



# Traffic Regulation Order Policy

October 2025



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# Introduction and Background

The Traffic Management Act 2004 imposes an explicit duty on local authorities to manage their network so as to reduce congestion and disruption and provides additional powers to do with parking. As part of their Network Management Duty, local authorities must develop parking strategies, both for on and off-street parking, that are linked to local objectives and circumstances. These strategies need to take account of planning policies and transport powers, as well as considering the needs of all road users in the area, the appropriate scale and type of provisions, the balance between short and long-term provision and the level of charges.

Traffic Regulation Orders (TROs) are legal documents developed by the traffic authority, or its agents such as the North Essex Parking Partnership, allowing the police and/or local authorities (e.g. Civil Enforcement Officers) to enforce various matters to do with the speed, movement, parking and other restrictions of pedestrians and vehicles, by law.

Making the best use of our current road network is important for both the local economy and society. Potential conflicts will need to be carefully handled. The current system recognises the responsibility of Councils to put in place parking strategies that reflect the needs of all road users, including pedestrians, cyclists, residents and businesses.

The Traffic Management Act 2004 was amended in 2015 to enable greater transparency and understanding of the purpose of parking policies, the reasons for putting TROs in place, and an avenue to challenge whether existing TROs are required. This policy provides detail on the process for applying for new restrictions (via Traffic Regulation Order) in Part One, and for challenging existing parking policies in Part Two.

The rest of the North Essex Parking Partnership's policies can be found at [north.parkingpartnership.org/policies-and-procedures/](http://north.parkingpartnership.org/policies-and-procedures/).

## Part One – New Parking Restrictions

### Introduction

Under an agreement with Essex County Council (ECC), NEPP is authorised to carry out on-street parking enforcement and charging, maintain associated signs and lines, and implement Traffic Regulation Orders (TROs) in accordance with the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984. This document sets out the operational framework and relevant policies of both ECC and NEPP that guide the implementation of TRO schemes across the Partnership area.

This policy outlines how the North Essex Parking Partnership (NEPP) manages requests for new parking restrictions submitted by Parish or Town Councils and members of the public. A consistent and standardised approach is essential to ensure that TROs comply with statutory regulations and reflect a uniform standard across Essex, including the use of fully mapped TROs. This policy aims to promote fairness and transparency in the consideration of new parking scheme requests, while supporting the Partnership's traffic management objectives.

Across the Partnership area, demand for parking restrictions continues to grow. As vehicle numbers increase, competition for kerbside space intensifies, leading members of the public



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and organisations to seek solutions to perceived parking problems. The overarching aim is to avoid introducing unnecessary restrictions and to ensure that limited NEPP resources are directed towards schemes that deliver the greatest benefit. Priority will be given to locations where uncontrolled parking causes significant issues for residents or traffic flow.

Whilst it is recognised that all requests may offer benefits to their respective areas, funding for new schemes is limited, thus this policy outlines the criteria used to assess and prioritise requests for consideration by the NEPP Joint Committee. Schemes that meet all the criteria are more likely to be included in the forward programme of works, subject to statutory consultation. However, schemes that do not meet all criteria may still be considered, with higher-priority schemes taking precedence. In all cases, progression is subject to available funding.

## Types of TROs

TROs can be introduced on any road to which the public has access, provided ECC is the designated traffic authority. The classification or status of the route is not a limiting factor; TROs may apply to footpaths, bridleways, byways open to all traffic, and other highways, including main carriageways.

A road does not need to be formally adopted or maintained by the highway authority for a TRO to be applied. However, if the road is privately owned, written consent from the landowner is required before implementation.

TROs may include restrictions based on:

- The type of user (e.g. vehicles, pedestrians),
- The extent of the road affected,
- The time period during which the restrictions apply.

The various types of TRO – Permanent, Temporary and Experimental – are explained in detail in Appendix One.

## The Requirement for Waiting, Red Line and Red Route Restrictions

TROs for waiting restrictions may be proposed for a variety of reasons, typically falling into one of the following four categories:

- **Safety** – to address identified areas with a history of personal injury collisions involving vehicles and pedestrians.
- **Congestion** – to improve traffic flow on key routes where parked vehicles obstruct movement.
- **New Development or Improvement Schemes** – to support wider transport of infrastructure initiatives, such as traffic calming measures or new road layouts.
- **Local Concerns** – to manage parking pressures from commuters, shoppers or residents.

Requests relating to **Safety, Congestion, and New Development/Improvement Schemes** are primarily managed by ECC in accordance with their own policies and assessment criteria, detailed in the following section of this policy.



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In some cases, red line or red route restrictions may be proposed where traditional waiting restrictions are unsuitable. These will only be considered on the grounds of **Safety** and **Congestion**, as defined above. A separate policy for Red Routes can be found on NEPP's website.

## ECC Criteria for Determining Requests for new Parking Restrictions

This section details the ECC criteria for considering requests for parking restrictions on safety and congestion grounds.

