



# **PEACEHAVEN TOWN COUNCIL**

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## **DRAFT Minutes of the meeting of the Planning & Highways Committee held online (Zoom) at 7.30pm on Tuesday 6<sup>th</sup> October 2020**

Present – Cllr I Sharkey (Chair) Cllr A Milliner, Cllr C Gallagher, Cllr S Griffiths, Cllr D Seabrook, Cllr D Paul, Cllr L Mills, Cllr R White, Cllr A Goble, Tony Allen (Town Clerk), Victoria Onis (Admin & Meeting Officer)

It was resolved that Cllr C Gallagher participates in the meeting in a non-voting capacity.

Four members of the public were also present.

### **1 PH890 CHAIR ANNOUNCEMENTS**

The Chair welcomed everyone to the meeting.

### **2 PH891 PUBLIC QUESTIONS**

**Members of the public reported to the Committee, traffic concerns in Dorothy Avenue - Item 10 PH899 on the Agenda.**

- Damage to residents' cars from construction vehicles
- High volume of traffic using this road after using local shops.
- Parking on double yellow lines, up on curbs, damaging grass verges, tarmac
- No weight restrictions on the road, so being used for construction vehicles/Delivery lorries.
- Request from residents to block the road off after the Sainsbury's car park
- Heavy vehicles roads were not built for this amount of traffic, cracks appearing on properties, road cracks not a viable route for this volume of traffic.

**A member of public spoke reported on parking issues outside of Subway, South Coast Road.**

- Double parking on double yellow lines
- Honking of car horns due to dangerous parking up on pavements and out in the road
- Delivery drivers outside of the takeaways on both sides of the road honking horns
- Walkers having to step out into the road to pass the vehicles blocking the pavement.
- Parking enforcement team are not addressing the issues as do not have the manpower.

It was suggested by Councillors that

- Neighbourhood First is contacted and made aware of the situation
- Contact the shop keepers and ask if their delivery drivers are honking horns for deliveries?
- Resident to log details with Operation Crackdown
- It was suggested that it would be beneficial to have a Working party

**3 PH892 TO CONSIDER APOLOGIES FOR ABSENCE & SUBSTITUTIONS**

Apologies accepted for Cllr Hill

**4 PH893 TO RECEIVE DECLARATIONS OF INTEREST FROM COMMITTEE MEMBERS**

There were no declarations of interests

**5 PH94 TO ADOPT THE MINUTES FROM THE 8<sup>th</sup> SEPTEMBER 2020**

It was resolved to adopt the minutes as a true record

**6 PH895 UPDATE FROM CLLR GALLAGHER CHAIR OF THE STEERING GROUP FOR THE NDP**

Cllr Gallagher reported the following:-

- The next Steering Group meeting will take place on Thursday 8<sup>th</sup> October at 7pm.
- Contact is ongoing with HDD about trying to get the best solution for the Meridian site.
- AECOM is doing a consultation about Design Guides, including the setting out zones according to the architecture, the lay of the land, throughout the Peacehaven and Telscombe area.
- There will be a 6-week public consultation asking people to put forward ideas on the design, materials and style of homes and businesses in the future.

**7 PH896 TO NOTE AND REVIEW THE COMMITTEES BUDGETARY REPORT**

Cllr Griffiths reported that PTC has two dog bins in Valley Road, which we pay Lewes DC to empty, but cannot find the emptying cost on the report?

Town Clerk will investigate.

**8 PH897 TO DECIDE ON THE REPLACEMENT OF THE PLANTER OUTSIDE SUBWAY**

Cllr Seabrook updated the Committee, noting that the planter has now been removed as it represented a danger to the public. A stronger replacement needs to be purchased, as soon as possible.

The next action would be to look at the ESCC Lease, to check if the Lease would allow PTC to add a few cycle racks and possibly bollards which would also help to protect the public, the area is approx. 30 foot long so we need to protect the whole area; Admin Officer to check the license.

It was resolved to obtain quotes on planters with a cycle rack and come back to next meeting. The possibility of business sponsorship also to be explored.

**Proposed** Cllr Seabrook

**Seconded** Cllr Griffiths

All in Agreement

**9 PH898 TO DISCUSS AND RESOLVE THE WASTE BINS LOCATION IN THE VALLEY ROAD**

Lewes District Council empties our two bins at Valley Road; if we require extra bins, we will need to request them from LDC, although the extra costs could prove prohibitive. An alternative would be to move the bins to more useful locations.

Cllr Paul proposed to walk around the Valley Road area and report back on location of the bins and their location in relation to the fields the horses are in.

It was also resolved to clarify with the Parks Officer how many bins we have and how many we are paying LDC to empty and what budget this is coming out of.

**Proposed** Cllr Griffiths

**Seconded** Cllr Seabrook

All in Agreement



**10 PH899 TO DISCUSS DOROTHY AVENUE NO THROUGH ROAD REQUEST - Verbal report**

*[This item was brought forward for discussion in advance of Item 6. Standing Orders were suspended to allow public participation]*

Cllr Mills reported that she has received a signed petition from all the residents of Dorothy Avenue (between A259 and Arundel Road) for this section of the road to be blocked off from the top, making it a no through road.

Cllr Mills reported that this matter was also discussed at the SLR Meeting on the 26<sup>th</sup> September. Ian Johnson (Traffic & Safety Manager, ESCC) had stated that this road was assessed in November 2019 and scored a level of 41, which is not at the level for the County Council to take things further (the baseline being 70). Assessment is based on location, scale of impact, economy impact, safety impact, environmental impact, and social impact.

Ian Johnson advised that the residents can look at a community match scheme, which will require a charge of £500 for a feasibility study and £400 for a speed scheme, as well as additional costs for implementing the recommendations made on these study's.

Cllr White and Cllr Goble, suggested we could start this off by requesting some weight restriction Orders and signage from ESCC, for Dorothy Avenue. Cllr White noted that if these heavy vehicles are going to the Barratt's site, it would be advisable to speak to a contact on the Barratt's Development, it is not appropriate for heavy construction vehicles to be using this narrow residential road for access.

It was resolved that we undertake our own informal survey, along with photographic evidence to start with and then take the results to the SPO Officer and contact ESCC and ask for some weight restriction signage.

**Proposed** Cllr Mills  
**Seconded** Cllr white  
All in agreement

**11 PH900 TO DISCUSS AND COMMENT ON THE LEWES 2020 INFORMAL PARKING CONSULTATION**

It was proposed to support these plans to change the parking regulations and it needs to go to ESCC and not LDC.

**Proposed** Cllr Seabrook  
**Seconded** Cllr Griffiths  
All in Agreement

**12 PH901 TO REVIEW THE GOVERNMENT'S PLANNING WHITE PAPER FOR REPORTING TO COUNCIL**

Cllr Sharkey advised that herself and the SPO Michelle Edser will be attending an online seminar on Thursday 10<sup>th</sup> Oct.

The Town clerk updated the Committee that immediately after the seminar, a recording will be available and will be circulated to all other Councillors.

It was suggested that the matter is taken forward by Cllr Sharkey, the SPO and Cllr Seabrook, with a paper drafted for Council at its meeting on the 27<sup>th</sup> October.

**Minutes of the meeting of the Planning & Highways Committee - Tuesday 8<sup>th</sup> September 2020**  
**13 TO CONSIDER Planning applications as follows:-**

<p><b>PH902 LW/20/0616</b>  139 South Coast Road Peacehaven</p> <p><b>Case Worker</b> Julie Cattell</p>	<p><b>Peacehaven Town Council objects to this planning application.</b></p> <p>6 flats and only 4 car park spaces, dead end road. Limited parking in the street as Residential area, the location is on a dead end, so the end needs to be free for cars to turn.</p> <p>Inadequate parking, poor access as dead end, overlooking gardens either side. Looking directly into neighbours bedrooms. This building could even be increased in height in the future without planning permission, when will it stop.</p> <p><b>Planning Objections</b></p> <ul style="list-style-type: none"> <li>• Out of keeping with street scene – impairment of the street scene, changing the character and appearance, detrimental to it, will spoil the ambience of the Road/Avenue, unfriendly</li> <li>• Loss of privacy – overlooking, causing loss of privacy or light, too close.</li> <li>• Absence of car parking facilities – provision for pedestrians, wheelchairs and prams</li> <li>• Increase of traffic &amp; congestion – is there an alternative</li> <li>• Exacerbate existing parking problems</li> <li>• Inadequate local infrastructure – including A259, surgeries, school</li> </ul>
<p><b>PH903 LW/20/0601</b>  53 Ashington Gardens Peacehaven</p> <p><b>Case Worker</b> Mr William De-haviland-Reid</p>	<p><b>Peacehaven Town Council Recommend to Approve</b></p>
<p><b>PH904 LW/20/0601</b>  53 Ashington Gardens Peacehaven</p> <p><b>Case worker</b> Mr William De-haviland-Reid</p>	<p>Duplicate of above.</p>
<p><b>PH905 LW/20/0557</b>  41 Firle Road Peacehaven</p> <p><b>Case Worker</b> Julie Cattell</p>	<p><b>Peacehaven Town Council objects to this planning application.</b></p> <p>Planning Application was Refused by LDCC in 2018, was turned down as not sufficient space there/over development. The new application is almost the same, apart from a wall.</p> <p>The Reasons are the same as those given by PTC for the previous application. These must be added to this application, and include:-</p> <ul style="list-style-type: none"> <li>• Inadequate sewage/drainage provision</li> <li>• Overshadowing from the proposed extension</li> <li>• Overdevelopment of this small site</li> <li>• Cramped and dominant proposed building</li> <li>• the proposed driveway is on a junction/corner</li> <li>• concerns over the hedge at western boundary of the premises. This hedge is home to a variety of small birds and to remove it would have an adverse effect of the environment and biodiversity in this area</li> </ul>



