

**CABINET MEMBER FOR HIGHWAYS AND TRANSPORT – CLLR PHILIP WHITEHEAD**

**HIGHWAYS AND TRANSPORT SERVICE**

**OFFICER CONTACT:** Paul Shaddock / 01722 434671 / [paul.shaddock@wiltshire.gov.uk](mailto:paul.shaddock@wiltshire.gov.uk)

**REFERENCE:** HT-30-16

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## **REVIEW OF RESIDENTS' PARKING ZONE A, SALISBURY (2016)**

### **Purpose of Report**

To:

- (i) Consider objections to proposed amendments to the layout of waiting restrictions in Residents' Parking Zone A (RPZA), Salisbury.
- (ii) Recommend the making of the Traffic Regulation Order (TRO) with amendments to the advertised proposals.

### **Consultation**

Consultation has been undertaken with:

- Councillor Atiqul Hoque, the then elected Wiltshire Council Member for the St. Edmund and Milford ward.
- Salisbury City Council Members for the St. Edmund and Milford ward through the statutory TRO consultation process.
- Members of the public through the statutory TRO consultation process.
- Emergency services through the statutory TRO consultation process.

### **Options Considered**

To:

- (i) Implement the proposals as advertised.
- (ii) Amend the proposals in consideration of the comments received.
- (iii) Abandon the proposals.

## Reason for Decision

The amendments proposed to the Council's advertised proposals serve to directly address concerns raised by correspondents in accordance with Outcome 2 of the Council's Business Plan.

The proposed amendments will not be to the detriment of the main aim of the Council's review of RPZA which is seeking to maximise the number of parking spaces available for use by residents within.

The proposed amendments will retain parking spaces to support the businesses and organisations operating in the zone in accordance with the Outcome 1 of the Council's Business Plan.

## DECISION MADE

I approve that:

- (i) The RPZA be implemented as advertised subject to the following amendments:
  - (a) The proposed time limited parking bay opposite Nos. 5-9 Wyndham Road be converted to a permit holder's only parking bay.
  - (b) The location of the proposed time limited parking bay outside of Nos. 79-81 St. Mark's Road be swapped with the proposed location of the permit holder's only parking bay opposite No. 108 St. Mark's Road. *[Please refer to Appendix 6, Comment Reference Numbers 5, 46 and 48]*
  - (c) The proposed driveway protection (white bar) marking outside of No. 1 Belle Vue Road and No. 3 Albany Road is not provided and the existing NWAAT restriction is retained. *[Please refer to Appendix 6, Comment Reference Number 6]*
  - (d) The proposed permit holders only parking bays outside of Nos. 2 and 4 Woodstock Road are replaced with driveway protection (white bar) markings. *[Please refer to Appendix 6, Comment Reference Numbers 35 and 38]*
  - (e) The proposed driveway protection (white bar) marking outside of No. 10 Queens Road is not provided and the existing NWAAT restriction is retained. *[Please refer to Appendix 6, Comment Reference Number 41]*
  - (f) The location of the proposed time limited parking bay outside of Nos. 40-44 Belle Vue Road be swapped with the proposed location of the permit holder's only parking bay opposite No. 3 Belle Vue Road. *[Please refer to Appendix 6, Comment Reference Number 48]*

A plan showing a revised layout of waiting restrictions within RPZA taking into account the proposed amendments outlined above is attached as **Appendix 7**.

- (ii) A TRO proposing the introduction of a NWAAT restriction on the north-western side of Kings Road be processed, but not before the current review of RPZA has been completed and then only as and when funding is available to do so.
- (iii) Objectors and supporters be informed accordingly.

This decision was published on 13 January 2017 and will come into force on 23 January 2017

**The following supporting documents are attached:**

- Appendix 1 - Plan showing the Council's advertised proposals
- Appendix 2 - Summary of items of correspondence supporting the proposed TRO
- Appendix 3 - Summary of items of correspondence relating to the proposals for Wyndham Road
- Appendix 4 - Summary of comments objecting to the proposals for Wyndham Road and officer response
- Appendix 5 - Summary of items of correspondence relating to the proposals for RPZA (excluding Wyndham Road)
- Appendix 6 - Summary of comments objecting to the proposals for RPZA (excluding Wyndham Road) and officer response
- Appendix 7 - Plan showing the Council's amended proposals

**The following supporting documents are available from the officer named above:**

None

Date .....12 January 2017..... Signed .....

