

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 11 February 2013

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| <b>Portfolio:</b>           | Public Protection                              |
| <b>Subject:</b>             | <b>Traffic Management Programme</b>            |
| <b>Report of:</b>           | Director of Regulatory and Democratic Services |
| <b>Strategy/Policy:</b>     | Traffic Management Programme                   |
| <b>Corporate Objective:</b> | A safe and healthy place to live and work      |

**Purpose:**

To update the Executive on progress in delivering the 2012/13 Traffic Management programme and request members to consider and recommend the programme for 2013/14.

**Executive summary:**

The Executive agreed the 2012/13 Traffic Management Programme on 6 February 2012. This report updates members on progress in delivering the 2012/13 Traffic Management Programme, seeks approval for the Traffic Regulation Order priorities for 2013/14, and informs the Executive of the general work undertaken by the Traffic Management Team.

**Recommendation:**

The Executive is asked to note the progress on the current 2012/13 programme, consider planned work for 2013/14 identified in Appendices A to D to this report and approve the following:

- (a) that a new assessment factor termed "Highway Code" is added to the existing criteria for prioritising the TRO programme;
- (b) that the Proposed Traffic Regulation Order Programme for 2013/14, as shown in Appendix B (Table 4) to the report, be approved;
- (c) that the work undertaken on the deployment of the Speed Limit Reminder signs, as detailed at Appendix D to the report, be noted.

**Reason:**

To improve road safety and to reduce congestion.

**Cost of proposals:**

The proposals in the report can be met from existing budgets.

**Appendices:**

- [Appendix A:](#) Programme of Traffic Investigations
- [Appendix B:](#) Review of Traffic Regulation Orders and Proposed Programme
- [Appendix C:](#) Externally Funded Traffic Regulation Orders
- [Appendix D:](#) Speed Limit Reminder Signs Programme
- [Appendix E:](#) Traffic Regulation Order Flowchart

**Background papers:**

Report to Public Protection Policy Development and Review Panel 7 November 2012 -  
Traffic Management Programme

# FAREHAM

## BOROUGH COUNCIL

### Executive Briefing Paper

**Date:** 11 February 2013

**Subject:** Traffic Management Programme

**Briefing by:** Director of Regulatory and Democratic Services

**Portfolio:** Public Protection

#### INTRODUCTION

1. Traffic Management is undertaken on behalf of Hampshire County Council (HCC) through an Agency Agreement. An annual allocation of funding is provided for administration of the Agency Agreement and to fund the introduction of Traffic Regulation Orders (TROs) and associated signs and lines. As reported to the Executive a year ago, with effect from the start of the 2012/13 financial year, HCC reduced its funding allocation of 1.4 full-time equivalent (FTE) for staffing resources by 8% from the allocation of previous years. Fareham Borough Council has supplemented this, and with careful management has been able to maintain the level of traffic management service to the public.
2. This report is being presented to the Executive in order to provide an update on the progress of the current 2012/13 programme and recommends a proposed programme for 2013/14. The current programme was last reported to and agreed by the Executive on 6 February 2012.
3. In addition to the funding that is provided by HCC to enable Fareham Borough Council to carry out the Traffic Management function, HCC also provides funding for TRO implementation. A number of additional Orders are normally funded from external sources (e.g. developer contributions), environmental improvement schemes, or as part of other capital schemes. These schemes are progressed in addition to the annual TRO programme.
4. Fareham Borough Council also undertakes Traffic Investigations as resources permit, to assess the extent of a particular traffic problem and the traffic management team undertake traffic speed/volume surveys and manages the deployment of the Speed Limit Reminder (SLR) signs.

