

DELEGATION OF DETERMINATION OF TRAFFIC REGULATION ORDERS

- To:** Council
- Date:** 24th March 2015
- From:** LGSS Director Law, Property and Governance
- Purpose:** To consider a proposal to streamline the approach for dealing with Traffic Regulation Orders (TRO) where objections have been received.
- Recommendation:** It is recommended that Full Council:
- (a) agree that the Constitution be revised (see *Appendix 1 addition in bold*) to reflect the process outlined in Section 2 of this report; and
 - (b) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

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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 recommended by Highways and Community Infrastructure Spokes at their meeting on 15th January 2015. It was also considered and recommended by the Constitution and Ethics Committee at its meeting on 3rd March 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. The Constitution and Ethics Committee raised the need for all Members to receive appropriate training in order to be able to carry out this role.
- 2.3 It is proposed that these arrangements shall apply to all districts, except Cambridge City, where the existing arrangements through CJAC would be retained.
- 2.4 Where the LISM is intending to make a decision under delegated powers a written report shall 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 shall refer the matter to Committee.
- 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
Reports and minutes of Constitution and Ethics Committee	http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Committee.aspx?committeeID=59