

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

HIGHWAYS ASSET MANAGEMENT AND COMMISSIONING

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REFERENCE: HSSF-16-24

**PROPOSED TRAFFIC REGULATION ORDER AMENDMENTS IN THE VICINITY
OF
ALDERBURY AND WEST GRIMSTEAD PRIMARY SCHOOL**

Purpose of Report

1. To:
 - (i) Consider the comments received following the formal advertisement of Traffic Regulation Orders (TROs hereafter) proposing the introduction of waiting restrictions and a 20mph zone in the vicinity of Alderbury and West Grimstead Primary School.
 - (ii) Recommend proceeding with the introduction of the Council's proposals as advertised.

Relevance to the Council's Business Plan

2. The proposal contributes to two of the themes set out in the Council's Business Plan 2022- 2032.

Theme 1: Empowered People

- Help the people of Wiltshire to increase activity levels and improve their health.

Theme 4: Sustainable Environment

- Support decarbonisation of existing transport and increased use of public transport options as well as walking and cycling.

Background

3. The village of Alderbury is situated within the parish of Alderbury and is located to the south-east of Salisbury and is predominantly comprised of residential properties. In addition to the residential properties there are a number of small businesses, a football club, a village hall, a public house and Alderbury and West Grimstead Primary School (the school hereafter).

4. The school is located within Firs Road. Firs Road is a cul-de-sac and in addition to being the access road serving the school it serves as the access to Woodlea Grange (a residential cul-de-sac), a new housing estate of approximately 50 properties that is currently being constructed behind the school, with the main access road to these properties (Pinckney Lane) beginning at the former turning head outside of the school and Alderbury Football Club. As part of the works to build the new estate two new accesses to the school have been created in Pinckney Lane.
5. As with many schools across the county, and indeed the country, the school suffers with school journey related parking and congestion issues, with parental parking at the start and end of the school day. Specifically, issues of parents parking and obscuring visibility at junctions, visibility of pedestrians crossing the road in the vicinity of the school accesses, and parking half on footways causing them to be partially obstructed. Through the South Wiltshire Local Highways and Footways Improvement Group (LHFIG hereafter) Alderbury Parish Council requested the introduction of waiting restrictions to alleviate some of the problems created by the school run parking.
6. Following the raising of this matter through the LHFIG process, representatives of the Parish Council, the school, and Wiltshire Council highways officers have been working to develop proposals to address the aforementioned issues.
7. As outlined in paragraph 4, a new housing estate is currently being constructed behind the school. One of the planning conditions attached to the construction of the estate requires the developer to introduce a 20mph speed restriction within the estate in the form of the 20mph zone. The condition only requires the developer to install a 20mph speed restriction within the roads that make up the new housing estate. Proceeding on this basis would have resulted in Firs Road and Woodlea Grange not being included with the proposed 20mph speed restriction. The proposed extent of the 20mph speed restriction has subsequently been discussed with the developer, and the developer has agreed to cover the costs of extending it to cover both Firs Road and Woodlea Grange as these roads will form the access to the development.
8. TROs proposing the introduction of waiting restrictions in the vicinity of the school and a 20mph zone were formally advertised for comment on 8 February 2024. The Council's closing date for the receipt of objections or other representations to the advertised TROs, together with the grounds on which they were made, was 4 March 2024.

Summary of Proposals

9. The TROs proposed the introduction of the following:
 - No Waiting At Any Time (NWAAT hereafter – double yellow line) restrictions.

- No Loading Monday to Friday 8.30am to 9.30am and 2.00pm to 4.00pm restrictions.
 - School Keep Clear markings operating at all times covering the three school accesses.
 - A 20mph zone.
10. Plans showing the Council's advertised proposals are attached as **Appendix 1**.
11. The aim of the proposed waiting restrictions is to keep junctions in the vicinity of the school clear of parked vehicles to maintain visibility for pedestrians and motorists using them and relocate parking away from the school accesses to make it safer for pedestrians to both use the footways and cross the road in the immediate vicinity of the school.

Summary of Responses

12. During the consultation period a total of three items of correspondence were received in response to the Council's proposals. Of those three items one expressed support for the Council's proposals. The remaining two items of correspondence objected to the Council's proposals, or elements of them.
13. Neither the local Wiltshire Council Member nor the Parish Council submitted any comments in response to the Council's during the formal TRO consultation period. However, as outlined in paragraph 6 both the Wiltshire Council Member and the Parish Council were involved in the development of the proposals through the LHFIG process and as such support their introduction.
14. It should be noted that the proposed introduction of a 20mph zone did not receive any objections.
15. A summary of the correspondents who submitted comments on the Council's proposals is attached as **Appendix 2**. A full copy of the comments submitted by correspondents, together with officer responses, is attached as **Appendix 3**.
16. Substantive comments are comments that would result in the Council seeking to make changes to the proposals it advertised. It is considered that no substantive comments have been submitted by the correspondents who objected to the Council's proposals.