Cllr Philip Whitehead  
Cabinet Member for Highways and Transport

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### **REVIEW OF RESIDENTS' PARKING ZONE A, SALISBURY (2016)**

#### **Purpose of Report**

1. To:
  - (i) Consider objections to proposed amendments to the layout of waiting restrictions in Residents Parking Zone A (RPZA), Salisbury.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO) with amendments to the advertised proposals.

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

2. The proposed TRO meets two of the key priorities of the Council's Business Plan. Those priorities being:
  - Outcome 1 – Wiltshire has a thriving and growing local economy.
  - Outcome 2 – People in Wiltshire work together to solve problems locally and participate in decisions that affect them.
3. Outcome 1 has been met through the proposed introduction of time limited parking bays within RPZA to support businesses operating in the zone. In addition to the above, businesses operating within RPZA are, subject to terms and conditions, entitled to apply for business permits. Business permits are designed to be handed in and out to customers visiting a business situated within a residents' parking zone. Motorists displaying a valid business permit would be able to park in any of the permit holders only parking bays in RPZA without time restriction.
4. Outcome 2 has been met through development of the proposals in conjunction with the local Wiltshire Council Member. Local residents have also been involved in developing the proposals through originally requesting amendments to the layout of waiting restrictions in RPZA and through the TRO consultation process. Comments submitted by residents at part of the TRO consultation process will be directly responsible for amendments to the Council's proposals.

#### **Background**

5. RPZA is located to the north of Salisbury City Centre in the St. Edmund and Milford ward and was introduced on the ground in 1989. RPZA is a limited waiting type of residents' parking scheme and operates between the hours of 8.00am to 6.00pm Monday to Saturday. The parking bays within the zone are restricted to 'Waiting Limited to 2 Hours, No Return Within 4 Hours'. This means that the parking bays within the zone can be used by any motorist for a period of up to two hours without the need for a parking permit. RPZA permit holders displaying a valid permit or having activated a virtual permit are exempted from the aforementioned two hour time limit.

6. The main accesses to the roads that form RPZA are from Castle Street, Endless Street and Estcourt Road. The roads that make up RPZA consist predominantly of residential premises. However, in addition to the residential premises there are a number of business and community premises situated within the zone including the shared Council and Police offices in Bourne Hill, Five Rivers Children's Service office, Citizens Advice Bureau office, a church, two doctors' surgeries, two dental practices, a physiotherapy practice, a social club, a public house, a butcher and numerous other small shops. College Street Car Park, a long stay car operated by the Council is also located within the zone.
7. In January 2016 the Cabinet Member for Highways and Transport considered a report concerning proposed amendments to the layout of waiting restrictions in RPZA. The main amendment considered in the report was a proposal to operate RPZA on a split zone basis. Under this approach some roads within the zone would be changed to operate under the rules pertaining to a permit holder's only type of residents' parking scheme. Permit holder's only schemes require a permit to be displayed (or in the case of virtual permits activated) at all times when parking in a bay. The rest of the roads within the zone would continue to operate under the rules pertaining to the limited waiting type of residents' parking scheme. However, that report concluded that RPZA should not be operated on a split zone basis and that moving forward the zone be operated as a permit holder's only type of scheme.
8. By approving the recommendations of the report in question the Cabinet Member for Highways and Transport in effect approved in principle the conversion of RPZA from a limited waiting type of residents' parking scheme to a permit holder's only type of scheme. The report and decision referred to is Decision [HT-02-16](#) and can be accessed via the Council's website. The rest of this report deals with the development of the Council's proposals following the making of the aforementioned decision.
9. The decision to move forward with RPZA operating as a permit holders only type of scheme required the Council to prepare amended proposals and undertake a further TRO consultation exercise in respect of them.
10. As with the proposals considered in the January 2016 report the main aim of the Council's proposed amendments in RPZA is to maximise the number of parking spaces available for use by residents. This is achieved in two ways. Firstly, by removing the ability for non permit holders to make use of the residents' parking bays. This is achieved by changing RPZA to a permit holder's only type of scheme. Secondly, through the conversion (where practical) of 'No Waiting' (single yellow line) or 'No Waiting At Any Time' (double yellow line) restrictions into parking bays or driveway protection (white bar) markings. This approach will result in more spaces being available to residents and their visitors across the whole of the zone.
11. Meeting the stated aim has to be achieved whilst supporting businesses and organisations operating within the zone in accordance with the outcomes set out within the Council's Business Plan. As with the proposals considered in the January 2016 report, provision to support businesses and organisations is included within the Council's current proposals in the form of time limited parking bays. However, the approach taken to the provision of such bays as part of the Council's amended proposals has had to be altered to take into account the removal of the ability for non permit holders to use any of the residents' parking bays within the zone. This has resulted in additional time limited bays being needed to be proposed.
12. Between February 2016 and June 2016 the Council's amended proposals were designed and the TRO paperwork was drafted.

