

SUMMARY OF RECOMMENDATIONS

1. Proposed changes to the Council's current operational Traffic Regulation Order Process (Terms of Reference: 1, 2, 3, 5, 7 and 9)

- The list of consultees at Consultation 1 is amended to ensure that the only parties consulted at this stage are Police Scotland (as required by law) and selected internal council consultees
- The statutory consultees required by Regulation 4(1) of LATORS that are currently consulted during Consultation 1 should be moved to Consultation 2 to ensure that all relevant statutory consultees are consulted at the same time during the process.
- Following completion of Consultation 1, officers shall circulate a draft Consultation 2 (statutory consultation) list to the Council's Community Development Officer for consideration. Thereafter, the Community Development Officer should respond with additional groups or organisations that they consider should be consulted with in relation to the TRO. This additional step will assist the Council to ensure that it identifies and engages with any relevant stakeholders and provides additional quality assurance to the process.
- Following completion of the consultee draft list, the Assistant Network & Standards Manager (Traffic & Development) shall carry out a further check to ensure that all relevant consultees are captured. This step will build additional quality assurance into the process and ensure that the Council identifies and engages with any relevant stakeholders.
- In cases where Consultation 1 & 2 are combined, the draft consultee lists will also be sent to the Community Development Officer prior to consultation commencing.
- That consultees for each TRO process shall include *relevant* instead of local community councils, which will include all local community councils served and/or affected by any TRO and contiguous community councils as a minimum.

2. Proposed Improvements to the Council's current operational TRO process against the National Standards for community engagement (Terms of Reference: 2, 6, 7, 9 and Appendices 3 and 4)

The following recommendations have been arrived at with significant input from Community Development and will have wider application.

- That Community Development Officers to be included in the process of validating consultees to ensure that all relevant stakeholders are included and to facilitate a fair and transparent process;
- That improvements to be made to consultation letter to encourage more participation (as detailed at appendix 5 of the report)
- That Roads and Infrastructure Services in consultation with Community Development will meet with community groups as appropriate;
- That improvements are made to letters and early engagement (including non-statutory engagement where appropriate) to facilitate a fair and transparent process;
- That more informative/less technical language be used during TRO consultations;
- That a plain English check on consultation letters be carried out;
- That the Council's guidance on consulting, which is available on the Council's intranet, is based on the National Standards for Community Engagement. These should also be included in the Council's Community Engagement Strategy which is currently being developed. This should be made available on the Council's intranet, so that officers can refer to the standards and use them as a guide when planning any community engagement activities and not solely those related to the

TRO process. This in turn facilitates more meaningful community engagement and consultation that is fair, open and transparent.

- That a Guide for Consultation on Traffic Regulation Orders (TROs) for Community Organisations be produced and made available for the public on the Council's webpages.

3. Proposed Improvements to Traffic Regulation Order Consultation Letters (Terms of Reference: 2 and 6 and Appendix 5)

- Removal of the objections sentence '*when you will have an opportunity to lodge ... Procedures*' to see if this encourages a greater response at this stage of consultation.
- Inclusion of a paragraph making it clearer that comments received at this stage may contribute to the further development of the proposals prior to the draft TRO being finalised.
- Additional text to be incorporated within the consultation letter to better inform the consultees on the reasons for the proposals.

4. Respond to stakeholders who participated in the consultation as detailed at appendix 3 - Terms of Reference 2

5. Proposed Improvements in budget process in relation TROs (Terms of Reference 3)

- Where there is a proposed variation of charges relating to car parking places which are the subject of an existing TRO, the Council utilises the provisions contained within S35C and/or S46A of the RTRA84 which enable the charges to be raised via notification to the public.
- The legal basis and purpose for every TRO is stated at an initial stage and that any decision in relation to making a TRO should be separate from the budget setting process.

6. Proposed change of Committee which considers all TRO's (Terms of Reference 5)

- Consideration should be given to utilising the Planning Protective Services and Licensing Committee to make decisions on TROs, with reports going to the relevant Area Committee for information.

7. TRO's to be Multiple or Geographical (Terms of Reference 4)

- TRO process should actively require officers to consider and justify how TRO's should be sought on a case by case basis.

8. Proposed Improvements to the Council's EqSEIA process (Terms of Reference 3, 8 and 9 and Appendix 6)

- That the Council will carry out an EqSEIA assessment in relation to TRO's when required which will be determined by the professional judgement of officers.
- Proposed revisions be made to the current EqSEIA guidance to improve clarity and provide a greater understanding of when the process is required and in relation to consultation
- That adequate training be provided by Customer Support Services to relevant staff in how to complete and EqSEIA.

- That a Q and A resource be provided by Customer Support Services setting out further support in relation to the completing EqSEIAs.
- That a statement about the purpose of an EqSEIA and circumstances under which they may or may not be undertaken be placed on the website for reference by the public and be incorporated as part of officer training.
- That consideration be given to the provision a LEON online learning module course on how to complete EqSEIA.
- That the Council's current EqSEIA guidance and template be reviewed following the publication of the Scottish Government Island Impact Assessment Guidance.

9. Community Participation Request and Minutes (Terms of Reference 9)

The Head of Legal and Regulatory Services reviews how meetings are currently recorded and considers:

- Whether there is scope to improve how such meetings are recorded;
- Whether guidance should be issued to relevant officers in relation to the permanent recording of such meetings when carrying out community engagement with stakeholder parties; and
- How the CPR process should be utilised in considering any future TRO's and any other community engagement activity.