## Minutes of the meeting of the Planning & Highways Committee - Tuesday 8<sup>th</sup> September 2020

PH905 Cont.	Should LDC be minded to approve this application, there needs to be improvement in the sewage/drainage system.
PH906 LW/20/0558 70 The Promenade Peacehaven  Case Worker Mr James Emery	Peacehaven Town Council Recommend to Approve

### 14 To note the following Planning Applications:-

PH907 LW/20/0648 Lower Hoddern Farm Hoddern Farm Lane Peacehaven East Sussex BN10 8AP  Case worker Chris Wright	Non-Material Amendment to vary the approved materials plan in relation to application ref: LW/19/0760  <a href="http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=LW/20/0648">http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=LW/20/0648</a>
PH908 TW/20/0071/TPO 2 The Cedars Peacehaven  Case Worker Mr Daniel Wynn	T2 - Field Maple - reduce and reshape crown by up to 1.2 metres - to formative prune and shape, T3 -Poplar - re-pollard to old pruning points (approximately 3 metres) - to keep at reasonable size for garden, T4- Sycamore - twin stemmed - fell - causing damage to boundary wall, T5 - Sycamore - single stem - reduce and reshape crown by up to 2.5 metres and thin by 15% - to balance shape  <a href="http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=TW/20/0071/TPO">http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=TW/20/0071/TPO</a>
PH909 LW/20/0552/CD 8 Capel Avenue Peacehaven  Case Worker Mr James Emery	Discharge of Condition 10 (refuse and recycling storage) in relation to planning application LW/18/0907 granted by appeal APP/P1425/W/19/3233039  <a href="http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=LW/20/0552/CD">http://padocs.lewes-eastbourne.gov.uk/planning/planning-documents?ref_no=LW/20/0552/CD</a>

The Committee noted the planning applications above

### 15 TO NOTE the following planning application Decision Notices:-

PH910 LW/20/0471 8c Cripps Avenue Peacehaven	Planning Application for Planning Application for Erection of a rear extension  Lewes DC Grants permission Peacehaven's Planning & Highways Committee <b>Supported</b> this application
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## Minutes of the meeting of the Planning & Highways Committee - Tuesday 8<sup>th</sup> September 2020

<b>PH911 LW/20/0483</b> 55 Telscombe Road Peacehaven	<b>Proposed loft conversion</b>  Lewes District Council hereby certify that on 28 July 2020 the <b>matter</b> described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and <b>DELINEATED</b> on the plan attached to this Certificate, is <b>lawful</b> within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended).  Lewes DC <b>Grants permission</b> Peacehaven's Planning & Highways Committee <b>Supported</b> this application
<b>PH912 LW/20/0452</b> 5 Green Hill Way Peacehaven	<b>Planning Application for Construction of a 2 bedroom bungalow to the land at the rear</b>  Lewes DC <b>Refused permission</b> Peacehaven's Planning & Highways Committee <b>Objected</b> this application
<b>PH913 LW/20/0443</b> 8a Downland Avenue Peacehaven	<b>Planning Application for Proposed loft conversion</b>  Lewes DC <b>Grants permission</b> Peacehaven's Planning & Highways Committee <b>Supported</b> this application
<b>PH914 LW/20/522</b> 28 Firle Road Peacehaven	<b>Planning Application for Erection of a summer house and separate storage shed</b>  Lewes DC <b>Grants permission</b> Peacehaven's Planning & Highways Committee <b>Supported</b> this application

The above decisions were noted.

### 16 PH915 TO REVIEW & UPDATE THE P&H ACTION PLAN.

- The Town Clerk reported that the Assets of community Value - Car parks; SPO Michelle will be meeting with Mike Gatti and Vivian Carrick, to move forward this item and resubmit applications for the two out of the three car parks that did not get approved.
- Cllr Sharkey reported that The Developers Liaison Working Group had their first meeting 02/10/20; the main points of action are to have some contact with B&H buses, Barratt's and LDC about some of the issues that come up with Chalkers Rise, various CIL & S.106 monies. Next meeting will be on 27<sup>th</sup> November 2020.
- Cllr Seabrook reported that he is putting a proposal together for the two lamp posts in Valley Road, where we have an excessive Electricity bill. The Proposal will be for Solar powered streetlights, which will save the Town Council approximately £2k a year.
- The Town Clerk updated that the Land registry confirms we own the 2 parcels of land within Howard park.

Next meeting of the Committee – 10<sup>TH</sup> November 2020

There being no further business, the meeting closed at 20.45

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>200 Planning &amp; Highways</u>							
4851 Noticeboards	0	1,300	1,300		1,300	0.0%	
4852 Monument & War Memorial	0	600	600		600	0.0%	
4853 Street Furniture	0	600	600		600	0.0%	
Planning & Highways :- Direct Expenditure	0	2,500	2,500	0	2,500	0.0%	0
4101 Repair/Alteration of Premises	9	500	491		491	1.8%	
4111 Electricity	541	1,092	551		551	49.5%	
4171 Grounds Maintenance Costs	14	500	486		486	2.9%	
4850 Grass Cutting Contract	8,669	8,669	0		0	100.0%	
Planning & Highways :- Indirect Expenditure	9,233	10,761	1,528	0	1,528	85.8%	0
Net Expenditure	(9,233)	(13,261)	(4,028)				
Grand Totals:- Income	0	0	0			0.0%	
Expenditure	9,233	13,261	4,028	0	4,028	69.6%	
Net Income over Expenditure	(9,233)	(13,261)	(4,028)				
Movement to/(from) Gen Reserve	(9,233)						





**Agenda Item:** PH 925  
**Committee:** Planning & Highways  
**Date:** 10/11/2020  
**Title:** Urban Grass Cutting  
**Report Author:** Town Clerk  
**Purpose of Report:** To seek approval for the renewal of the ESCC urban grass contract (additional cuts)

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### Summary of recommended actions

1. To **note** the contents of the report and attached email from ESCC
2. To renew the ESCC urban grass contract (additional cuts)

### Introduction

The Town Council has paid for extra cuts in the past to ensure a better level of service for its residents.

### Analysis

**ESCC has three Options:-**

**Option 1 - Standard:** Two cuts over the course of a year to be carried out by ESCC at no cost to the Parish/Town Council. Urban grass will be managed for safety purposes only.

**Option 2 – Extra cuts:** Parish/Town Councils may fund an additional four cuts to be carried out by ESCC, totalling six cuts (two standard and four extra) over the course of the year. This would cost the Parish/Town Council a total of £8,687 for the year.

**Option 3 – Self delivery:** Parish/Town Councils take on responsibility to deliver all urban grass cutting in their area. This must include a minimum of two cuts over the course of the year. ESCC will not carry out any urban grass cutting in the area. ESCC would pay the Parish/Town Council the sum of £4,344 to do this. It should be noted that any contractor employed must be suitably competent and qualified to work safely on the highway. An agreement must be signed between ESCC and the Town Council if we opt to self-deliver. This is an option that has been considered in the recent past and discounted on the grounds of costs and lack of staffing and equipment.

### Implications

The Town Council has a duty to consider the following implications:

<u>Financial</u>	£8,687 for the year 2021/22. Only a few £ more than this year's fee.
<u>Legal</u>	There are no direct legal impacts.
<u>Environmental and sustainability</u>	There are no direct environmental or sustainability impacts.
<u>Crime and disorder</u>	There are no direct crime and disorder impacts.

### Appendices/Background papers

ESCC Email dated 28/09/2020

**From:** Contracts Management Group <[Contracts.ManagementGroup@eastsussex.gov.uk](mailto:Contracts.ManagementGroup@eastsussex.gov.uk)>  
**Sent:** 28 September 2020 11:42  
**To:** Info @ Peacehaven Council <[info@peacehaventowncouncil.gov.uk](mailto:info@peacehaventowncouncil.gov.uk)>  
**Subject:** Urban verge cutting 2021

Dear Peacehaven Town Council,

I am writing in relation to the urban grass cutting service for 2021. East Sussex County Council (ESCC) is continuing to offer the same options as last year and would be grateful if you could let us know which option your Council would like to choose for next year:

**Option 1 - Standard:** Two cuts over the course of a year to be carried out by ESCC at no cost to the Parish/Town Council. Urban grass will be managed for safety purposes only.

**Option 2 – Extra cuts:** Parish/Town Councils may fund an additional four cuts to be carried out by ESCC, totalling six cuts (two standard and four extra) over the course of the year. This would cost the Parish/Town Council a total of £8,687 for the year.

**Option 3 – Self delivery:** Parish/Town Councils take on responsibility to deliver all urban grass cutting in their area. This must include a minimum of two cuts over the course of the year. ESCC will not carry out any urban grass cutting in the area. ESCC would pay the Parish/Town Council the sum of £4,344 to do this.

It should be noted that any contractor employed must be suitably competent and qualified to work safely on the highway. We also request an agreement to be signed between ESCC and the Parish/Town Council if you opt to self-deliver. Further details are available in the attached document.

I would be grateful if you could indicate which option your Council would like to choose by **31<sup>st</sup> December**. Please be aware that if we have not heard back by this date, we will default to Option 1 – two standard cuts.

If you require any further information you can contact me at  
[contracts.managementgroup@eastsussex.gov.uk](mailto:contracts.managementgroup@eastsussex.gov.uk).

