



**Meeting: Transport Working Party**

**Date: 23<sup>rd</sup> January 2014**

**Wards Affected:** All wards in Torbay

**Report Title:** Torbay Council Traffic Sensitive Streets Policy

**Executive Lead Contact Details:** Sue Cheriton, Executive Head, Residents & Visitor Services

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**1. Purpose**

- 1.1 Torbay Council has produced this policy to highlight streets that will suffer congestion if planned road works activities are undertaken at the qualifying times. By implementing this policy Torbay will be able to more effectively manage road works, thereby reducing unnecessary delay to traffic.

**2. Proposed Decision**

- 2.1 That the Traffic Sensitive Streets policy in Appendix 1 to this report is approved and adopted for future planned road works.

**3. Action Needed**

- 3.1 That the Transport Working Party recommend that the policy is added to the associated data files of the National Street Gazetteer, distributed to all Statutory Undertakers.

**4. Summary**

- 4.1 The existing Traffic Sensitive Streets policy was implemented in 1993 and based on traffic flow data at that time. Various changes in legislation and altering traffic flow patterns require the policy to be re-evaluated.
- 4.2 The new Traffic Sensitive Streets policy is compliant with current legislation and has been consulted on with views sought from Statutory Undertakers, Emergency services and public transport operators. Two responses to the consultation have been received indicating general acceptance of the policy.

## **Supporting Information**

### **5. Position**

- 5.1 The Traffic Sensitive Streets policy in compliance with The Street Works (Registers, notices, Directions and designations) (England) Regulations 2007 details streets that meet strict criteria in regard to traffic flow. Where this criterion is met, the street can be designated as Traffic Sensitive.
- 5.2 The policy is published in support of the National Street Gazetteer and used by Statutory Undertakers and Highway Authority when planning and executing works in the highway.
- 5.3 Streets that are designated as Traffic Sensitive would be deemed to suffer congestion if traffic flow is interrupted at the time of the designation.
- 5.4 Designations fall into 3 major categories:- All Year, Peak Hours and Summer only. Other minor definitions include for regular major events that increase traffic flow such as a football match.
- 5.5 The Council has the ability to instruct that works are not undertaken at the time of designation where they are deemed to affect traffic flow. Any direction to undertake works outside of Traffic Sensitive times must not lead to a contravention of any other piece of legislation such as noise pollution or health and safety.
- 5.6 Where works continue beyond a reasonable or prescribed period, the Council has the option to charge the works promoter in line with Section 74 of the New Roads and Street Works Act 1991. The designations of streets as Traffic Sensitive affect the level of applicable charges.
- 5.7 The current policy has been in force since 1993. Since that time, Regulations have been updated and traffic flow patterns have changed.
- 5.8 The revised policy takes into account, up to date traffic flow data and Regulation amendments.

### **6. Possibilities and Options**

- 6.1 The Council can continue to use the original document but risk a challenge from Statutory Undertakers.
- 6.2 The Council could decide not to designate any street as Traffic Sensitive.

### **7. Preferred Solution/Option**

- 7.1 To adopt the policy as proposed

### **8. Consultation**

- 8.1 The policy has been consulted on with all Statutory Undertakers having an interest in apparatus in Torbay, Emergency Services and public transport organisations.
- 8.2 Two responses have been received from Statutory Undertakers, both in favor

of the proposed policy

**9. Risks**

- 9.1 If the policy is not adopted, the Council could be challenged on the current document as it doesn't comply with The Street Works (Registers, notices, Directions and designations) (England) Regulations 2007. This would leave works promoters with no guidance as to the possible affect of works on the user of the highway.

**Appendices:**

Traffic Sensitive Streets

**Additional Information:**

**None**

**Documents available in Members' Rooms:**

**None**

**Background Papers:**

The Street Works (Registers, notices, Directions and designations) (England) Regulations 2007