Executive Summary

Following the major reorganisation of the Highways Department a review has been conducted by the Cabinet Member for Highways and Transport into the process for the assessment and implementation of Traffic Regulation Orders (TROs). An outcome of this review has been the need for a new process for the proposal and prioritisation of TROs by County Local Committees (CLCs) that is clear, transparent and sustainable and which aligns with County Council Policy and the future West Sussex operating model. As part of the review an Executive Task and Finish Group (TFG) was established by the Cabinet Member to review current arrangements and make recommendations on a future process. The Cabinet Member has considered the recommendations of the TFG and this report outlines a new process for TROs. The proposed process considered and outlined within this report concerns non-complex TRO proposals, more complex TROs, as defined by criteria in this report, will be considered for progression as a highways improvement scheme.

Recommendation

The Select Committee is asked to consider the proposal for a new process for the assessment and implementation of TROs and agree any comments to raise with the Cabinet Member for Highways and Transport.

1. Background and Context

1.1 Traffic Regulation Orders (TROs) are legal documents that support enforceable directions on the public highway. For the purposes of this report the term TRO includes speed limits, parking controls, width restrictions, Heavy Goods Vehicles (HGV) restrictions.

1.2 TROs are generated from four sources including:

- County Local Committees;
- 3rd party / developer schemes;
- Highway improvement (schemes through the Integrated Works Programme (IWP)) – traffic calming, pedestrian crossings school safety, etc.; and
- Parking schemes in partnership with District & Borough Councils.
1.3 This report concerns a process for local priorities proposed and prioritised by CLCs. The process for developer schemes is currently being reviewed in light of recent legislative changes. A separate process exists for the incorporation of highways improvement schemes into the IWP and parking schemes developed with the District and Borough Councils. A review relating to the prioritisation of highways improvements projects will be taking place shortly, with the involvement of an Executive TFG.

1.4 In 2007 a dedicated TRO Team was created within the Parking Strategy Team to enable Highways to react more positively to the growing demand for TROs. At the same time a comprehensive method of prioritisation was introduced to provide CLCs with guidance on those requests that would realise the greatest benefit. The scoring matrix was called ‘SPACE’, representing Safety, Pollution, Accessibility, Congestion and Engagement. Each CLC was able to select no more than 3 TRO priorities from their list of requests, with emphasis given to those with the highest ‘SPACE’ points score.

1.5 The public’s desire for TROs exceeded expectations and long lists of potential schemes began to develop in some CLC areas. In a number of CLC areas TRO proposals were added to lengthy priority lists that already contained a number of proposals.

1.6 In March 2011 Members, through the CLC Chairman’s meetings, requested significant improvement in the delivery of TROs, which prompted the merger of Traffic Engineering with the TRO Team, along with a number of improvements to the TRO process.

1.7 In 2013, following a Member satisfaction survey and further representations by the CLC Chairman, it was agreed to implement further changes to the TRO delivery process. This included:

- TRO requests would receive an initial assessment by traffic engineers/highways managers to determine if a proposal was technically deliverable.
- Only TRO requests supported by the local member would be considered for progression
- Evidence of community support would be sought prior to the TRO request being considered for inclusion on a selected list
- A reduction in the amount of consultation undertaken, to the bare minimum required under statute
- If a TRO received 5 or fewer objections it would be dealt with under delegated officer powers.
- Installation would be programmed quickly once any objections were resolved.

At the same time as introducing these changes in procedure, Members agreed to the following:

- To delete all historical holding lists.
- To only consider new TROs for progression that had met County Council policy, had identified strong community support and were technically deliverable.
• To lift the restrictions on the number of TROs each CLC could select, whilst acknowledging that if the numbers were excessive they would need to be programmed over a number of years.

1.8 During the period January to March 2014 the 14 CLCs each considered lists of all schemes that met the criteria referred to above which resulted in 82 priority TROs being selected for progression countywide (known as Appendix A). In addition a holding list of 90 TRO requests from CLCs was compiled for further investigation and potential inclusion in the programme if the qualifying criteria were met (commonly known as Appendix B).

2. Consultation

2.1 An Executive Task and Finish Group (TFG) was established by the Cabinet Member for Highways and Transport to review the current process for proposing and agreeing TROs, with a view to providing advice and assistance on the establishment of a new clear, transparent and sustainable process that achieves the required strategic outcomes, whilst addressing Members’ concerns.