### *Safety and Collision Intervention Criteria*

When considering the need for a restriction on safety grounds, ECC identifies 'Single Sites' or 'Clusters' where there have been five or more Personal Injury Collisions (PICs) within a 50m radius of the requested area over a three-year period. Safety Engineers study the collisions and identify any treatable patterns. Where a safety need is identified, the sites are prioritised for funding through the relevant Local Highways Panel.

### *Congestion Criteria*

ECC has adopted a functional route hierarchy. This splits the road network into three classifications; priority one County Routes (PR1), priority two County Routes (PR2) and local roads. PR1 roads have been identified as high volume traffic routes which are essential to the economy of Essex. PR2 routes perform an essential traffic management distributor function between the local network and the PR1 routes. Delays to the movement of traffic on the PR1 and PR2 network will be minimised, and restrictions considered if required to achieve this aim.

Further detail on the functional route hierarchy is explained in Appendix Two.

## NEPP Criteria for Determining Requests for new Parking Restrictions

The NEPP will receive all parking restriction requests that do not meet the criteria of ECC's safety and congestion policies. Although these requests do not meet the ECC criteria, the Partnership may decide to implement parking restrictions to improve safety and sight lines, if the Partnership consider that the restriction will be beneficial to the area.

The NEPP is likely to receive requests for restrictions to tackle the following issues:

- Commuter parking in a residential street (preferred parking),
- Short term invasion parking (outside schools, organisations, etc.),
- Provision of customer on-street parking for local shops and businesses,
- Driveway obstruction,
- Parking around industrial areas,
- Parking on verges, pavements and green areas.

Historically, many parking restrictions have been introduced with the aim of resolving particular local issues. However, it should be noted that the purpose of the highway is the passing and re-passing of vehicles, and that no right of parking exists. Parking provision is therefore a concession and, however desirable, should not be at the expense of the purpose of the highway. Where it is safe and desirable, parking can be allowed.



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The NEPP will avoid introducing unnecessary parking restrictions to combat minor short stay invasion parking problems or to address a preferred parking situation. The allocated funds will be concentrated on essential schemes where major parking issues exist and have fully evidenced local support where necessary.

Furthermore, the NEPP will not consider implementing restrictions on, or relating to, new-build sites for 5 years post-build/adoption, unless external funding is provided. In these cases, the NEPP will have provided their professional advice during planning stages and, as such, should not incur any costs where this advice was not followed. The NEPP will, however, be flexible, particularly where a policy may have been substantially affected by an external change since the last review (for instance, major housing or commercial developments or population shifts). Requests will then be considered on a case-by-case basis.

The NEPP requires any application for new parking restrictions to include evidence of support from at least 75% of those affected by any proposed changes to the highway, in order to be automatically progressed to scoring stage and, subsequently, to Committee for a decision. It will be the responsibility of the requester to carry out an informal survey and provide evidence with their application; if advice on the area to survey is required, NEPP's Technical Team can provide support and guidance. Any application which does not include this support will be held as 'pending' for 12 months, until either evidenced support is provided, **or** the relevant partner authority provides mitigating reasoning as to why the application should be progressed without support, **or** provides external funding.

#### *Commuter parking in a residential street (preferred parking)*

The majority of residential estates were not designed for the level of car ownership or the volume of traffic using them today. It is necessary to investigate and prioritise each request received so that those areas in most need are given greater priority. The criteria set out below provides the basis for priority.

The preferred traffic management solution for parking issues in residential areas is the introduction of a residents parking scheme. This type of scheme will only allow residents and their visitors to park within a designated area throughout the period of the restriction and exclude all other vehicles.

The criteria for prioritising requests for restrictions in residential areas are as follows:

- **The parking by non-residents must be sufficiently severe so as to cause serious inconvenience to residents.**  
Vehicles parked for the whole length of the road, taking all available space for long periods of the day, will be considered sufficiently severe. Any parking which is deemed as short-term invasion (school drop-off/pick-up etc) will not necessarily be considered.
- **The majority of residents are in favour of such a scheme.**  
Any proposed parking scheme will require a consultation with all parties involved, including residents of the street(s) affected. If there is no evidenced majority of 75% or above in support of the scheme, it is highly unlikely that the scheme will progress.
- **The introduction of a scheme must not cause unacceptable problems in adjacent roads.**

When surveying an area it is essential that, if displacement parking is considered likely, there should be evidenced support for consideration of restrictions to mitigate the risk of displacement parking in affected roads.