Best regards,

**Fenella Lillywhite | Service Support Officer | Service Development Team**

Contracts Management | Communities, Economy & Transport Department

**Email:** [fenella.lillywhite@eastsussex.gov.uk](mailto:fenella.lillywhite@eastsussex.gov.uk) | **Website:** [www.eastsussexhighways.com](http://www.eastsussexhighways.com)

[Coronavirus \(COVID-19\) – help and support](#)



Agenda Item: PH926  
Committee: Planning & Highways Committee  
Date: 10<sup>th</sup> November 2020  
Title: Replacement of Streetlights  
Report Author: David Seabrook  
Purpose of Report: To consider options to replace streetlights

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#### Summary of recommended actions

1. To investigate the replacement of the three streetlights in Roderick Avenue owned by Peacehaven Town Council with efficient LED lighting options.
2. To obtain quotes for and consider solar powered options for street lighting.
3. To open discussions and work with Telscombe Town Council who have 14 streetlights that could be replaced.
4. To contact ESCC Highways about their programme of streetlight replacement and to find out how they might be able to help us.
5. To consider the cost / benefit of these three streetlights. Should they be removed or disconnected?

#### Introduction

Peacehaven Town Council has three streetlights. These cost us £1088.40 a year for the electricity they use from EDF (EDF Blue for Business tariff is 100% zero carbon energy although it is nuclear power), This is a calculated amount as the supply is unmetered which will need to be renegotiated if we change to LED lighting.

#### Background

Replacing these lights with energy saving LED lights has been on the Planning and Highways action plan for a number of months as Peacehaven Town Council is committed to reducing its carbon emissions to net zero by 2030.

#### Analysis

Solar Powered streetlight technology is now mature enough to be a realistic option for isolated locations.

We have a power, not a duty, under the Highways Act 1980 to provide and maintain road lighting. We must carefully balance the need for lighting with conflicting demands such as the requirement to reduce energy consumption and minimise CO2 emissions and light pollution.



The provision of streetlighting needs to be considered against these criteria:

- History of night-time traffic accidents
- Incidents of night-time crime and fear of crime.

### Option 1 Solar Powered Street Lights



These solar powered streetlights from Dragons Breath Solar can be retrofitted to existing lamp posts. They will deliver ample light using high quality mono panels into lithium ion battery storage for long life. Each product comes with a 2 year manufactured warranty, designed and built with the UK weather conditions in mind they are strong and reliable products that require minimal maintenance.

The solar panel is connected by an efficient electronic control system that can provide either PIR sensor operated to run from dusk each night or a timed segmented power to enable the LED's to turn on at dusk and switch off @ sun rise each day. This then reverts back into solar charge mode at sun rise each day.



**DRAGONS BREATH**

*Solar street | path | car park lighting systems*

Tel 01646600151

[info@solardragons.co.uk](mailto:info@solardragons.co.uk)



What is the difference between All in one solar street lights, verse 2 piece separate solar panel lighting systems.

Both types of solar lighting system can use LED output of the same value (lw/m)

- 1 piece all in one solar lighting system will only be suited to certain locations. As the all in one solar lighting unit are an off the shelf standardised product, Therefore it is not possible to alter the panel power to match the needs of all locations. The LED output is then limited during winter months due to physical size and angle of solar panel incorporated within this system.
- 2 Part multi-directional solar lighting can be installed at any location. This system can be sized to match the needs of the client. We can supply this 2 part solar kit with different sized solar panels. This is to generate the maximum solar gain at any location in the UK. We can provide this solar street lighting system in pedestrian activated mode offering timed or sequential illumination to match any need.

LED Sizes: 8w | 10w | 12w | 15w | 18w | 20w | 24w

Providing illumination where required without need for mains powered electricity. Products are designed to be used on new or existing lamp posts. Note! Solar panels must always point south for maximum potential solar gain.

#### LED Luminary Size:

- Output 500 - 3750 lumens LED
- Solar powered lithium ion battery sizes 120Wh through to 420Wh
- Storage provides 2-3 days autonomy built in
- Complete unit 5 Years full warranty
- Lighting system will run from dusk each day @ 30% power
- PIR motion sensor is activated will automatically run within 10m for 1 minute at 100% full power
- LED output levels 3000k - 3500k
- Top of light mounted solar panel sizes available between 45-100w
- Mounted to 60-76-89 mm lamp posts @ 3-5m above ground

Contact us for further details regarding the dragon's breath solar area lighting system

[info@solar dragons.co.uk](mailto:info@solar dragons.co.uk)

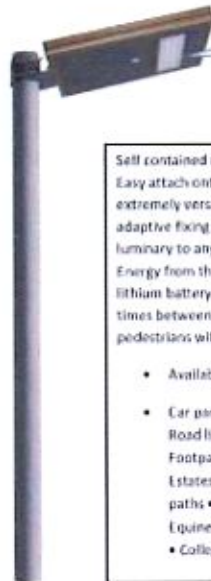
[www.dragonsbreathsolar.co.uk](http://www.dragonsbreathsolar.co.uk)

## DRAGONS BREATH

Community area retro lamp post fix solar path / walkway lighting systems

Tel 01646600151

[info@solar dragons.co.uk](mailto:info@solar dragons.co.uk)



- 6w LED
- 8w LED
- 10w LED
- 12w LED
- 15w LED
- 20w LED
- 25w LED

Self contained multi-directional solar powered lighting system. Easy attach onto any existing lamp posts or columns. This extremely versatile and adaptable product provides universal adaptive fixing method to almost any location. Easily attach this luminaire to any size redundant or decommissioned columns. Energy from the solar panel is stored into a high performance lithium battery, distributing the charge to the LED luminaire at times between dusk and dawn. The PIR sensor is activated by pedestrians within 10m circumference.

- Available in std or HP design
- Car park lighting • Path lighting • Walkway lighting • Road lighting • Park lighting • Community lighting • Footpaths • Moorings and marinas • Un-adapted areas • Estates • Play areas • Bus stops • Cycle paths • Bridle paths • Leisure areas • Zoos • Farms • Airports • Tracks • Equine • Coastal paths • National parks • Sports centres • Colleges & universities

### Other considerations for Solar Powered Street Lights

The Solar panels will require a substantial post to support them in the high winds experienced in Peacehaven. The posts are substantial and primarily there to support power cables.

There are no overhanging trees that could impact on the amount of sunlight available.

The choice of battery will affect the cost and maintenance. Lithium Ion batteries will last about 5 years and are more expensive than other options.

The use of solar powered streetlights will enable us to consider other locations that do not have an electricity supply such as the skateboard park and other remote locations in the town where lighting is inadequate.

Telscombe Town Council have 14 streetlights that could be replaced and if we worked together on this project, we could secure a better deal.

There are various options with costs between £750 and £1500 per lamp.

### Option 2 Replacement with LED lighting

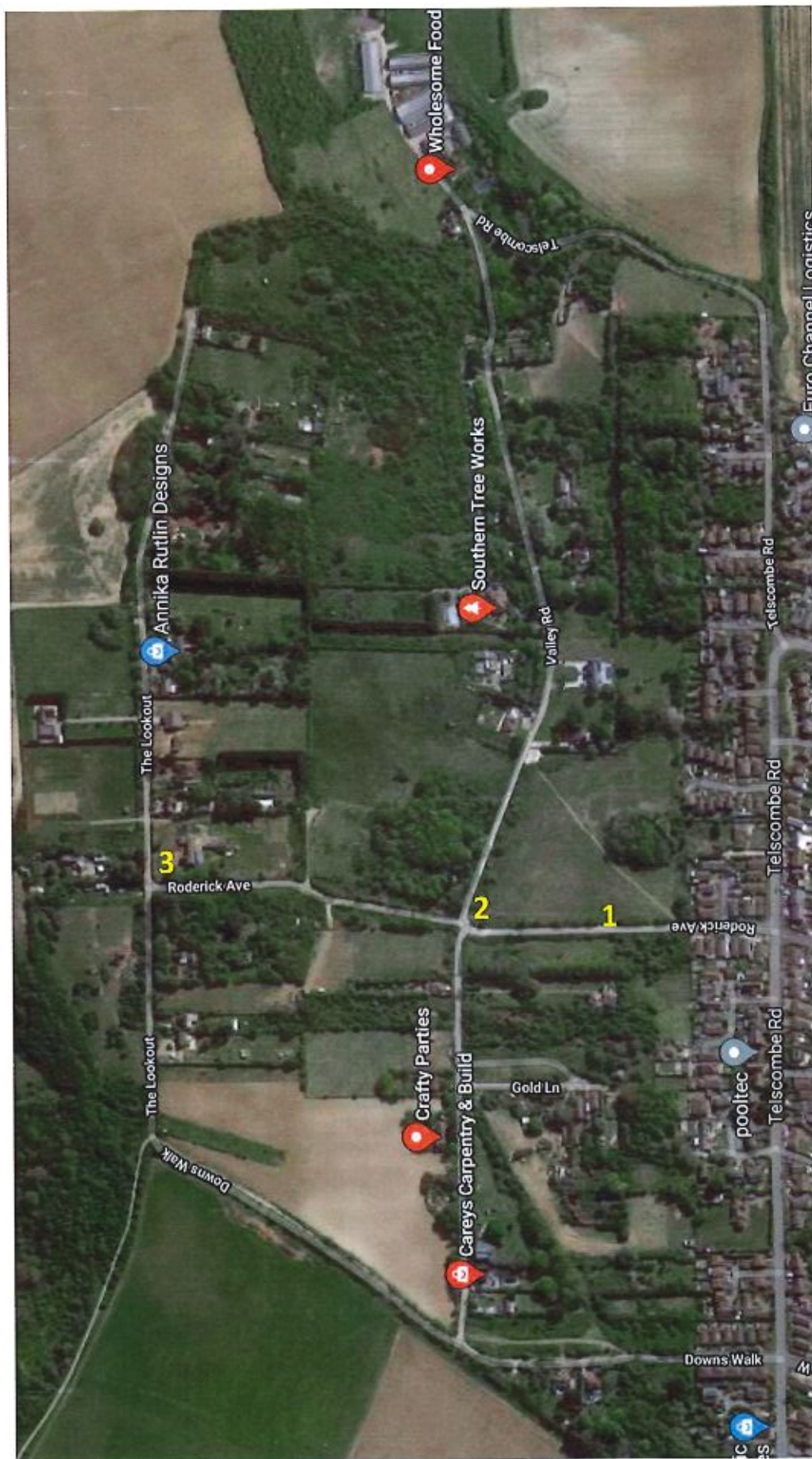
To replace lamps with LED versions power by mains electricity which is already installed. ESCC may be able to assist as they are doing this all over the county and will have a preferred contractor in place. I would suggest we contact ESCC Highways and obtain some advice.