2.2 The TFG had 3 meetings in September and early October and produced a number of recommendations which were contained in the TFG’s final report available on the County Councils website at: http://www2.westsussex.gov.uk/ds/mis/211015tfgreport.pdf.

2.3 This decision report builds on the work done by The Executive TFG in developing a sustainable, flexible new process that meets our aims and principles going forward. The new process has incorporated the recommendations of the TFG where appropriate.

3. Proposal

3.1 The proposed new process concerns the assessment and implementation of TROs selected by CLCs as priorities. The new process seeks to introduce a simplified procedure that provides greater clarity, understanding and certainty to Members and local residents.

3.2 A process chart has been provided as Appendix A to this report which sets out the new procedure as a process map. In addition assessment forms have been developed that include a matrix scoring system. The intention is that these forms provide a clear and transparent system of scoring TRO proposals. The assessment forms are attached as appendices B and C.

3.3 The new process will operate in accordance with the principles below:

1) Submission of TRO Proposals/Requests

a) All new requests for a Traffic Regulation Order (TRO) from the community will first have to be submitted via an on-line form (or if appropriate a hard copy) with the support of the local County Councillor. Without that support it is unlikely that request will be progressed any further.
2) Initial Assessment

b) Each new request for a Traffic Regulation Order will be initially assessed by one of our Traffic Officers to check:

- It meets the necessary initial criteria, contained in Appendix B
- Supports County policy,
- Is a feasible option for further a more detailed assessment and consideration by their respective CLC.

c) Any request that is found not to meet the necessary criteria at the initial assessment stage will be rejected and not considered further unless there is a significant change in circumstances.

d) Upon receipt, TRO requests will be assessed to determine if they are complex. The criteria used will include:

- Likelihood that the proposed TRO will required a detailed consultation
- Likelihood that the TRO will receive 5 or more objections;
- That the cost of installation exceeds £3,000.

e) It is expected that the majority of TRO requests will be non-complex in nature, and complex TRO proposals will be exceptional. Complex TROs will be considered for inclusion in the highways improvements scheme process. This will be considered and agreed as part of a review of the annual prioritisation of highways improvements schemes.

3) Detailed Assessment and Priority Scoring System

f) Any TRO request that meets the initial assessment criteria would then be subject to a further detailed assessment by our Traffic Officers which would be measured against the new priority scoring system. The new assessment form is attached as Appendix C.

g) Completion of this form and assignment of a priority score does not automatically ensure that the TRO will be progressed.

4) CLC TRO Priorities Allocation

h) Once the assessment and scoring has been carried out on those non-complex TRO requests received, a list of all proposed TROs will be presented to the CLC in order of scoring. The CLC will agree which TRO priorities to implement based on the number of TRO allocations to its area.

i) The TFG devised a system based on the number of members in each CLC that could guarantee at least a certain number of their own priorities would be taken forward to delivery. This system also allows a number of the highest scoring TRO requests from across the County to be included as well. (see table below for details)

j) Below is a table showing the proposed breakdown of how the TRO requests will be dealt with:
## CLC and Number of Members

<table>
<thead>
<tr>
<th>CLC and Number of Members</th>
<th>Indicative No of TRO’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adur (6 Members)</td>
<td>2</td>
</tr>
<tr>
<td>Worthing (9 Members)</td>
<td>3</td>
</tr>
<tr>
<td>Joint Eastern Arun Area (6 Members)</td>
<td>2</td>
</tr>
<tr>
<td>Joint Western Arun Area (6 Members)</td>
<td>2</td>
</tr>
<tr>
<td>Joint Downland Area (4 Members)</td>
<td>1</td>
</tr>
<tr>
<td>North Chichester (4 Members)</td>
<td>1</td>
</tr>
<tr>
<td>South Chichester (7 Members)</td>
<td>2</td>
</tr>
<tr>
<td>East Crawley (4 Members)</td>
<td>1</td>
</tr>
<tr>
<td>West Crawley (5 Members)</td>
<td>2</td>
</tr>
<tr>
<td>Chanctonbury (4 Members)</td>
<td>1</td>
</tr>
<tr>
<td>North Horsham (8 Members)</td>
<td>3</td>
</tr>
<tr>
<td>Central Mid Sussex (6 Members)</td>
<td>2</td>
</tr>
<tr>
<td>North Mid Sussex (5 Members)</td>
<td>1</td>
</tr>
<tr>
<td>South Mid Sussex (4 Members)</td>
<td>1</td>
</tr>
<tr>
<td>NEXT TOP Scoring TRO County Wide</td>
<td>14</td>
</tr>
<tr>
<td><strong>Total TRO’s (Indicative)</strong></td>
<td><strong>38</strong></td>
</tr>
</tbody>
</table>