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- **The NEPP is satisfied that a reasonable level of enforcement can be maintained.** For every new restriction that is introduced, a level of enforcement will be required. This can impact upon the amount of resource available and the cost of the overall enforcement account. Therefore, the future price structure of residents' permits will need to reflect the overall operation.
- **The majority of residents have no off-street parking facilities available to them.** If the majority of properties have no off-street parking, then any amount of parking by non-residents will have an impact on the available space for residents of the area. If the majority of properties have off-street parking, any parking on the highway will have less impact on residents. If residents with off-street parking request implementation of parking restrictions to prevent vehicles parking on the street, but are happy for visitors to park in the area, this will be considered 'preferred parking', and will likely result in a recommendation to reject the requested scheme.

#### *Short-term invasion parking (outside schools, organisations etc)*

Short-term invasion parking refers to vehicles parking briefly to drop off or pick up passengers or goods at locations such as schools, convenience stores, or other known organisations. While these instances are typically short in duration, they can cause significant disruption, particularly during peak times.

If this type of parking restriction request does not meet ECC's safety or congestion criteria, it is unlikely that NEPP will propose the introduction of parking restrictions as a high priority. The enforcement of any restriction that is introduced to tackle short-term parking issues requires a concentrated enforcement presence and is therefore not practical or cost-effective.

However, enforcement capabilities have progressed, with NEPP now able to monitor and enforce certain restrictions using approved devices such as camera-equipped vehicles or static cameras. NEPP may therefore consider the introduction of red route restrictions in areas where traditional zig-zag markings are unsuitable or ineffective. These routes are designed to improve safety and traffic flow and can be enforced more robustly, without requiring constant on-foot presence.

Whilst requests for restrictions related to short-term invasion parking may still be considered low priority unless they meet ECC's safety or congestion criteria, NEPP will assess each case on its merits. Where there is clear evidence of persistent disruption, safety concerns, or strong local support, NEPP may recommend appropriate measures.

#### *Provision of customer on-street parking for local shops and businesses*

Designated areas of on-street parking can be created to serve the needs of local businesses and the retail sector, to ensure these areas are not subjected to all day commuter parking.

The Partnership's preferred method of traffic management for this type of request is a pay and display scheme, most likely managed via a digital payment system. Enforcement of a pay and display scheme is considered more effective than limited waiting schemes and ensures the necessary turnover of parking space for customer availability. The by-product of a pay and display scheme is income, which can help financially support the daily enforcement operation.

An important part of the criteria for assessing such a request would include the capital cost of implementing a pay and display scheme, including revenue costs such as daily maintenance. Consultation with local traders and other local interest groups would also form part of the pre-feasibility work.



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### *Driveway Obstruction*

If a vehicle is parked across an approved dropped kerb and obstructing the driveway, a Civil Enforcement Officer (CEO) can issue a Penalty Charge Notice (PCN) for obstruction of a dropped kerb, provided the vehicle is not parked in a designated parking place. Enforcement of this type will only take place if the resident of the property reports the obstruction to NEPP. In all cases, obstruction of the highway is the jurisdiction of Essex Police, who have the necessary powers to remove vehicles that are considered to cause an obstruction.

A white H-bar marking can be placed on the highway, indicating access to the driveway. This type of marking is advisory only and is chargeable to the customer. There is a separate [application form](#) for this. These markings will not be maintained by NEPP or ECC; if it wears away or is removed as part of any highway works, the property owner would be liable for any replacement costs.

### *Parking around industrial areas*

There are areas within industrial sites where the workforce relies on long stay parking on the highway. Provided ECC confirm that the parking in these areas does not cause safety or congestion concerns, the NEPP will consider this type of parking acceptable. Furthermore, cars parked in these areas can act as a natural speed calming measure. Any introduction of parking restrictions in these types of areas will do no more than to potentially displace parking to an alternative location.

Requests for new restrictions will therefore be considered a very low priority.

### *Parking on verges, pavement and green areas*

There are many variations of this type of parking issue and each case will be taken on its individual merit. Enforcement of verges, pavements and green areas can only be enforceable under the Traffic Management Act 2004 if the area is confirmed as public highway and is supported by a relevant TRO. It is impractical to provide a TRO and the relevant signage for every instance of verge or pavement parking. This would result in unnecessary street furniture clutter and unacceptable administration costs.

Until such time legislation permits a blanket order for this type of issue, or powers to enforce pavement parking where an obstruction is evident are given to Local Authorities, then NEPP advice will be for alternative solutions to be pursued as follows;

- If it is deemed obstruction of a footpath/pavement, referral to Essex Police who may issue a Fixed Penalty Notice and remove the vehicle if necessary,
- If the parking is causing damage to the surface/green area, and the area is public highway, referral to ECC to consider the introduction of a waiting restriction,
- Upon determination of land ownership (via ECC), preventative measures such as wooden posts or bollards may be installed to prevent vehicles accessing the area. ECC will be responsible for this decision,
- If the land is maintained by a local authority, and the area is ornamental, mown or maintained to a high standard with the relevant licenses in place, the Essex Act may be a practical alternative. This involves installation of signage which allows enforcement to take place, though installation costs must be borne by the requester. A separate policy is available in relation to the Essex Act.