## **Implications**

The Town Council has a duty to consider the following implications:

<b><u>Financial</u></b>	The capital Reserve can be used to purchase these streetlights. Replacing the lights will make significant savings. Over a twenty-year life span, they will save in excess of £20,000
<b><u>Legal</u></b>	All health and safety issues will need to be considered e.g. Is the lamp post strong enough to support the solar panels in high winds? The asset register will need to be updated to ensure that insurance cover is provided.
<b><u>Environmental and sustainability</u></b>	Solar powered streetlights require minimal maintenance and are zero carbon although there will obviously be embedded carbon in their manufacture which can be offset through tree planting.  LED Lighting would have zero carbon emissions if powered by zero carbon energy.
<b><u>Crime and disorder</u></b>	They are harder to break than sodium light bulbs although they could be stolen with the right equipment (ladders or cherry picker). There is the potential to include CCTV.
<b><u>Climate</u></b>	Peacehaven Town Council is committed to being Net Carbon Neutral by 2030. Replacing streetlights with solar powered versions or LED lighting will help to meet this target.



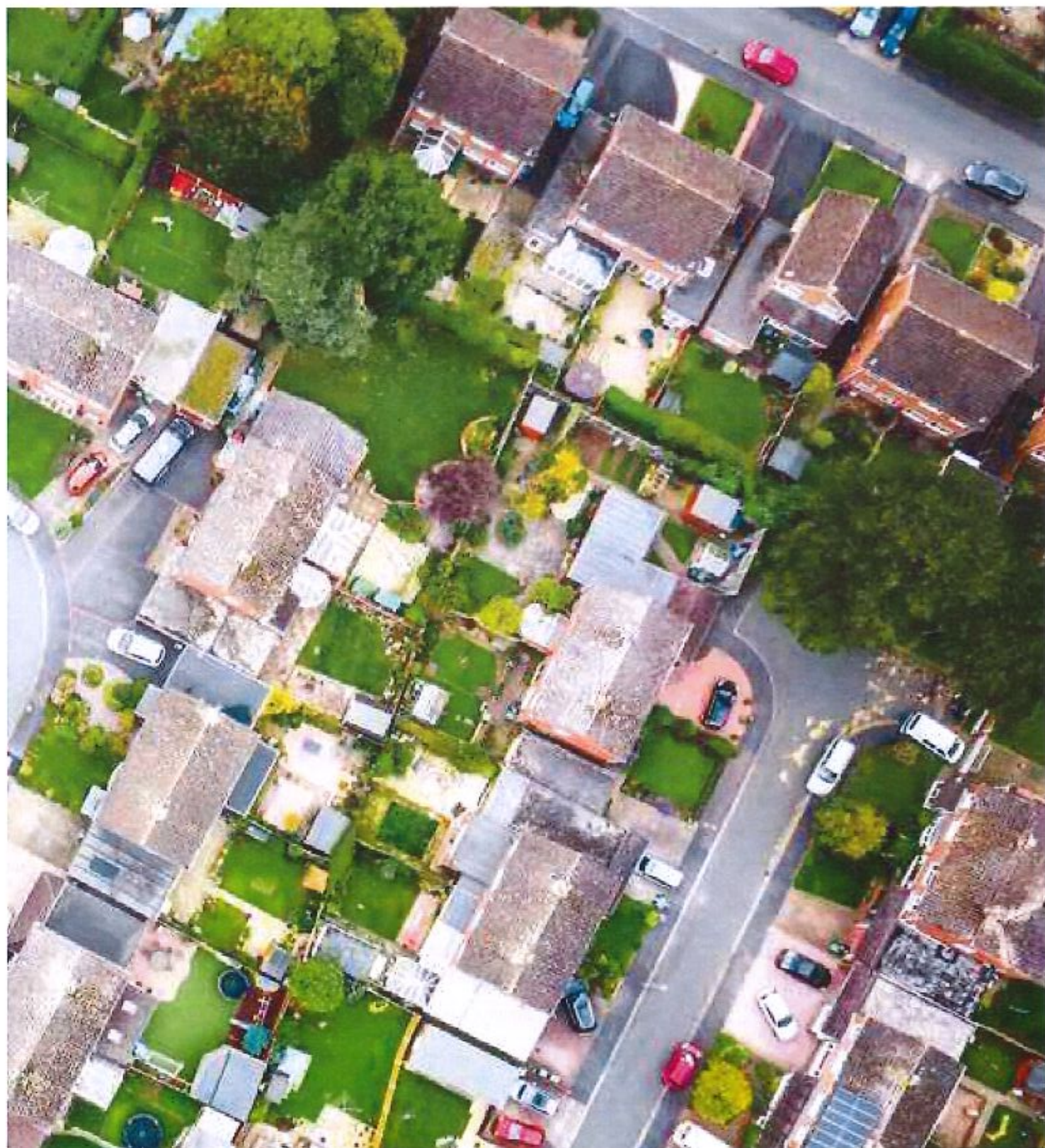


<p>1  Half way down hill on Roderick Avenue  50.8074 Lat 0.0051 Long  jets.undercuts.short  No tree cover  Mounted on telegraph pole</p>		
<p>2  At junction of Roderick Avenue and Valley Road  50.8085 Lat 0.0055 Long  mouths.twisty.epic  No tree cover  Mounted on telegraph pole  Lamp and cover is missing.</p>		
<p>3  At Junction of Roderick Avenue and The Lookout  50.8112 Lat 0.0059 Long  creamed.cubed.promotes  No tree cover  Mounted on telegraph pole</p>		



# Kick-starting local climate action

Local authorities and communities can be a powerful force for change. **Paul Allen** looks at how a climate emergency declaration can be transformed into an action plan that supports the transition to net zero.





As well as having to deal with the current pandemic, many local governments clearly recognise they are also at the front line of dealing with climate emergency impacts such as flooding, fires, and storm damage. The majority of UK councils have made climate emergency declarations, and many are now working on climate emergency action plans.

This process is happening on many different scales – in cities such as Edinburgh and Bristol, in large devolved areas such as Manchester and London Metro regions, in rural market towns such as CAT's home town of Machynlleth, and in villages like Wedmore.

But how do local groups and councils kick-start such projects?

### Areas of influence

In our most recent report, *Zero Carbon Britain: Rising to the Climate Emergency*, we explore how councils can make change happen simultaneously in a number of key directions (see diagram overleaf).

Councils will not be able to reverse global climate breakdown on their own, but by working in these directions they can focus their actions, either on delivering change within their own jurisdiction or putting pressure on national governments to act.

For example, by working 'sideways' councils can seek out and build links with relevant actions already underway in other areas. Are other similar town or parish councils further ahead with their action planning process? Are there already existing plans from councils above or below their level?

For every aspect, there are real life case studies that show what can be achieved. Researching and sharing relevant case studies can not only demonstrate locally that change is achievable, and help scale up actions, but also helps avoid mistakes and highlights co-benefits of climate action, such as jobs, cost savings, health benefits and community cohesion.

Another example is that by thinking 'downwards' councils can make effective action plans and review existing policies. This means being clear on what any village council, town council or local authority has direct control over, and where the complex and diffuse boundaries of responsibility lie. What changes can it make to the transport systems it runs, to its food purchasing contracts for schools, to the land it controls, to the education system it manages, or to its libraries, arts and cultural venues?

A council can also make its priorities clear when subcontracted tenders are

coming up for renewal, for example increasing local benefits and resilience by encouraging bids from social enterprises and local supply chains, as Preston Council has done.

Also thinking downwards, councils need to support the bodies they have responsibility over – for a district council, this could include the development of 'climate emergency action packs' to support the parish councils within its boundaries.

### Team local

It is also worth councils investing time in identifying and engaging the most relevant local collaborators, such as health boards, universities, industry bodies, experts, non-governmental organisations, funders, schools, young farmers, think tanks and of course citizen expertise.

The framing of any process to develop an action plan should reflect what is unique or is already happening in your area. It should respect local needs, traditions and culture, linking to important local opportunities such as agriculture, health or local businesses. This helps by linking the action planning to the key issues that are relevant to your locality.

Developing plans will involve a great deal of detailed work, so it may be worth seeking initial kick-start funding for your 'project team'. But even if there is little initial funding, the current wave of citizen commitment can unleash a great deal of expert volunteer time for your various groups.

### Councils taking the lead

A few current examples of emerging climate emergency action plans are outlined below. Some of these are still in the early stages whilst others are more developed, with staff and budgets allocated. They all help illustrate the types of actions that councils can take as they begin to work towards net zero emissions.

#### South Lakeland District Council

In June 2020, informed by public climate conversations, South Lakeland Council agreed a plan to help them reach their target of becoming carbon neutral by 2030, and supporting a county-wide target of 2037.

Measures in their Climate Change Action Plan include:

- Building-by-building reports on external and internal measures, with recommendations;
- Assessing the potential for reducing emissions and improving biodiversity on

the land and assets they own;

- Assessing and implementing measures to significantly reduce the council's travel emissions, including investigating the potential for electric vehicle and bike use for council employees;
- Reviewing procurement to optimise carbon-efficient operations in council contractors;
- Delivering climate change training for all council officers;
- Installing EV charge points and exploring the potential for discounted parking rates for low emission vehicles;
- Facilitating cycle hire provision, including electric bikes;
- Supporting businesses to become low carbon organisations, for example by helping with green audits, hosting workshops and collaborating with companies on community energy groups;
- Helping residents to have more energy-efficient homes, including promoting relevant schemes and offering grants.