5. As a result of a traffic investigation, physical construction works may be identified and, subject to HCC funding, may result in a traffic scheme being designed and implemented. Hampshire County Council can request Fareham Borough Council to assist in introducing traffic management schemes as part of other schemes such as a casualty reduction scheme. This implementation work is undertaken as part of the Capital Works and Design Agency agreement that is in place with HCC.
6. The total allocation from HCC for 2012/13 for implementing TROs, including a small amount for the introduction of new signing and lining to address minor traffic management issues, including the marking of disabled driver bays, was £15,500. This is considered further under the heading "Funding and Resources" below, and is expected to remain the same for 2013/14.
7. For information, the vast majority of the Traffic Regulation Orders (TROs) introduced under the Agency arrangement with HCC are waiting restrictions, which regulate the length of time that parking can (or cannot) take place on the public highway, other orders are also introduced occasionally such as weight or width restrictions, or speed limits.
8. TROs are legal orders made after a statutory consultation exercise, and once in place they can be enforced either by FBC's Civil Enforcement Officers (CEOs) or the Police. The distinction is that CEOs can enforce stationary traffic offences, i.e. waiting restrictions, but the contravention of all other orders is classed as moving traffic offences, which can only be enforced by the police.
9. A policy for the consideration of TRO requests and the procedure for the implementation of TROs was agreed by the Executive in April 2007 and all TRO requests have been prioritised in accordance with this policy. This policy was later updated to include the category "Economic", which takes into account circumstances where parking is needed to stimulate the local economy.
10. The procedure for the processing of TROs is shown in the flow chart at Appendix E to this report. When this report was last considered by the Executive, the details about the process for dealing with TROs was also included within the Members' Newsletter. The factors that are taken into account when considering the making of TROs form part of the tables in Appendix B.
11. Under the Traffic Management Agency Partnership Agreement, the process for approving the TRO Programme is required to be agreed by Hampshire County Council after receiving a recommendation from Fareham Borough Council's Executive and comments from the relevant Hampshire Highways Workshop. (This is the replacement body for the former Hampshire Action Team - HAT).
12. At the meeting of the Executive on 6 February 2012, approval was given to the programmes of Traffic Regulation Orders, and Traffic Investigations for 2012/13. This report reviews the progress of the 2012/13 programme and also outlines the proposed programme for 2013/14.

13. The meetings of the Community Action Teams (CATs) have highlighted that traffic management is a key issue in the community and this feeds into the work programme of the Traffic Management Team.
14. This report was also presented to the Public Protection Policy Development and Review Panel at its meeting on 7 November 2012 where it was agreed that the following proposals be recommended to the Executive:
  - (a) that a new assessment factor termed "Highway Code" is added to the existing criteria for prioritising the TRO programme;
  - (b) that the Proposed Traffic Regulation Order Programme, as shown in Appendix B (Table 4) to the report, be approved;
  - (c) that the work undertaken on the deployment of the Speed Limit Reminder signs, as detailed at Appendix D to the report, be noted;
  - (d) the flowchart shown in Appendix E to the report be amended to show that, in the event of consensus not being reached concerning a proposed TRO following the consultation process, there was the option to refer the matter to the County Council for determination
15. The Executive is requested to consider the programmes in this report and the recommendations from the Public Protection Policy Development and Review Panel before consideration by the Highways Workshop and the HCC Executive Member for the Environment for approval.

## **TRAFFIC INVESTIGATIONS**

16. An update on the progress of Traffic Investigations approved for 2012/13 (Table 1) and the proposed programme for 2013/14 (Table 2) are shown in Appendix A. The tables explain the progress on each scheme, and the ongoing list of Traffic Investigations is shown.
17. It was reported last year that the main ongoing traffic investigation was the West Street Pedestrian Zone in Fareham. An Experimental TRO was introduced after being approved by the Executive, on 14 March 2012. This removed earlier confusion in respect of parking within the Pedestrian Zone, which has in turn helped with enforcement.
18. There were some unavoidable delays in introducing the prohibition of cycling within the pedestrian zone due to the type of sign required. However, authorisation from the Department for Transport was eventually given in respect of the new cycling provision (with cyclists permitted to cycle within the Zone before 9am and after 5pm). Due to these delays the cycling aspect was only formalised more recently (10 September 2012), necessitating a new Experimental TRO which is now in place and will remain in force until March 2013. This will tie in with the Executive's Decision for the Experimental TRO to be reviewed after being in operation for a period of 12 months. This is the subject of a separate report to this meeting of the Executive.