13. A TRO proposing amendments to the layout of waiting restrictions within RPZA was formally advertised for comment on 14 July 2016. The Council's closing date for receipt of objections or other representations to the advertised TRO, together with the grounds on which they were made, was 8 August 2016.

### **Summary of Proposals**

14. One TRO was advertised as part of this scheme and proposed:
- The provision of time limited parking bays in Belle Vue Road, Estcourt Road, Hamilton Road, Marlborough Road, Nelson Road, St. Mark's Road and Wyndham Road. These bays will be restricted to 'Parking Limited to 1 Hour, No Return Within 2 Hours Monday to Saturday 8.00am to 6.00pm'.
  - The provision of time limited parking bays in Estcourt Road and Park Street. These bays will be restricted to 'Parking Limited to 30 Minutes, No Return Within 1 Hour Monday to Saturday 8.00am to 6.00pm in Estcourt Road'.
  - The provision of two shared use Pay and Display and residents' parking bays in Castle Street.
  - The provision of a disabled parking bay outside of the doctors surgery in Endless Street with parking limited to 'Disabled Badge Holders Only At All Times Monday to Saturday 8.00am – 6.00pm 3 hours No Return within 3 hours'.
  - The provision of a loading bay in Estcourt Road.
  - Except for the bays identified above, the conversion of all existing limited waiting residents' parking bays in RPZA to permit holders only residents' parking bays.
  - The provision of new permit holders only residents' parking bays in Albany Road, Belle Vue Road, College Street, Endless Street, Estcourt Road, Kings Road, Marlborough Road, Park Street, Queens Road, St. Mark's Road, Scammell's Road, Swayne's Close, Woodstock Road and Wyndham Road.
  - The provision of additional 'No Waiting At Any Time' (double yellow line) restrictions in Albany Road, College Street, Endless Street, Kings Road, Nelson Road, Woodstock Road, Wyndham Road.
  - The provision of a 'No Waiting Monday – Saturday 8.00am-6.00pm' (single yellow line) restriction in Nelson Road.
  - The provision of driveway protection (white bar) markings in Albany Road, Belle Vue Road, Estcourt Road, Hamilton Road, Kings Road, Nelson Road, Park Street, Queens Road, St. Mark's Road, Swayne's Close, Woodstock Road, Wyndham Road.
15. A plan showing the Council's advertised proposals is attached as **Appendix 1**.

### **Summary of Responses**

16. A total of 102 items of correspondence have been received in response to the proposals contained within the advertised TRO. Of the 102 items of correspondence received 20 expressed support for the Council's proposals. The remaining 82 items of correspondence objected to or offered comments on the Council's proposals.
17. Of the 82 items of correspondence objecting to or offering comments on the Council's proposals, 33 related solely to the proposals for Wyndham Road and mainly focused on the proposed number of time limited bays within the road and the impact they would have on parking availability for residents. The 33 items of correspondence comprise 32 letters and emails from residents of RPZA and a petition with 60 signatories. The petition has been organised by Mr. and Mrs. Barlow who are residents of Wyndham Road. The petition has been signed by 59 residents of Wyndham Road and a relative of a resident of the road.

