

Report to COUNCIL

PUBLIC SPEAKING AT TRAFFIC REGULATION ORDER PANEL MEETINGS

Portfolio Holder:

Councillor A Chadderton, Cabinet Member for Neighbourhoods

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Reason for Decision

The purpose of the report is to seek the introduction of a formal procedure for public speaking at meetings of the Traffic Regulation Order Panel.

Recommendations

It is recommended that Council be requested to adopt the procedure for public speaking at meetings of the Traffic Regulation Order Panel detailed in Appendix 1 and include the procedure in Part 8 Appendix 3 of the Constitution.

Public Speaking at Traffic Regulation Order Panel Meetings

1 Background

- 1.1 Whenever the Council proposes to make a traffic regulation order it is required to give public notice of the proposals and consider any representations it receives before deciding whether to make the order. Under the Council's Constitution the Traffic Regulation Order Panel is responsible for considering any representations made in respect of a proposed traffic regulation order and deciding whether or not to make the order. Unlike the position with planning applications being considered by the Planning Committee, there is currently no formal procedure for permitting public speaking at meetings of the Traffic Regulation Order Panel.
- 1.2 In recent years persons making representations on proposed traffic regulation orders have often asked to speak at the meeting of the Panel considering the proposals they have made representations about and in the absence of a formal procedure it has been left to the discretion of the Chair of the Panel whether to allow those persons to speak. The public are familiar with their right to speak at meetings of the Planning Committee and are often surprised that they have no similar right to speak at meetings of the Traffic Regulation Order Panel.
- 1.3 To ensure consistency with the Planning Committee procedures and to enhance public participation in decision making it is recommended that a formal procedure to allow public speaking at meetings of the Traffic Regulation Order Panel be introduced. The proposed procedure is included at Appendix 1 and is based on the protocol for public speaking at meetings of the Planning Committee. The procedure will allow speaking by one supporter and one objector who have made representations in respect of a proposed traffic regulation order. As with the procedure at Planning Committee, the public will be restricted to 3 minutes to make representations. Ward Members will also be permitted to speak on traffic regulation order proposals and will be allowed to speak for up to 5 minutes.
- 1.4 The Traffic Regulation Order Panel is also responsible for considering written representations made in respect of proposed public spaces protection orders and it is recommended that the same procedure of public speaking be introduced for dealing with them.
- 1.5 The Traffic Regulation Order Panel considered the proposed procedure for public speaking at their meeting on 25 November 2021 and agreed to support its adoption by the Council.

2 Options/Alternatives

- 2.1 Option 1: to approve the recommendation and introduce a procedure for public speaking at Traffic Regulation Order Panel meetings
- 2.2 Option 2: Not to approve the recommendation

3 Preferred Option

- 3.1 The preferred option is to adopt the procedure for public speaking detailed in Appendix 1 as it will provide clarity and enhance the involvement of the public in the traffic regulation

order process. If adopted, the procedure will be included in Part 8 (Appendices) of the Constitution at Appendix 3 – Protocols.

4 Financial Implications

4.1 This proposal is procedural in nature and, if approved, would give members of the public the right to speak at meetings of the Traffic Regulation Order Panel. As a consequence, there are no specific financial implications arising from this report. (Nigel Howard)

5 Legal Services Comments

5.1 The proposals will need to be approved by full Council as they involve an amendment to the Constitution. (A Evans)

6. Co-operative Agenda

6.1 There are no co-operative issues or opportunities arising from the report.

7 Human Resources Comments

7.1 Not applicable

8 Risk Assessments

8.1 Not applicable

9 IT Implications

9.1 None

10 Property Implications

10.1 None

11 Procurement Implications

11.1 None

12 Environmental and Health & Safety Implications

12.1 None

13 Equality, community cohesion and crime implications

13.1 None

14 Implications for Children and Young People

14.1 None

15 Equality Impact Assessment Completed?

15.1 No

16 Key Decision

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- 16.1 No
- 17 **Key Decision Reference**
- 17.1 N/A
- 18 **Background Papers**
- 18.1 the following is a list of background papers on which this report is based in accordance with the requirements of section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act.
- None
- 19 **Appendices**
- 19.1 Appendix 1 - Consideration of proposed traffic regulation orders by the Traffic Regulation Order Panel– public participation

APPENDIX 1

Consideration of proposed traffic regulation orders by the Traffic Regulation Order Panel– public participation

Anyone who makes representations in respect of a proposed traffic regulation order will be notified in advance by Unity Highways, Traffic Section of the date of the Traffic Regulation Order Panel at which those representations will be considered. Persons who made representations which are to be considered by the Traffic Order Panel, either for or against a proposed traffic regulation order, may speak in support of their representations at the Panel. Persons who have not made representations in respect of a proposed traffic regulation order will not be permitted to speak at the Panel meeting considering that proposed order.

The agenda for consideration by the Panel will be published on the Council's website five working days before the meeting. Please contact Constitutional Services using the email address or phone number on the agenda if you wish to speak, stating whether your representation is in support of or objection to the proposal. Requests to speak must be received no later than 12:00 noon on the day of the meeting.

The procedure will also be followed in respect of written representations made in respect of proposed public spaces protection orders which are considered by the Traffic Regulation Order Panel.

Procedure Notes to all Speakers

1. The number of speakers will be limited to two, namely a person who made representations against the proposed traffic regulation order or a representative of those who made representations against the proposed order and a person (if any) who made representations in favour of the proposed order or a representative of those who made representations in favour of the proposed order. Ward Councillors may also speak on a proposed traffic regulation order in their ward.

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2. It is important to inform Constitutional Services as soon as possible if you wish to speak to the Traffic Regulation Order Panel meeting since only the first person to do so will normally be invited to speak.
 3. Speakers will be allowed to speak for up to 3 minutes to state their case. This time period will be strictly enforced. Speakers should make comments only in support of the representations they have previously made, and not ask questions of officers or Panel Members.
 4. Where there are a number of objectors to the proposed traffic regulation order, a representative should be nominated to speak, failing which the first person to have informed Constitutional Services of a wish to speak, will be invited to speak to the Panel.
 5. The public speaking procedure does not allow electronic video presentations or distribution of letters/statements/photographs, etc. to Members of the Traffic Regulation Order Panel immediately before or during the meeting.
 6. Ward Members will be allowed to speak for up to 5 minutes and should make comments only and not ask questions of officers or Panel Members