

**EXCERPT OF MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE
HELD ON 7 AUGUST 1996****PROCEDURES FOR THE PROMOTION OF TRAFFIC ORDERS - ARRANGEMENTS FOR
PROCESSING APPLICATIONS**

1. There was submitted a report dated 2 July 1996 by the Director of Administration (1) indicating the extensive nature and detail of issues associated with Traffic Management proposals promoted in accordance with the Road Traffic Regulation Act 1984 and the Road (Scotland) Act 1984; (2) proposing that a dedicated Sub-Committee be established to deal with matters relating to this legislation, and (3) recommending that the Sub-Committee be entitled the Planning and Development (Traffic Management) Sub-Committee with delegated powers to deal with Traffic Orders, objections and associated matters.

Decided:

- (1) that the report be approved, and
- (2) that the appointment of Members be remitted to the Council.

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| To: PLANNING & DEVELOPMENT COMMITTEE | | Subject: PROCEDURES FOR THE PROMOTION OF TRAFFIC ORDERS ETC. - ARRANGEMENTS FOR PROCESSING APPLICATIONS |
| From: DIRECTOR OF ADMINISTRATION | | |
| Date: 2 July 1996 | Ref: TG/MBG | |

1 Introduction

- 1.1 As Members will be aware the North Lanarkshire Council is the statutory authority for promoting Traffic Management proposals insofar as they relate to permanent traffic orders, temporary traffic orders, road humps and restrictions on speed limits amongst other road and transportation issues.
- 1.2 The Council has already constituted a Sub-Committee, the Planning and Development (Transportation and Development) Sub-Committee which has general responsibility for the Council's Transportation Policy and Programmes.
- 1.3 However given the extensive nature and detail of issues associated with Traffic Management Proposals promoted in accordance with the Road Traffic Regulation Act, 1984 and the Roads (Scotland) Act, 1984 which can include specific site visits, hearings involving objectors and which often necessitate detailed consideration of road traffic management issues, it is suggested that a dedicated Sub-Committee may be the best option for dealing with these matters.

2 Proposed Arrangements

- 2.1 In order to regularise the arrangements for dealing with traffic management initiatives it is suggested that a Sub-Committee be established comprising 10 Members drawn from the membership of the Planning and Development Committee, inclusive of the Convener and Depute Conveners.
- 2.2 The reasons for the establishment of this Sub-Committee can be summarised as follows:-
 - 2.2.1 It is the case that certain road traffic management proposals can generate considerable local interest and the procedure for dealing with these issues often require site visits, public hearings involving objectors and proposers and detailed discussion of the merits of the application.

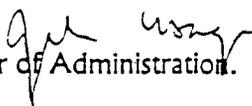
- 2.2.2 A dedicated Sub-Committee offers flexibility and adaptability. This is often beneficial where the traffic management proposal is central to a major redevelopment, such as those which are often planned for town centres and which may, over a short but sustained period of time, require intensive attention by Members. For this reason it is not proposed that this Sub-Committee form part of the normal cycle of meetings. It is intended that meetings will only be held as and when deemed necessary and they will be organised, as far as possible, to comply with the other commitments of Members .
- 2.2.3 Distinct from a number of other Committees of the Council, there is in this instance a specific statutory obligation on the body dealing with these matters to comply with prescribed time schedules for the hearing of objections and the procedure at public hearings. The procedure for dealing these Orders is contained in Regulations which determine how applications are to be progressed and it should be noted that there exists a specific right of appeal to the Court of Session on grounds of non compliance with the statutory procedures.
- 2.2.4 Should the Council agree to the establishment of this dedicated Sub-Committee it will provide a more "user friendly" and responsive forum for dealing with traffic management issues and one which will have the added benefit of reducing the amount of paperwork and ancillary administration that would be involved in servicing the existing forum of 20 Members.
- 2.3 It is proposed that the quorum for meetings of the new Sub-Committee be 3 Members (in terms of Standing Orders a quorum of one quarter is required) with meetings being held on an ad hoc basis to deal with these matters as they arise and with powers being delegated to the Sub-Committee to undertake site visits as necessary, hear and consider in some detail all maintained objections received and to determine Orders.

3 Recommendations

- 3.1 That the Committee recommend to the Council the establishment of a dedicated Sub-Committee entitled the Planning and Development (Traffic Management) Sub-Committee with the undemoted terms of reference:-

"To consider and determine on behalf of the Council all Traffic Management proposals which have been promoted in terms of the Road Traffic Regulation Act, 1984 and the Roads (Scotland) Act, 1984 together with all associated legislation and regulations."

- 3.2 That the Sub-Committee comprise a total of 10 Members with a quorum of 3.
- 3.3 That powers be delegated to the Planning and Development (Traffic Management) Sub-Committee to determine Orders, deal with objections and associated matters.
- 3.4 That the procedure to be followed by the Sub-Committee at Public Hearings be as detailed in the Appendix to this report.


Director of Administration.

NORTH LANARKSHIRE COUNCILTRAFFIC MANAGEMENT SUB-COMMITTEEPROCEDURE AT PUBLIC HEARINGS

1. The Convener will introduce the members of the Sub-Committee and the officials present (being in normal circumstances representatives of the Divisional Manager and the Chief Constable, in relation to the Traffic Management proposals, together with representatives of the Director of Administration and the Head of Planning and Transportation as advisers to the Sub-Committee).
2. If the Sub-Committee so agrees, consideration will be given to applications to be heard by parties other than objectors.
3. The Convener will outline the procedure to be adopted and seek the agreement of the objectors (or their representatives) to this.
4. The Divisional Manager (or representative of the Divisional Manager) will outline the proposals.
5. The objectors (or their representatives) will then be invited to introduce themselves formally and state their case.
6. The Divisional Manager (or representative of the Divisional Manager) will be given an opportunity to respond to the points raised by objectors (or their representatives).
7. The Chief Constable's representative will be asked to comment. (This may occur at an earlier stage as appropriate).
8. The Local Member(s) will be asked to state their views. (Should the Local Member(s) not be in attendance, their views, as far as are known, will be intimated at the Hearing).
9. The Convener will then offer Members of the Sub-Committee the opportunity to question both the officials and the objectors (or their representatives).
10. The Divisional Manager (or representative of the Divisional Manager) will be given an opportunity to sum up the case for the proposal (introducing no new material).
11. The Objectors (or their representatives) will be given an opportunity to sum up their case (introducing no new material).
12. The Divisional Manager (or representative of the Divisional Manager), the Chief Constable's representative, the Local Member(s) and the objectors (and/or their representatives) will be asked to withdraw.
13. The Sub-Committee will consider the matter (including any written representations received from objectors who may not be in attendance at the Hearing) and then make their decision.
14. The decision of the Sub-Committee will be confirmed in writing to the objectors and officials as soon as possible thereafter.