

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

HIGHWAYS AND TRANSPORT SECTION

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REFERENCE: HSSF-02-24

**BERRYFIELD ROAD, BRAFORD ON AVON
PARKING AND WAITING RESTRICTIONS**

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls at Berryfield Road, Bradford on Avon.
 - (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 Bradford on Avon LHFIG agreed to prioritise these proposals as part of improvement works taking place in 2024, within Berryfield Road, funded by the LHFIG and Substantive Highways Scheme.
4. The waiting restrictions hereby proposed will complement the Berryfield Road scheme which shall emphasise the entrance to the school, by way of pedestrian build-outs and contrast surfacing. Improvements will also be made at the Bath Road junction to slow vehicles entering Berryfield Road.
5. The proposed restrictions were requested by the Town Council and Local Members in response to concerns received by constituents. In the main, to prevent obstruction, physical or to visibility caused by inappropriate parking and to change existing restrictions to suit the current environment.

Detail

6. The TRO for this proposal was advertised from 23 June to 17 July 2023.
7. During the advertisement period a total of 24 items of correspondence was received in response to the proposals contained within the advertised TRO. Of the 24 items of correspondence received, 13 expressed support for the Council's proposals, 5 objected the proposals in their current form and 6 made general comments.

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 repassage 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 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

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. Funding for these works has been approved by the Bradford on Avon LHFIFG from their allocated funding.

Legal Implications

16. 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

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

Reason for Proposals

18. The proposal is intended to improve road and pedestrian safety and to allay concerns of safety expressed by residents.
19. The proposal has the support of the locally elected members, both Wiltshire Council and Bradford on Avon Town Council, Local Highway Footway Improvement Group and Area Board.

Proposals

20. 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 of all locations