

**CABINET MEMBER FOR HIGHWAYS, STREET SCENE AND FLOODING  
CLLR NICK HOLDER**

**HIGHWAYS, TRANSPORT AND WASTE SERVICE**

**OFFICER CONTACT:** Jamie Mundy Email: [jamie.mundy@wiltshire.gov.uk](mailto:jamie.mundy@wiltshire.gov.uk)

**REFERENCE:** HSSF-12-24

---

**KENNET PLACE, MARLBOROUGH**  
**PARKING AND WAITING RESTRICTIONS WAITING RESTRICTIONS**  
**AND INTRODUCTION OF RESIDENT PARKING PERMITS**

**Purpose of Report**

1. To:
  - (i) Consider objections to the advertised proposals for parking controls at Kennet Place, Marlborough.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO) with minor amendments to the advertised proposal.

**Relevance to the Council's Business Plan**

2. The proposed Traffic Regulation Order (TRO) meets the following priorities in the Council's Business Plan 2022 2032.
  - Empowered People – 'We are safe', 'We Stay Active'
  - Resilient Society – 'We ensure decisions are evidence based'
  - Thriving Communities – 'We have vibrant, well connected communities'
  - Sustainable Environment – 'We are on the path to carbon neutral'

**Background**

3. The Local Highway & Footway Improvement Groups (LHFIG), consider waiting restrictions, such as yellow lines, and budget for assessments and implementation. The Marlborough LHFIG agreed to prioritise these proposals for a residential parking scheme, something which local residents have been campaigning for, for many years.
4. The proposed restrictions were requested by the Town Council and Local Members in response to requests received by their constituents, to provide convenient parking for residents within the town centre environment at Kennet Place.

**Detail**

5. The TRO for this proposal was advertised from 22 January to 19 February 2024.
6. During the advertisement period a total of 7 items of correspondence was received in response to the proposals contained within the advertised TRO. Of the 7 items of correspondence received, 2 expressed support for the Council's proposals, 2 objected the proposals in their current form and 3 made general comments.

## **Main Considerations for the Council**

7. 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**

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

## **Public Health Implications**

9. There is none in this scheme.

## **Corporate Procurement Implications**

10. There is none in this scheme.

## **Environmental and Climate Change Considerations**

11. The proposed parking restrictions will require limited street furniture and road markings to be introduced where non currently exist. The signage required within the legalisation will be kept to a minimum allowed under the guidance and legislation. However, it is recognised that there is a potential for visual impact to the environment.

## **Equalities Impact of the Proposal**

12. There is none in this scheme.

## **Risk Assessment**

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

## **Financial Implications**

14. Funding for these works has been approved by the Marlborough LHFIF from its allocated funding. Should this scheme not progress the funding would be returned to the LHFIF budget allocation and would be available to be put towards other schemes.

## **Legal Implications**

15. All changes to existing parking restrictions require amendments to the TRO. 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**

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

## **Reason for Proposals**

17. The proposal is intended to improve road and pedestrian safety and to allay concerns of safety expressed by residents.

The proposal has the support of the locally elected members, both Wiltshire Council and Marlborough Town Council, Local Highway Footway Improvement Group and Area Board.

## **Proposals**

18. That:
- (i) The proposals be implemented as advertised.
  - (ii) The objectors be advised accordingly.

---

## **The following unpublished documents have been relied on in the preparation of this report:**

Letters of representation  
Proposed plans