

DERBYSHIRE COUNTY COUNCIL

**CABINET MEMBER MEETING – JOBS, ECONOMY AND
TRANSPORT**

15 April 2014

Report of the Strategic Director – Economy, Transport and Environment

**PROCEDURE TO RANK AND PRIORITISE REQUESTS FOR
TRAFFIC REGULATION ORDERS**

(1) **Purpose of the Report** To bring before the Cabinet Member for consideration the procedure to rank successful requests for Traffic Regulation Orders (TRO's) and to prioritise accordingly.

(2) **Information and Analysis**

Background

The cost of introducing TRO's is currently met either by the Traffic and Safety Revenue Budget, individual capital scheme budgets or, in the case of those deemed necessary for new developments, by the developer. The costs of TRO's includes the necessary notices in local newspapers, both when advertising proposals and giving notice of their introduction, as well as the costs of installing the works and associated staff time for those TRO's needed for capital schemes or new developments.

The cost of a single, simple TRO, for example a set of double yellow lines to cover a junction, would be in the region of £1,400. This is based upon each press notice being £600, with £200 for the double yellow lines. The cost of a more complex TRO, such as the Chesterfield Residents' Parking Scheme, was in the region of £50,000, which included consultation, advertisements and works. Similarly, the timescales involved can vary depending upon the complexity of the TRO. A straightforward TRO to put double yellow lines at a junction may take 6 to 9 months, a Residents' Parking Scheme may take up to 2 years.

In certain circumstances, TRO's within an appropriate geographical area are already grouped together in order to try and reduce the costs of press notices. The reasoning behind this is that a single notice containing three proposals may be substantially cheaper than having three separate notices in the newspaper at the same time.

TRO Ranking System

The use of a points based scoring system will allow TRO requests to be ranked and prioritised accordingly. Similar systems are beginning to be introduced in neighbouring authorities in order to allow greater control of budgets.

The ranking scheme proposed is attached as Appendix A. The system will work best if it has readily understood quantifiable factors, such as whether there have been collisions, the road classification and whether it supports the County Council's Local Transport Plan (LTP). There will also be some factors that are more subjective, such as effects on adjacent streets, whether local facilities and businesses will benefit directly and the level of support from residents and the wider community. The factors should be weighted so that those schemes that address collisions and accord with the LTP, or are developer funded, take precedence.

It is estimated that approximately 30% of the Traffic and Safety Revenue budget is spent on TRO's per annum. The 30% mark may be considered as a ceiling, with the discretion to go above or below the decision of the Strategic Director – Economy, Transport and Environment. Should spending fall substantially below the 30% ceiling, the Strategic Director – Economy, Transport and Environment will consider reallocating funding according.

The system only applies to those requests which are considered to be justified. Appendix B provides guidance on situations where a TRO would be justifiable. There is no benchmark score above which a TRO is proceeded with automatically. This gives a degree of flexibility as the scores for TRO's investigated over a number of years may fluctuate.

There may be occasions where a TRO is required to address a particular issue and needs to be introduced as soon as possible. In the event of such an event, the Strategic Director – Economy, Transport and Environment should be given the discretion to depart from the priority list.

(3) Financial Considerations There are no additional costs arising from the report.

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(4) Key Decision No.

(5) Call-In Is it required that call-in be waived in respect of the decisions proposed in the report? No.

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(6) **Background Papers** None. Officer contact details – Dan O'Neill, extension 38166.

(7) **OFFICER'S RECOMMENDATIONS** That:

- 7.1 The Traffic Regulation Order ranking scheme, as shown in Appendix A, be adopted for all future Traffic Regulation Orders.
- 7.2 The Strategic Director – Economy, Transport and Environment be given discretion to depart from the ranking list where required by local circumstances.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

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APPENDIX A

Subject	Parameters	Points Range	Points scored
No. of collisions in the past 3 years (personal injury accidents)	Location has 3 or more in past 3 years Location has up to 3 in past 3 years None in past 3 years	10 5 0	
Capital Scheme or developer funded	Yes No	5 0	
Road hierarchy	A road B road C road Unclassified No through road	5 4 3 2 1	
Duration of problem	All day Working day (e.g 9am to 5pm) Peak times only (e.g 8-10am, 4-6pm) Night time only (e.g after 6pm) Short periods (up to 2 hours)	5 4 3 2 1	
Transfer of Problem	No transfer Transfer to adjacent street of similar hierarchy Transfer to adjacent street of lesser hierarchy	0 -3 -5	
Enforceability	Readily enforceable Substantial enforcement required Police enforcement required	5 0 -5	
Estimated Timescale/Complexity	< 6 months to process 6 to 9 months 9 to 12 months 12 to 18 months 18 to 24 months	8 6 4 2 1	
Benefits of scheme to vulnerable road users	Possible improvement No change Deterioration	5 0 -5	
Benefits to schools	Possible improvement No change Deterioration	5 0 -5	
Benefits to elderly/ mobility impaired	Possible improvement No change Deterioration	5 0 -5	
Benefits to local facilities/businesses	Possible improvement No change Deterioration	5 0 -5	
Support from residents	Yes No overall support Negative feedback	5 0 -5	
Support from community and/or special interest groups	Yes No views forthcoming Negative feedback	5 0 -5	
Cost of TRO, including advertisements and associated works.	<£5,000 £5,000 to £7,500 £7,500 to £10,000 £10,000 to £15,000 >£15,000	10 8 6 4 2	
		TOTAL	