#### Cheshire East Council

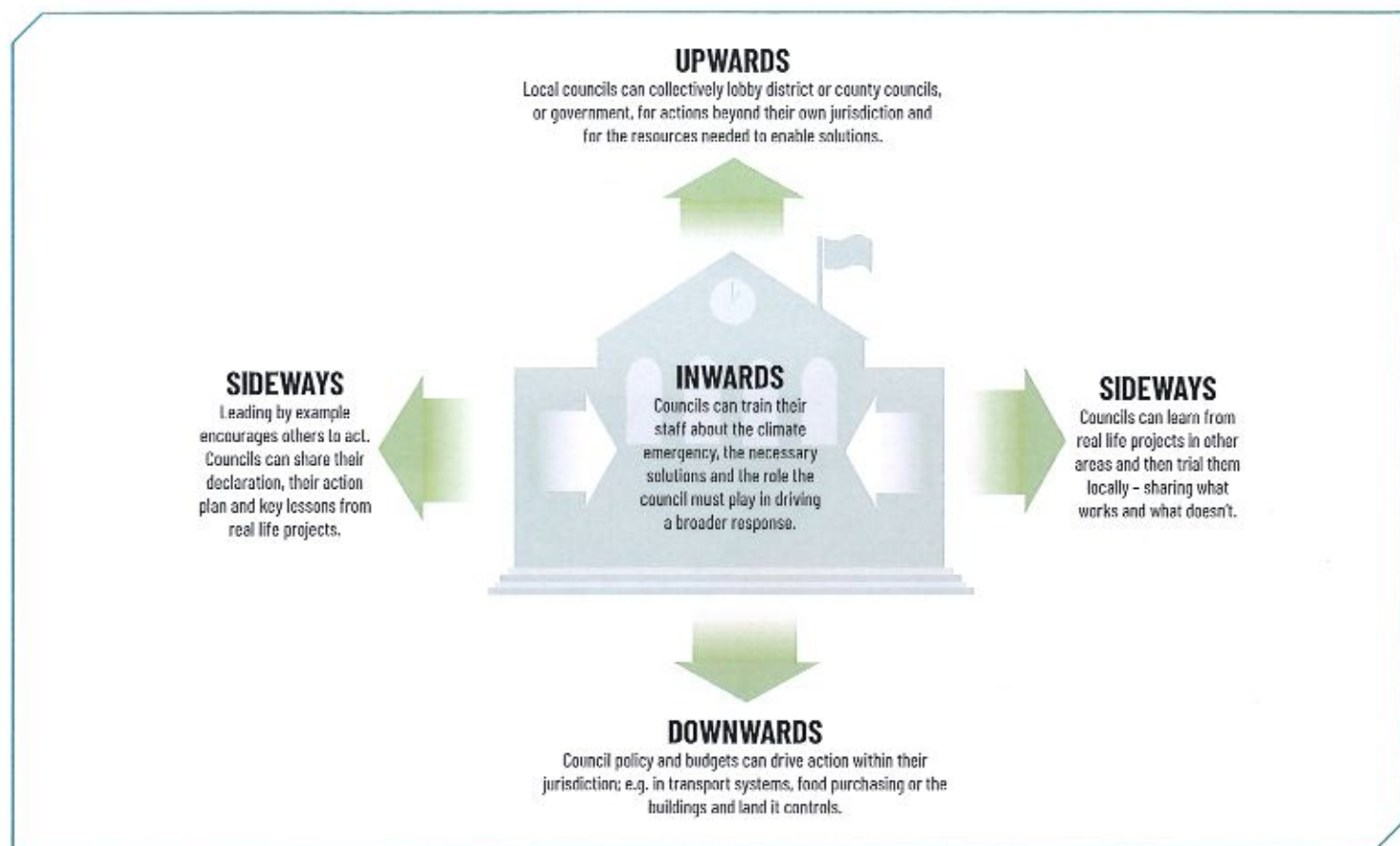
Cheshire East's cabinet have agreed the council's first Carbon Neutrality Action Plan, which focuses on the initial actions that they will take to deliver their target of the council being carbon neutral by 2025, as well as encouraging and supporting all businesses, residents and organisations within the borough to reduce emissions. Examples for measures included in their action plan include:

- Reducing business travel;
- Increasing staff engagement and awareness of carbon neutrality;
- Measures to ensure that the carbon neutral ambition has been considered in every major investment and policy decision;
- Reducing energy and fuel use in council operations, such as switching to low-emission vehicles and reducing energy demand from new and existing buildings;
- Plans to improve the supply of green energy by using renewable sources such as solar panels and working to promote renewables with others;
- Opportunities to capture carbon, through tree planting and restoring degraded peatlands.

#### Carmarthenshire Council

A meeting of Carmarthenshire County Council unanimously resolved that they would commit to making Carmarthenshire County Council a net zero carbon local authority by 2030.





Their plan so far includes:

- Developing a clear plan within 12 months for a route towards being net zero carbon;
- Calling on Welsh and UK Governments to provide the necessary support and resources to enable effective carbon reductions;
- Working with Public Services Board and Swansea Bay City Deal partners to develop exciting opportunities to deliver carbon savings;
- Collaborating with experts from the private sector and NGOs to develop innovative solutions to becoming net zero carbon.

### Stroud Council

Stroud District Council has been working on tackling climate change since the 1990s. Now they are not just aiming for the council services to be carbon neutral by 2030, but the whole district.

These are just some of the ways they are meeting the challenge:

- The council have allocated an initial budget and have appointed a dedicated Carbon Neutral 2030 officer to develop opportunities and seek additional project funding. They have already invested in a renewable energy resource assessment and are establishing a Carbon Neutral 2030 Board, with representatives from all sectors.
- Improving transport links to reduce

traffic. For example, they are working with Gloucestershire County Council to upgrade key local cycle paths to encourage commuters to switch to walking or cycling.

- Encouraging staff to lift share, use public transport, and walk or cycle to work.
- Their small fleet of vehicles needs replacing, so Stroud are upgrading to more environmentally-friendly options and are considering how to encourage others to use electric vehicles.
- They are working on cutting the carbon footprint of their buildings. Six-hundred district homes have been retrofitted to make them more energy efficient. All new properties with off-road parking are constructed with EV charging points, and renewable energy is actively promoted. The council also plans to replace gas boilers with heat pumps at two of its biggest buildings, including its headquarters, with an estimated annual saving of up to 156 tonnes of carbon dioxide emissions across the two sites.

### Opening new conversations

As your council begins to build back better from COVID-19, you can support them in making and delivering climate action plans.

There is growing recognition that the changes needed to get to net zero can also bring a range of other benefits, including: healthier, more resilient local communities; locally generated renewable

energy; affordable public transport; cleaner air; more efficient and easy-to-heat housing stock; greater employment; stronger local supply chains; reduced poverty; healthier food; and land systems with more space for biodiversity. Exploring such co-benefits offers the opportunity to engage with wider, more diverse participants.

CAT's Zero Carbon Britain Hub is offering regular two-day 'Zero Carbon Britain: Live Online' training courses plus a range of solutions-focused webinars – check out the CAT website for details and please get in touch to share your experiences of making a local action plan.

The next article in this series, in the winter edition of *Clean Slate*, will delve deeper into the detail of how to develop an effective climate emergency action plan.

### Find out more

For more information on CAT's Zero Carbon Britain project, including online courses, events and resources, visit [www.cat.org.uk/zcb](http://www.cat.org.uk/zcb)

### About the author

Paul is Knowledge and Outreach Coordinator for CAT's Zero Carbon Britain Hub. He has led our ground-breaking Zero Carbon Britain research for over 12 years, leading on the development of six reports and liaising directly with government, business, public sector and the arts to share their findings.



# CAT Stories – zero carbon councils



Sarah volunteering in a local food bank.

CAT's Zero Carbon Britain courses help people from all sectors of society gain the knowledge and skills needed to help implement and inspire changes in their community.

Sarah Speakman-Jones is Senior Waste & Resource Officer at Bournemouth, Christchurch and Poole Council. She has a BSc in Environmental Protection and has worked with community action groups such as Transition Bournemouth to bring Repair Cafes and other waste prevention events to the area.

Sarah joined our 'Zero Carbon Britain: Live Online' course in May this year. CAT's Meg Stuart caught up with her to find out what she gained from the course and how she is helping to create change.

## What inspired you to join the 'Zero Carbon Britain: Live Online' course?

I signed up for the course for a couple of reasons. Firstly, like many other people, I am beginning to feel that the time to tackle the issues is running out and I wanted to be sure I was focusing my efforts in the right areas. The second is because Bournemouth, Christchurch and Poole Council announced a climate emergency last year.

Alongside that, the waste and sustainability teams, though having always worked together, have recently moved into the same team and I'm hoping

there will be more opportunities to work on wider climate change projects. As my working professional knowledge is predominantly waste orientated, I wanted to widen my knowledge base.

## What are the key things you took home from the course?

I have been having the feeling that we were missing opportunities for change as we return to 'normal' after the COVID-19 lockdown. However, I realised during this course, one thing that has changed is the growth of communities; perhaps these strengthened communities are the opportunity we needed to make changes.

The course showed me that the solutions are already out there, we just need to start acting.


## How will what you learnt during the course inform your work, and the work of your council?

The course is already helping to focus my mind and helped me to discover my local resources, by knowing who and what to look for. I finished the two days intending to follow these up.

Since the course, I have attended my first (online) Zero Carbon Dorset event. The information and skills I gained on the course have helped me to feel more confident about sharing information in a correct and concise way.

## What are your plans and the plans of your council?

I have tried to make lifestyle choices to reduce my personal impact, from volunteering on local projects like community gardens, giving up my car in 2008, to the purchase of a retrofitted 'eco-house', which is fully insulated, relies on solar thermal and a wood burner for hot water and heating, has bamboo floors, clay paint and a progressing forest garden. I've been considering how to expand on this and the course helped with that too.

