

TRAFFORD COUNCIL

Report to: Scrutiny Committee
Date: 9 January 2019
Report for: Information
Report of: Executive Member the Executive Member for Environment,
Air Quality and Climate Change

Report Title

Process for Managing and Introducing Traffic Regulation Orders (TRO's)

Summary

This report identifies the process undertaken to consider the introduction of TRO's within Trafford, identifying the key stages, the legislative process, the development of a matrices and management of the subsequent waiting list.

Recommendation(s)

It is recommended that the report be noted.

Contact person for access to background papers and further information:

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Background

- 1. What is a Traffic Regulation Order (TRO)?**
 - 1.1 A Traffic Regulation Order (TRO) is the legal tool that can be used by Highway Authorities to control vehicular movement and waiting along and on the highway. It is designed to ban or limit the use of roads by vehicles or pedestrians. TRO's are introduced by statute Road Traffic Regulation Act 1984
- 2 When can a TRO be implemented?**
 - 2.1 A TRO may be implemented for one or more of the following reasons to:
 - 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
 - for preventing damage to the road or to any building on or near the road, or
 - for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

- 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
- 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
- for preserving or improving the amenities of the area through which the road runs or
- for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)

2.2 Many parking restrictions aim to resolve particular local issues. However, the highway is intended to help traffic flow and no right of parking exists on the highway. The only rights you have on a highway are to pass and repass. Parking provision is therefore a concession and, however desirable, should not be at the expense of traffic flow.

2.3 Most residential estates were not designed for the number of cars using them today. The lack of on-street parking is the main cause of complaints from residents, often resulting in many requests for resident permit parking. It is important to investigate and prioritise each request so that those areas in most need are given greater priority.

2.4 The criteria for determining requests for a resident permit parking scheme are:

- parking by non-residents must be bad enough to cause serious inconvenience to residents
- most residents have no off-street parking facilities
- most residents support such a scheme
- the scheme would not cause unacceptable problems in adjacent roads
- we are confident that we can enforce the new restrictions

3 The process for making a TRO?

3.1 The making of permanent TROs is again the subject of legislation - The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. These regulations identify a series of steps before making an order, including:

- publishing a notice of the proposals in a local newspaper
- allowing potential objectors a minimum of 21 days to comment
- carrying out consultation with various organisations including the stakeholders/residents, police, the highway authority, the fire & rescue service, the road haulage association, the freight transport association, the ambulance service and the bus company

3.2 One Trafford has developed a comprehensive Public Engagement process to ensure every effort is made to engage with individuals and communities.

4 Objections to a TRO

4.1 Anyone may object to a proposed TRO. Objections must be made in writing to the Local Authority.

- 4.2 If there are unresolved objections at the end of the representation period, a report on the reasons for and against the proposed Order is considered by the Executive Member for Environment, Air Quality and Climate Change. The Executive Member can approve or reject an order, or request it to be amended.

5 How is an Order made?

- 5.1 If the Order is approved, the TRO is officially sealed. The TRO is then published in a local newspaper with an operational date. Once the provisions of the Order have been introduced by the contractor, the restrictions can be enforced.

6 What are contraventions of Traffic Regulation Orders?

- 6.1 TROs are legally enforceable. If a restriction is not followed, then a contravention occurs. For example, parking in a permit bay without a permit or ignoring a one-way street restriction.
- 6.2 The council can issue Penalty Charge Notices for contraventions of parking and waiting restrictions and in the camera controlled bus lanes (should this be adopted).
- 6.3 The police have responsibility for other 'moving traffic' offences, for example one-way streets and turning bans.
- 6.4 The entire TRO process can take many months to complete especially if objections result in the TRO being changed and re-advertised.

7 Experimental Traffic Regulation Order

- 7.1 An Experimental Traffic Regulation Order is similar to a permanent TRO, in that it is a legal document which imposes traffic and parking restrictions such as road closures, controlled parking and other parking regulations indicated by double or single yellow line etc.
- 7.2 The Experimental Traffic Regulation Order can also be used to change the way existing restrictions function
- 7.3 An Experimental Traffic Regulation Order is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984
- 7.4 An experimental order can only stay in force for a maximum of 18 months while the effects are monitored and assessed. Changes can be made during the first six months of the experimental period to any of the restrictions (except charges) if necessary, before the Council decides whether or not to continue with the changes brought in by the experimental order on a permanent basis.

8 No right of objection “initially” to an experimental TRO

- 8.1 Statute does not permit formal objections to be lodged to an Experimental Traffic Regulation Order until it is in force. Once it is in force, objections may be made to the order being made permanent and these must be made within six months of the day that the experimental order comes into force.

