

**Action Taken Under Delegated Powers**

**21<sup>st</sup> March 2017**

**Sandwell Metropolitan Borough Council**

**The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017**

**1. Summary Statement**

- 1.1** Approval is sought to introduce The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 for proposed parking restrictions as shown on plan No 39,342 S/3, which will have the effect of suspending the existing restrictions for the duration of this order.
- 1.2** This Experimental Order will suspend existing parking restrictions and prevent stopping at any time in the area shown on plans 39,342 S/3 providing a safer environment in this industrial area and prevent congestion at a particularly busy location which carries a large amount of private as well as commercial and HGV's.
- 1.3** Regulation 22 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 does not require the authority to publish the proposals or consider objections prior to the Experimental Order being made. However a 14 day statutory consultation would be appropriate with;

Chief Officer of Police  
The Freight Transport Association  
The Road Haulage Association  
West Midlands Ambulance Service  
West Midlands Fire Service  
National Express  
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However once the Experimental order has been made any objections within the first 6 months from when the experimental order is in place to will be considered by the Highway Authority.

- 1.4 Any person may object to the making of the order in writing, stating the grounds on which it is made. Any unresolved objections would need to be reported back to the Cabinet Member.
- 1.5 The cost to amend the Traffic Regulation Orders including advertising, new signs and lining would be in the region of £3,500 and would be funded from the Parking Account.

*Further details are attached for your information*

## **2. Recommendations**

- 2.1 That approval be given to publish the relevant notices, undertake statutory consultation and implement The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 as shown on drawing 39,342 S/3:
- 2.2 That a report will be presented to the Cabinet Member for Highways and Environment for a decision if;
  - a) any objections to The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 or any variation or modification to it have not been resolved or withdrawn,
- 2.2 That the Head of Legal Services to be authorised to:-
  - a) make The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 under Sections 1, 2 and 9 of the Road Traffic Regulation Act 1984 as shown on Drawing 39,285 S/3
  - b) Affix the Common Seal of the Borough Council of Sandwell to The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 to enable it to be operative for a period of 18 months.
  - c) Make The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 permanent and

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affix the Common Seal of the Borough Council of Sandwell following no objections being made or the resolution of any unresolved to The Borough Council of Sandwell (Cradley Heath, Forge Lane – Foxoak Street) (Experimental Red Route Order) 2017 by the Cabinet Member for Highways and Environment.

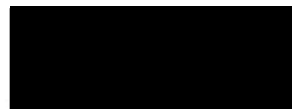
In accordance with the authority delegated to the Cabinet Member for Neighbourhood Services, the following course of action has been agreed, which will be set out in the formal record of the decisions taken by the Member:-

- (1) the recommendation(s) above is/are approved.
- (2) the recommendation(s) above is/are approved as now amended.
- (3) the recommendations above is/are approved.

  
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**Nick Bubalo**  
**Director of Regeneration & Economy**

*22nd* March 2017

Contact Officer  
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*21/3/17*

### **3. Strategic Resource Implications**

- 3.1 The Corporate Risk Management Strategy has been complied with – to identify and assess the significant risks associated with this decision/project. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks.
- 3.2 Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these effectively. This assessment has identified there are no current "red" risks that need to be reported.
- 3.3 The costs to implement the Traffic Regulation Order will be in the region of £3500 and be funded from the Local Transport Plan Account.

### **4. Legal and Statutory Implications**

An Experimental Traffic Order is made under the Road Traffic Regulation Act 1984.

Experimental Orders are used in situations that need monitoring and reviewing. These can last no more than eighteen months before they are abandoned, amended or made permanent.

There is no public consultation required prior to the making of an experimental order, however there is a 6 month public consultation period from the date of making the order, that allows representations to be submitted based on the experimental order in operation. After that period, the scheme may be modified or varied in which case there will be a further 6 months consultation period, or revoked if it fails to achieve its stated objective, or made permanent.

### **5. Implications for the Council's Scorecard Priorities**

- 5.1 The principal benefits associated with Traffic Regulation Orders, that assist in meeting the Council's scorecard priorities, are mitigating unsafe, illegal and inconsiderate parking, reducing traffic congestion, maintaining good access and improving equality have a positive effect on Sandwell as a good place for local communities and visitors.

### **6. Background Details**

Requests taken from 'TRO Requests' List - made by Councillors, Police, Bus Service (TfWM) and residents.