

Record of operational decision

Decision title:	Consolidation of Map Based Scheduling for Static Traffic Regulation Orders
Date of decision:	3 rd April 2025
Decision maker:	Head of Highways & Traffic
Authority for delegated decision:	Economy and Environment Scheme – Highways and Transport 75. To act on behalf of the council in respect of the legislation specified in the foregoing: Traffic Management Act 2004, Road Traffic Act 1988, Cycle Tracks Act 1984, Highways Act 1980, National Parks and Access to the Countryside Act 1948, New Roads and Street Works Act 1991, Road Traffic Regulation Act 1984, Town and Country Planning Act 1990, Town Police Clauses Act 1847, Traffic Calming Act 1992, Wildlife and Countryside Act 1981
Ward:	All Wards
Consultation:	The proposed Static Map Based Scheduling Project was sent to the Statutory Consultees for their information. No objections were received.
Decision made:	(a) To move from the existing paper based Static Traffic Regulation Orders to Map Based Scheduling; and (b) To approve and to seal the consolidation order required in relation to consolidating all existing Static Traffic Regulation Orders into a single, County-Wide Traffic Regulation Order.
Reasons for decision:	To implement the consolidation of existing Static Traffic Regulation Orders throughout Herefordshire as set out in this report.
Highlight any associated risks/finance/legal/equality considerations:	<p>Key Considerations:</p> <p>Herefordshire Council has undertaken a feasibility study to look at options for introducing map-based scheduling (MBS) to support Static Traffic Regulation Orders (TROs) within the County.</p> <p>Herefordshire Council has a legal duty to put in place TROs where the need arises to manage static traffic restrictions. Therefore, having accurate, reliable, well documented TROs allows enforcement agencies such as the Police and Herefordshire Councils Civil Parking Enforcement Team to carry out their duties and to take action against those who breach restrictions.</p> <p>Historically within Herefordshire Council (or as part of highway partnerships), the Traffic Management Team have utilised text-based scheduling to describe restrictions within Static TROs.</p> <p>These orders have been recorded in different forms, with a very high number of orders related to often minor schemes or regulations, with a limited referencing system. This significantly impacts on productivity and the integrity of the overall framework of regulations.</p> <p>Consequently, a move to Map Based Scheduling for all types of Traffic Order was agreed by Herefordshire Council for delivery back in 2018, in order to streamline the process for the way in which TROs are documented, processed, stored and viewed in the future.</p> <p>Herefordshire Council together with its suppliers undertook a county-wide survey process, where all Static TROs were audited and recorded on a</p>

mapped base system. Following the survey process, it was agreed that it would be most appropriate to seal the new static restrictions consolidated order as per the existing conditions 'on the ground'. This way anomalies such as unenforceable parking restrictions, due to signing and lining positions being incorrect, for example, would be captured and made legal once the order has been sealed, providing that the correct and compliant signing or lining was in place on-street.

Herefordshire Council then reviewed the articles within current orders and, through discussions with its suppliers, made decisions as to whether they were required to remain within the consolidated order.

Following the completion of the county-wide survey and review of existing orders process, Herefordshire Council drafted the documents for the consolidated order, in preparation for sealing. The draft consolidated order documents are included as Appendix A.

Following the sealing of the Consolidated Order, any future changes to static restrictions on the Network are required to go through the full, lawful TRO Process before being finalised and implemented on the ground.

The introduction of this consolidated order for static restrictions will also ensure Herefordshire Council complies with the Department for Transport's (DfT) Digital Traffic Regulation Orders (D-TRO) initiative. The council has already implemented consolidated orders for Moving Traffic Regulation Orders and Speed Limit Orders, with a Map-Based Scheduling system in operation since 2022. This static consolidation order will provide Herefordshire Council with a central repository of D-TROs for all types of TRO, thereby meeting the DfT requirements. The introduction of this Order will also ensure Herefordshire Council future proofs itself with future changes to legislation.

Community impact

The recommendation to move to Static Map Based Scheduling will have no impact on the local community.

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 development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.

The adoption of the proposals will have no negative impact on the environment.

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. The restrictions aim to improve road amenity and

safety, thus paying regard to the council's duty according to the Equality Act 2010 as set out below.

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 B of this report for Equality Impacts and Needs Assessment (EINA).

Resource implications

The Static Map Based Scheduling project is funded from existing budgets specifically allocated to the project.

There are minor requirements for rectification such as replacement signs, this will be managed and resourced through the Annual Plan process.

Legal implications

The introduction of a consolidation TRO is recommended as part of these proposals. The Council has the power to revoke a Traffic Regulation Order (Part IV of Schedule 9 to The Road Traffic Regulation Act 1984) as well as the power to make a new Traffic Regulation Order (Section 1 of that Act).

There are no further legal implications in making the TRO, even if objections are made. It is at the discretion of the Council, as the Highway Authority, whether to make a TRO, dependant on the justification for doing so.

Regulation 21 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations") sets out the procedure for the making of a consolidation order. The provisions of Parts 2 and 3 of the 1996 Regulations do not apply to consolidation orders. The Council can therefore proceed to making the Order. In accordance with Regulation 21(4) of the 1996 Regulations the Council shall within 14 days of the making of the Order publish a notice of making of the Order in a newspaper circulating in the area of the road or place to which the Order relates. The Order cannot come into force before the notice of making is published.

The order will be made by The Council in exercise of its powers under Sections 1, 2, 4, 32, 35, 38, 45, 46, 49, 51, 53, 61, 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act

Risk management

The Local Transport Plan sets out to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway

	<p>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. The adoption of the recommendations in this report would no impact on these objectives in the Local Transport Plan.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to implement any changes to the Static Traffic Regulation Order processes or the way that information is documented and stored. - This is not recommended as Map Based Scheduling will benefit the way that Herefordshire Council or those acting on their behalf can make amendments to existing Static Traffic Regulation Orders, as well as all orders being kept up to date. This eradicates the possibility of the potential for Static Traffic Regulation Orders, being invalid and unenforceable. Additionally, Moving Traffic Regulation Orders and Speed Limit Orders have already been through this process. Not to implement these changes to Static restrictions would fail to meet the objective to store all Traffic Orders on one software system and streamline the management and storage of Traffic Orders. Finally, not to implement these changes would fail to ensure Herefordshire Council complies with the Department for Transport's (DfT) Digital Traffic Regulation Orders (D-TRO) initiative and the requirements for Local authorities to store and manage their TROs, as well ensuring the council future proofs itself with future changes to the Road Traffic Regulation Act 1984 and other relevant legislation.</p>
<p>Details of any declarations of interest made:</p>	<p>None</p>

Signed..... Date: 3rd April 2025

Please ensure that signatures are redacted before publishing.