

CABINET MEMBER FOR HIGHWAYS AND TRANSPORT – CLLR PHILIP WHITEHEAD

HIGHWAYS AND TRANSPORT

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REFERENCE: HT-15-16

CHIPPENHAM AND CHIPPENHAM WITHOUT ORDER: PROPOSED WAITING RESTRICTIONS

Purpose of Report

1. To:
 - (i) Consider comments received to the advertised proposals for parking controls at various locations in the Chippenham and Chippenham Without Order.
 - (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 the three key priorities of the Business Plan, as the local community worked together with Wiltshire Councillors and council officers on the proposals, the restrictions will help protect vulnerable road users and will support the local businesses by protecting their accesses.

Background

3. The procedure for dealing with requests for Parking and Waiting Restrictions was agreed in 2011 [Decision - HT-030-11](#). In order to appropriately manage the demand for changes to parking controls it is necessary to engage the Town and Parish Councils in the prioritisation of local demand for new controls in their area, so that limited resources of the Council are directed to deal with the demands which are supported by Town and Parish Councils and identified locally as a priority.
4. Requests from Town and Parish Councils were received in 2012 and were assessed and scored by Engineers in the Highway Network Management Team. The first locations approved to proceed to review were agreed in November 2012 [Decision - HT-055-12](#) and the Chippenham and Chippenham Without Order was among those selected to progress.

Detail

5. The Chippenham Area Board submitted requests for waiting restrictions under the agreed procedure mentioned above. Chippenham Town Council and Wiltshire Councillors also raised concerns over a number of sites within Chippenham and these were investigated, together with other outstanding requests for amendments.
6. Site meetings with Unitary Members were held in some areas to confirm the perceived problems and agree what restrictions could be proposed.

7. As a result of the public advertisement, 212 letters of representation were received. There were 188 comments of support and 24 of objection. A petition letter supporting proposals on Station Road was also received with 132 signatures. These are listed in **Appendix 1**, together with a summary of their comments and officer comments on the points raised.

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.

Overview and Scrutiny Engagement

- 9.

Safeguarding Considerations

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

Public Health Implications

11. There is none in this scheme.

Corporate Procurement Implications

12. There is none in this scheme.

Environmental and Climate Change Considerations

13. The introduction of the parking controls will involve the laying of lines and installation of a small number of signs. 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

14. There is none in this scheme.

Risk Assessment

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

Financial Implications

16. There is an allocation in this year's Traffic and Network Management budget for design, implementation, supervision and monitoring works.

Legal Implications

17. 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

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

Reason for Proposals

19. The comments set out in **Appendix 1** on the various objections received indicate that it is considered appropriate to introduce the scheme with the amendments detailed in **Appendix 3**.

Proposals

20. That:
- (i) The restrictions be implemented as advertised, subject to the 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