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### *Taxi Ranks*

Requests for taxi rank provision will be considered on their individual merits and will need to complement the wider aims and interests of:

- Local transport development plans,
- Planning criteria and new development (S106 funding),
- Maintain the safe, free flow of traffic,
- Taxi associations.

NEPP will prioritise the requests according to need and will rely highly on local input from Lead Officers and Member representatives.

### *Loading and unloading provision*

To ensure the vitality of local business and retail, NEPP has a commitment to ensure that delivery and goods vehicles have the opportunity to deliver goods in suitable locations.

Requests for the introduction of loading and unloading provision will be considered on their individual merit, but overall will be considered as a medium-high priority. Each request will need to complement the wider aims and interests of:

- Local transport development plans,
- Planning criteria and new development (S106 funding),
- Maintain the safe, free flow of traffic,
- Local business and retail organisations.

### *Junction Protection, Red Routes and Red Lines*

Requests for junction protection through red or yellow lines will be considered on their individual merits. However, these will not constitute a priority as safety-related issues should be handled by Essex County Council.

Where a need is identified or sufficient local support is evidenced, an application will be assessed and prioritised in line with other applications received. Any scheme must address the need to maintain safe free flow of traffic and be able to be enforced effectively.

## Management of Traffic Regulation Order (TRO) Requests

The implementation of permanent TROs is subject to the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. These impose various legal requirements prior to making an order. The TRO process typically takes 12 to 18 months from the initial request to completion, though it can take longer in some instances.

The TRO process flow chart (see Appendix Three) details the arrangements.

All new requests for parking restrictions should be submitted through our [online service](http://north.parkingpartnership.org) at north.parkingpartnership.org. If online access is not possible, alternative arrangements are outlined in Appendix Four.

Note: Before submitting a request for a new parking restriction, it is necessary to gather local support from those directly affected by the issue. Support from local Councillors and Parish, Town or City councils is also recommended. Requests from individuals will be considered as personal views unless accompanied by clear evidence of wider community support. **The NEPP requires applicants to provide evidence demonstrating support from at least 75%**



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**of those affected by the proposed changes, in order to be automatically progressed to scoring stage and, subsequently, to Committee for a decision. Requests which do not meet this figure will be stored as ‘pending’ for 12 months, until either evidenced support is provided, or the relevant partner authority provides mitigating reasoning as to why the application should be progressed *without* support, or provides external funding.** If an applicant requires, or would like, advice as to which properties constitute “affected addresses” in their individual circumstances, our Technical Team will be able to provide this support.

Once a request is received, the NEPP TRO team will review it on the grounds of safety and congestion considerations, in accordance with ECC policy criteria, and refer it to them where applicable.

For those which don’t meet ECC criteria, the first stage of the process is a pre-feasibility assessment. A member of the NEPP team will gather information related to the request, which may include a site visit and, where appropriate, informal consultation with local stakeholders such as residents, traders and community groups. This helps assess whether there is a clear parking issue that warrants formal regulation.

Regardless of the outcome of any informal consultation, the NEPP reserves the right to implement a scheme if it is deemed essential – for example, to meet emergency services’ requirements, specific traffic management needs, or on a temporary basis.

As part of the assessment process, the NEPP Technical Team will produce a report for each request. This report will include a recommendation to either approve or decline the proposal, details of any site visits, and outcomes of informal consultations, where applicable. Each report will include a formal quantitative score (see Appendix Five), along with qualitative considerations relating to social need. These reports are then reviewed by NEPP lead officers and elected Member representatives for a local decision on whether to proceed.

Schemes that receive local approval to proceed will then be referred to the NEPP Joint Committee for consideration. A report will be prepared for the Committee outlining the proposal, its assessment score, and an estimated cost to ensure transparency. The Committee will then decide whether to approve, defer or reject the scheme, considering funding. Information on funding options for new parking restrictions can be found on page 11.

For all approved proposals, a draft Traffic Regulation Order (TRO) will be prepared and then proceed to statutory consultation, in accordance with *The Local Authorities’ Traffic Orders (Procedure)(England and Wales) Regulations 1996*. NEPP will work with the relevant Partner Authority to identify key local stakeholders for each proposed TRO scheme, ensuring consultations reach the appropriate parties. This stakeholder analysis will be completed and confirmed prior to all consultations.

Depending on the nature of the scheme, this consultation may include:

- The Highway Authority,
- Emergency Services,
- Freight Transport Association and Road Haulage Association,
- Local public transport operators.



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In addition to these statutory consultees, NEPP may also seek feedback from local stakeholders, such as:

- County/City/District/Parish Councils and Councillors,
- Local Highways Panels and similar organisations.

If NEPP agrees to proceed with the TRO, the scheme must be publicly advertised. This includes on-site notices and at least one notice in the local press. NEPP typically displays notices on all affected roads and may deliver notices directly to key premises likely to be impacted.

