

CDP 7 05/06

## CITY OF PLYMOUTH

**Portfolio and Holder:** Cabinet Member for Transport & Human Resources,  
Cllr. Sue Dann.

**CMT Member:** Head of **Transport Infrastructure and Engineering  
Service.**

**Subject:** Traffic Regulation Orders; new Local Area Review  
Process and Programme for 2005-06.

**Committee:** Compton, Drake and Peverell

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**Part:** 1.

### **Executive Summary:**

This report explains the new procedure for reviewing requests to implement Traffic Regulation Orders. It introduces the Annual Area Review procedure and sets out the programme for the 2005-06 Review.

### **Corporate Plan 2004-2007:**

The proposals meet with the following objectives and targets contained within the plan;

- i) safer cleaner streets, and
- ii) improving transport.

### **Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:**

The new procedure is designed to meet the requirements of The Traffic Management Act 2004. The Act is designated as cost-neutral; it does not place any new duties or responsibilities on the City Council.

### **Other Implications: e.g. Section 17 Community Safety, Health and Safety etc.**

The procedure has been designed to allow the City Council to meet new CPA requirements, as determined by the Traffic Management Act 2004. It also conforms to the Strategies relating to Parking, Tackling Congestion, Improving Access for All and Managing Demand adopted under Local Transport Plan 2.

## **Recommendations & Reasons for recommended action:**

It is recommended that Members of the Area Committee note the contents of the Report. The reasons for the recommendations are to revise the procedure for implementing TROs to comply with changes brought about by the Traffic Management Act 2004.

### **TRO Annual Review Procedure**

#### **1.0 Introduction**

- 1.1 This Report outlines changes being made to the way requests for waiting and driving restrictions are assessed and implemented. In response to the Traffic Management Act 2004 a new system for reviewing existing and proposed restrictions is being adopted. The Act places a duty on a Local Traffic Authority (LTA) to manage their road network in order to secure the expeditious movement of traffic. The LTA has to manage the road space for everyone, and make decisions about trade-offs between competing demands according to its policies and the particular circumstances of the part of the network being considered.
- 1.2 The projected growth in population and increasing prosperity of the city will undoubtedly lead to increased car ownership and greater demands on the existing network.
- 1.3 The Network Management, and other Transport Teams, have a key role to work in partnership with internal departments, external organisations and the public to maximise existing resources and to manage conflicting demands for the benefit of the City. Future CPA assessments will measure how the Council is fulfilling its duty under the new Act. The Area Review process will form part of a package of measures that will demonstrate compliance with the Act.
- 1.4 The Council deals with all requests received for Traffic Regulation Orders (TROs), which are needed to impose waiting restrictions (e.g. double yellow lines) and moving traffic restrictions (e.g. No Entry). Requests come in from the public, elected members, emergency services, businesses, service providers, developers, other City Council groups and other sources. Broadly the requests can be split into three categories;
  - (i) Capital Schemes. These are restrictions needed to compliment City Council schemes such as Park & Ride or Local Safety Schemes. The TROs are needed to make these schemes workable and are funded from the LTP Capital Budget.
  - (ii) Development Schemes. These are restrictions needed to comply with conditions imposed on Planning Permissions granted by the City Council. The City Council identifies the need for these restrictions and is then responsible for implementing them at the developer's cost.

- (iii) Local Area Schemes. These make up the remainder of TRO requests and include all those received from the public, members etc. They are requests made because of specific perceived problems or complaints. The most common requests include prohibiting commuter parking from residential areas (i.e. resident parking schemes), preventing parked vehicles from obstructing through traffic or hindering visibility at junctions, and reducing the speed and volume of passing cars.
- 1.5 The number of formal requests received each year varies but on average there are approximately 400 requests per year. The majority of requests fall into the Local Area Scheme category.