## **TRAFFIC REGULATION ORDERS (TRO)**

19. The TRO Programme is a programme of investigations that are likely to result in the introduction of a legally enforceable TRO. In most instances, the investigation shows the need for a particular type of Order, although sometimes circumstances change after the original request for investigation has been made and no identifiable problems are found.
20. Requests are often received from members of the public asking for the provision of yellow lines, expecting that they can be introduced quickly, and sometimes even offering to paint them themselves. It is of course a much more complicated process involving consultation procedures which include press advertisements and site notices, and often letter drops to all affected frontages. Without these processes, it would not be possible to provide the enforcement required after the order is introduced.
21. Even then, in order to prioritise requests as fairly as possible, it is necessary for the most deserving to be presented to the Executive for approval to include them in the programme for the next financial year, and this is before the statutory consultation process can commence.
22. A flow chart has been prepared to illustrate how the TRO process works, along with indications of timescales. The timescales show a 15 week period from commencement of the consultation process to implementation of the Order. This is for straightforward TROs, but if objections have been received which cannot be easily resolved, this can take considerably longer. The flow chart is shown at Appendix E, with the addition as requested by the PPPD&RP of an extra process as indicated in paragraph 14 (d) above.
23. Since 1 October 2012, the Council has advertised TRO proposals within a new free independent local newspaper circulated within the area rather than advertising in The News. This has resulted in savings to the service.
24. In addition, TRO advertisements are already placed on to the HCC portal which is directly linked from the FBC website, and this is also a successful way of drawing public attention to these matters. This facility has only been available in more recent years, but it is now very commonly used.

### **Re-consolidation of Traffic Regulation Orders**

25. In 2006/07 a major exercise was undertaken with consultants employed to review all of the TROs in the Borough, leading to the objective of introducing de-criminalised parking. This was the point at which the responsibility for parking enforcement was transferred from the Police to Fareham Borough Council's new team of Civil Enforcement Officers and which was implemented on 2 April 2007 with the introduction of Civil Parking Enforcement (CPE) in Fareham.

26. Since then, almost a hundred new TROs have been introduced, but each has involved a further amendment to the 2007 Consolidation Order. To avoid this becoming too unwieldy with amendments, it is generally recommended that the main Order should be re-consolidated on a regular basis. This has involved tracing all of the Orders that have been introduced since April 2007, including all relevant maps and evidence of the Orders having been introduced and consolidating these into one new Order. This exercise is nearing completion.

## **FUNDING AND RESOURCES**

27. Funding for the implementation of Traffic Regulation Orders is received from Hampshire County Council. The allocation by HCC for 2012/13 to implement TROs and lines and signs is £15,500; there is also an allocation made by HCC of £4,000 for advertising, making the total £19,500. Although these figures have not yet been confirmed it is anticipated that this level will remain the same for 2013/14.
28. In addition to this allocation, further TROs will be required as part of new developments or other highway schemes such as for casualty reduction. These TROs will be funded separately, either by the developer or directly from the individual scheme budget and are scheduled in Appendix C Table 5.
29. The works and advertising costs for the introduction of a typical TRO involving double yellow lines are in the region of £1,500, as these do not require signing. Costs for single yellow line orders, limited waiting orders or speed limits will be more due to the regulatory signing requirements, particularly if there is a need for the signing to be illuminated.
30. Based on previous resource and funding levels, around ten sites can be considered for implementation in each year, and these are generally referred to as comprising the "internal" programme. The amount which can be processed depends to a fair extent on the "external" programme, which is made up of those requests that come in from and are funded by HCC and developers.

## **PRIORITISATION OF TROs**

31. Schemes are prioritised based on the criteria in the TRO Policy agreed by the Executive in 2007 and the higher priority locations are retained on the waiting list. These criteria are detailed at the end of Appendix B. The low priority sites that meet few of the criteria are therefore not progressed or included on future programmes unless circumstances change.
32. Congestion occurs in the vicinity of most schools, usually for a comparatively short period of time. Sites around schools are not usually treated as a priority unless there is evidence of a wider safety issue.
33. A number of requests for TROs are received throughout the year from members of the public and ward members, where necessary these are added to the Traffic Regulation Order Pool List which is an assessed and prioritised list of requests.

