

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 7 October 2013

<b>Portfolio:</b>	Public Protection
<b>Subject:</b>	<b>Traffic Regulation Order Re-consolidation, Fareham Borough</b>
<b>Report of:</b>	Director of Regulatory and Democratic Services
<b>Strategy/Policy:</b>	
<b>Corporate Objective:</b>	A safe and healthy place to live and work

**Purpose:**

To seek authority to make a new Consolidation Order for the on-street Traffic Regulation (prohibition and restriction of waiting and parking places) Orders in Fareham Borough, to replace the existing consolidation order dated 2<sup>nd</sup> April 2007.

**Executive summary:**

It is necessary to amalgamate all existing Traffic Regulation Orders covering waiting restrictions and on-street parking places made since the last consolidation order in April 2007 into a new Consolidation Order. This report seeks authority to make that new Consolidation Order.

**Recommendation/Recommended Option:**

That the Executive agrees:

- a) that a new Borough of Fareham (Prohibition and Restriction of Waiting and Parking Places) (Consolidation) Order in Fareham Borough is introduced, so that all existing Traffic Regulation Orders covering prohibition and waiting restrictions and on-street parking places made since the last consolidation order dated 2 April 2007 are amalgamated into one new order; and
- b) that the Executive Portfolio holder for Public Protection be given delegated authority to approve future consolidation orders.

**Reason:**

To amalgamate the Consolidation Order made on 2<sup>nd</sup> April 2007 with all on-street Traffic Regulation Orders amendments introduced since that date.

**Cost of proposals:**

The cost of the proposal will be met from the Traffic Management budget.

**Appendix A - Extract from Draft Reconsolidation Order**

**Background papers:** None

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### Executive Briefing Paper

**Date:** 7 October 2013

**Subject:** Traffic Regulation Order Re-consolidation

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

**Portfolio:** Public Protection

#### INTRODUCTION

1. On 2<sup>nd</sup> April 2007 de-criminalised parking was introduced in Fareham Borough, which passed authority for the enforcement of waiting restrictions from the Police over to Civil Enforcement Officers employed by Fareham Borough Council.
2. As part of this project, all existing on-street Traffic Regulation Orders for waiting restrictions were amalgamated into a new Consolidation Order.
3. Since that time, new orders for waiting restrictions have been introduced as amendments to the 2007 Consolidation Order, which has happened at a rate of between 10 and 20 Amendment Orders each year.
4. This means that in order to discover the details of an existing Traffic Regulation Order, it is necessary to refer to the 2007 Consolidation Order, and also to one or more of approximately 70 amendments to the Order.
5. This is an inefficient and time consuming process which makes it difficult for any work which necessitates referring to this Order and its amendments, and in particular for enforcement purposes.

#### PROPOSAL

6. It is proposed that in order to simplify the maintenance of the Traffic Regulation Order records, all amendments introduced since the 2007 Consolidation Order should be amalgamated into a new Consolidation Order for 2013.
7. A new Consolidation Order has been drafted by the Southampton and Fareham Legal Services Partnership. The Traffic Regulation Orders introduced since the 2007 Order are summarised at Appendix A which will form part of the new Consolidation Order.
8. A copy of the full Consolidation Order is available in the Members Group rooms.

9. This does not involve any material changes to any existing Traffic Regulation Orders, but it does require the authority of the Executive to give authority to make the new Consolidation Order.

### **CONSULTATIONS**

10. Since no material changes have been made to any existing Traffic Regulation Orders, no consultations have been necessary. However, once authority for the Consolidation Order has been given, the making of the Order will be publicly advertised.

### **RISK ASSESSMENT**

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

### **FINANCIAL IMPLICATIONS**

12. There are no financial implications for the Council in respect of making this Consolidation Order.

### **RECOMMENDATIONS**

13. It is recommended that in future years this should be carried out on an annual basis, which will be a much simpler task than that which has been undertaken for the period from 2007 to 2013.
14. It is also recommended that the Executive Portfolio holder for Public Protection be given delegated authority to approve future Consolidation Orders. This will then be reported to the Executive via the Public Protection Policy Development and Review Panel and the annual Traffic Management programme.