

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

***PART 1 – PUBLIC DOCUMENT**

THE NORTH HERTFORDSHIRE DISTRICT COUNCIL (ICKNIELD WAY, LETCHWORTH) (RESTRICTION OF WAITING) ORDER 2021

SERVICE DIRECTORATE: Regulatory

1. DECISION TAKEN

- 1.1 That the Service Director: Regulatory through his delegated powers under Section 14.6.10(b) (x) of the Council Constitution grants approval in accordance with Part III, s16 of the Local Authorities' Traffic Orders (Procedure) Regulations 1996 (LATO Regs) for ***The North Hertfordshire District Council (Icknield Way, Letchworth) (Restriction of Waiting) Order 2021*** as specified in the First Schedule of this Order, as advertised on the 10th March 2022 (Copy of draft Order is attached at Appendix A).
- 1.2 That the Service Director: Legal and Community be asked to seal the Restriction of Waiting Order as outlined in paragraph 1.1.
- 1.3 That the Technical Projects Officer: -
 - i) Publish the requisite notice as required under Part III, s17 of the LATO Regs.
 - ii) Arrange for appropriate traffic signs to be installed as required under Part III, s18 of the LATO Regs.

2. DECISION TAKER

Ian Fullstone – Service Director - Regulatory

3. DATE DECISION TAKEN:

29 June 2022

4. REASON FOR DECISION

- 4.1 To proceed with the formal creation and subsequent publishing of the above Traffic Regulation Order (TRO) to improve customer accessibility to local businesses and religious institutions by removing the waiting restrictions on Saturday mornings.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The other option is to do nothing and retain the restriction as set out in 'The North Hertfordshire District Council (Control of Parking) (Consolidation) Order 2014' which includes No Waiting 8am – 12 Noon Saturdays. Not proceeding would restrict customer accessibility to local businesses and religious institutions on a Saturday. See Section 8 below.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

- 6.1 It is a statutory requirement under Part II Section 6 of the LATO Regs to formally consult on a permanent Traffic Regulation Order. This includes the following consultees: local fire and ambulance service; local police, Hertfordshire County Council as the Highway Authority, the Road Haulage Association, local businesses, and religious institutions likely to be affected by any provision in the Order. This period of consultation was undertaken from 10th March to 14th April 2022.
- 6.2 In accordance with Part II, Section 7 of the LATO Regs a 'Notice of Proposal's' containing the particulars of the proposed waiting restriction in the draft TRO was published in the local newspaper, The Comet, on 10th March 2022 and site notices were displayed in Icknield Way adjacent to the parking bays affected by the Order.
- 6.3 Copies of the published draft Order, together with the plan, Notice of Proposals and Statement of Reasons were made available to view during normal office hours (by appointment only) at the Council Offices in Gernon Road, Letchworth and on the Council's website.
- 6.4 In order to ensure the smooth implementation of the proposed parking amendment, and to gauge the level of response to the proposal, a pre-consultation exercise was also undertaken during April 2015 and again in June 2021. Those consulted included: local businesses and religious institutions likely to be affected by the proposal, and Hertfordshire County Council as the Highway Authority.
- 6.5 The Local Ward Members, the relevant County Councillor for the area, the previous and current Executive Member and Deputy who have transport in their portfolio have been consulted on the proposals and kept informed on progress during the process.
- 6.6 See section 8 below summarising the outcomes of the pre-consultation and statutory consultation exercises.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. RELEVANT CONSIDERATIONS

8.1 The proposal is to remove the current parking restrictions on Saturdays covering the length of the northern kerb line from Norton Way North, Letchworth in a general easterly direction to its meet at Cromwell Road. This is in response to the increased usage on a Saturday for the Letchworth Garden City Church and its parishioners and childrens activities.

8.2 At present the current restrictions are No Waiting Monday to Friday 8am – 6.30pm and 8am to 12 Noon Saturdays. The proposal is for:

- Removing the Saturday morning restriction only and on the northern kerb line only.