18. The remaining 49 items of correspondence objecting to or offering comments on the council's proposals concerned proposed amendments in other roads within RPZA.
19. A summary of the correspondents who wrote in support of the Councils proposals is attached as **Appendix 2**. A summary of the correspondents who wrote in opposition to or commenting on the Council's proposals for Wyndham Road is attached as **Appendix 3**. A full summary of the comments raised by objectors, together with officer comments, with regard to the Council's proposals for Wyndham Road is attached as **Appendix 4**. A summary of the correspondents who wrote in opposition to or commenting on the Council's proposals, excluding Wyndham Road, is attached as **Appendix 5**. A full summary of the comments raised by objectors, together with officer comments, excluding the Council's proposals for Wyndham Road, is attached as **Appendix 6**. The substantive issues raised by the objectors are detailed below.

Proposed Number of Time Limited Bays in Wyndham Road, Salisbury

20. The main theme of the correspondence received concerning the Council's proposals for Wyndham Road is that the proposed number of time limited parking spaces is excessive. The comments submitted focus on the following areas:
  - (i) The provision of the proposed time limited parking spaces is against the main aim of the Council's review of maximising the number of parking spaces available to residents.
  - (ii) The provision of the proposed time limited parking spaces will result in a reduction of the number of parking spaces available to residents of the road, particularly as RPZA permit holders would not be exempted from the one hour time limit placed upon the bays.
  - (iii) The provision of the proposed time limited parking spaces will prevent residents at the bottom of Wyndham Road from being able to park outside their property and in doing so will result in them parking in front of other residents' properties in the road and thereby prevent those residents from being able to park outside their properties.
  - (iv) That in proposing the number of time limited parking spaces in the road the Council has been unduly influenced by the petition received from the Southern Independent Medical Practice (medical practice hereafter) in response to the first consultation and has acted unethically in proposing these bays to assist a private medical practice.
  - (v) That the proposed time limited parking spaces are specifically allocated for use by patients of the medical practice and that the number of spaces allocated to the medical practice should be reduced because they are a private medical practice offering cosmetic treatments, have a driveway that can accommodate four vehicles and have a large garden to the rear of their premises which they could turn into a car park.
  - (vi) In addition to the above comments the questionnaire stated that the signatories believed that *"A fairer solution for the proposed 12 time limited bays would be to: either allow Zone A residents to park in the time limited bays as per the Council's proposal for Castle Street, or revert to the original proposed 2 time limited bays which should become resident's only outside of the hours the restrictions apply i.e. evenings, Saturdays and Sundays which are recognized by the Council as the most problematic times for parking."*

### Proposed Retention of the 'No Waiting 9.00am-5.00pm' Monday to Saturday' Restriction in Kings Road

21. Properties with a postal address of Kings Road are only present on the north-western side of the road. On the south-eastern side of the road there are only accesses to the rears of Nos. 21-51 Wyndham Road. The accesses to all bar two of the aforementioned Wyndham Road properties include private off-street parking spaces in the form of garages and/or driveways. The area in front of the properties on the north-western side of the road is covered by a 'No Waiting 9.00am-5.00pm Monday to Saturday' (single yellow line) restriction.
22. Four items of correspondence were received from residents of Wyndham Road highlighting problems they were experiencing with vehicles parking on the single yellow line restriction outside of its hours of operation and in doing so preventing access and egress to their garages / driveways. To address the problem, the correspondents would like to see the existing single yellow line restriction replaced with a 'No Waiting At Any Time' (NWAAT) restriction.

### Overnight Parking Problems within the Zone

23. Seventeen items of correspondence were received from residents throughout RPZA which mentioned that the main parking problems they experienced were overnight, outside of the hours of operation of the zone.

### **Council's Response to the Substantive Issues**

#### Proposed Number of Time Limited Bays in Wyndham Road, Salisbury

##### *Response to Paragraph 20, Bullet Point A*

24. As is outlined above in paragraphs 10 and 11 the main aim of the review of RPZA is to provide as many parking spaces as possible for residents. However, meeting this aim has to be achieved whilst supporting businesses and organisations operating within the zone – in accordance with the outcomes set out within the Council's Business Plan. Therefore, the provision of time limited parking spaces to help support the operation of businesses and organisations in the zone is completely justifiable. Although clearly the number of spaces allocated for this purpose is debatable.