## **2.0 Background**

- 2.1 Currently Local Area Scheme (LAS) requests are reviewed as they come in and are assessed on traffic management grounds. These, which are considered beneficial, are then submitted to the Local Area Committee (LAC) for approval to advertise. There are several problems with this system;
- (i) There are no clearly defined criteria for selecting which requests are worthy of formal consideration, and which should be rejected.
- (ii) There is no formal method for prioritising requests in order that available resources can be targeted to those with greatest need.
- (iii) Requests are assessed individually and little regard is given to the cumulative or strategic effect. This “reactionary” approach means in some instances restrictions simply push problems from one place to another. Subsequent new requests are received as a result when problems reappear at a new location.
- (iv) Requests can remain endlessly “on file” as there is no procedure for identifying and removing those considered to be of low priority or no benefit from the waiting list. This leads to frustration and builds up false hopes that one day a request will rise to the top of the list. It also creates an administrative burden by allowing the waiting list to build up to unmanageable proportions.
- 2.2 The Traffic Management Act places new obligations on the Local Traffic Authority regarding the way it assesses, implements and reviews TROs. There is a clear duty to identify congestion points and take action accordingly. The Act cites the implementation and enforcement of TROs as one of the prime factors affecting congestion. The City Council must demonstrate that its TROs;
- 1 Are appropriate, adequate and relevant,
  - 2 Are consistent along its own routes and along those strategic routes which cross its boundaries into other LTA areas,
  - 3 Are accurate, understandable and legally robust,

- 4 Follow appropriate implementation and management processes and systems,
- 5 Are properly maintained and regularly reviewed,
- 6 Are adequately enforced.

2.3 The Act emphasises the LTAs responsibility in ensuring that traffic (including pedestrians) flows with the minimum of delay across its network. The designated Traffic Manager has to demonstrate that systems and procedures are in place to manage the network efficiently. This includes the need to develop and review a road hierarchy that shows a structured approach to the allocation and management of road space. This must take into account the need for, and effects of, on-street parking, loading facilities, bus priority measures and other facilities requiring TROs. It is apparent that in order to meet the new statutory requirements the City Council must move away from its current practise of assessing TROs in isolation and should adopt a more systematic procedure.

2.4 The CPPZ regulations require the Council to carry out periodic reviews of its waiting restrictions. The Traffic Regulation Act specifies that TROs may only be used in certain circumstances to achieve very specific objectives and it is arguable that reviews of existing and newly implemented restrictions should be undertaken to meet this requirement. The new Act confirms and solidifies these legal requirements and it gives the Secretary of State power to intervene if an LTA fails to meet its responsibilities.

2.5 The requirements of the Act should not be seen in negative terms. Adopting them will actually help achieve the Council's own core objectives and LTP aims. Refining the existing system will enable the TRO process to become part of an integrated transport planning strategy that will be better placed to solve traffic problems, take advantage of opportunities and enable resources to be used more efficiently.

### **3.0 Report Detail**

3.1 Under the newly adopted system all TRO requests received will be assessed against a checklist (Appendix 1) by a Traffic Engineer. The checklist will achieve several objectives. It will form the basis of a strategic policy that is transparent and consistent. It will highlight which requests fail to meet conditions that justify making a TRO; these can then be removed from the list. The remaining successful applications can then be prioritised against one another and this information will assist in ranking them in order of need.

3.2 Once all unsuccessful requests have been removed the remainder will be submitted to an Annual Area Review (AAR). This procedure will allow all requests within the same Local Committee Area (LCA) to be considered together and a shortlist of proposals will be drawn up for formal consultation and public advertising. This will have a number of benefits;

(i) Underlying patterns and trends within an Area can be identified and tackled, instead of simply reacting to individual problems on an ad-hoc basis.