I have also been asked to present a summary of the course to colleagues from across the Council who attend 'Go Green' meetings. 



BRIEFING PAPER

Number CBP 6013, 11 June 2020

# Traffic Regulation Orders (TROs)

By Louise Butcher

Contents:

1. What are TROs and what can they be used for?
2. Procedure for making a TRO
3. Calls for reform



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## Summary

This short paper explains what Traffic Regulation Orders (TROs) are, how they are made and the various uses to which they can be put.

Local highway authorities can place temporary, experimental or permanent restrictions on traffic within their areas by way of a Traffic Regulation Order (TRO). Some of the most popular uses for TROs are restricting the movements of HGVs in residential areas, implementing parking restrictions and restricting traffic for the purposes of parades, street parties and other events.

The making of TROs can be long and costly and there have been calls for reform of the advertising requirements to bring down the cost. The Transport Committee looked at this issue as part of their 2019 inquiry into pavement parking and made recommendations to Government. The Department for Transport is currently reviewing the legislation around TROs to see if it is fit for purpose.

In addition to the policy explained in this paper, from 23 May 2020 the Government suspended some of the rules around making TROs to allow councils in England to better deals with the road traffic impacts of the coronavirus pandemic. The *Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020* ([SI 2020/536](#)) do the following:

... [amend] temporarily, legislation relating to Traffic Orders which are required to make and enforce changes to a road's use or its design. The amendments are intended to speed up and simplify making Traffic Orders to put in place measures to deal with the effects of coronavirus, the need to social distance as a response and to support the Government's aims for a restart and recovery that helps to enable active travel, for example, cycling and walking. The amendments also provide alternative publicity arrangements to help deal with some practical difficulties that have arisen as a result of restrictions that are in place, for example, some local newspapers have closed or have moved publications online, local authority offices are closed to the public, and concerns about the safety of staff posting site notices in some circumstances. [[Explanatory Memorandum](#)]

The provisions in the SI will expire within 12 months if the Government takes no further action to extend it.

Information on other roads-related issues can be found on the [Commons Library website](#).

# 1. What are TROs and what can they be used for?

Local councils have been able to introduce a form of traffic regulation since before the age of the mass motor car. [Sections 46 and 47](#) of the *Road Traffic Act 1930* gave local traffic authorities the power to regulate traffic in certain conditions. Short term, temporary restrictions could be made on the council's own authority, but longer-term restrictions had to be signed off by the Minister for Transport. There were attached conditions of notice.

Thirty years later the provisions we largely recognise today – including a distinction between traffic regulation in London and outside the capital – were in place via the [Road Traffic Act 1960](#), which were consolidated in the [Road Traffic Regulation Act 1967](#) and then in the current legislation – the *Road Traffic Regulation Act 1984*, as amended (see section 1.1, below).

During a Lords debate in July 1960 Lord Chesham, speaking for the Government, explained how the rules had been relaxed in the 1950s and that councils were being given increasing autonomy to make regulation orders on their own account, without needing ministerial approval:

In 1956 a considerable degree of autonomy was given to local authorities in respect of traffic regulation orders ... For example, orders to make one-way streets or waiting regulations do not need the Minister's confirmation [...] In the other traffic matters, not once in the last three years has my right honourable friend [the Minister for Transport] or any of his predecessors had to use their ... reserve power of review on any of these local orders which can be made without the Minister's confirmation.

I think the Minister feels that the time will come before long, even if it has not already come, when local authorities really can be trusted to deal with these designation orders themselves...<sup>1</sup>

Traffic Regulation Orders (TROs) are used by local councils to regulate traffic in their areas – this can be done by, for instance, temporarily or permanently stopping up a road to all or particular types of traffic and implementing parking restrictions. The reasons for doing this can be varied – to permit a road to be used for a parade, event or street party or to protect residents from 'rat-running' or to protect the road from the weight of heavy vehicles.

## 1.1 Legislation

The relevant legislation relating to Traffic Regulation Orders (TROs) is Parts I, II and IV of the [Road Traffic Regulation Act 1984](#), as amended.

Some specific purposes for which TROs are used are listed in sections 1.2-1.5 of this paper.

There are very limited circumstances in which the consent of the Secretary of State for Transport must be sought for a local traffic authority to make a TRO. These are set out in [Schedule 9, Part II](#) of the 1984 Act.

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<sup>1</sup> HL Deb 5 July 1960, c1086



## Permanent Orders

Section 1(1) of the 1984 Act states that local traffic authorities in England and Wales (outside London)<sup>2</sup> may make **permanent orders** for the following purposes:

- To avoid **danger** to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising;
- To prevent **damage** to the road or to any building on or near the road;
- To **facilitate the passage** on the road or any other road of any class of traffic (including pedestrians);
- To **prevent 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;
- To **preserve the character** of the road in a case where it is specially suitable for use by persons on horseback or on foot;
- To **preserve or improve the amenities** of the area through which the road runs; or
- To preserve or improve **local air quality**.

Section 2 of the 1984 Act states that Orders may be used for almost anything prohibiting, restricting or regulating the use of a road by traffic – which includes motor vehicles, bicycles and pedestrians:

- A TRO may make any provision **prohibiting, restricting or regulating the use of a road**, or of any part of the width of a road, by **vehicular traffic**, or by vehicular traffic of any class specified in the Order, or by **pedestrians**. This may be a general prohibition or subject to exceptions (e.g. limited by times or dates);
- A TRO may include any provision requiring vehicular traffic generally, or vehicular traffic of any class specified in the Order, to **proceed in a specified direction or prohibiting it's so proceeding**. It may specify the part of the carriageway to be used by such traffic; and prohibit or restrict the **waiting of vehicles** or the **loading and unloading** of vehicles, the use of roads by through traffic, or **overtaking**.
- A TRO may include any such provision specifying through routes for **heavy commercial vehicles**, or prohibiting or restricting the use of heavy commercial vehicles in such zones or on such roads as may be so specified, as the traffic authority considers expedient for **preserving or improving the amenities of their area** or of some part or parts of their area.

## Temporary Orders

Section 14(1) of the 1984 Act states that **temporary orders** may be made for the following reasons:

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<sup>2</sup> i.e. county and unitary councils [section 121A of the 1984 Act]; Orders in London are made under section 6 of the 1984 Act but are slightly different

- Because **works** are being or are proposed to be executed on or near the road;
- Because of the likelihood of **danger** to the public, or of serious damage to the road, which is not attributable to such works; or
- For the purpose of **litter clearing and cleaning**.

Temporary orders have a maximum time limit of 18 months' duration except where an order is for works on the road that cannot be executed within that time. Many are much shorter and cover, for example an event taking place on a particular day or over a series of days.

## 1.2 Weight Restriction Orders

Section 2(4) of the 1984 Act permits local traffic authorities to make TROs to restrict the use of 'heavy commercial vehicles'.

Heavy commercial vehicles are defined in section 138(1) of the Act as any goods vehicle with an operating weight exceeding 7.5 tonnes. This is the maximum laden weight of a vehicle not drawing a trailer, an articulated vehicle or the aggregated laden weight of a vehicle drawing one or more trailers.

The TROs made to limit the use of these vehicles are often called (Environmental) Weight Restriction Orders ((E)WROs) and they are often put in place to preserve a local area and, for example, to protect villages and historic towns from noise, vibration, road surface damage and/or structural impacts.

### Enforcement

It is a criminal offence to contravene a TRO [section 5 of the 1984 Act].

A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) [[Road Traffic Offenders Act 1988](#), sections 9 & 33(1), and Schedule 2, Part I].

It is also subject to the fixed penalty regime [1988 Act, section 51, and Schedule 3].

Generally, enforcement is by the police, though there are a number of local areas where the police enforce alongside local Trading Standards (e.g. in [Derbyshire](#), [Oxfordshire](#), and [Warwickshire](#)). Trading Standards are generally unable to enforce effectively alone because, unlike the police, they cannot stop vehicles, get instant replies from DVLA on owner details, or issue on the spot fines (fixed penalties).

Enforcement can involve the use of ANPR (automatic number plate recognition) cameras, vehicle stops and checks and working with local companies and drivers to educate them on permitted routes.

## 1.3 Parking restrictions

TROs can be used to specify parking restrictions and the conditions under which vehicles may park.

There has been much debate in recent years about the use of TROs to prohibit pavement parking and about the extent to which the cost and procedure for making a TRO makes this sort of parking restriction



prohibitive. Some of these issues are explored further in [section 3](#) of this paper. Further discussion can be found in the Transport Select Committee's [September 2019 report](#).

TROs can also be used to provide special parking bays for disabled people [section 32 of the 1984 Act]. These spaces are usually available to anyone with a Blue Badge. They are enforceable by law [section 35A of the 1984 Act], however since making a TRO is a relatively complicated and costly process, local authorities will often mark out a disabled parking space without introducing a TRO. Such a space is only advisory and there is no legal sanction preventing other people using the space.

#### **TRO parking library**

The Traffic Penalty Tribunal (TPT) for England outside London keeps a collection of largely parking-related TROs, submitted to it by councils where parking penalties have been challenged.

You can find a list of these TROs (note this is not comprehensive) listed by local authority on the TPT website: <https://tro.trafficpenaltytribunal.gov.uk/>

Individual council websites also often include recent TROs and should have information on any draft TROs currently open for consultation and comment.

## **1.4 Parades, events and street parties**

Local authorities can close roads for the purposes of parades, street parties etc. using two powers: temporary TROs made under section 16A the 1984 Act or [section 21](#) of the *Town Police Clauses Act 1847*.

Over the past decade many some have switched from using the 1847 Act to the 1984 Act. The changes seem often to have been made because local police forces are unable to provide the support that is required under the 1847 Act to enforce the closure.

