

Report to: Lead Member for Community Services

Date of meeting: 23 November 2016

By: Director of Communities, Economy and Transport

Title: School Keep Clear Markings and Mandatory Cycle Lanes Working Practice.

Purpose: To consider the application of relaxations to national signing regulations in respect to progressing requests for enforceable School Keep Clear markings and with flow mandatory cycle lanes.

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Note the recommendations; and
 - (2) Approve the new working practice for the introduction of enforceable School Keep Clear markings and with flow mandatory cycle lanes as permitted by relaxations in the 2016 Traffic Signing Regulations.
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1 Background Information

1.1 The Traffic Signs Regulations and General Directions (TSRGD) prescribes the design and conditions of use for traffic signs, (which include road markings), to be lawfully placed on or near roads in England, Scotland and Wales. Traffic signs are essential for the implementation of traffic management schemes and for the enforcement of road traffic law.

1.2 In recognition of the changing needs of road users, the advancements in the traffic industry and the need to reduce the impact on the environment the Department for Transport (DfT) undertook a complete review of the existing approach to traffic signing and the legislation supporting it. In 2011, the policy paper Signing the Way was published which set out the policy framework for ensuring our traffic system meets the future needs of all road users, while building upon the existing and established traffic sign system. It set out recommendations for improving the information that traffic signs communicate to road users by providing more freedom for decisions about signing at the local level.

1.3 Following peer reviews and public consultation a new TSRGD was laid before Parliament on 22 March 2016 and came into effect 22 April 2016.

1.4 The new TSRGD included a relaxation on the requirement for a Traffic Regulation Order (TRO) for the implementation of enforceable School Keep Clear entrance markings and with flow mandatory cycle lanes (illustrations as Appendix 1).

2 Supporting Information

2.1 It is important that local authorities make use of the new relaxations as they will enable early delivery of restrictions that will be of greatest benefit to our local communities. The legal requirements for the introduction of TROs include costly advertising and lengthy consultation procedures. While this is necessary for the majority of restrictions, the DfT has recognised there are exceptions where the local traffic authority are best placed to make decisions in consultation with the local community.

2.2 The TRO process can take in excess of 12 months from when a request is received to the restrictions being implemented on the ground. Adopting the new relaxation is in line with the Council's key priorities in keeping vulnerable people safe and making the best use of our resources. The relaxation of the legal requirement to formally advertise and consult on certain restrictions enables us to have the maximum positive impact and represents value for money.

2.3 The introduction of new restrictions should be carried out responsibly and Councils should ensure that reasonable notice is provided to adequately publicise changes. Consistency in the application of the new relaxations will be vital to public understanding. Improved understanding of restrictions and traffic signing leads to improved road safety. It is however, recognised that the introduction of restrictions can have a significant impact on those directly affected and their views need to be considered.

2.4 When the 2002 TSRGD came into force in January 2003 they allowed Bus Stop Clearways (BSC) to be introduced without the requirement for a TRO. The DfT recognised that preventing the obstruction of bus stops by parked cars is particularly important for enhancing the attractiveness of the bus as a means of transport in urban areas. Preventing obstruction of bus stops is also important if they have been adapted to make them wheelchair accessible in line with the Disability Discrimination Act 1995.

2.5 In response to the relaxations a policy (PS 4/33) was approved by the Lead Member for Transport and Environment on 6 November 2006 (included as Appendix 2). The policy established the principles for the provision of BSCs setting out the Council's consultation procedure following the relaxation of the legal requirement to consult.

2.6 The new working practice covering School Keep Clear markings and with flow mandatory cycle lanes follows these established principles and is included as Appendix 3 to this report.

3 Conclusion and Reasons for Recommendations

3.1 East Sussex County Council's policy on the introduction of Bus Stop Clearways has been in operation for ten years resulting in the successful introduction of numerous BSCs across the County. It is recommended that the same well established procedure is followed for the introduction of enforceable School Keep Clear entrance markings and with flow mandatory cycle lanes.

3.2 The new relaxations under the TSRGD 2016 allow local authorities to deliver local solutions within shorter timeframes and at less cost. Having a standard procedure in place ensures consistency in application and fairness in respect to adequately publicising any changes. It is up to the traffic authority to justify the decisions they make on the roads they are responsible for. An approved process will provide officers with support in the event of challenge.

3.3 It is recommended that the working practice as included in Appendix 3 is approved for use within East Sussex County Council for the introduction of enforceable School Keep Clear restrictions and with flow mandatory cycle lanes.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None