

## Record of Officer Decision

<b>Decision title:</b>	Traffic Regulation Order Scheme: Proposed Prohibition of Driving and Prohibition of Motor Vehicles (Except for Access)
<b>Date of decision:</b>	14 May 2026
<b>Decision maker:</b>	Chief Operating Officer – Resident Services
<b>Authority for delegated decision:</b>	<p>Economy and Environment Scheme – Highways and Transport 75. To act on behalf of the council in respect of the legislation specified in the Road Traffic Regulation Act 1984.</p> <p>The authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
<b>Ward:</b>	Various
<b>Consultation:</b>	<p>A formal (statutory) consultation was undertaken between 28 February 2025 and 21 March 2025. During this period, an initial consultation letter and proposal plan were issued by email to all statutory consultees.</p> <p>The Notice of Proposal stage, which enabled statutory consultees and members of the public to submit comments or representations, was carried out from 5 February 2026 to 27 February 2026.</p> <p>Consultation responses relating to the proposed introduction of Prohibition of Motor Vehicles and Prohibition of Driving Traffic Regulation Orders were received for the following locations:</p> <ul style="list-style-type: none"> <li>• Sellack Restricted Byway 14 (SK14), Peterstow</li> <li>• Hope Mansell Byway 14 (HM14), Hope Mansell</li> <li>• Canon Pyon Byway 32 (CP32), Westhope</li> <li>• Brockhampton Byway 14 (BKR14), Fownhope</li> <li>• Quebb Road (U90617), Eardisley</li> <li>• Spoon Lane (U75218), Dorstone</li> <li>• Macadams Lane (U71229), Llangarron/Ganarew</li> </ul>
<b>Decision made:</b>	Officers have taken the decision to postpone any determination on the proposed Traffic Regulation Orders (TROs) until further evidence has been received by the Highway Authority.
<b>Reasons for decision:</b>	Since the Notice of Proposal stage commenced, it became apparent to officers that further evidence relating to these locations is expected shortly. As a result, officers have decided to defer any decisions on the proposed Traffic Regulation Orders until this evidence has been received and reviewed.
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<p><b>Community impact</b></p> <p>The recommendations outlined above will not have any impact on the local community.</p>

### **Environmental Impact**

Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public, and voluntary sectors, we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

The environmental impact will remain unchanged at each site as the proposals are not being implemented.

### **Equality duty**

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

The recommendations set out in this report are considered to be low impact with regards to equality.

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Any impact as a result of the scheme will be equal to all parties.

See Appendix A of this report for Equality Impacts and Needs Assessment (EINA).

### **Resource implications**

The cost of the implementation of the proposals is approximately £6200. This includes costs for statutory consultation, preparing and making the Traffic Order, signage and advertising. This cost has been identified from this year's existing budgets in the current Annual Plan.

### **Legal implications**

Part 2 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('the 1996 Regulations') lays out the procedure prior to making an order. Regulations 6 and 7 require the Council as Highway Authority to undertake a formal consultation on

	<p>the Traffic Order and publish the proposals. Regulation 8 allows for any person or persons to make objections and requires that the Council, as Highway Authority, consider any objections received after the formal statutory consultation process, (which includes advertising in a local newspaper). A subsequent report will include any such objections or comments, for consideration.</p> <p>The Council has discretion to amend its original proposals if considered desirable, whether or not in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted in accordance with Regulation 14 of the 1996 Regulations. Following consideration of the consultation responses the Council has decided not to modify the proposals.</p> <p>Before the Order can be made it will need to be publicised in accordance with the requirements of Regulation 7 of the 1996 Regulations. This includes publication of a notice of the proposals in a newspaper circulating in the locality of the area where the road which is the subject of the Order is located. This must be done within two years of the date the order is first publicised in a newspaper circulating in the locality of the area where the land to which the Order relates is located. Within 14 days of the order being made it is necessary in accordance with Regulation 17 of the 1996 Regulations to publish a notice of making in a newspaper circulating in the area in which any road or place to which the Order relates is situated.</p> <p>Once an Order is made by the Council it will need to be publicised in accordance with the requirements of Part 3 of the 1996 Regulations. The Order cannot come into force before the order has been publicised in accordance with these requirements. The time period for challenge is three months from the date of the making of the Order.</p> <p><b>Risk management</b></p> <p>The Local Transport Plan sets out to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway network that is safe and efficient. A Key Performance Indicator is contained in this Local Transport Plan and details a locally set target for a reduction in fatal or serious injuries on the highway network.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>To progress to implement this Traffic Regulation Order – this is not recommended as set out in the above ‘Decision made’.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None.</p>

**Please ensure that signatures are redacted before publishing.**

## Appendix A

### Equality Act 2010

#### Equality Impact and Needs Assessment

#### **PROPOSED TRAFFIC REGULATION ORDER TO IMPLEMENT A PROHIBITION OF DRIVING RESTRICTION AND PROHIBITION OF MOTOR VEHICLES RESTRICTIONS ON VARIOUS ROADS, HEREFORDSHIRE.**

The Council has a duty to give 'due regard to' the following three aims of the public sector equality duty (section 149 of the Equality Act 2010) during the development of the 'policy'.

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

An initial assessment against each of the protected groups is provided below – any issues highlighted through the consultation process will be considered and reported at the end of the consultation period.

<b>Scheme Name</b>	<b>Various Roads, Herefordshire – Prohibition of Driving and Prohibition of Motor Vehicles</b>
<b>Protected group</b>	<b>Challenge or opportunity considered and what we did</b>
<b>Age (A)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Disability (D)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Sex (S)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Race (including Gypsy &amp; Traveller) (R)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Gender reassignment (GR)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Marriage &amp; civil partnership (MCP)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Pregnancy &amp; maternity (PM)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Religion and/or Belief (RAOB)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>
<b>Sexual Orientation (SO)</b>	<b>No negative or positive impact on this group has been identified at this time.</b>