This has caused some concern amongst those organising parades, street parties and other events (which are often charitable or voluntary organisations) because councils can charge for a road closure made by a TRO but not one made under the 1847 Act. Schedule 2 to the *Local Authorities (Transport Charges) Regulations 1998 (SI 1998/948)*, as amended, states that a charge for any kind of TRO may be made to the organisers of an event for which a road is closed. There is no prescribed limit on the amount of charge.

There is (brief) Government guidance available on the use of temporary TROs under section 16A of the 1984 Act.<sup>3</sup> This makes it clear that it is largely a matter for local councils how and when to consult on the making of an Order for these purposes.

## **1.5 Anti-terrorism (ATTROs)**

Anti-Terrorism Traffic Regulation Orders (ATTROs) allow vehicle or pedestrian traffic to be restricted for counter terrorism reasons. These can be permanent or temporary, and can include the installation of equipment

<sup>3</sup> DfT, [Temporary Traffic Regulation Orders for Special Events](#), June 2016

such as bollards and barriers as well as the restriction of parking on or access to roads.

ATTROs are a special form of TRO, provided for under sections 22C and 22D of the 1984 Act.<sup>4</sup> They were most recently amended by [section 15](#) of the *Counter Terrorism and Border Security Act 2019*.

The first ATTRO was introduced across the City of London in 2016.<sup>5</sup> Examples of other ATTROs include the control lane outside Parliament along Abingdon Street and Grosvenor Square around the former US Embassy building. Temporary ATTROs have also operated around the sites of annual conferences of the main political parties, the start and end of the London Marathon, G8 conferences, the NATO summit and royal weddings.<sup>6</sup>

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<sup>4</sup> These provisions were added to the 1984 Act by section 32 and Schedule 2, Part 3, para 16 of the [Civil Contingencies Act 2004](#). The provisions were introduced by the Government at Commons Committee stage and added to the Bill without discussion or debate. The most extensive explanation of the provisions at the time was given in a [letter to the Delegated Powers and Regulatory Reform Committee](#)

<sup>5</sup> See: ["City police move to bolster 'ring of steel' during terror alert by closing streets"](#), *Evening Standard*, 21 January 2016; City of London, [Paper for decision on Anti-Terrorism Traffic Regulation Order \(ATTRO\)](#), 15 December 2015; and City of London, [Decision on Anti-terrorism regulation order \(ATTRO\)](#), 21 December 2015

<sup>6</sup> [Explanatory Notes](#), para 98



## 2. Procedure for making a TRO

### 2.1 Permanent orders

The procedure to be adopted by a local authority for making permanent orders is set out in: the *Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996* ([SI 1996/2489](#)) as amended; and the *Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999* ([SI 1999/614](#)), as amended. As this is effectively a devolved matter for Scotland, the rest of this section talks about England and Wales only.

The procedure for making a TRO in **England and Wales** is as follows:

- **Preliminary requirements:** The authority should consult with any body specified in Regulation 6 (depending on the order, other authorities and/or emergency services) and it must publish a notice in a local newspaper. It shall ensure that adequate publicity is provided to those likely to be affected. This may include display of notices in the relevant area and distribute the same to local properties and road users (though there is no requirement to do this specifically so long as other publicity is adequate). The relevant documents must be held on deposit from the date that the notice of proposal is first published and must remain on deposit until six weeks after the proposed Order has been made (or a decision has been made by the authority not to proceed with the proposal).
- **Public objections and inquiries:** Anyone may object in writing to an order by the date specified on the notices or if later within 21 days of the notice being given and publicity being adequate (see above). A public inquiry only has to be held in certain circumstances, namely: that it affects loading and unloading at certain times of the day; or bus services. Full details are given in Regulation 9. If the authority decides to hold a public inquiry it must give notice of the fact and the inquiry must begin within 42 days of that notice being made. The inspector decides how the inquiry is to proceed.
- **Consent for certain schemes:** The Secretary of State's consent is required where, for example, a scheme affects a road for which (s)he is the traffic authority; where a scheme will restrict access to property for 8/24 hours; and a scheme involving speed limits, particularly where the limit is 30mph or less. Full details are given in Schedule 9, Part II of the 1984 Act.
- **Making an order:** Orders cannot be made before the statutory period for objections has ended or after a period of two years from the making of the initial notice. Within 14 days of making the order the authority must place a notice in the local press announcing their decision, ensure again that adequate publicity is given to the making of the order and write to those who objected to the proposal outlining the reasons for their decision to proceed. Any traffic signs required as a consequence of the order must be in place before it comes into force.

The British Parking Association has published a [Traffic Regulation Orders Guide](#) (July 2019), endorsed by the Department for Transport, which provides a good summary of the processes involved in making TROs.

## 2.2 Experimental orders

There are separate rules for experimental orders, as set out in Regulations 22 and 23 of the 1996 Regulations (see above).

These provide that the provisions on publication of proposals objections that apply to permanent orders shall not apply to an experimental order. No provision of an experimental order shall come into force before the expiration of the period of seven days beginning with the day on which a notice of making in relation to the order is published.

Making an experimental order as a precursor to a permanent order can have material benefits, specifically it can truncate the requirements as to consultation, notice of proposals and objections, providing other requirements have been met (see Regulation 23). This can be a more cost effective and flexible approach (allowing e.g. for immediate feedback and minor changes) than a permanent order or a temporary order (which cannot be converted into a permanent order – see below).

## 2.3 Temporary orders

The procedure for making temporary orders is set out in the *Road Traffic (Temporary Restrictions) Procedure Regulations 1992* ([SI 1992/1215](#)), as amended.

The procedure is as follows:

- Not less than seven days before making an order the authority must publish a notice of their intention to make an order in a local newspaper and in the vicinity of the affected area and inform the police (where an order is one of those exempted from the 18 month time limit, the notice period shall be 21 days and a notice must be placed in the London Gazette); and
- Not more than 14 days after making the order the authority must publish a notice in a local newspaper and in the vicinity of the affected area stating that the order has been made.

Where the authority considers that traffic signs are required to enforce the order, they must maintain them for the duration of the order, once erected. Revocation orders also require seven days' notification.



## 3. Calls for reform

### 3.1 TRO discovery & legislative review, 2018-

In 2018 the Department for Transport, supported by GeoPlace, the British Parking Association (BPA) and Ordnance Survey conducted a discovery project into the process by which TROs are made and how TRO data is made available and used across the country. This was intended to help identify how to deliver the most from the existing system and how to support the transport network of the future.<sup>7</sup>

This project was intended to contribute to the Industrial Strategy Grand Challenge to make the UK a world leader in shaping the Future of Mobility and followed a key recommendation in the North Highland Consultancy's report into local transport data discovery. This called for further work to modernise and digitise TROs. Its key findings relating to TROs were that:

- TRO data was difficult and time consuming to access, clean and process;
- TRO data was not in a standardised, machine readable format;
- TROs lacked a centralised point of reference;
- Private sector organisations were being forced to collect TRO data manually; and
- The process for amending and implementing a TRO was labour intensive, time consuming, and costly.<sup>8</sup>

In mid-2019 the DfT awarded a £250,000 contract to PA Consulting Services Limited (UK) to undertake user research to identify current/future user needs for users of TROs and associated data, develop and iterate a legislative minimal viable project (MVP) system for making TROs, to meet needs and enable provision of digital TRO data, and present the prototype to help enable potential legislative change. The project was due to be completed by the end of 2019.<sup>9</sup>

In March 2020 DfT reported that there will be further consultation on what possible legislative changes would need to be made in light of this work in 2020.<sup>10</sup>

### 3.2 Cost of advertising

In January 2012 the Government published a consultation document containing proposals to alter the advertising requirements for TROs.<sup>11</sup> The DfT argued at the time that the proposal was, in effect, a de-regulatory measure, intended both to save money and to bring the notification advertising requirements for TROs into the electronic age while giving local

<sup>7</sup> DfT, [Traffic regulation orders: applying for and creating orders plus using data](#), 10 December 2018

<sup>8</sup> DfT, [Local transport data discovery: findings and recommendations](#), 1 August 2018

<sup>9</sup> DfT, [Traffic Regulation Orders and Associated Data: Policy Alpha](#), 10 June 2019

<sup>10</sup> [Pavement parking: Government Response to the Committee's Thirteenth Report of Session 2017–19](#) (First Special Report of Session 2019–21), HC 158, 12 March 2020, p2

<sup>11</sup> DfT, [Traffic orders: simplifying the process consultation](#), 30 January 2012

authorities the power to decide the right means method of advertising for their local areas. However, it did acknowledge that the proposed measures might have a negative impact on the revenues of local newspapers (it estimated £16.5 million in lost revenues annually).<sup>12</sup>

In February 2013 the then Transport Minister, Norman Baker, told the House that the Government would not, at present, be proceeding with the change. There was a clear difference of opinion amongst those who responded:

We received a large number of representations on this matter, with a clear majority of responses from local government being in favour of the proposed change, and a clear majority of responses from MPs and local newspapers being against any change. I have therefore decided to not change the present arrangements at this point, but, with colleagues across Government, to keep the matter under review.<sup>13</sup>

The Transport Select's Committee's 2019 inquiry into pavement parking revived interest in this area. The Committee received evidence from councils and other organisations about the costs of the advertising requirements in the making of a TRO and how this can impact decisions as to whether to implement a TRO or not. The Committee received TRO advertising cost estimates of between £1,000 and £3,000 per Order. Surrey County Council told the Committee that they spend approximately £75,000 per year on advertising only one form of TRO (parking restriction notices).<sup>14</sup>

The Committee observed that since the requirement to advertise in a print newspaper was introduced in 1986 the way people consume local news has changed: print circulation halved in the decade to 2017 and there was credible research showing that only one person in ten now reads a regional or local printed paper every week. The Government's TRO discovery project reported that only 7% of road users found out about plans for road network changes through an official notice in the local paper.<sup>15</sup>