- 8.2 If feedback or an objection is received during the period that suggests an immediate change to the experiment, that change can be made and the experiment can then proceed

9 The Traffic & Transportation Matrices.

- 9.1 In July 17 a set of four Matrices were developed to assist in managing the large number of requests for TRO's, and providing a fair and equitable process for managing these. The Matrices also assists staff in providing informative and prompt responses to all correspondence received.
- 9.2 The Matrices are simple to use, providing weighted answers to a range of technical questions, thereby ensuring that those locations in most need are dealt with first. The matrix is made up of three stages:

Stage 1: Desk Top Study

Basic study and answer to pre-defined questions

Stage 2: Further examination in preparation for recommendation for inclusion in the Capital Programme (CP)

Further examination, cost estimates and site visits (schemes may still go down at this stage due to further information becoming apparent following a more in-depth analysis or other locations being added)

Stage 3: Final assessment and costing – included within CP

Feasibility complete, costed and intervention identified – included within CP

- 9.4 Prior to developing the CP only stage 1 is completed, stage 2 & 3 are completed on the build up to compiling the CP.
- 9.5 However, as the Matrices is a sliding scale, the position of schemes can change throughout the year as new requests come in and are prioritised and can potentially be given a higher score than those already within the list. The Matrices assist considerably in managing the large volume of requests received for TRO intervention, resulting all correspondence being responded to.

10 Number of TRO's currently underway

- 10.1 During 2018/19, the One Trafford Partnership is processing or has implemented 33 individual TRO's, of varying sizes and levels of complexity, as shown at Appendix 1. Currently there are around 180 requests for TRO's awaiting consideration.
- 10.2 Additionally, the Partnership is also in the process of designing and consulting on 24 area-wide Residents Parking Schemes (RPS), which if implemented following consultation would reduce the 180 requests as some are included within the potential RPS areas. The locations of the RPS are provided in Appendix 2.

11 Summary

- 11.1 TRO's effectively control vehicular movement and waiting along and on the highway, assisting in limiting the use of roads by vehicles or pedestrians. Considerable use of them has been made in Trafford and demand continues to grow, particularly with the increase in car ownership, residential developments with insufficient parking, arguably and the need to keep the network moving.

APPENDIX 1

TROs – in progress 2018/19
1. Altrincham Market/Public Realm Works
2. Bowdon Prep School TROs – Phase 2 (Ashley Road)
3. Bowdon Prep School TROs – Phase 2 (Enville Road)
4. TROs around Bowdon C of E school, Bowdon
5. Budworth Road, Sale Moor
6. Warwick Road South, Stretford
7. Oldfield Brow Primary School area, Altrincham
8. Ridgeway Road, Timperley
9. Lyntham Road/Woodsend Crescent /Irlam Road, Urmston
10. Osborne Terrace, Sale
11. Greatstone Road/Northumberland Road, Stretford
12. Green Lane, Ashton on Mersey
13. Timperley Village
14. Melrose Avenue/Poplar Road, Sale
15. Northenden Road/Derbyshire Road
16. Barton Road/The Circle, Stretford
17. Dairyhouse Lane area, Broadheath
18. Seymour Grove, Sale
19. Ryebank Road, Stretford
20. Shrewsbury Street, Old Trafford
21. Etchells Road, Broadheath
22. High Elm Road area, Hale Barns
23. Woodbourne Road, Sale (Framingham Road area)
24. Brook Lane/Moss Lane junction, Timperley
25. Chorlton Road/ Bold Street junction, Old Trafford (Linked to Tamworth Towers)
26. Vicarage Lane, Bowdon (Outside Co-op store)
27. Flixton Road/Western Road junction, Urmston
28. Ayres Road, Old Trafford (Between Northumberland Road and Shrewsbury Street)
29. Hayeswater Road/Davyhulme Road, Davyhulme
30. Turner Drive/Stretford Road, Urmston (linked with Westwood Avenue)
31. Grove Lane, Hale - between Moss Lane and Delahays Road
32. Broad Lane, Hale Barns
33. Heyes Lane / Langham Grove, Timperley and Heyes Lane / Trafford Drive and Heyes Lane / Denson Road

APPENDIX 2

Proposed Residents Parking Schemes
1. Hale East Extension
2. Borough Road Extension
3. Urmston Town Centre
4. Brooklands Metrolink Station
5. Baxter Road Area
6. Hartington Road / Churchill Road
7. Hale West Extension
8. Lorne Grove / Chapel Grove
9. Event day
10. Navigation Road
11. Link Avenue / Firwood Avenue & Urmston Lane
12. Altrincham Town Centre
13. Stretford Metrolink
14. Sylvan Grove
15. Balfour Road / Carrsvale Road
16. Alice Street
17. Delamere Avenue / Grange Avenue
18. Ashlands
19. Higher Downs / Albert Square
20. Seamons Road
21. Lloyd Gardens
22. Churchfields
23. Winstanley Road Area
24. Clarendon Road