

REPORT FOR RESOLUTION

SUBJECT: WORKING GROUP FOR
TRAFFIC REGULATION ORDERS

REPORT OF: The Lead Officer

PURPOSE OF THE REPORT

To update the Joint Committee on the progress of this initiative.

RECOMMENDATIONS

It is recommended that the Joint Committee:

1. Notes the progress of this initiative.
2. Approves additional expenditure of up to £3,000 to fund this project.
3. Notes that a final report will be presented to the June 2011 Joint Committee Meeting.

FINANCIAL CONSEQUENCES OF THE REVENUE BUDGET

This funding is included in the budget for 2011/12. If the resources, are not available in-year, a recommendation will be made to the Joint Committee to draw this funding from reserves.

CONTACT OFFICER

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1. Background

- 1.1 The PATROL AND Bus Lane Adjudication Service Joint Committees approved a proposal to develop a specimen traffic regulation order (TRO) for bus lanes. It was agreed that the cost of the project (estimated to be £15,000) would be divided 2:1 PATROL/BLASJC.
- 1.2 The aim of the TRO Review is to provide specimen clauses for TROs that individual authorities can select to compile each of their TROs. By achieving consistency in the terms in which the basic requirements of a TRO are drafted will achieve the following benefits:
- i) Significant reduction in the resource expenditure of the drafting teams in each authority.
 - ii) Greater understanding for those of the public who wish to see the regulations that apply in their area, or to their PCN.
 - iii) Greater efficiency for the Adjudicators for whom deciphering entirely different TRO provisions in each case inevitably takes time.
- 1.3 The Working Group has representation from councils in both England and Wales together with the Department for Transport and Welsh Assembly Government.
- 1.4 The purpose of this report is to provide an update on this initiative.

2. Working Group for Traffic Regulation Orders

- 2.1 An interim report from the Chair of the Traffic Regulation Order Working Group can be found at Appendix 1 to this report.
- 2.2 There are also strong working links between the TRO Working Group and DfT Signs Review.

3. Assessment of the Task

- 3.1 The initial phase of the project has enabled a more comprehensive and informed review of the resource requirements to complete the task. It is now estimated that the total cost of the project is likely to be in the region of £25,000 compared to the original estimate of £15,000. Applying the same rule of cost division, this would mean the Bus Lane Adjudication Service Joint Committee committing an additional £3,000 to enable this project to be completed.

4. RECOMMENDATIONS

It is recommended that the Joint Committee:

1. Notes the progress of this initiative.
2. Approves additional expenditure of up to £3,000 to fund this project.
3. Notes that a final report will be presented to the June 2011 Joint Committee Meeting.

Appendix 1**The Traffic Regulation Order Working Group's
Interim Report**

Over the past 5 months the Working Group has considered current practices in connection with the compilation and implementation of traffic regulation orders and given close scrutiny to the statutory provisions and procedural requirements to ensure that orders are fit for purpose and enforceable. The working group have been mindful of the relationship between orders and the relevant signs and lines. The working group has taken a broad and positive approach to this review and is in the process of producing a series of specimen articles and standard orders which attempt to combine the essential statutory requirements with clear and understandable provisions.

It is considered that the traditional method of wording orders is outdated and is not written in a plain English style. Care however has been taken to ensure that revised wording does not change either the meaning of the articles or is out with the statutory provisions. It is of course acknowledged that each enforcement authority will need to satisfy themselves that each document meets the legal requirements as well as their own particular needs. The review to date has however looked closely at existing orders and given close scrutiny to their provisions which hopefully will provide assistance for enforcement authorities and the public in general.

Many issues have been highlighted including loading and unloading, exemptions for a vehicle displaying a disabled persons badge, minor orders, bus lanes, taxis as well as issues raised by the parking adjudicators. As with any review observations are being made as to the current statutory provisions and procedural requirements. The cost and necessity of advertising traffic orders has also been raised. Recommendations are being considered for the DfT to make amendments to a number of existing regulations, including the procedural requirements of the 1996 regulations and those relating to a disabled persons badge. The group are also focusing on the future and the decriminalisation of moving traffic offences.

At this moment in time the review is in full flow and the second draft document almost complete for further consideration by members of the working group. It is worthy of mention at this stage that invaluable

assistance has been given to the group by John Wilson and Alan Carpenter in particular.

Chris Bramham
Chair of Traffic Regulation Order Working Group

January 2011