In light of this evidence the Committee recommended that the Government bring forward proposals to reform the TRO process – to make it cheaper and easier for local authorities to use – and abolish the requirement to advertise TROs in local newspapers. It recommended replacing this requirement with one for local authorities to maximise the reach of their advertising to the largest number of people by whatever media would best achieve this.<sup>16</sup>

The Government responded to the Committee's report in March 2020. It said that as part of its TRO legislative review (see [section 3.1](#), above) it would consider how best to inform people affected by TROs.<sup>17</sup>

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<sup>12</sup> DfT, *Traffic Orders - Deregulating Publicity Requirements*, August 2011, p8

<sup>13</sup> [HC Deb 7 February 2013, c427W](#)

<sup>14</sup> Transport Committee, *Pavement parking* (Thirteenth Report of Session 2017–19), HC 1982, 9 September 2019, para 41

<sup>15</sup> *Ibid.*, para 43

<sup>16</sup> *Ibid.*, paras 44–45

<sup>17</sup> *Op cit.*, *Pavement parking: Government Response to the Committee's Thirteenth Report of Session 2017–19*, p3



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**Agenda Item: PH 930**

**Committee: Planning & Highways**

**Date: 4<sup>th</sup> November 2020**

**Title: Planter outside Sub Way (South Coast Road)**

**Report Author: Matt Gunn**

**Purpose of Report: To decide on a new planter/bike rack outside subway**

**Summary of recommended actions**

1 To decide on the type of planter which is most suitable for outside subway.

**Introduction**

The previous planter had been hit by vehicles mounting the pavement on numerous occasions, which had subsequently led to the original planter being removed.

**Background**

It was decided at the last planning and highways meeting that the admin officer would look for the copy of the lease and obtain quotes for a planter with attached cycle rack.

PTC have a licence from ESCC to have the planter on the pavement, unfortunately due to change to change of personnel the subsequent lease cannot be found on the PTC sever or in any lease files. The Marketing Assistant and Admin officer have contacted both Officers and Councillors at ESCC but we are yet to obtain a copy of the lease.

The planter was originally placed on that pavement both to provide flowers and to stop pavement parking. Unfortunately this area now has a serious issue with parking on both sides of the road causing distress to local residents.

**Analysis**

It has proved very difficult to obtain quotes for a planter with a cycle rack attached, due to the lack of suppliers offering this type of planter in the UK.

An alternative solution would be to place a standard cycle rack directly in front of a regular steel planter which would be a more cost effective solution.

**Implications**

The Town Council has a duty to consider the following implications:

<b><u>Financial</u></b>	PTC CIL pot
<b><u>Legal</u></b>	Health & Safety, Compliance with the ESCC licence
<b><u>Environmental and sustainability</u></b>	Biodiversity from the planter. Encouraging cycling
<b><u>Crime and disorder</u></b>	Reduction in illegal pavement parking
<b><u>Climate</u></b>	Encouraging cycling and walking rather than car journeys

**Option 1:** PlantLock at work from the front yard company-

<https://www.frontyardcompany.co.uk/products/plantlock-at-work>



**Prices excluding VAT:**

PlantLock      £162.50

Decal (per side) £12.50

UK Delivery    £15

**Total            £202.50**

**Specifications:**

- Accommodates most bicycle types on the market.
- Accommodates 2 Bicycles.
- L900 W400 H520 (mm).
- Planter top edge 400mm high.
- Weighs 75+kg/165lbs when full. (heavier still when wet - after rainfall/watering). Can be permanently fixed to the ground using fixing holes in base.
- Steel planter and 19mm solid boron steel round bar, case hardened and tempered, to achieve robustness beyond nearly all commercially available bicycle locks
- Finished with active anti-corrosion coating and polyester powder top-coat.



**Option 2: planter with bicycle rack – Cubo**



Prices excluding VAT:

planter costs €970 vat included;

Shipping costs (street level) €53– installation excluded.

Production time: 1 month from order confirmation and receipt of down payment.

This planter will be delivered from Italy.

**Specification:**

Material: powder coated galvanized steel / stainless steel / corten steel

Bicycle rack: it is possible to fix to several walls of the same planter

Structure planter: internal walls covered with an insulating panel 10 mm to avoid contact of the soil with the walls

Bottom: in steel adjustable in height

### Option 3: BIKE CORAL



### QUOTE

Peacehaven Town Council  
Mr. Matt Gunn  
Meridian Centre  
Meridian Way  
Peacehaven  
BN10 8BB

Cycle-Works Ltd  
8-9 Rodney Road  
Portsmouth  
Hampshire  
PO4 8BF

tel +44 (0) 2392 815555  
fax +44 (0) 2392 815544

Date	Page	Opp Number	Valid Until Date	Quote Number
04-11-2020	1 / 1	6167	04-12-2020	1124192

Product Name	Description	Quantity	Price	Total
Bike Coral	large metal planter 2m long x 0.5m wide x 0.8m high Pre galvanised steel, polyester powder coated in a standard RAL colour. Includes leveling feet. Does not include soil or plants.	2.0	£1,000.00	£2,000.00
Lock2Me bicycle rack for surface mounting	Lock2Me stands Stainless steel (316 grade, brushed finished) Surfaced fixed. ***AGREED REDUCED RATE***	4.0	£100.00	£400.00
Other Products	Horizontal supporting metal framework connecting planters.  **UPGRADED LASER CUT METAL LOGO DESIGN ACROSS SUPPORTING METAL FRAMEWORK, £750+VAT. NOT INCLUDED IN QUOTE**	1.0	£500.00	£500.00
Delivery and Installation	Delivery and Installation of above items at site address.  Includes all fixings and making good.	1.0	£500.00	£500.00

Sub Total	£3,400.00
VAT (20%)	£680.00
Grand Total	£4,080.00

Description
Peacehaven Town Council

#### Terms & Conditions

Prices are valid for 30 days

Orders are subject to our standard terms and conditions. Ownership remains with Cycle-Works until all items are fully paid for.

No further discount applies to this quote.

Please contact Cycle - Works if any aspect of this quote is unclear or needs amending.



Planning & Highways Committee - Action Plan

updated 2nd November 2020

CASE NUMBER	MEETING DATE	TASK	ACTION	PERSON RESPONSIBLE	STATUS/COMMENTS	UPDATE
1		PUBLIC RIGHTS OF WAY WORKING GROUP - CONCRETE PATH LOWER HODDERN FARM TO CENTENARY PARK	Clr Griffiths requested help from other councillors filling in evidence forms (extend of usage prior to 2005)	Clr Griffiths - ongoing		consultation progressing for the concrete path
2	03/09/2019 22th oct	Excessive electricity bill (approx £90 per month) for 2/3 lamposts in Valley Road	To check the bulbs at Valley Road;		Are the bulbs Sodium or LED, if Sodium they need to be changed but need a contractor to do this.	Admin Assistant has spoken to Finance officer. Finance officer currently trying to get control of all the utilities from escc. When this is resolved will then focus on speaking to EDF and looking at the bill for these 3 lamposts.
3	5th feb 20	Public Q. publication of the Sustainable Travel Pack by Pelli Frischmann on behalf of Barratt's for Chalkers Rise, the Focus Group and residents have contacted them regarding the numerous errors and misleading information contained within in this document, with no response as yet, we would therefore like to request that this committee also adds it's voice to the complainants.	Committee to set-up a Developers Liaison WP.	Clr Sharkey		Latest update received from Emma Kemp, LDC, received 24/02/2020. Clr Seabrook noted that the Enterprise Car Club, part of the Barratts Sustainable Travel Pack, should use electrically powered vehicles.  First meeting of the Developers Liaison party will be on Fri 2nd October
5	01/04/2020	Re-registering of car parks as Assets of Community (ACV)	Submission to LDC is in the final stages of preparation.	Town Clerk	Ongoing.	
7		To start the process to acquire the two parcels of land of unknown ownership in Howard Park (using the Adverse Possession rules under the Land Management Act of 2002)	To complete the submission to LDC	Clr Seabrook and marketing assistant	report to be discussed in the agenda 8/9. agree to the £3 charges to download the documents	THE owner of the 2 parcels of land are PTC
8	01/04/2020 03/06/2020	3 Bramber Avenue LW/19/0857 in a previous meeting Clr White suggested that LDC were asked what extra resources were being put in to support these vulnerable people. It was not agreed on who would action this.	To discuss if this information is still needed and who will follow up with LDC.	?		
9	07/07/2020	Request the parks officer assess all planters and approximate cost of refurbishment and planting.		Town Clerk		
10	07/07/2020	contact local businesses for sponsorship towards the planters for planters.		?		

11	<p>07/07/2020</p> <p>Admin Officer to contact ESCC to suggest bollards as the parking on pavement is an ongoing issue with health and safety and damage to council property.</p>			<p>Email sent to ESCC Highways (Car) on 24/8, no response. Resent email 2/9</p>	<p>response received - Peacehaven's Admin Officer confirmed that vehicles are parking in front of both eateries, which in turn is causing a safety concern for other traffic users and pedestrians. Ian Johnson advised that as both areas have double yellow lines, this will need to be taken to the Parking Shop so they can investigate this further. Traffic bollards are not installed by East Sussex County Council so the Town Council will need to apply for a licence to add any additional bollards in, and their upkeep would be the responsibility of the Town Council. However it was noted that the current traffic bollards in both locations are on the private forecourts and not the public highway. Vicky has updated Ian Johnson that wardens have been notified of the problems many times, but they cannot police the area full time as lack of no manpower</p> <p>2nd nov - Ongoing resident complaints regarding double parking/on pavement outside of Subway/Greggs shopping areas. Officers have added 'operation crackdown' posters to social media and PTC website - residents need to take pictures and load to operation crackdown in order for this to start being flagged as a high risk area.</p>
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