##### *Response to Paragraph 20, Bullet Point B*

25. The Council works out the number of spaces available for parking on-street by dividing the length of a parking bay by 5.5 (metres). This will only ever give you an approximate figure because the actual space taken up is affected by the size of the vehicle being parked and how efficiently vehicles park within any given bay. Using this methodology there are currently approximately 90 residents' parking spaces in Wyndham Road. Under the proposals consulted upon there are proposed to be approximately 92 residents' parking spaces and 11 one hour time limited spaces in Wyndham Road. Obviously, this means that there will be two extra residents' parking spaces in the road if the Council's advertised proposals are introduced.
26. In addition to the extra residents' parking spaces proposed within Wyndham Road there are other factors that need to be taken into account when considering the impact the Council's proposals will have on the availability of residents' parking spaces within the road, such as the removal of the ability for non permit holders to park in the residents' parking bays. Furthermore, there is currently no residents' parking provision in Castle Street, although residents of the road are eligible to park within RPZA. Wyndham Road



is one of the closest roads in which residents of Castle Street are permitted to park. The Council's proposals include making the Pay and Display parking bays in Castle Street shared use. This will allow those bays to be used by any motorist purchasing a ticket for up to one hour and by RPZA permit holders at no extra cost and without time limit and should help to free up residents' parking spaces in Wyndham Road. In consideration of the measures outlined above it is fair to say that there will not be a reduction in the number of residents' parking spaces available to residents of Wyndham Road.

*Response to Paragraph 20, Bullet Point C*

27. As is stated in paragraph 14 the time limited spaces in Wyndham Road will be restricted to 'Parking Limited to 1 Hour, No Return Within 2 Hours Monday to Saturday 8.00am to 6.00pm'. Outside of the aforementioned hours of operation the spaces will be unrestricted. During their hours of operation the time limited bays can be used by any motorist without needing to display a visitor's scratch card or activating a virtual permit. A resident of Wyndham Road would be able to park in the time limited spaces in the road but will not be exempt from the one hour limit placed upon them.
28. Ten of the eleven proposed time limited parking spaces in Wyndham Road are sited outside or opposite Nos. 5-9, with the remaining space sited opposite No. 53. The space opposite No. 53 is being provided through the removal of a length of double yellow line. Therefore, its provision will not displace any existing residents parking. However, the residents' parking currently taking place outside or opposite of Nos. 5-9 will be displaced further up Wyndham Road.
29. Whilst the displacement of the residents' parking in question will undoubtedly be an annoyance to local residents, it has to be considered in the context that legally there are no rights to park on the highway and that the terms and conditions of the Council's residents' parking schemes clearly state that having a parking permit does not give residents a right to park outside their property. Also as the residents' parking bays in Wyndham Road can currently be used by any motorist for up to two hours there is no certainty that a resident would be able to use the spaces outside or opposite of Nos. 5-9. Additionally, it is worth noting that in consideration of the hours of operation of the time limited spaces in Wyndham Road a resident could park in them from 5.00pm in the afternoon until 9.00am the following morning or from 5.00pm on a Saturday afternoon until 9.00am on a Monday morning without time limit and without needing to display a visitor's scratch card or activating a virtual permit. This means that when most residents are seeking to park in Wyndham Road they would be able make use of the time limited spaces.

*Response to Paragraph 20, Bullet Point D*

30. Comments that the Council has been unduly influenced by the petition submitted by the medical practice (considered in the January 2016 report) or has in any way acted unethically by proposing 11 time limited spaces in Wyndham Rad are untrue and without foundation. As is stated in paragraph 24 above the provision of time limited bays within RPZA accords with the outcomes set out within the Council's Business Plan and so their proposed use in Wyndham Road is justifiable.
31. More generally, the approach of providing time limited parking bays to support businesses and organisations when converting residents' parking zones from limited waiting type schemes to permit holders only type schemes is long established in Salisbury. This approach has previously been taken in respect of the conversions of Residents' Parking Zones B, D and F. Using this approach in RPZA is entirely consistent with the Council's way of working in such matters.