8.3 As part of the pre-consultation, letters advising of the proposal were hand delivered to all the businesses and religious institutions affected. Email consultation was undertaken with the statutory bodies.

8.4 Following discussion with the former Executive Member for Enterprise, the Arts & Transport and Deputy, it was agreed to proceed with the formal consultation on the draft TRO. The revised Order was drafted and published on 10th March 2022 in accordance with the LATO Regs. (See paragraphs 6.1 to 6.3 above).

8.5 No objections were received by the end of the statutory consultation period, i.e. by 14th April 2022.

8.6 Given that no objections were received to the statutory consultation on the draft TRO and having notified the current Executive Member and Deputy for Planning and Transport, it is the officer recommendation to the Service Director: Regulatory, that the proposed North Hertfordshire District Council (Icknield Way, Letchworth) (Restriction of Waiting) Order 2021 to improve customer accessibility to local businesses and religious institutions by removing the waiting restrictions on Saturday mornings is published as stated in paragraph 1.1 above.

9. LEGAL IMPLICATIONS

9.1 Under the Responsibilities for Functions-Summary Paragraph 14.2.1 of the Constitution states that decisions about non-executive functions may be delegated by the Council to an Officer.

9.2 Section 14.6.2(d) of the Constitution provides that: - *'Before taking a decision under delegated powers which may be controversial or politically sensitive the officer shall notify the relevant Cabinet Executive Member. Delegated decisions must be taken, recorded and published in accordance with the Council's Guidance 28 (or any policy) on the statutory requirements and procedures'*.

9.3 Under terms of reference 14.6.10(b) (x) of the Constitution, the Service Director: Regulatory has delegated authority for traffic management including the creation of on and off street parking orders

9.4 Under terms of reference 14.6.8 (a)(xvi) of the Constitution, the Service Director: Legal and Community has delegated authority for the attestation of the Council's common seal on relevant documents

9.5 Section 17 of the LATO Regs provides that within 14 days of making the order the local authority must publish in a local newspaper where the order and associated documents can be inspected.

9.6 Section 18 of the LATO Regs provides the local authority must place the relevant traffic sign on or near the area of road affected by the order before the order comes into force.

10. FINANCIAL IMPLICATIONS

10.1 The consultation costs, publication of notices, sealing of the Made TRO and implementation of the signs on street, will be funded from the town wide parking review budget.

11. RISK IMPLICATIONS

11.1 Other than management of member and customer expectation in terms of the TRO not being 'Made' and implemented on street, there are no other risks associated with this proposal. Implementation of the actions arising from the Council's Parking Strategy is already identified as a risk on the Council's Risk Register.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equalities implications arising from this decision. The proposed removal of the Saturday restriction seeks to increase accessibility to local businesses and religious institutions. The Order also does not seek to limit parking for disabled persons.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 Officers will be responsible for the implementation of the TRO which forms part of their normal duties.

16. APPENDICES

- 16.1 Appendix A: Copy of draft (Icknield Way, Letchworth) (Restriction of Waiting) Order 2021 in PDF format. Copy of existing plan and proposed plan.

17. BACKGROUND PAPERS

- 17.1 Public ‘Notice of Proposals’ setting out NHDC’s proposal to make the draft TRO (pursuant to arrangement with Hertfordshire County Council)
- 17.2 Statement of Reasons setting out the reasons for the proposal.
- 17.3 These can be viewed on the Council’s website at: <https://www.north-herts.gov.uk/home/parking/parking-reviews/letchworth-parking-review>

18. NOTIFICATION DATE

Date sent to all Members, put on website and appears in MIS - Committee and Member Services will insert

Signature of Executive Member Consulted 

Date14th July 2022.....

Signature of Decision Taker 

Call-in does not apply given that this is a NON-EXECUTIVE DECISIONS



Draft order.pdf



Scheme L3 1B
EXISTING v2-Amend



Scheme L3 1B
PROPOSED v2-Amen