

CABINET MEMBER FOR HIGHWAYS AND TRANSPORT – CLLR PHILIP WHITEHEAD

HIGHWAYS AND TRANSPORT SERVICE

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REFERENCE: HT-10-17

WINDSOR DRIVE AND BRICKLEY LANE, ROUNDWAY ORDER: PROPOSED WAITING RESTRICTIONS

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls at Windsor Drive and Brickley Lane, Roundway.
 - (ii) Recommend the making of the Traffic Regulation Order with minor amendments to the advertised proposals.

Relevance to the Council's Business Plan

2. The proposed scheme meets three key priorities of the Business Plan. Helping to ensure everyone lives in a high quality environment by promoting sustainable transport and walking where possible. As part of the school travel plan and the reduction in car parking the restrictions in turn promote walking to school which ties into people of Wiltshire having healthy, active and high quality lives. The removal of obstructive parking helps to ensure people are protected from harm and feel safe using the public highway.

Background

3. Initially, a request for a controlled crossing outside the school came from Nursteed Primary School via the parish council. A controlled crossing was not deemed necessary at this location due to the low number of pedestrians currently using the uncontrolled crossings in place.
4. Waiting restrictions were therefore requested along Windsor Drive outside Nursteed Primary School in principal to enable the school bus access at all times but also to improve obstructive parking around the roundabout.
5. The request for parking control came via the Devizes Community Area Transport Group. The request has since been investigated looking at the wider network around the school.

Detail

6. The TRO for this proposal was advertised from 26 January 2017 until 20 February 2017.
7. During the formal consultation period, 15 letters were received, one supporting the scheme, thirteen objecting to the proposal and one commenting on the scheme.

Main Considerations for the Council

8. Consideration needs to be given to the responses received and a decision made on the way forward. Statute states the highway is for the passage and re passage of persons and goods, and consequently any parking on the highway is an obstruction of that right of passage. There are no rights to park on the highway but parking is condoned where the right of passage along the highway is not impeded. The consideration of the objections to the introduction of controls has to be considered in this context.

Safeguarding Considerations

9. There is no risk to the Council as a result of these proposals.

Public Health Implications

10. There is none in this scheme.

Corporate Procurement Implications

11. There is none in this scheme.

Environmental and Climate Change Considerations

12. The introduction of the parking controls will involve the laying of new lines. This will have an impact on the visual aspect but has to be balanced against the need to ensure that safe access and visibility is provided.

Equalities Impact of the Proposal

13. There is none in this scheme.

Risk Assessment

14. There is no risk to the Council as a result of these proposals.

Financial Implications

15. The cost of implementing new waiting restrictions in this area will be covered by Section 106 agreement money put aside by the developer when building homes and amenities in the local area.

Legal Implications

16. All changes to existing parking restrictions require amendments to the Traffic Regulation Order. The process is governed by the Road Traffic Regulation Act 1984 and Associated Procedural Regulations. Failure to adhere to the statutory processes could result in the restrictions being successfully challenged in the High Court.

Options Considered

17. To:
 - (i) Implement the proposals as advertised.
 - (ii) Not implement the proposals.
 - (iii) Implement the proposals with amendments.

Reason for Proposals

18. The comments set out in **Appendix 2** on the various objections received indicate that it is considered appropriate to introduce the scheme with the minor amendments detailed in **Appendix 3**.

Proposals

19. That:
- (i) The restrictions be implemented as advertised, subject to the minor amendments detailed in **Appendix 3**.
 - (ii) The objectors to be informed accordingly.

The following unpublished documents have been relied on in the preparation of this Report:

Letters of representation