

12th July 2012

Agenda Item:16

REPORT OF SERVICE DIRECTOR, HIGHWAYS

OBJECTIONS TO PERMANENT TRAFFIC REGULATION ORDERS

Purpose of the Report

To seek approval of arrangements for considering objections to permanent Traffic Regulation Orders.

Information and Advice

1. A Traffic Regulation Order (TRO) is a legal order, which allows the County Council to regulate the speed, movement and parking of vehicles. Nottinghamshire County Council has a responsibility to consider all objections before making a TRO. Wherever possible the issues raised in objections are resolved by the responsible Officer. However, where this has not been possible objections have in the past been reported to the Cabinet Member (Transport and Highways) for a decision under delegated authority.
2. Under the committee system officers have authority to take day to day operational decisions. It is considered that many decisions on TRO's where objections are received fall within this definition; therefore it is suggested that officers should deal with these matters and report back to the Transport and Highways Committee quarterly. The local County Councillor will be consulted on every matter, as now. If approved, the Committee's work programme will be updated accordingly.
3. It is proposed that the following exceptions will be referred to the Committee for consideration:
 - those which have received significant objections from consultees – more than 3 objections from separate properties that cannot be resolved by amendments to the scheme
 - those which have received objections from the local County Councillor/s, formal decisions of District or Parish Council/s or other local authority
 - those which have received objections from Public Transport Operators or Associations, Road Haulage Association, Freight Transport Association, Highways Agency, Traffic Commissioner or emergency service
 - those which have received objections by petition
 - those which have been the subject of a public inquiry

- those which raise issues of regional or national importance
4. This is consistent with the current process for reporting planning applications to the Planning and Licensing Committee. Officers may also consult with the Committee Chairman regarding whether to refer additional matters to Committee, where particular circumstances suggest this might be appropriate.
 5. A review of the past 40 objection reports indicates that approximately half would have been reported to the Committee under the proposed arrangements. Based on the project programme for 2012/13 it is estimated that an average of 2/3 objection reports will be submitted to each Transport and Highways Committee for consideration.

Other Options Considered

6. To continue reporting all objections to permanent TROs to the Transport and Highways Committee.

Reason/s for Recommendation/s

7. To ensure that objections to permanent TROs are appropriately and efficiently considered.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

9. The majority of TROs are funded by the Local Transport Plan capital programme 2012/13 with a small number funded through revenue budgets or charged to third parties if development related. There are no direct financial implications from this proposed change.

RECOMMENDATION/S

It is recommended that;

10. The Committee's work programme be updated to require quarterly reporting of officer decisions regarding TROs where objections are received
11. The Committee considers all TROs where objections falling within the categories set out in paragraph 3 of this report are received.

Andrew Warrington
Service Director, Highways

For any enquiries about this report please contact:

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Constitutional Comments (SB 21/06/12)

11. Committee has power to decide the Recommendation.

Financial Comments (IC 15/06/12)

12. There are no direct financial implications arising from this report.

Background Papers

All relevant documents are contained within the scheme files which can be found in the Major Projects and Improvements section at Trent Bridge House

Except for previously published documents, which will be available elsewhere, the documents

listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

County Councillors – Countywide