For a minimum of 21 days from the start of the notice, the proposal and a statement of reasons for the TRO can be viewed at a nominated council office during normal hours or online via the NEPP website.

During this period, any person may submit objections or support through the relevant online portal, or in writing to the addresses specified in the notice. If objections are raised and remain unresolved after consideration by the Parking Partnership Group Manager, a report will be submitted to the Joint Committee. It is possible for part of the Order to proceed while other objections are still under review.

The Joint Committee will consider all representations and may approve, reject, or request modifications to the Order. Any modifications arising from objections may require further consultation, which can take several months. Due to the significant advertising and legal costs involved in this, TRO schemes typically need to be planned as part of the Annual Programme and cannot be implemented on an ad-hoc basis.

Once approved by the Committee, the TRO will be formally sealed and published in a local newspaper with an operational date. In the interim, signs and road markings are installed in preparedness for the new restrictions to become enforceable.

## Implementing TROs once the Order is Made

For TROs agreed and funded by ECC to address issues of Safety, Congestion or New Development, ECC will either:

- Approach NEPP with a fully-designed scheme, ready for implementation; or,
- Identify a known issue and work collaboratively with NEPP to develop an agreed solution, including provision of sufficient funding for design and delivery.

In response, the NEPP Technical Team will:

- Implement the scheme, which may include design (as required), drafting the TRO, undertaking consultation and advertisement, reviewing objections, sealing the TRO, and installing the necessary signs and lines; or
- Decline to undertake the scheme, in which case ECC may commission the work through an alternative provider.

For TROs agreed and funded by NEPP – either directly or via an individual authority or local panel – to address local concerns, social needs, or strategic priorities, the NEPP Technical Team will be responsible for implementation or may commission delivery through other service providers.



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## Funding for TRO Schemes

ECC has a commitment to fund any schemes that meet the criteria of the ECC safety and congestion criteria and this is typically through the Local Highways Panels set up for each district. ECC will not provide funding for all other parking related schemes and will therefore need to be either funded by the Parking Partnership account or from other avenues.

Potential funding can be sourced from the following areas;

- The Parking Partnership account. Budget is allocated by ECC according to the current Joint Partnership Agreement – schemes will need to meet NEPP policy criteria to receive funding and this will be subject to the availability of funds and agreement by the JPC. The aim is for the Parking Partnership account to create sufficient surplus to be able to invest back into the TRO function.
- The Local Highway Panels. These LHPs have limited funding available for highway improvements. Any schemes would have to be presented to the local panel and funding for the scheme would have to be agreed by them and the ECC Cabinet Member.
- The borough / district / city and parish councils. Local councils can contribute to any schemes that are considered beneficial to the local area that do not receive funding from NEPP.
- Section 106 funding for new developments. Funding will be agreed at the planning development stage following consultation with NEPP.

Unless sufficient funding otherwise allows, the number of TRO schemes per district/city to be funded from the Parking Partnership account and allocated TRO budget will be six schemes per year. This includes those that meet the 'fourth tier' category of restriction (being those not considered as socially necessary, such as junction protection or school entrance markings). The Joint Committee may decide to approve more schemes in one District and fewer in another, providing the net number of schemes remains the same. This limit is in place to ensure that there is a balance between delivering new schemes and reviewing and maintaining existing ones, within the available budget.

Additional schemes may be approved where third-party funding is provided, or where a business case suggests that the scheme will self-finance, such as on-street payment parking or permit schemes.

## Types of Parking Restriction and the Responsible Authority

NEPP will be responsible for the implementation and ongoing maintenance of the following type of parking restriction:

- No waiting and No Loading
- School Keep Clear
- Limited Waiting
- On-street Pay and Display
- Resident Parking Schemes
- Taxi Ranks
- Loading and Goods Vehicle Bays
- Red Routes and Red Lines



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ECC will continue to be responsible for the implementation and ongoing maintenance of the following type of parking restriction:

- On-street Blue Badge Bays
- Bus Stops
- Pedestrian Crossings

However, ECC may choose to delegate and fund the implementation of these restrictions to NEPP.

## Part Two – The Right to Challenge Parking Policies

This section refers to the Network Management Duty Guidance (2004), as well as the “Right to challenge parking policies” statutory guidance, issued by the Secretary of State under Section 18 of the Traffic Management Act 2004. Local Traffic Authorities (LTAs) in England must have regard to this guidance when exercising their Network Management Duty under this Act.

### Broad Principles

In order to provide the public with a greater say in the development and implementation of parking policies, and to enable Councils to respond to changes in local circumstances, the Government introduced powers for challenging decisions on parking restrictions in the aforementioned statutory guidance.

This system intends to make it easier for local residents and businesses to challenge any parking arrangement which they believe to be unfair, disproportionate or unreasonable. This could include the provision of parking availability, parking charges, or the use of restrictions such as yellow or red lines.