- (ii) The cumulative effect of proposals (and other related factors) can be considered before actions are taken.
  - (iii) LACs can devise a proper Area Strategy, which TROs can help to deliver.
  - (iv) Resources can be allocated according to priority in line with a formally adopted procedure and policy.
- 3.3 In addition to the nine LCAs, it will be necessary to conduct a similar Review of the major arterial routes in/out and across the city centre. These route corridors are perhaps the most strategically significant roads in the City Highway Network. The roads cross between a number of LCA boundaries, and it would not be appropriate to review individual lengths separately as part of each LAC Review. Therefore it is proposed that the Annual Review process be expanded to ten separate Reviews; one Arterial Route and nine LAC Reviews. It has been chosen to use the LCAs as a “delivery vehicle” because this arrangement allows the Council’s existing structure to be used without being modified. It also meets the requirement to consider the wider implications of waiting restriction proposals and their effect on the network.
- 3.4 Each of the ten Areas (including the arterial routes) will be reviewed once every two years. The process will take several stages. As requests are received throughout the year they will be assessed against the checklist and those deemed worthy of further consideration would be added to the waiting list for their LCA. This list will then be reviewed. Officers will recommend which ones should be accepted for consultation and advertising. The LAC will be informed. Once the statutory consultation has been completed an Objection Report will be submitted to the next LAC. Their views will be reported to the Portfolio Holder in a Delegation Report and the approved restrictions will be implemented.
- 3.5 A draft programme for the Area Reviews is attached and the first Reviews will begin in February 2006 after the implementation of all the outstanding requests that have already been advertised. The major arterial route Review will be undertaken first because of the strategic significance and the effect across the City. The City Centre area will be reviewed second because of the Mackay Plan. The wards to the north of the City Centre will be reviewed third because of the development at the University and the traffic problems associated with fixtures at Plymouth Argyle. The Areas along the Northern Corridor, and those affected by the parking problems associated with Derriford Hospital will be reviewed fourth. Devonport will be reviewed fifth and will take account of the major regeneration that is taking place. The Eastern Corridor areas will be reviewed sixth because of the significant transport implications of proposed developments at the former Blue Circle Cement Works at Plymstock Quarry and at Sherford. The Western Corridor areas will be reviewed seventh, and finally the outlying areas on the eastern extents of the City Council area. The programme also includes a timetable for progressing all the outstanding advertised Traffic Orders. All objection reports will be submitted to the December Area Committees. These orders will be implemented in January and February 2006.

- 3.6 It will be important to retain some flexibility so that very urgent TRO requests can be considered separately from the AAR. This will apply to a very limited number of cases, such as requests from the emergency services, or responses to potentially dangerous changes in circumstances on the network, which necessitate immediate action. These emergency cases will be dealt with immediately on receipt.

#### **4.0 Resource Implications**

- 4.1 The new system will mean that resources can be used in the most efficient possible manner. They can be allocated according to priority need, administration can be cut to the minimum and “productivity” will be increased to its maximum possible output. This Review process will continue throughout the year and will need three full-time Traffic Officers to complete.

- 4.2 Capital and Development Schemes have to take priority over Local Area Schemes. There is a statutory duty to process these as and when they are needed. LAS requests are highly desirable, but the legal requirement is to process them according to resources and priorities. All Capital and Development Schemes will be processed as and when received, and it is further proposed that the LAS requests are processed according to priority in terms of their impact on road safety and on congestion. This will allow some flexibility to be built into the system, as it is not possible to predict how incoming requests will be broken down into types and between areas. It may emerge that given current resources there is very little time to process any LAS requests, and the “worst case” scenario is that only Capital and Development Schemes (plus any emergency schemes received) can be processed.

- 4.3 The Implementation of LAS TROs is paid for from Revenue funds. This is obviously a limited resource. The budget can theoretically be topped up from developer contributions and from cost-recoverable Capital Schemes. It has to be emphasised that it may not be possible to implement every desirable TRO request because of budget constraints.

#### **5.0 Recommendation**

- 5.1 It is recommended that the Area Review Process is carried out as described in this report. The programme of Area Reviews will commence after the implementation of outstanding advertised TROs. The order in which the areas will be reviewed is set out in the attached programme, and is primarily driven by development in the city centre and adjacent to the strategic routes in and out of the City. The new procedure will assist in the management of the road space for everyone, and make decisions about trade-offs between competing demands according to its policies. It will ensure that resources are directed to areas of greatest need and clarify the assessment and prioritisation process of TROs for the public and members.

## **Appendix 1; TRO Request Checklist**

### **Stage 1**

1. Would TRO avoid or prevent danger to traffic?
2. Would TRO prevent damage to roads or buildings?
3. Would TRO prohibit or restrict unsuitable traffic from a road?
4. Would TRO facilitate the passage of traffic?
5. Would TRO preserve the character or amenity of a road?

### **Stage 2 (if yes to any of Stage 1, if not then reject)**

6. Would TRO prevent accidents?
7. Would TRO promote walking or cycling?
8. Would TRO promote public transport?
9. Would TRO improve the urban environment?
10. Would TRO restrict traffic growth?
11. Would TRO assist provision of public transport?
12. Would TRO generate economic well-being?

### **Stage 3 (if yes to any of Stage 2, if not then reject)**

13. Is there a genuine traffic problem?
14. Would the potential solution be of overall public benefit?
15. Is a TRO the most appropriate solution?
16. Will TRO enforcement be practical and adequate?
17. Will TRO be respected without constant enforcement?

**If yes to any of Stage 3 then add to formal waiting list and include in next Annual Review.**