32. As is touched on in paragraph 11 above the approach that the Council has taken to the provision of time limited bays in its current proposals differs from that in the proposals considered by the January 2016 report. With specific regard to Wyndham Road, fewer time limited spaces were originally suggested in the proposals considered by the January 2016 report on the basis that the proposals consulted upon (at that time) retained the ability for non permit holders to make use of all of the residents' parking bays in the neighbouring Kings Road and Marlborough Road. The proposed removal of the ability for non permit holders to use residents' parking bays in the Council's current proposals has meant additional time limited bays are required throughout the zone to support businesses and organisations. This, in addition to the petition and comments from residents expressing concerns about the ability to receive short term visitors (considered in the January 2016 report), resulted in officers proposing additional time limited spaces in Wyndham Road as part of it current proposals.
33. The questioning of the Council's ethics in proposing time limited bays that could potentially help visitors to the medical practice in Wyndham Road is unjustifiable. The fact that it is a private medical practice did not enter the Council's thinking in any way. As is outlined above in paragraph 31 the Council has, as it has always sought to, tried to provide parking spaces to support businesses and organisations when converting residents' parking zones from limited waiting type schemes to permit holders only type schemes.

*Response to Paragraph 20, Bullet Point E*

34. The comments received in relation to the proposals for Wyndham Road took the general view that the medical practice was in some way being advantaged at the expense of residents. However, this is simply not the case.
35. It is important to note that the proposed time limited spaces in Wyndham Road are not specifically allocated to the medical practice and could be used by any motorist for up to an hour. It is also worth noting that visitors to the medical practice can currently park in any of the approximate 90 spaces within Wyndham Road free of charge for up to two hours. Whereas, if the Council's proposals were to be implemented as advertised, visitors to the medical practice would be restricted to making use of the one hour free parking in approximately 11 spaces within the road.
36. From the point of view of residents in Wyndham Road currently any motorist is able to park in any of the approximate 90 spaces within the road free of charge for up to two hours. Whereas, if the Council's proposals were to be implemented as advertised only residents of RPZA (or their visitors) would be able to use approximately 92 parking spaces within the road. It is considered fair to say that visitors to the medical practice in Wyndham Road are not being advantaged at the expense of residents of the road.
37. Turning to the issue of off-street parking facilities at the medical practice. The driveway associated with the medical practice could, with judicious parking, accommodate up to four vehicles. This is only achievable with two vehicles parking on the rear half of the driveway with a further two vehicles parking directly in front of them on the front half of the driveway. Doing so would result in the vehicles on the rear half of the driveway becoming obstructed and unable to egress the driveway until the vehicles in front had been moved. In practical terms this would make the driveway only suitable to accommodate two patients' cars. Fundamentally though, the driveway is private land and how it is utilised is a matter for the medical practice alone to consider in determining how to best run their business.

38. Similarly, the garden to rear of the medical practice is private land and whether or not the medical practice wishes to convert it to a patient's car park is a matter for them alone to consider in determining how to best run their business.

*Response to Paragraph 20, Bullet Point F*

39. Evidently, the main thing to be taken from the comments received about the Council's proposals for Wyndham Road is that residents believe that too many time limited spaces have been proposed within the road. As is expressed throughout the comments received (including the petition) there is also a clear desire from residents to see changes made to the operation of the proposed time limited bays; either through converting some of the spaces to permit holders only parking or by changing the restrictions on the proposed time limited bays to allow them to also be used by residents of the zone.
40. Obviously, the Council's proposals for RPZA as a whole need to strike a balance between providing parking spaces for residents and their visitors and providing parking spaces to support the businesses and organisations operating in the zone. In this context, and in view of the comments received, whether the right balance between has been achieved in Wyndham Road needs to be considered.
41. Irrespective of whether or not any of the proposed time limited parking spaces in Wyndham Road are converted to permit holders only parking spaces the proposed restriction on the use of the time limited spaces would not be altered. It is felt that the proposed restriction on the use the time limited spaces helps to offer a balance between supporting businesses and organisations operating within the road, offering some assistance to visitors of residents of the road and in providing spaces for residents to use in terms of parking provision overnight and on Sundays when there is the greatest demand on parking within the road.

