

DELEGATION OF DETERMINATION OF TRAFFIC REGULATION ORDERS

To: Constitution and Ethics Committee

Date: 3rd March 2015

From: LGSS Director Law, Property and Governance

Electoral division(s): All

Purpose: To consider a proposal to streamline the approach for dealing with Traffic Regulation Orders (TRO) where objections have been received.

Recommendation: The Committee is asked

- a) to recommend to Council that the Constitution be revised to reflect the process outlined in Section 2 of this report
- b) to authorise the Monitoring Officer to draft appropriate wording for inclusion in Part 3 of the Council's Constitution, and to submit it to Full Council for approval.

| <i>Officer contact:</i> | | <i>Member contact</i> | |
|--------------------------------|--|------------------------------|--|
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1. BACKGROUND

- 1.1 Since the introduction of the Committee system in May 2014 by Cambridgeshire County Council (CCC), objections to Traffic Regulation Orders (TROs) have been considered by the Highways and Community Infrastructure (H & CI) Committee. Additionally, since the Cambridge City Joint Area Committee (CJAC) was introduced in September 2014, objections to TROs on operational issues in Cambridge City have been considered by CJAC.
- 1.2 A significant proportion of the business presented to the Highways and Community Infrastructure Committee has been the determination of objections to TROS.
- 1.3 Where a TRO is advertised and no objections are received, the Head of Local Infrastructure and Street Management (LISM) has the appropriate delegation to approve the making of the Order. Where objections are received and cannot be resolved, the matter is reported to the Committee for determination.
- 1.4 Concern has been raised that the amount of time spent by Committee on TROs is disproportionate to the significance of the business, especially when considering the wide-ranging powers and responsibilities of the Committee. There is also a view that TROs that are not of strategic significance are local matters, and therefore should be determined locally, rather than involving all Committee members. Given the desire to ensure that business is dealt with efficiently, and given the limited resources available and work pressures, this report suggests a proposal to allow a more streamlined approach.
- 1.5 The proposal outlined below was considered and approved by Highways and Community Infrastructure Spokes at their meeting on 15th January 2015.

2. PROPOSAL

- 2.1 If objections are received to a TRO, officers always try to resolve these with the objector in the first instance. Where an objection remains, it is currently determined by the H & CI Committee, or in the case of Cambridge City, by the CJAC.
- 2.2 The local County Councillor(s) is always consulted on a TRO. It is proposed that the majority of TROs with an objection should be delegated to the Head of LISM in consultation with the local member to determine.
- 2.3 This proposal is for all districts, except Cambridge City, where the existing arrangements through CJAC would be retained.
- 2.4 A written report would be produced and posted on the Council's website at least five clear working days prior to the date that the decision is due to be taken.
- 2.5 The Head of LISM has the option of referring the matter to the Committee, in consultation with the local member. Should a proposal have significant or strategic impact, e.g. an area-wide proposal, major scheme such as a bus lane or new cycle route, and parking charges, then this type of business would still be dealt with by the H & CI Committee and the delegation not used.

- 2.6 Similarly, if the local member does not support the officer recommendation, the Head of LISM has the option to refer the matter to Committee and, under normal circumstances, would be expected to do so.
- 2.7 A record of the decision will be made and posted on the Council's website within two days of the decision being made.

| SOURCE DOCUMENTS | LOCATION |
|------------------|---|
| Constitution | http://www.cambridgeshire.gov.uk/info/20050/council_structure/288/councils_constitution |