



## The Future of Traffic Orders

Under statutory guidance on Civil Parking Enforcement (CPE), all traffic signs and road markings must be in compliance with legal requirements and must match their respective traffic orders in every detail. However, this method is often seen as outdated and in need of simplification with some suggesting that traffic orders could be abolished. So what lies ahead for traffic orders over the next 10 years?

With the possible exception of civil parking enforcement, there has been no fundamental change in traffic order procedures in the last 50 years. Generally, any alterations that have been made have been either minor or obvious, such as dropping the requirement to advertise orders outside London in the London Gazette. At the same time, there has been a total transformation in the technology used to carry out these procedures. Word processing, digital mapping, imaging technology and the internet have opened up possibilities that could never have been foreseen 50 years ago. This has led to the belief that changes should be made.

There is no doubt that moves are afoot to simplify or abolish traffic orders. In announcing its programme for transport last year, the government stated in 'The Coalition: our programme for government on transport':

“We will look to give Local Authorities more flexibility in how they advertise their Orders and will investigate how we could abolish the need for many traffic regulation Orders.”

There is also support for these aims within the parking industry with the British Parking Association (BPA) recently stating in 'The Master Plan for Parking 2011-12':

“We want to see a simplification of the Order Making process to allow local councils to be more responsive to local needs without the need for unnecessary and often ineffective consultation requirements.”



In September 2008 the Department for Transport (DfT) announced a wide-ranging review of traffic signs policy. This focussed on three areas: Road User Information, Enforcement and Environment. Enforcement emphasised the role of traffic orders in relation to signing and included the following topics for investigation:

- better definitions of traffic restrictions to allow easier order-making
- making more use of the signs regulations as an alternative to traffic orders
- involving the community in the design and positioning of regulatory signs
- reviewing the concept of Controlled Parking Zones
- reviewing the regulations for parking bays

On 22<sup>nd</sup> July 2011, Transport Minister Norman Baker stated in Parliament that the review had been completed and presented to Ministers in May 2011. However, the only measures from the review announced so far on 9<sup>th</sup> June 2011 relate to 20 mph limits. The announcement also mentioned that a final report on the review was due to be published later in the summer of 2011. Current indications are that this is unlikely to result in fundamental changes, at least for the time being. So what options are there for simplifying or abolishing traffic orders?

One option that has been put forward is to learn from Northern Ireland. Trevor Clark wrote an interesting article for Parking Review in October 2009 which argued the case for a simplified approach to traffic orders, with an emphasis on digital mapping. It included the following claim:

“In Northern Ireland the traffic order process had been simplified by creating a single TRO. This means there is no need for lengthy and detailed schedules as the contravention relates to a traffic sign erected or displayed rather than the order itself. This simplifies the management of the TRO as only one version exists under which all restrictions are introduced.”

Unfortunately, this does not seem to be the case. A search of the Statute Law database reveals that there are many recent traffic orders in Northern Ireland, all made by the province’s Department for Regional Development and conventional in form. The only change in the underlying legislation allows a traffic order in Northern Ireland to specify



roads by means of a map which does not form part of the order, and which may be in electronic form. This does not allow anyone to change the map at a later stage without amending the traffic order in the proper way and thus the same problems exist. The schedules need to be amended and it is those that are long and complicated. However, could technology be the answer?

GIS-based technology plus standard office software have now become the basic tools for producing traffic orders. These will continue to develop but are unlikely to change radically over the next ten years. The current trend towards the use of map-based schedules is likely to continue. Google Street View has recently provided unprecedented access to close-up street images, to the point where it can serve as a record of the signing and lining in many cases. There may well be scope for further progress in this area. If the wording of traffic orders can be successfully standardised, this may pave the way for specialist software to help with the production of traffic order articles. So is there a way to simplify and standardise the wording of traffic orders?

A working group set up by PATROL, the successor to the National Parking Adjudication Service, has been working to produce a set of model traffic orders in plain English, aimed at bringing some standardisation to the orders made by various authorities. The group presented an interim report in January 2011 and a further report, including their results for bus lane traffic orders, in June 2011. A final report covering parking traffic orders is due to be presented in September 2011. The bus lane results look promising, although the paper setting them out runs to 31 pages and might itself benefit from some simplification!

With simplification the aim, advocates believe that Controlled Parking Zones (CPZs) could be abolished or that Naked Streets could be the answer. CPZs have featured in national signing strategy for the last 50 years or so. They supposedly allow a major reduction in signing for area-wide parking schemes by showing zone operating times on the zone entry signs and dispensing with the requirement to repeat that information at regular intervals throughout the zone. However, they have not been without their problems. The current Traffic Signs Manual, after giving a tentative list of arguments in favour of CPZs, admits that



“it is unrealistic to expect drivers to remember the times of operation of the zone when they come to park a considerable distance after passing a zone entry sign” (Chapter 3, paragraph 12.8).

Parking adjudicators have sometimes been known to uphold appeals from motorists who took that view!

CPZs have been further undermined by the view taken by the DfT in recent years, and now set out in the Traffic Signs Manual, Chapter 3, paragraph 12.4, that the times on the zone entry signs only refer to the yellow lines and any parking meter bays within the zone, but not any other parking bays. Those other bays now need to have the time information repeated on signs at 30m intervals. Add to that the fact that double yellow lines no longer require time plates in any case and it becomes difficult to see that CPZs serve any real purpose as things stand. So what of Naked Streets?

A minimalist approach to signs, road markings and street furniture of any sort has been strongly advocated in recent years by urban designers, such as Ben Hamilton-Baillie. This approach is based on schemes on the continent, where streets have been redesigned so that the layout itself provides cues for appropriate driver and pedestrian behaviour, together with an emphasis on eye-contact between road users and deliberately created uncertainty. Impressive safety results are claimed, although published supporting evidence has been limited. Guarded official approval has been gained in the UK, and there is now widespread support for any efforts to reduce unnecessary “street clutter”.

This approach views traffic orders (or rather their signing and lining) as an intrusion to be avoided if at all possible. It has led to sensible new measures such as double yellow lines without time plates, but is unlikely to lead to the wholesale removal of traffic orders except perhaps in historic and other special areas where funding can be found for major refurbishments. So is there a chance that traffic orders will ever be fully eliminated?

In principle yes there is. There is currently no need for traffic orders for bus stop clearways and box junction markings. In these cases, the legal definitions of the restrictions were standardised and put into the Traffic Signs Regulations, instead of requiring the markings to be supported by Traffic orders. Ultimately, this could be done with any other type of



restriction, although the task of standardising them all and redrafting the signs regulations would be formidable. This may nevertheless be what the DfT have in mind.

Of course, the requirement to consult the public is unlikely to be taken away, but new ways of doing it are under consideration. Any meaningful consultation will still require plans and probably some sort of written description to be prepared, and kept for reference afterwards, so many of the essentials of the traffic order process as we know it are unlikely to go. Some parts of it, especially the use of digital mapping systems, may become more important than ever. Ultimately, there are not going to be any significant changes in the near future and so for local authorities it is still as important as ever to ensure that traffic orders are correct and robust.

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