National guidance provides detail on how the Government considers this system should work and advises local authorities on best practice. It is recommended that local authorities have a system in place which allows residents to raise petitions about the parking restrictions in place for a specified location.

### Reviewing Parking Policy and Restrictions

Parking restrictions, such as red and yellow lines, parking zones and bays, are backed up by legal documents called Traffic Regulation Orders (TROs). Combinations of these lines and bays are often part of much wider schemes. Councils often review these schemes on a planned basis, and these reviews may lead to the amendment or revocation of orders that are no longer suitable for local conditions. When implementing any changes, Councils consult as widely as is necessary to ensure that all of those affected by the Orders have the opportunity to comment.

This section outlines the petition scheme which applies to the North Essex Parking Partnership area. This scheme helps to ensure that those affected by TROs can raise issues, including changed circumstances or unintended consequences, between regular reviews. This petition scheme does not apply to requests for new parking restrictions, which can be requested by individuals as set out in Part One of this document.



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## Requirements for Petition Validity

Whilst it is the right of any individual to contact us about any aspect of parking in their area, we do expect those who raise a petition to demonstrate the existence of local support for their challenge amongst others affected by the parking policy. Under this TRO Policy, a petition will be considered provided it has representation from at least 75% of affected addresses. If a petitioner requires, or would like, advice as to which properties constitute “affected addresses” in their individual circumstances, our Technical Team will be able to provide this support.

A valid petition should state:

- The location of the restriction,
- The current restriction which the petition seeks to challenge,
- The proposed remedial action,
- A full name, address and contact details for each signatory.

If the location or point for review is not clear, the NEPP will seek clarity from the lead petitioner, and assist in accurately defining their challenge to ensure that the Council and petitioners have an agreed understanding of what aspects are being challenged.

## Management of Petitions

### Inappropriate Reviews

Local authorities have a responsibility to manage their resources to the best effect in performing all aspects of their duties, and to do this they must balance the resources necessary to review policies with their ongoing responsibilities. Repeated or inappropriate petitions from vexatious individuals or groups can impact negatively on this and, as such, the NEPP will not normally undertake a reviewed based on a petition in the following scenarios:

- A new restriction which has been in place for less than six months,
- A restriction which has been reviewed during the previous 12 months,
- An aspect of a parking restriction which applies across a wide area (or is part of a group of petitions which, taken together, seek to achieve this),
- A restriction on, or relating to, new-build sites, until 5 years post-build/adoption,

In the case of the final scenario, the NEPP will have provided their professional advice during planning stages and, as such, should not incur any costs where this advice was not followed. The NEPP will, however, be flexible, particularly where a policy may have been substantially affected by an external change since the last review (for instance, major housing or commercial developments or population shifts).

In any case where the NEPP refuse a petition on the above grounds, advice will be provided as early as possible, including any ways in which the petition could be validly submitted.

### Review of Parking Policies in Response to a Petition

Once it has accepted a petition, the NEPP will ensure that the petitioner has a clear understanding of what aspects of its parking policies will be reviewed, and what that review will involve, including any requirement for public consultation.



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Large or complex reviews could take considerable time, and the NEPP will only be able to manage and progress schemes within available resources. The NEPP will ensure that the Lead petitioner has a clear understanding of the timescale, provide regular progress updates, and in particular provide details on the timing and nature of any public consultation. The Lead petitioner will be the person responsible for communicating with other petitioners.

Following a review of a parking policy or restriction, the NEPP will provide a clear report, with justification for any recommendations or conclusions. The lead petitioner will be provided with a copy of this report and, if the NEPP does not agree to the proposals in full, have an opportunity to consider and respond to the report before a final decision is made.

Wherever possible, the NEPP will ensure that:

- Decisions on the local authority's response to a petition will be taken to the Joint Parking Committee for approval,
- This committee meeting will be public, with petitioners having the ability to watch and address the meeting.

In all cases, reports and decisions will be published on the NEPP website, so that the community can see what areas of parking policy have been challenged, scrutinise the decisions of their local authority, and hold them to account.

## Contact Details

Address:

TRO Enquiries – Technical Team

North Essex Parking Partnership

PO Box 5575

Colchester

CO1 9LT

Email: [techteam@colchester.gov.uk](mailto:techteam@colchester.gov.uk)



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# Appendices

## Appendix One – Types of TROs

### *Permanent TROs*

A TRO can be permanent. There may be formal objections to Permanent TROs which must be addressed (and may ultimately be resolved at a Public Inquiry). A Permanent TRO stays in place unless it is revoked or a new Order is introduced to replace/amend it.

### *Temporary and Experimental TROs*

Occasionally, temporary or experimental orders are introduced (by either NEPP or ECC), which follow a slightly different process in terms of consultation.