Appendix B

The relevant legislation concerning Traffic Regulation Orders is The Road Traffic Regulation Act 1984. This sets out the circumstances when a TRO may be considered and what it can be used for.

1 Traffic Regulation Orders Outside Greater London

The traffic authority for a road outside Greater London may make an order under this section (referred to in this Act as a "traffic regulation order") in respect of the road where it appears to the authority making the order that it is expedient to make it-

- (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).

2 What a Traffic Regulation Order may Provide

- (1) A traffic regulation order may make any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the order,-
 - (a) either generally or subject to such exceptions as may be specified in the order or determined in a manner provided for by it, and
 - (b) subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.
- (2) The provision that may be made by a traffic regulation order includes any provision-

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- (a) requiring vehicular traffic, or vehicular traffic of any class specified in the order, to proceed in a specified direction or prohibiting its so proceeding;
 - (b) specifying the part of the carriageway to be used by such traffic proceeding in a specified direction;
 - (c) prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles;
 - (d) prohibiting the use of roads by through traffic; or
 - (e) prohibiting or restricting overtaking.
- (3) The provision that may be made by a traffic regulation order also includes provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by, or by any specified class of, pedestrians-
- (a) either generally or subject to exceptions specified in the order, and
 - (b) either at all times or at times, on days or during periods so specified.
- (4) A local traffic authority may include in a traffic regulation order any such provision-
- (a) specifying through routes for heavy commercial vehicles, or
 - (b) prohibiting or restricting the use of heavy commercial vehicles (except in such cases, if any, as may be specified in the order) in such zones or on such roads as may be so specified, as they consider expedient for preserving or improving the amenities of their area or of some part or parts of their area.
- (5) Nothing in subsection (4) above shall be construed as limiting the scope of any power or duty to control vehicles conferred or imposed on any local authority or the Secretary of State otherwise than by virtue of that subsection.

TRO Types and Criteria

• Access Only Orders

Generally not considered. Derbyshire Police Constabulary have indicated that they are unlikely to support the introduction of such orders in the future due to the amount of resources required to enforce them.

• Environmental Weight Restrictions

These will be considered to overcome problems regarding the use of unsuitable roads by HGVs, provided that:

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- i) A restricted area can be defined which does not transfer the problem from one community to another.
- ii) A suitable alternative route exists which does not create such a major increase in route mileage for operators such that their economic viability would be seriously affected, does not result in increased highway maintenance costs and does not increase safety issues.

Advisory signing of suitable lorry routes and of unsuitable routes may be provided where appropriate.

• One Way Streets

In urban areas one way streets may be considered where significant improvements can be achieved in safety or capacity, without creating either safety or access problems.

In rural areas one way streets should only be considered for safety reasons where there is evidence of road traffic collisions that could be resolved by one way traffic flow.

One way streets will be not be considered in any area where;

- i) An increase in traffic speeds may generate collisions
- ii) Significant access difficulties would be created
- iii) Transferred traffic would create problems elsewhere on the network.

• Prohibition of Driving Order

Generally not considered unless part of a scheme to reduce collisions. Such a restriction is a moving traffic offence which is still enforced by Derbyshire Police. This type of order can sometimes require a disproportionate amount of resources to carry out enforcement unless physical measures are put in place.

• Waiting Restrictions

These will only be considered if one of the following criteria is met;

- i) Where a road safety problem has been identified by collision studies and it is clear that an actual reduction in collisions may follow the introduction of such an Order.
- ii) Where obstruction of the highway or visibility at junctions occurs on a frequent and severe basis, causing particular difficulties for emergency service vehicles and/or public transport.
- iii) Where commerce and industry are seriously affected by presence of parked vehicles.
- iv) Where the installation of TROs is essential to provide maximum benefit from capital investment.

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On strategic routes and major distributors appropriate waiting and loading restrictions can be used to ensure that adequate road space is available for moving traffic. Waiting restrictions will not be provided for individual private accesses in isolation.

- **TROs General**

These will be made where appropriate to maintain traffic flows where delays may be caused or for the safety of the public.

- **Off Network TROs**

There are some TROs that may be applied to off road routes. These would be dealt with separately and would require initial investigation by Countryside to see if it met the aims of their business plan.