

WINCHESTER CITY COUNCIL DECISION RECORD VERSION 3. NOVEMBER 2020

Officer Completing the Form: Tracey Webb

Lead Director: **Simon Hendey**

Subject: Traffic Regulation Order –The Square, Winchester Proposed evening extension to Weekend pedestrian and cycle zone 2023

Details of Decision: *Please provide a brief explanation as to what decision was made, including any financial implications.. This should be done in easy to understand, non-technical language - as this wording will appear on the website for the public to read. Also please remember all staff will be able to see this document.*

A Traffic Regulation Order was proposed to introduce a pedestrian and cycle zone in The Square and Great Minster Street between 6pm and 10pm Monday to Friday to complement the existing zone between 10am Saturday till midnight on Sunday. In order to facilitate this, the existing weekend prohibition of driving restriction and associated waiting and loading restrictions (to facilitate turning for vehicles during the hours of operation of the zone) were also proposed to be extended to 6pm and 10pm Monday to Friday. The extent of the zone, prohibition of driving restriction and associated loading restrictions (as shown in the attached proposed documentation) would not change from existing, only the days of operation.

The order was proposed to:

- Avoid danger to persons/ traffic and facilitate the passage of pedestrians and cyclists.
- To facilitate outdoor hospitality and support businesses between 10am Saturday and all day Sunday and Monday to Friday 6pm to 10pm.
- Preserve and enhance amenities of the area through which the roads run through the reduction in the volume of traffic.
- Improve air quality through the reduction in traffic movements and improved cycle and pedestrian facilities.

The proposal was included in the Traffic and Transport Programme of work for September 2021 to 31 March 2023 which was approved at a Cabinet Member Decision day on 6 September 2021 and was carried forward to the Programme of work for April 2022 to 31 March 2023 which was approved at a Decision Day on 4 July 2022.

The proposal was supported by Winchester City Council Ward Members and Hampshire County Council Member. No objections were received from statutory consultees.

A minor amendment was also proposed to The Hampshire (Various Roads, Winchester) (Parking Places and Restriction of Waiting) (Controlled Zone) (Consolidation) Order 2010 as amended as two Schedules within the Order are referred to as 'Schedule 3A', one inserted by Variation Number 52 and a second inserted by Variation Number 72. Therefore it was proposed by this variation to rename the Schedule inserted by Variation Number 52 as Schedule 3AA.

The proposal was formally advertised on 1st March 2023 and 1 comment was received objecting to the proposal which has been responded to. The objector raised concerns about access for the local Church. It is considered unlikely that access to the Church will be affected by the proposed extension given that it will be in place 6pm -10pm on weekday evenings. In addition, the Church already has an exemption in the Order for a vehicle being used as a hearse in the course of a funeral.

Therefore the recommendations are:-

- 1. That the Service Lead- Legal be authorised to make and advertise the Order in accordance with the proposal;**
- 2. That the Service Lead- Engineering be authorised to implement the Order by appropriate signage and road markings.**

Type of Decision: (please tick. see reverse for definitions)

- | |
|---|
| <input type="checkbox"/> Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form) |
| <input checked="" type="checkbox"/> Significant Operational Decision (see section 2B (1) on reverse of this form) |
| <input type="checkbox"/> Other Decisions to be Published (see section 2B (2) on reverse of this form) |
| <input type="checkbox"/> Administrative Decision (see section 3 on reverse of this form) |

Reason for the Decision: *A brief overview of your reasons for taking this course of action.*

See Details of Decision.

Alternative Options Considered & Rejected: *All alternative options considered need to be outlined here. Please include detail of any representations received. This will include your response to any alternatives suggested by those making representation and the reasons why these alternatives were rejected.*

Introduction of a residents permit scheme was rejected as they would not meet HCC criteria for new schemes as the size of the scheme makes it unlikely to be cost neutral and there is insufficient space available.

Supporting Information: *If your decision relates to delegated authority derived from a specific Committee resolution, please confirm the name of the Committee, the date of the meeting and paste the resolution into this box.*

See original Plans and Draft Orders

Declared Officer and/or Member interests: *List any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision and, in respect of any declared conflict of interest, any note of dispensation granted by the Monitoring Officer.*

Departmental Review			
Legal review:	<i>Tick this box to confirm legal team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	
Finance review:	<i>Tick this box to confirm finance team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	
Other review:	<i>Tick this box to confirm any other departmental review of proposed decision (and specify department)</i>	<input type="checkbox"/>	

Are the details of the decision open or exempt?

Open

Part Exempt. Please expand

Exempt. Please expand

Decision Taker (name): *This needs to be the specific Officer or Cabinet Member who holds the delegation within the constitution/or referred to by a Committee*

Decision Taker
(Signature):

Date: 28.03.23

Simon Hendey Strategic Director

Call In dates (key decisions only) and Implementation date:

Commencement of call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Last date for call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Planned Implementation Date:	Click here to enter a date.

Notes.

1) Why record officer decisions?

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

2) What sort of decisions are there?

- a) **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- i. To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; **(For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;**
 - ii. To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- b) **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.
1. **Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
 - i. Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
 - ii. Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
 - iii. When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
 - iv. A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
 2. **"Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b) affects the rights of an individual.
 3. **Administrative Decision:** *(these do not require recording on this form unless one or more of the following applies)*
 - i. There is a financial implication;
 - ii. It is in conflict with the Budget and Policy Framework or other approved policies approved by full Council; and
 - iii. It raises new issues of policy.

3) Which officer decisions need to be recorded on this form?

Officers need to record:

- 1) any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- 2) any Significant Operational Decisions. (see 2B (1) above)
- 3) "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)
- 4) Administrative decisions for which there is a financial implication.

4) What are the relevant processes to be followed?

For all decisions, the report author needs to complete the Forthcoming Decisions record in Sharepoint.

Establish which type of decision it is (see 2 A and 2B above.)

Most officer decisions require to be recorded on this form (see 3 above) Once completed, please ensure that it is reviewed by legal, finance and the relevant Director prior to signing. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page (unless it is an Administrative decision).