

# **Traffic Regulation Order Process**

---

A report for information by the Borough Council's Parking Manager to the Tunbridge Wells Joint Transportation Board on 15 February 2016

---

## **SUMMARY**

1. At recent meetings of this Board, and through subsequent correspondence with members of the public, there has been some confusion over what role the Joint Transportation Board has in the traffic regulation order process. This report seeks to clarify the position and establish a clearer and more concise way of dealing with this issue.

## **Background/Introduction**

2. Traffic Regulation Orders (TRO's) are required to be made when new waiting restrictions are introduced. The lead-up to that end result involves public consultation and an opportunity for anybody who wishes, to make comment or raise an objection to the proposed restrictions.
3. The regulations require that all objections made during the consultation process be considered by the promoting authority. In Kent, that is Kent County Council. There is no requirement on the authority to undertake the process of consideration by any specific means. It could, in other words, be a decision taken by an officer, designated members or a board or committee.
4. It has become accepted practice in Kent, since their formation, for the Joint Transportation Boards (JTB) in each district to consider the objections and make a recommendation. This can, however, prove problematical since JTB's have no decision making powers.
5. Where a JTB's recommendation is disputed by somebody, it falls to the highway authority to either accept or reject the recommendation. This can cause confusion, particularly with the public, who believe that the JTB have made a decision which will then be translated into a new restriction.

## **Proposed Way Forward in Tunbridge Wells**

6. At present in Tunbridge Wells Borough, whenever there are objections to a TRO, they are considered either by the Head of Service in conjunction with the relevant Portfolio Holder or, where they number over 5, by JTB. No discretion is exercised over whether the comments made can be deemed valid. In some Kent districts, objections are filtered to eliminate those that are not made on a sound traffic management basis.
7. To ensure that, in future, the status of JTB is properly recognised and to eliminate unnecessary discussion of comments which are not appropriate it is proposed that revisions are made to the way in which TRO objections are resolved.
8. Where an objection is raised as part of the consultation process it is proposed that KCC Highway officers and TWBC Parking officers consider first whether the objection is valid and then what is the best course of action taking into account any points raised. Objectors would be advised of the proposed course of action, including their right to speak at the appropriate Board meeting.

9. Up to 5 valid objections would continue to be assessed by a TWBC Head of Service in conjunction with the appropriate Portfolio Holder for parking schemes or by KCC Parking Manager and Cabinet Member for yellow line restrictions.
10. When over 5 valid objections are made, a report would be presented to the next Joint Transportation Board meeting summarising the proposals, objections and intended course of action.
11. A recommendation would then be made to the effect that the proposed course of action be endorsed. In the event that JTB does not endorse the recommendation, the matter would be referred to KCC Highway's for a final decision.
12. The changes outlined in this report will ensure that Members, objectors and supporters are left in no doubt about what is under consideration and who is making the decision.
13. The proposed arrangement does not vary significantly from current practice but does make it clear that the final decision rests with KCC Highways.

## **RECOMMENDATION**

14. That the report be noted.

---

**Contact Officer:** Nick Baldwin, Tunbridge Wells Borough Council 01892 526121