Main considerations for the Council

17. Consideration needs to be given to the comments received to the Council's advertised proposals and whether changes should be made to them. The Council must balance meeting its statutory obligations as the local highway authority and the delivery of its approved Business Plan, which commits the Council to improving the health, wellbeing and environment in which its

residents reside, against the wishes of those who wrote in opposition to the Council's proposals.

18. It is important to consider the comments received in the context of what both highway law and the Highway Code states on the provision of parking on the public highway.
19. Highway law states the public highway is for the passage and repassage of persons and goods. There is no legal right for motorists to park on the public highway, nor obligation upon Wiltshire Council (as the local highway authority) to provide parking. Parking within the confines of the public highway is tolerated so long as it does not impede the right of passage along it. Where parking does impede the right of passage along a public highway the Council has a statutory duty to consider the introduction of measures to ensure that any obstruction of the right of passage is removed.
20. The Highway Code (to which all users of the public highway must adhere) states that motorists should not stop or park opposite or within 10 metres (32 feet) of a junction. This is specifically to protect visibility and enable turning manoeuvres to be undertaken at junctions. Any parking taking place within 10 metres of a junction could be considered to be causing an obstruction of the public highway and liable to enforcement action by the Police.

Overview and Scrutiny Engagement

21. There is none required as part of this scheme.

Safeguarding Implications

22. There are no safeguarding implications.

Public Health Implications

23. The introduction of the proposed TROs would support the relocation of parking away from the school accesses and provide safety improvements for pedestrians to both use the footways and cross the road in the immediate vicinity of the school.
24. The relocation of the parking away from the school accesses would serve to help encourage active travel, which may help to improve public health, which would be consistent with Themes 1 and 4 of the Council's Business Plan as outlined in paragraph 2.

Procurement Implications

25. There are no procurement implications.

Equalities Impact of the Proposal

26. There are no equalities implications.

Environmental and Climate Change Considerations

27. The introduction of the proposed TROs would support the relocation of parking away from the school accesses. Relocating the parking would serve to encourage active travel, any increase in active travel because of the Council's proposals may help to reduce carbon emissions and improve air quality in the immediate vicinity of the school, which would be consistent with Themes 1 and 4 of the Council's Business Plan as outlined in paragraph 2.
28. The Council's proposals would require the laying of road markings and the erection of signs on the public highway. Doing so will have an impact on the visual amenity of the areas where they are to be introduced. The Council will seek to minimise the impact on the visual amenity of the area where waiting restrictions are proposed by erecting, where possible, any new signs required because of its proposals on existing items of street furniture.

Risk Assessment

29. Not proceeding with the Council's proposals would contribute towards the Council failing to meet the objectives of its Business Plan 2022- 2032 as outlined in paragraph 2.

Financial Implications

30. There is an allocation within the overall Southern Wiltshire LHFIG which allows for the introduction of the proposed waiting restrictions. Should the waiting restrictions not progress the funding would be returned to the overall LHFIG budget and would be available to be put towards the delivery of other schemes supported by that group.
31. The cost of introducing the 20mph zone is being met by the developer building the new housing estate as such there is no specific financial implication to the Council with respect to this aspect of its proposals.

Legal Implications

32. Implementation of the Council's proposals requires the processing of TROs. The process of introducing TROs is governed by the Road Traffic Regulation Act 1984 and associated procedural regulations. Failure to adhere to the statutory processes could result in the TROs being successfully challenged in the High Court.

Options Considered

33. To:
 - (i) Implement the proposals as advertised.
 - (ii) Amend the proposals in consideration of the comments received.

- (iii) Abandon the proposals.

Reason for Proposal

- 34. Implementing the waiting restrictions, would support the aim of the Council's proposals to relocate parking away from junctions in the vicinity of the school to maintain visibility for pedestrians and motorists using them; and, to relocate parking away from the school accesses to make it safer for pedestrians to both use the footways and cross the road in the immediate vicinity of the school.
- 35. As no comments were received opposing the introduction of the 20mph zone there is no reason not to proceed with its implementation, particularly given that the introduction of a lower speed limit in the vicinity of the school is supported by both the Parish Council and the school.
- 36. The proposals are in accordance with Themes 1 and 4 in Wiltshire Council's Business Plan 2022-2032.

Proposal

- 37. That:
 - (i) The Council's proposals be introduced as advertised.
 - (ii) The correspondents who commented on the Council's proposals be informed accordingly.

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

None