



Rutland County Council

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RECORD OF OFFICER DECISIONS

In accordance with The Openness of Local Government Bodies Regulations 2014, this document records decisions that would otherwise have been taken by the relevant local government body, or a committee, sub-committee of that body or joint committee in which that body participates but have been delegated to an officer of that body.

DECISION TAKER (name and title)

Name: Penny Sharp

Title: Acting Strategic Director Places

DELEGATION GIVEN UNDER



A specific express authorisation (at a meeting, include date and name of meeting):



Under general authorisation (in the constitution or other document stating what section applies):

Cabinet - Report No 55/2017 on 18th April 2017

CE1211 ITB (Community led highways or Transport scheme)

Delegation wording comes from Cabinet report 120/2019:

2 a) Delegate authority to the Strategic Director for Places in consultation with the Portfolio Holder for Culture & Leisure, Highways & Transportation and Road Safety to:

i) Approve the design, construction, or implementation of community led highway or transport initiatives (including accident cluster sites);

iii) Create or modify traffic regulation orders in order to deliver schemes required to deliver approved projects, subject to the Traffic Regulation Order (TRO) complying with DfT guidance;

THE EFFECT OF THE DECISION	
<input type="checkbox"/>	Grant a permission or Licence
<input checked="" type="checkbox"/>	Affect the rights of an individual
<input type="checkbox"/>	Award a contract or incur expenditure which materially affects the council's financial position
ARE YOU FOLLOWING A PROCESS TO COME TO THE RESULTED ACTION OR ARE YOU MAKING A CHOICE BETWEEN TWO OR MORE ALTERNATIVES?	
<input checked="" type="checkbox"/>	Following a process – No further action required
<input type="checkbox"/>	Choosing between alternatives
IS THE RECORD OF THE DECISION, INCLUDING THE DATE, DECISION AND REASONS ALREADY PUBLISHED IN ACCORDANCE WITH ANY OTHER STATUTORY REQUIREMENT?	
<input checked="" type="checkbox"/>	Yes (state where) – No further action required (HTWG 15 September 2020)
<input type="checkbox"/>	No

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TITLE OF DECISION:
Ketton parking restrictions
PURPOSE OF THE DECISION
Line (markings) and associated traffic management for Ketton parking restrictions
DECISION DETAIL
<p>Following formal consultation, responses received by RCC, several responses questioned the need for restrictions as proposed and suggested elements outside the scope of the proposal.</p> <p>https://www.rutland.gov.uk/my-community/transport/transport-strategy/highway-and-transport-concerns/</p> <p>The purpose of the TRO is to benefit all highway users including residents - helping with expeditious, convenient and safe movement, especially in the context of a school area on an A road.</p> <p>Factors the Council have considered which mean that a restriction needs to be imposed are:</p> <ul style="list-style-type: none"> • a need to help with expeditious, convenient and safe movement, especially in the context of a school area on an A road. • a need to prioritise access for residents • displacement to intended unrestricted areas <p>It is recommended to make TRO as proposal there is no material reason not to.</p> <p>Other representations were made based on either personal preference or inconvenience caused by the proposal but were not considered to override the objective of providing a benefit to all highway users.</p>

COST OF THE SCHEME(s)

£1300 through HTWG CE1211 ITB (Community led highways or Transport scheme)

Need for legal to make the TRO and publicise - costs of which are met corporately.

REASON FOR THE DECISION

To make TRO according to proposal and implement.

The approach to be adopted by traffic authorities in considering whether to make a TRO should be as follows:

- (1) The decision-maker should have in mind the duty (at S.122 of the 1984 Act) to secure expeditious, convenient and safe movements of vehicular and other traffic including pedestrians in so far as is practicable (NB this case also confirmed that "traffic" extends to include pedestrians)
- (2) The decision-maker should then have regard to factors which may point in favour of imposing a restriction on that movement; such factors will include the movement on the amenities of the locality and other relevant factors including those set out at S.1 of the 1984 Act
- (3) The decision-maker should then balance the various considerations and come to the appropriate decision

Road Traffic Regulations Act s.1

(1) The traffic authority for a road outside Greater London may make an order under this section (referred to in this Act as a "traffic regulation order") in respect of the road where it appears to the authority making the order that it is expedient to make it—

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

(b) for preventing damage to the road or to any building on or near the road, or

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or

(e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or

(f) for preserving or improving the amenities of the area through which the road runs or

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

OTHER OPTIONS CONSIDERED AND REJECTED
No action but no action not desired.
LOCAL GOVERNMENT BODY DECLARATION OF CONFLICT OF INTEREST OF MEMBERS GIVEN IF AUTHORISATION WAS GIVEN AT A MEETING
N/A
SUMMARY OF EXEMPT OR CONFIDENTIAL INFORMATION NOT DISCLOSED

Signed: 

Date: 19/11/20