



# Committee report

Committee

**POLICY AND SCRUTINY COMMITTEE FOR  
NEIGHBOURHOODS AND REGENERATION**

Date

**7 JULY 2022**

Title

**REPORT ON THE DRAFT TRO POLICY**

Report of

**CABINET MEMBER FOR INFRASTRUCTURE,  
HIGHWAYS PFI AND TRANSPORT**

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## SUMMARY

1. The purpose of the report is to set out principles behind the draft Traffic Regulation Order (TRO) Policy due for Cabinet in July 2022.
2. The proposed TRO Policy essential sets out the framework for making decisions on TRO proposals, to ensure consistency in the way the highway traffic is managed on the Island.
3. The Policy is aiming to balance the need for new traffic regulations on the Island's highway to ensure safety for all road users, against the impact on the local communities and amenities.

## BACKGROUND

4. The draft TRO Policy is setting up the framework against which the Council, as the Statutory Highway Authority, can make decisions on TRO proposals. Thereby to ensure consistency in the way the highway traffic is managed on the Island.
5. The Statutory Authority for making new TROs is contained within the Section 1 (1) in the Road Traffic Regulation Act 1984:

(1) The traffic authority for a road outside Greater London may make an order under this section (referred to in this Act as a "traffic regulation order") in respect of the road where it appears to the authority making the order that it is expedient to make it

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
  - (b) for preventing damage to the road or to any building on or near the road, or
  - (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
  - (d) for preventing 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, or
  - (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
  - (f) for preserving or improving the amenities of the area through which the road runs, or
  - (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).
6. Likewise, orders are progressed in accordance with the Local Authority's Traffic Regulation Order (Procedure) (England and Wales) Regulations 1996.
7. The Statutory Authority for signs and road markings are by virtue of the Traffic Signs Regulations and General Directions 2016.
8. The council is under a duty pursuant to Section 16 of the Traffic Management Act 2004 to manage their road network, whilst having regard to their other obligations, policies and objectives at the same time, with a view to facilitate the passage on the road or any other road of any class of traffic (including pedestrians) and for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.
9. Section 122 of the Road Traffic Regulation Act 1984 requires the local authority to secure the expeditious, convenient and safe movement of traffic (including pedestrians) and the provision of adequate parking facilities.
10. However, the adoption of the proposed TRO Policy does not remove the need for consideration to be given to the duty under Section 122 of the Road Traffic Regulation Act 1984 when deciding whether to make, or to refuse to make any specific traffic regulation order.

Contact Point: Stewart Chandler, Highways and Transport Client Manager,  
☎ 821000 e-mail [stewart.chandler@iow.gov.uk](mailto:stewart.chandler@iow.gov.uk)

COLIN ROWLAND  
*Director of Neighbourhoods*

PHIL JORDAN (CLLR)  
*Cabinet Member for Highways PFI, Transport and Infrastructure*