Proposed Retention of the 'No Waiting 9.00am-5.00pm' Monday to Saturday' Restriction in Kings Road

42. The Council's proposals for the north-western side of Kings Road propose the retention of the existing 'No Waiting 9.00am-5.00pm' Monday to Saturday' (single yellow line) restriction that has been in place since RPZA was first introduced on the ground in 1989.
43. Whilst technically parking is unrestricted on the north-western side of Kings Road outside of the hours of operation of the single yellow line restriction motorists still have to abide by the rules of the Highway Code. The Highway Code obligates all users of the public highway not to cause the public highway to become obstructed, including by the manner in which they park within a road. Therefore, it is illegal for vehicles to park on the north-western side of Kings Road if in doing so they prevent access or egress to the driveways / garages to the rear of Nos. 21-51 Wyndham Road.
44. If vehicles do park on the north-western side of the road and prevent access or egress to the driveways / garages to the rear of Nos. 21-51 Wyndham Road then they would be considered to be causing an obstruction of the public highway, for which the Police would be responsible for undertaking enforcement action.
45. In essence, the comments received allude to the need for NWAAT restrictions to be provided on the north-western side of Kings Road. However, the benefit of providing such a restriction at this location is debatable. The use of the restriction would clearly legally restrict parking at any time and would make it clear to motorists that they should not be parking at this location. However, from a practical point of view the provision of a

NWAAT restriction would not greatly change the existing situation. That being irrespective of whether or not a single or double yellow line is in place if vehicles park on the north-western side of Kings Road and prevent access or egress to the driveways / garages to the rear of Nos. 21-51 Wyndham Road then they would be considered to be causing an obstruction of the public highway.

46. The Council's Civil Enforcement Officers do not have powers to have illegally parked vehicles removed. So even if a NWAAT restriction was introduced on the north-western side of the road the best that could be achieved is the issuing of a Penalty Charge Notice (this in itself is intended to be a deterrent to parking on such restrictions). However, the Police do have the powers to have illegally parked vehicles removed. Additionally, the Council only undertakes enforcement activities between 7.00am and 8.00pm Monday to Saturday and 10.00am to 4.00pm on Sundays, meaning that outside of these times the only way for such issues to be addressed would be to contact the Police.
47. In view of there being an indication of a level of support for the provision of NWAAT restrictions on the north-western side of Kings Road the Council would be prepared to consider their introduction further. From a legal point of view the provision of a NWAAT restriction on the north-western side of Kings Road would require the processing of a separate TRO because the restriction is more onerous than the restriction currently in place. So as to not delay the implementation of the rest of the proposals being put forward as part of the review of RPZA, a TRO proposing the introduction of a NWAAT restriction on the north-western side of Kings Road will not be processed until the current review of the zone has been completed and then only as and when funding is available to do so.

#### Overnight Parking Problems within the Zone

48. Residents parking schemes in Salisbury operate between the hours of 8.00am and 6.00pm Monday to Saturday and are not intended to address parking problems outside of these times.
49. Outside of the hours of 8.00am to 6.00pm Monday to Saturday and 10.00am to 4.00pm on Sundays all Council owned city centre car parks are free to use. All city centre on-street Pay & Display parking bays are free to use and have no time restrictions on their use outside of the aforementioned hours. Similarly, outside of the hours of 8.00am to 6.00pm all city centre on-street loading bays are unrestricted and can be parked in. Given the availability of free and unrestricted parking in the city centre there are few reasons for commuters or shoppers to be seeking to park within RPZA in the evening. The main factor affecting parking availability in the evening within RPZA is considered to be high levels of car ownership by residents of the zone. The only way to realistically address such problems is for residents of the zone to own fewer cars.
50. Salisbury District Council (when responsible for the residents' parking schemes in Salisbury) undertook some limited consultation work in respect of possibly extending the hours of operation of residents' parking schemes into the evening. The results of the consultation indicated that residents did not favour such an option because any extension of the hours of operation would require the cost of permits to be significantly increased to cover the cost of undertaking enforcement later into the evenings and the availability of free parking in the city centre meant that extending the enforcement of residents' parking schemes later into the evening would likely only impact upon themselves rather than commuters and shoppers. It is considered unlikely that residents' views on such matters will have greatly changed.

51. Subject to a policy change the hours of operation of residents' parking schemes in Salisbury could be altered so that they operated later into the evening. However, any such policy change sits outside of the scope of this review process. If the residents of the zone wish to take this matter up they will need to contact the Council's Parking Services Team directly. They can do so by emailing [parking@wiltshire.gov.uk](mailto:parking@wiltshire.gov.uk).