34. It is proposed that a new assessment factor termed "Highway Code" is added to the policy for the prioritisation of TROs. This is for the purpose of adding weight to tackling hazardous parking which takes place close to junctions, in contravention of the Highway Code. This has not been included in Table 3 for schemes which have already been approved for the 2012/13 programme, but has been included in Table 4, for schemes which are proposed for the 2013/14 programme, and the Panel are requested to approve this approach.
35. When the traffic management programme was last considered by the Executive it was agreed that the Portfolio Holder for Public Protection be given delegated authority, in conjunction with the Director of Regulatory and Democratic Services, and in consultation with Ward members, to manage the Pool List. Work has been undertaken to reduce the number of requests / schemes on this list. This is based upon the priority of the existing requests that are already on the list as well as those that are added to it through requests from Members and the public during the course of the year.
36. During the early part of 2012, an extensive exercise was undertaken to seek approval from Members to remove items from the Pool List which were in their own wards. This was after full consideration being given to the length of time that the item had been on the list without recent further complaints, and site visits to ascertain whether or not the problems appeared to be ongoing. This resulted in a useful reduction of the number of items on the list, from 48 items, to 26, with 9 of those 26 due to be actioned as part of the 2012/13 TRO programme.
37. The remaining requests on the list and any additional requests received based upon their priority, form the basis of the future programme and this is kept under regular review. Where resources permit and where the existing TRO programme is on course, additional schemes can be added from the pool list.
38. Externally funded TROs do not require prioritisation as they are deemed necessary as part of a particular scheme or development. These TROs will be progressed as and when required throughout the year.

## **REVIEW OF THE 2012/13 PROGRAMME**

39. The progress of the TROs investigated in 2012/13 is shown in Table 3 Appendix B. Alongside those schemes, as agreed by the Executive on 6 February 2012, there have been additional externally funded Orders. These additional Orders are shown as 'Externally Funded' TROs in Table 5 Appendix C.
40. Members will note from Table 3 Appendix B that all of the TROs programmed to be investigated have been either implemented or are progressing towards implementation. Where there has been a delay, the reason is also detailed within the Appendix. Any scheme that is not completed in this current financial year will be carried over into the 2013/14 programme.



## **FAREHAM PARKING ENFORCEMENT (FPE)**

41. The Traffic Regulation Orders necessary for the introduction of Part 6 of the Traffic Management Act 2004, which came into effect on 2 April 2007 relating to civil enforcement, were successfully implemented to ensure that enforcement could continue. However, anomalies do occasionally occur and these sites are added to the current programme when they arise so that enforcement action is not negated.
42. The Civil Enforcement Officers (CEOs) enforce the provisions of the TROs and the level of enforcement that is undertaken is set out in the Fareham Parking Enforcement Annual Report that was presented to the Public Protection Policy Development and Review Panel in July 2012 and subsequently to the Executive where it was approved in September 2012.

## **TRAFFIC REGULATION ORDERS – 2013/2014 PROGRAMME**

43. The list of sites recommended by officers for investigation and possible implementation in 2013/14 is included in Table 4, Appendix B. These sites are the highest priority sites taken from the Pool List and are considered to be of greatest benefit to road safety or have been identified as an issue that needs an Order to be enforced under FPE. Any scheme from the 2012/13 programme that is not completed in this current financial year will be carried over into the 2013/14 programme.

## **PARKING STRATEGY**

44. The Residents' Parking Review in Fareham Town Centre has led to the successful introduction of the Residents' Parking Scheme. This involved a considerable amount of work in respect of consultation, advertisements and provision of lines and signs, together with the setting up and administering of the scheme.
45. Enforcement commenced on 1 September 2010 and the scheme continues to be well received. A six month review took place during Spring 2011 and resulted in some modifications and additions to the scheme. These were implemented on 1 September 2011 and are also working well, although there have been requests for extensions to the scheme, sometimes citing that problems have arisen as a direct result of the scheme that was introduced. This was always a likely result of the scheme at its periphery and monitoring of parking in these locations is ongoing.