A temporary traffic order is made under Section 14 (1) of the Road Traffic Regulation Act 1984. Temporary Orders:

- may be used when works affecting the highway require short-term traffic restrictions,
- are usually short-term but may last up to a maximum of 18 months; and,
- are generally used to allow for works, protect the public from danger, to conserve, or allow the public to better enjoy a route.

A Temporary Order may also be made under Section 16A, for special events such as cycle races, carnivals etc. These can introduce, suspend or change parking restrictions both on the road on which the event is taking place and/or other roads which are affected by the event. These Orders may be for up to three day, but are limited to one occurrence in any calendar year for any length of road.

An Order made under section 14 or 16A is required to be advertised for 14 days in local press, as given in s.16(2)/16C(2) – to notify the public of such regulations by virtue of Part II of The Road Traffic (Temporary Restrictions) procedure Regulations 1992, unless intention is given by Notice only, under Part III.

An Experimental Order, made under sections 9 and 10 of the Road Traffic Regulation Act 1984, is like a permanent TRO in that it is a legal document which imposes traffic and parking restrictions such as road closures, controlled parking and other parking regulations indicated by yellow lines etc. The experimental order can also be used to amend existing restrictions. Experimental orders can be introduced quickly and are utilised to test the success of a scheme before deciding whether to make it permanent. Experimental Orders:

- are used in situations that need monitoring and reviewing.
- usually last no more than eighteen months before they are either abandoned, amended or made permanent.
- may be made for any purpose for which permanent TROs can be made, and as such cannot be made for speed or parking places.

During the first six months of the experimental period, changes can be made to any of the restrictions (except charges) if necessary, before the Council decides whether to continue with the changes brought in by the Experimental Order on a permanent basis.



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It is not possible to lodge a formal objection to an Experimental TRO until it is in force. Once it is in force, objections may be made to the TRO being made permanent and these must be made within six months of the day that the Experimental Order comes into force. If feedback or an objection is received during this period which suggests an immediate change to the experiment, that change can be made and the experiment can then proceed. If the Experimental TRO is changed, then objections may be made within six months of the day that it is changed.



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## Appendix Two – Functional Route Hierarchy

The Traffic Management Strategy adopted by the County Council in 2005 identified and defined a Functional Route Hierarchy divided into County Routes and Local Roads.

The County Routes provide the main traffic distribution function in any area and give priority to motorised road users. The Traffic Management Strategy splits County Routes into Priority 1 (PR1) and Priority 2 (PR2).

Priority 1 County Routes may be inter-urban or connecting routes, radial feeder or town centre access routes. What is important is the need to maintain free flowing traffic movement on them due to the function they perform within the network. Priority 2 County Routes are all those County Routes which do not fall into the Priority 1 category.

The Traffic Management Strategy defines Local Roads as being all non-County Routes, further subdividing into developed roads (generally residential) and rural roads (unclassified routes linking developed areas). Local roads support a different balance of motorised and non-motorised road users. Account must be taken of the differences in form and function of local urban roads and local rural roads.

The following web site link provides access to a map of the Essex County road network which details the road network forming the Functional Route Hierarchy.