### **Main Considerations for the Council**

52. Consideration needs to be given to the responses received to the Council's proposals during the consultation period and a decision made on the way forward. In particular, consideration needs to be given to the changes to the Council's proposals that have been requested by correspondents. Any changes to the Council's proposals need to be considered in the context of striking an appropriate balance between providing parking spaces for residents and their visitors and providing parking spaces to support the businesses and organisations operating in the zone.

### **Overview and Scrutiny Engagement**

53. There are none in this scheme.

### **Safeguarding Considerations**

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

### **Public Health Implications**

55. There are none in this scheme.

### **Procurement Implications**

56. There are none in this scheme. Should the Council's proposals be implemented all associated works will be ordered through the Council's existing highways term maintenance contract with Ringway Infrastructure Services.

### **Environmental and Climate Change Considerations**

57. The proposed changes to the layout of waiting restrictions in RPZA would require the laying of road markings and the erection of signs on the public highway. Doing so would have an impact on the visual aspect of the area. However, as RPZA is already subject to the provision of both road markings and signs the resultant impact from the Council's current proposals would be minimal.
58. The Council would also seek to minimise the impact on the visual aspect of the area by erecting, where possible, any new signs required as a result of its proposals on existing items of street furniture.

### **Equalities Impact of the Proposal**

59. There are none in this scheme.

### **Risk Assessment**

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

### **Financial Implications**

61. There is an allocation in the 2016-2017 Local Transport Plan (LTP) Integrated Transport budget which allows for the design and introduction of this scheme. Should the scheme not progress, the funding would be returned to the Council's LTP Integrated Transport budget allocation and would be available to be put towards other schemes.

### **Legal Implications**

62. The introduction of new waiting restrictions requires the processing of a TRO. The process of introducing a TRO 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.
63. In line with the Road Traffic Regulation Act 1984 changes made to a TRO at this stage that are considered to be more onerous would need to be re-advertised for public comment.

### **Options Considered**

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

### **Reason for Proposal**

65. The amendments proposed to the Council's advertised proposals serve to directly address concerns raised by correspondents in accordance with Outcome 2 of the Council's Business Plan.
66. The proposed amendments will not be to the detriment of the main aim of the Council's review of RPZA which is seeking to maximise the number of parking spaces available for use by residents within.
67. The proposed amendments will retain parking spaces to support the businesses and organisations operating in the zone in accordance with the Outcome 1 of the Council's Business Plan.

### **Proposal**

68. That:
- (i) The RPZA be implemented as advertised subject to the following amendments:
    - (g) The proposed time limited parking bay opposite Nos. 5-9 Wyndham Road be converted to a permit holder's only parking bay.
    - (h) The location of the proposed time limited parking bay outside of Nos. 79-81 St. Mark's Road be swapped with the proposed location of the permit holder's only parking bay opposite No. 108 St. Mark's Road. *[Please refer to Appendix 6, Comment Reference Numbers 5, 46 and 48]*

- (i) The proposed driveway protection (white bar) marking outside of No. 1 Belle Vue Road and No. 3 Albany Road is not provided and the existing NWAAT restriction is retained. *[Please refer to Appendix 6, Comment Reference Number 6]*
- (j) The proposed permit holders only parking bays outside of Nos. 2 and 4 Woodstock Road are replaced with driveway protection (white bar) markings. *[Please refer to Appendix 6, Comment Reference Numbers 35 and 38]*
- (k) The proposed driveway protection (white bar) marking outside of No. 10 Queens Road is not provided and the existing NWAAT restriction is retained. *[Please refer to Appendix 6, Comment Reference Number 41]*
- (l) The location of the proposed time limited parking bay outside of Nos. 40-44 Belle Vue Road be swapped with the proposed location of the permit holder's only parking bay opposite No. 3 Belle Vue Road. *[Please refer to Appendix 6, Comment Reference Number 48]*

A plan showing a revised layout of waiting restrictions within RPZA taking into account the proposed amendments outlined above is attached as **Appendix 7**.

- (ii) A TRO proposing the introduction of a NWAAT restriction on the north-western side of Kings Road be processed, but not before the current review of RPZA has been completed and then only as and when funding is available to do so.
- (iii) Objectors and supporters be informed accordingly.

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

- Letters of support
- Letters of objection
- Response to Freedom of Information request submitted by a Mr. D Noble.
- AutoTRACK drawings