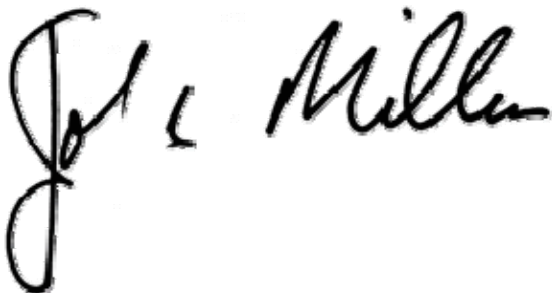
12. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated regulations and guidance.
13. Traffic Regulation Orders are made under powers contained in Section 1 of the Road Traffic Regulation Act 1984 subject to regulations laid down by the Secretary of State.

### **Equality Impact**

14. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity. The DUE Equality Action Plan includes a priority to ensure the Traffic Regulation Order process is accessible from protected groups, representative of the Borough's population.
15. The control of obstructive parking, and the prevention of intrusive lorry movements in residential areas, assists vulnerable road users, including children, older people and disabled people.

## Recommendations

16. That the DUE Scrutiny Committee recommend the following scrutiny outcomes to the Cabinet Member for Transportation:-
- a) All new requests for Traffic Regulation Orders be directed through an Annual Programme, with the exception of developmental, temporary, emergency/urgent or experimental orders which are dealt with by separate processes;
  - b) All new requests be subject to an initial sift to review feasibility resulting in a response being issued to the applicant;
  - c) A pre-defined scoring criteria be used to prioritise requests;
  - d) A Cross Party Members Working Group be set-up in order to consider proposals following public consultation.
  - e) Requests that fail to achieve one-third of the maximum potential points (i.e. 17 out of 51 points), would be deemed outside the scoring range and would not be subject to any further consideration;
  - f) Web Site contents be updated to reflect revised working arrangements.



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