### 5) CLC Priority Selection

k) It is envisaged that each CLC will promote their top scoring TRO’s in accordance with the allocations in the table above. But it is possible that a CLC may determine a lower scoring TRO request be one their top priorities and would nominate that to take preference over a higher scoring TRO request. Those TROs which are not selected by each CLC as top priorities would be considered on a County-wide basis.

l) The selection of TRO priorities will be monitored and if lower scoring TRO proposals are consistently selected by CLCs appropriate control mechanisms will be considered.

m) The total number of non-complex TRO requests that can be implemented can vary due to a number of factors but it is envisaged that the numbers quoted above can be delivered within our available resources and budgets.

n) Communities are able to fully fund their own TRO requests and will be able to bring those forward for delivery, provided they meet the necessary criteria and have the necessary support of the local member. The handling of these requests will be subject to officer capacity and resource.

o) Any outstanding TRO requests/priorities not progressed by the CLC but which have passed the full assessment process will be held over for one financial year only, and then reassessed with other competing priorities the following year. Such outstanding TROs, if still not successful, would not be considered again unless there was a substantial change to the request.

### 6) Urgent TRO requests

p) Urgent safety related TROs identified and supported by Traffic Officers and head of service will be dealt separately and not form part of this process.

### 4. Other Options Considered
4.1 The options below were also considered by the TFG and the Cabinet Member during the assessment and production of the proposal for a new TRO process. These options were discounted or were partially included in the final process outlined in this report.

4.2 Continue with progressing TRO’s which do not meet policy but are a concern to an individual CLC; this creates a position where TRO’s may not be enforceable.

4.3 Increase officer resource to allow all TRO requests that meet criteria to be implemented. Given the significant budget challenges facing the Council this is considered to be unsustainable at this time.

4.4 Allocate a known budget each year for CLC TRO’s which is distributed equally.

4.5 Each CLC selects any number of TROs for progression, based on their own priorities. The TFG agreed that this system had not worked as it resulted in a multi-year programme and was not considered to be sustainable.

4.6 Each CLC having an equal share of TROs per year. This would be similar to the arrangement developed in 2007 when each CLC could select 3 TROs per year for progression but was discounted because there was no allowance for prioritisation and the scale and size of each CLC.

4.7 A countywide prioritised approach whereby a certain number of the highest scoring priorities countywide would be progressed. The TFG’s main concern with this option was that it would likely result in small rural communities not having any TRO’s. However the TFG could understand that this option would allow those in most need to be prioritised first.

5. **Resource Implications and Value for Money**

5.1. The proposal presented above will be administered within current resources.

5.2. The proposed process is the best way for each CLC to progress their highest priority TRO’s within current resources demonstrating value for money within the community.

6. **Impact of the proposal**

6.1. An Equality Impact Report (EIR) is not required because this report deals with internal and procedural matters only.

6.2. **Crime and Disorder Act Implications**

There are no identifiable Crime and Disorder Act implications.

6.3. **Human Rights Act Implications**

There are no identifiable Human Rights Act implications.
6.4. **Social Value**

The proposed approach allows for the community via the CLC to progress and deliver their concerns through a consistent route to enable social, economic or environmental benefits to the County.

7. **Risk Management Implications**

7.1. In order to manage CLC expectations clear communications will be necessary to explain the new levels of service WSCC will offer going forward.

7.2. There is a risk associated with not introducing the proposal in this report but implementing an alternative proposal requiring additional officer resource. The current proposal can be undertaken within existing resource.

**Nicola Debnam**
Director of Highways and Transport

**Jonathan Ullmer**
Head of Highway Operations

**Contact:** Jonathan Ullmer 0330 2226426

*Appendix A* – TRO Process Map
*Appendix B* – Initial Assessment Form and Criteria
*Appendix C* – Detailed Assessment Form and Criteria