<https://essex.traffweb.app>



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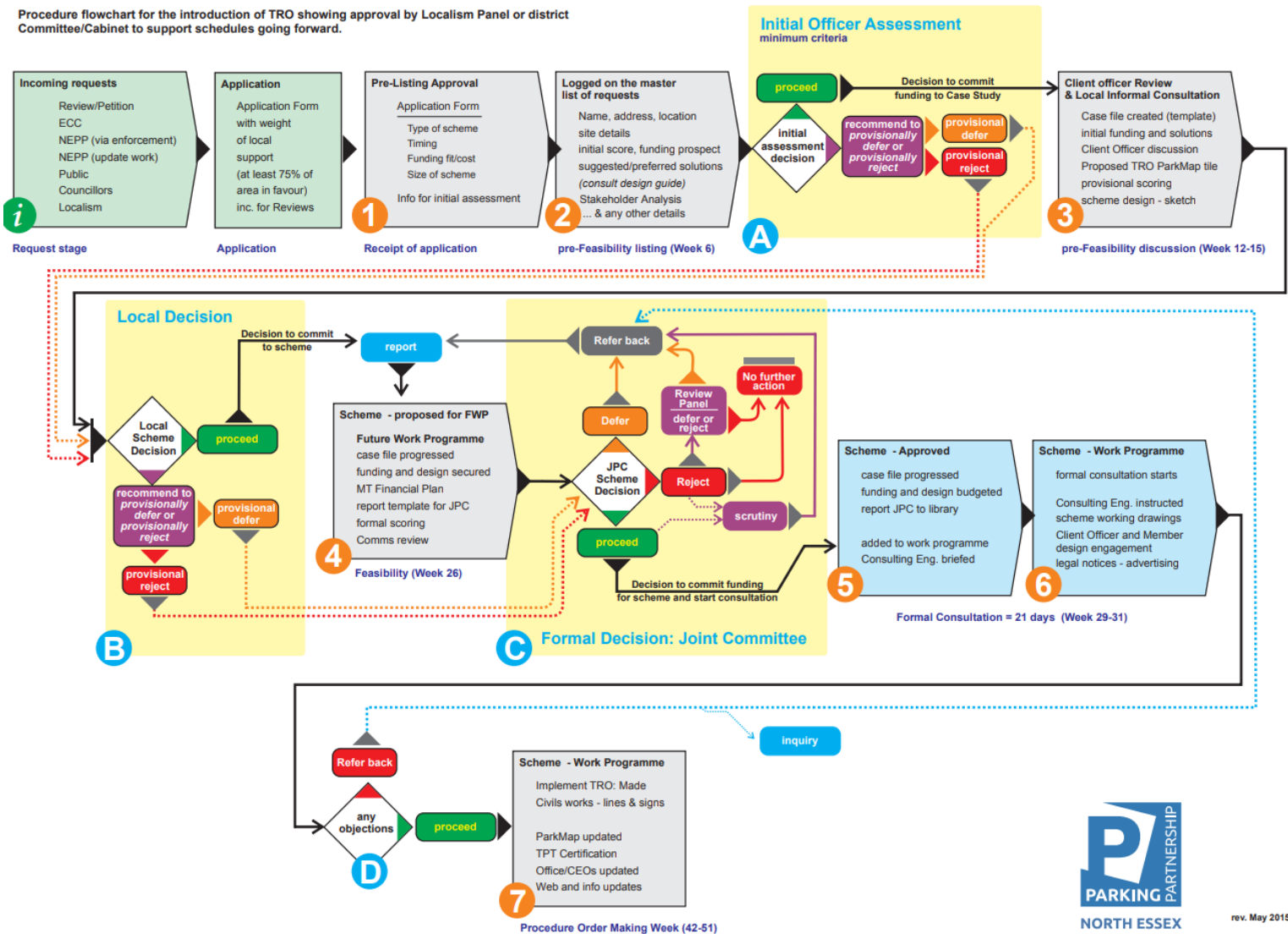


# Appendix Three – TRO Flow Chart Process

The below flow chart provides the usual route for applications to NEPP. In other circumstances NEPP may deal with schemes generated by or through Essex County Council, including Local Highways Panel schemes, or schemes of its own, including schemes determined under delegated powers.

The flow chart is also linked [here](#), as a separate document, for ease of reference.

Procedure flowchart for the introduction of TRO showing approval by Localism Panel or district Committee/Cabinet to support schedules going forward.



rev. May 2015



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## Appendix Four – Request for Parking Restrictions Application Form

An online application can be made via the North Essex Parking Partnership website at <https://northtro.parkingpartnership.org/pages/home.aspx>. Please note that the online application form is the usual route for applications to NEPP.

A paper application form may be provided where an applicant requires a reasonable adjustment due to disability or accessibility requirements.



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## Appendix Five – Assessment System & Scoring Methodology

This scoring methodology is designed to strengthen the assessment of applications that have evidenced local support. Please note that the scoring methodology will usually be applied to assess applications to NEPP. In other circumstances NEPP may deal with schemes generated by or through ECC, including LHP schemes, or schemes of its own, including schemes determined under delegated powers, where this process may not be applied.

### Prioritisation Scoring Methodology

**Location:** **Total Points:** **/105**

<b>Pre-scoring Criteria – Local Support</b> (must be obtained to proceed)	
Scheme/restriction is supported by at least 75% of affected parties (i.e. resident & business petition(s) available to evidence this)	Yes/No
Scheme/restriction is supported politically (either ECC or Ward Member)	Yes/No

<b>Viability/Finance</b>	<b>/25 points</b>
Economic contribution to NEPP (Residents or P&D Parking)	10 points
Funded externally and not from NEPP budget	10 points
Low cost of ongoing maintenance	5 points
<b>Localised Impact</b>	<b>/25 points</b>
Parking regularly occurs within 10-15 metres of site request	5 points
Personal injury collision recorded and attributed to parking (only relevant for requests relating to safety e.g. yellow/red lines)	5 points
Parking request related to an A or B routed classified road	5 points
Parking occurs on a bus route	5 points
Parking occurs by non-residents in a residential area	5 points
<b>Accessibility</b>	<b>/30 points</b>
Parking inhibiting emergency services etc & is evidenced	10 points
Parking issues close to school	10 points
Parking issues close to Town Centre, Hospital, Railway Station etc	5 points
Parking causes localised congestion in peak periods (rush hours). Congestion impact not relevant at school sites.	5 points
<b>Enforcement</b>	<b>/25 points</b>
Parking occurs during day (8am-6pm)	5 points
Parking of a long duration (in excess of 4 hours)	5 points
Parking close to existing restrictions	5 points
Ease of enforcement	10 points



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