## **VERGE PARKING ORDERS (VPOs)**

46. It was stated in last year's report that HCC had formulated a draft policy which was reported to its Highways Board Meeting in late summer 2011. The view of the Board was that, due to pressures on budgets, it would only consider measures in areas which have proven safety issues. In the event and due to a number of difficulties that such measures were likely to present, significant changes were made to this draft policy, and a revised policy has since been introduced. In summary HCC recognises that verge parking orders are often problematic, and measures to tackle such problems should be considered very carefully.
47. For example, there are few locations where verge parking is a problem, but parking on the adjacent carriageway is not. Given that any parking prohibitions introduced on the carriageway also apply to all of the verge which forms part of the public highway (i.e. which is under FBC/HCC control), then most verge parking situations should be considered in the context of parking generally, and not as separate issues.
48. Alternatives such as the use of bollards or dragon's teeth to prevent verge parking may provide a simpler and more effective answer. It follows that the introduction of area-wide verge parking orders is no longer favoured, and each situation is likely to be best considered on its own merits, together with other requests for TROs.

## **COMMERCIAL VEHICLE PARKING**

49. Complaints have increasingly been received during 2012 from residents who have expressed concern about the parking of commercial vehicles in their streets, taking spaces which have hitherto been used by cars.
50. Trying to address this from a traffic management perspective is fraught with difficulty because using traffic regulation orders to remove them generally means that the restrictions apply also to cars, and many residents do not want to lose this facility. However, if this problem cannot be addressed, it is likely to escalate
51. Investigations into means of addressing this are ongoing, including discussions with Hampshire County Council and the Southampton and Fareham Legal Services Partnership. It is hoped that it may be possible to find a way to tackle these situations, which can then be progressed as normal TRO items.

## **SCHOOL ZIG-ZAG MARKINGS**

52. These continue to work well following their consolidation in September 2009 when a "No Stopping" order (8am-5pm Mon-Fri) was introduced to accompany these markings throughout the Borough. These are enforced by the Council's Civil Enforcement Officers.

## **DISABLED (BLUE BADGE HOLDER) BAYS**

53. Residents who are Blue Badge Holders (BBH) are presently eligible to apply for a free advisory disabled driver box marking in the street where they live if they meet certain criteria agreed by the Executive. These include the following:
- The applicant must be the holder of a Blue Badge issued by HCC's Blue Badge Unit;
  - The applicant must be the driver of a vehicle registered to their home address;
  - There must be an on-street parking problem (i.e. regular parking outside the applicant's home by other drivers);
  - The applicant must not have off-road parking available;
  - There must be a suitable location to provide the disabled bay which does not compromise normal road safety considerations;
  - The disabled bay must not contravene any TRO (e.g. waiting restrictions);
  - If the disabled bay is to be provided outside another address, written permission must be obtained from the owner/occupier of that address;
  - A blue badge must be displayed at all times;
  - The disabled bay is not provided for carers or other visitors.
54. This year (2012/13) so far 41 applications have been received for markings from BBH residents. This is slightly more than the number received by this time last year (which was 36).
55. The provision of these markings continues to require a considerable amount of staff resourcing as investigations are needed into the eligibility of applicants. This includes consideration of approval from the applicant's doctor, investigations into other parking provisions and conflicts in the area, also the organisation of the road markings themselves.
56. It has often been necessary to refuse some of these, for example because suitable off-road parking is available, or because an on-road space cannot be safely provided. However, and somewhat unusually, so far this year it has not been necessary to refuse any of the applications.

## **WHITE BAR MARKINGS**

57. White bar markings are put across driveways and access points; however, as previously reported to the Executive, enforcement action can now be taken where parking obstructs any dropped kerb (including both vehicular and pedestrian crossing points). This continues to work well and these white bar markings are now only introduced in exceptional circumstances.

## **TEMPORARY TRAFFIC REGULATION ORDERS**

58. Temporary road closures and diversions for road works, including works carried out by public utility companies, are processed by the Borough Council. The temporary closures are processed on request and include closures requiring an Order, those dealt with by site notices and also emergency closures. The cost of these Orders is recharged to the applicant. A total of 39 requests for temporary traffic orders have so far been progressed this year (2012/13), which is very similar to the figure at this time last year, of 41.
59. The Queen's Diamond Jubilee and the Olympics occurred in 2012, some blanket actions were taken in order to reduce the numbers of individual applications. Nevertheless the total number still marginally exceeded the large number requested in 2011, when Royal Wedding took place. It is anticipated that this number will reduce in 2013/14 as there are not expected to be national events where street parties are encouraged.

