

Portfolio Holder for Highways



County Hall
Llandrindod Wells
Powys
LD1 5LG
8 December 2017

For further information please contact

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NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED DECISION

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **14 December 2017** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.37 of the Constitution.

1.	TRAFFIC REGULATION ORDER MORATORIUM
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CYNGOR SIR POWYS COUNTY COUNCIL.
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR LIAM FITZPARTICK
(PORTFOLIO HOLDER FOR HIGHWAYS)
December 2017

REPORT AUTHOR: Traffic and Travel Manager

SUBJECT: Traffic Regulation Order Moratorium

REPORT FOR: Decision

1. Summary

- 1.1 The County Council's Board implemented a moratorium on making permanent Traffic Regulation Orders [TROs] on the 13 January 2009 with effect from the 1 April 2009. A few exemptions existed where TROs are necessary for facilitating developments or for safeguarding a structure following an assessment or it was required as part of a capital funded scheme.
- 1.2 On the 11 September 2012 the Council's Cabinet partially lifted the moratorium to allow parking reviews within towns to be undertaken. This followed the Authority implementing Civil Parking Enforcement in April 2011.
- 1.3 Since the moratorium on TROs was implemented there is a list of changes to restrictions which are considered important to aid in either road safety or improve traffic management within an area.
- 1.4 This paper considers lifting the moratorium completely to permit all types of TROs being made where appropriate to do so.

2. Proposal

- 2.1 The proposal is to lift the moratorium on Traffic Regulation Orders which was implemented on the 1 April 2009.
- 2.2 Traffic Orders, including those for parking reviews, will be considered and ranked against other schemes/Orders within the Highways Transport and Recycling's core capital funding allocation for 'Road Safety and Traffic Management'.
- 2.3 Approval for each order and its assessment score will need to be provided by the respective Shire Committee in which the Order relates.

Once approved, it will be added to the capital programme and ranked against other schemes within that budget. When funding becomes available the Traffic Order procedure will commence in accordance with the The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

- 2.4 Permanent orders relating to structures or those part of a larger capital scheme will continue to be funded from their associated budgets. Orders required to facilitate a development will continue to be funded by the developer.
- 2.5 Temporary and Emergency Orders will not be affected by this decision and will continue to be made as appropriate.

3. Options Considered / Available

- 3.1 **Option 1** – to allow orders to be made for any type of restriction or control on the use of a highway.
- 3.2 **Option 2** – not to lift the moratorium and continue to not to consider implementing new/changed restrictions to the use of a highway.

4. Preferred Choice and Reasons

- 4.1 Option 1 is the preferred option as it allows any order to be made to restrict/govern the use of a highway.
- 4.2 As funding is to be obtained from an existing budget there should be no additional burden on finances. Schemes will be ranked and implemented in accordance with its priority ranking.

5. Impact Assessment

- 5.1 Is an impact assessment required? No
- 5.2 If yes is it attached?

6. Corporate Improvement Plan

- 6.1 The policy assists in supporting the priority 'Developing the Economy' by ensuring the highways are used in the appropriate manner.

7. Local Member(s)

- 7.1 The policy and charges apply with equal force across the whole County.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? No

If so please provide their comments

9. Communications

Have Communications seen a copy of this report? Yes

The Communications Manager has stated 'The report is of public interest and requires news release and use of appropriate social media to publicise the decision'.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 The Highways and Enforcement Solicitor has reviewed the proposal and has no comment to make.

10.2 The Finance Business Partner Place notes the contents of the report. Any additional schemes identified from and approved due to this proposal, will need to be added to the capital bids and ranked against other schemes within that budget. When funding becomes available the Traffic Order procedure will commence in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

The Head of Financial Services (Acting Section 151 Officer) notes the comments made by the Finance Business Partner Place.

The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest

he/she should declare it, complete the relevant notification form and refer the matter to the cabinet for decision.

Recommendation:	Reason for Recommendation:
To lift the moratorium of Traffic Regulation Orders allowing them to be funded from the existing core capital budget for Road Safety and Traffic Management.	To allow TROs to be made to control traffic ensuring highways are used in a safe and efficient manner.

Relevant Policy (ies):	n/a
Within Policy:	Yes
Within Budget:	Yes

Relevant Local Member(s):	Decision affects all Local Members
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Person(s) To Implement Decision:	Tony Caine
Date By When Decision To Be Implemented:	As soon as the decision effective date.

Contact Officer:	Tony Caine
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Background Papers used to prepare Report: