

# Individual Executive Decision Notice

<b>Report title</b>	Transport Network - Miscellaneous Traffic Regulation Orders - Old Fallings Lane	
<b>Decision designation</b>	GREEN	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans Cabinet Member for City Environment	
<b>Wards affected</b>	Fallings Park; Bushbury South & Low Hill	
<b>Accountable Director</b>	Ross Cook, Director of City Environment	
<b>Originating service</b>		
<b>Accountable employee</b>	Nick Broomhall	Service Lead Traffic and Road Safety
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<b>Report to be/has been considered by</b>	Not applicable.	

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## Summary

This report seeks to agree the implementation of measures at Old Fallings Lane to improve safety, encourage sustainable travel and contribute to the effective management of the highway network.

### Recommendations for decision:

That the Cabinet Member for City Environment, in consultation with the Director of City Environment:

1. Approves the recommended action to implement 'No Stopping Restriction' on school 'keep clear' markings to parts of Old Fallings Lane, as shown on plan T4/4257A appended to this report.
2. Authorises the Director of Governance to implement the relevant traffic regulation order.

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Signature

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Signature

Date:

Date:

## **1.0 Background**

- 1.1 This report seeks to agree the implementation of a Traffic Regulation Order (TRO) on Old Fallings Lane to improve safety, encourage sustainable travel and contribute to the effective management of the highway network.

## **2.0 Detail**

### **Old Fallings Lane – No Stopping Restrictions (Plan T4/4257A)**

- 2.1 In February/March 2020, proposals to prohibit stopping on school entrance markings Monday to Friday 8:00 to 9:30am and 2:30 to 4:30pm in parts of Old Fallings Lane were formally advertised.
- 2.2 The restrictions are required as part of a planning condition attached to the recent development works to Our Lady & St Chad Catholic Academy. The proposed TRO will protect the new off -carriageway school bus layby, that has been provided as part of a new pedestrian and vehicle entrance to the school site. This will provide improved access for pedestrians and help the flow of traffic along Old Fallings Lane by removing the existing on street school bus stops to the south east of the new layby.
- 2.3 No comments or objections were received during the consultation period.
- 2.4 It is therefore recommended that these restrictions are implemented as shown on plan T4/4257A.

## **3.0 Evaluation of alternative options**

- 3.1 The alternative option would be to leave the highway free from a no stopping prohibition in the area of the new bus stop layby on Old Fallings Lane, which could lead to inappropriate parking adjacent to this new facility, causing access issues for the school busses. This would have a negative impact on the effective management of the highway network, lead to increased journey times and lead to access, visibility and road safety issues for both pedestrians and drivers.

## **4.0 Reasons for decision**

- 4.1 The introduction of the TRO's to prohibit stopping at school drop off and pick up times will allow better flow of traffic, will reduce delays for all vehicles and improve pedestrian road safety.

## **5.0 Financial implications**

- 5.1 The TRO's as detailed in this report are estimated to cost in the region of £6,000. The developer of the scheme has made a payment of £6,000 specifically for the introduction of a TRO, from which these costs will be met.

## **6.0 Legal implications**

- 6.1 Under Section 122(1) of the Road Traffic Regulation Act 1984 (“The 1984 Act”) the Council, as the traffic authority, has a duty to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Section 1(1) of the 1984 Act enables the Council to make a Traffic Regulation Order “where it appears to be expedient to make the order”.
- 6.2 The procedure for making a traffic regulation order under the 1984 Act is contained in the Local Authorities ‘Traffic Orders (Procedure) (England & Wales) Regulations 1996 (SI 1996/2489). There are consultation requirements before an order can be made. The procedure for dealing with any objections received during the consultation period is laid down in the 1996 Regulations and having determined any objections received, the TRO may be brought into force.
- 6.3 Vehicles parked in contravention of TROs can be immobilised (s104) or removed (s99). A person breaching a TRO is guilty of an offence, and liable on summary conviction to a level 3 fine (currently £1000). Alternatively, the individual can be offered a Fixed Penalty Notice, if the Council has adopted the scheme.

Schemes supporting planning applications would jeopardise the whole scheme if not implemented; the Council has also already agreed informally to implement the said schemes during the planning application process.

[Legal Code: TS/20032020/W]

## **7.0 Equalities implications**

- 7.1 The proposed no stopping restrictions will help parents with pushchairs and will safeguard children who are not so safety prone. It will help people in wheelchairs and assist in keeping people healthy in general by encouraging people to walk.

## **8.0 Climate change and environmental implications**

- 8.1 The proposed TRO will assist in ensuring the safe and efficient operation of the highway.

## **9.0 Human resources implications**

- 9.1 There are no human resource implications arising from this report.
- 9.2 The work required to deliver the various orders will be absorbed by staff within the in-house legal team.
- 9.3 The Traffic Regulation Order will be enforced by the Council’s Parking Services team as part of their city-wide enforcement responsibilities.

## **10.0 Corporate Landlord implications**

10.1 There are no corporate landlord implications arising from this report.

## **11.0 Health and Wellbeing Implications**

11.1 The proposed Traffic Regulation Orders are designed to encourage sustainable methods of travel including walking and cycling by improving Road Safety and so will benefit the health and well-being of the public.

## **12.0 Schedule of background papers**

12.1 None.

## **13.0 Appendices**

13.1 Appendix 1: T4 4257A TRO PLAN