

REPORT TO: Cabinet

MEETING DATE: 14 June 2016

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Consolidation of Traffic Regulation Orders, Various Locations, East Lothian

1 PURPOSE

- 1.1 To seek Cabinet approval to start the statutory procedure necessary to consolidate all existing Traffic Regulation Orders, amendments and Variations into 14 area and purpose based Orders to facilitate the enactment of Decriminalised Parking Enforcement (DPE) throughout East Lothian. The exercise will exclude all moving violation based Traffic Regulation Orders.

2 RECOMMENDATIONS

- 2.1 To approve the initiation of the statutory procedure necessary to consolidate all parking, waiting, loading and unloading Traffic Regulation Orders in accordance with 'The Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999.

3 BACKGROUND

- 3.1 East Lothian Council as Local Traffic Authority is responsible for the making or amending of Traffic Regulation Orders as necessary; to avert danger to road users; to prevent damage to the road; to aid free, unrestricted movement on the road; to prevent inappropriate use of the road and/or adjoining property and to improve the amenity of the area.
- 3.2 The above general provisions have been in existence since 1984 which is the most current iteration of Road Traffic legislation necessary to introduce Traffic related restriction Orders.
- 3.3 Over an extended period of time, the Council and preceding Authorities have overlain Orders and amended and varied the restrictions, making the TRO landscape difficult to interpret and read. To understand the

competence and validity of the Orders, an assessment of the known Orders was commissioned, which has recently been completed.

- 3.4 Regrettably, this exercise has highlighted various anomalies and inconsistencies which will require to be corrected. To avoid ongoing difficulties in interpreting the Orders, it is recommended that all Orders be consolidated onto a map based system.
- 3.5 At the East Lothian Council meeting of 15 December 2015, Council agreed to apply to the Scottish Minister to decriminalise Parking Enforcement in East Lothian. An undertaking of the application was for the Council to consider the creation of consolidated Traffic Regulation Orders for individual settlements to cover all existing orders.
- 3.6 Recent feedback from Transport Scotland on East Lothian Council's application for DPE seeks assurances and a commitment that the Council will consolidate and validate all Orders to ensure the requisite standards are met.
- 3.7 It is proposed to make the necessary consolidated Orders in accordance with Section 19 of the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999.
- 3.8 The proposed consolidated Orders will include in a limited capacity existing restrictions (double / single yellow lines) not presently covered by a formal Order. Following discussions with the Council's Legal team it is proposed to include minor additions where it can be proven a system of restrictions has been in place over many years. This view, if taken on the basis that the restrictions have been visible to the public, is generally accepted and there is a need to maintain the restriction to meet the provisions of 3.1.
- 3.9 It is proposed to Consolidate the existing Orders into 2 broad categories:
1. settlements: Musselburgh and Wallyford, Tranent, Prestonpans, Cockenzie and Port Seton, Longniddry, Gullane, North Berwick, East Linton, Ormiston, Haddington, Dunbar and West Barns, coastal car parks.
2. Purpose: school restrictions and disabled persons' parking places.

4 POLICY IMPLICATIONS

- 4.1 These proposals will contribute towards The East Lothian Plan - Single Outcome Agreement (SOA) 2013 and our 3 strategic objectives - to create, support and maintain a Sustainable Economy, Resilient People and Safe and Vibrant Communities.
- 4.2 These proposals will add value to the Safe and Vibrant Communities Partnership and can contribute towards East Lothian's SOA Outcome 7 - East Lothian is an even safer place.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - All costs involved in connection with consolidating and making of the necessary Orders can be accommodated within the Roads Services Revenue budget 2016/17
- 6.2 Personnel - None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1

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