## **TRAFFIC MANAGEMENT FOR EVENTS**

60. The Traffic Management Act places traffic management for events on the Local Authority. Whilst essentially this means that HCC is ultimately responsible for the traffic management for events that affect the highway network, there is an expectation for the local traffic management agents to deal with local events at a local level. The Police no longer assist with personnel to undertake traffic management duties for special events; they only attend where there is a perceived risk of a public order offence or in the case of emergency.
61. Officers are now regularly consulted during the planning of events to participate in the production of a traffic management plan. It is often unnecessary to have detailed involvement, and where a fairly small event (e.g. less than 500 visitors) has been held previously and without incident, the Council would not need to take a significant involvement unless specifically requested.
62. However, for larger events, or for new events, then the Traffic and Design Manager will attend a Safety Advisory Group (SAG) meeting where he will advise on any possible traffic problems and offer solutions.

## **SPEED SURVEYS**

63. Two traffic counters that enable volume and speeds of traffic to be recorded are used to help to assess traffic volumes and speeding issues. The sites now form part of the SLR programme, which is further detailed below, that can highlight the need for more detailed information and investigation by the use of counters. The priority of sites are considered in respect of:
  - accidents;
  - police/HCC requests;
  - proximity to school/patrol site;
  - pedestrian/highway safety.

64. These counters are used to inform traffic investigations that may also result in the deployment of the Speed Limit Reminder (SLR) signs as detailed below. If a major speeding problem is identified, further consultation with the Police and HCC would be undertaken to attempt to resolve the problem. However, for the majority of surveys undertaken, vehicle speeds have been at a level that does not require intervention through police speed enforcement or traffic calming.

## **SPEED LIMIT REMINDER SIGNS**

65. As previously reported to the Executive, CATs funding has been allocated for the provision of four Speed Limit Reminder (SLR) signs. (These flash the speed limit, either 30 or 40, and are activated when a vehicle exceeds the set speed limit). These have now been in use since September 2010, and their deployment continues to be welcomed.

66. These are temporary signs that are moved from site to site as necessary, and are usually in place for approximately two weeks. Extended use of these types of sign is not recommended as their impact is likely to reduce over time. The SLRs are only used for short periods of time with breaks before the next use to counter driver complacency.

67. Until August 2011 an agency (Amey) was used to deploy these on-site. However, this led to a number of issues, including complications by their being remote from FBC's offices, and they did not have the capability to use SDRs (which provide a data breakdown) without assistance from FBC. This problem has been overcome by using FBC's own in-house IT department, who now deploy the SLR and assist with recovering the data. This has been very successful both in terms of efficiency of operation, and also in cost saving.

68. When requesting sites for SLR use, Members should be aware that there is also a Community Speedwatch programme operated from Park Gate police station. This involves members of the public using radar speed guns to measure vehicle speeds, and excessive speeds can be followed up by a police letter warning that their details have been noted.

69. This does not lead to enforcement action as this is not possible without a police presence, but the warnings that are provided can serve as additional evidence should the same vehicle be seen speeding when there is a police officer present.

70. This programme can usefully supplement the work done with FBC's SLR programme, and FBC staff maintain liaison with the Community Tasking Co-ordinating Group (CTCG) in the co-ordination and use of both systems, to avoid unnecessary duplication of sites for the respective programmes.

## **SITE SELECTION**

71. The SLR programme is developed from information from the Police, HCC, local members, CATs meetings and local residents. The locations where these have been deployed are reported in the Members' Newsletter on a quarterly basis. These are shown at Appendix D and have been well received by Members and the general public. In respect of many locations comments have been made that traffic speeds have reduced, and their further use has been requested.

## **RISK ASSESSMENT**

72. There are no significant risk considerations in relation to this report.

## **CONCLUSION**

73. This report reviews the progress of the 2012/13 programmes of Traffic Regulation Orders and Traffic Investigations and also outlines the proposed traffic management work programmes for 2013/14. The Executive is requested to note the progress made and agree the programmes for 2013/14.