

**CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND WASTE –
CLLR BRIDGET WAYMAN**

HIGHWAYS, TRANSPORT AND WASTE SERVICE

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REFERENCE: HTW-

MELKSHAM ORDER:
PROPOSED WAITING RESTRICTIONS

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls at various locations within Melksham.
 - (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 helps to meet key priorities of the Business Plan, as the local community worked together with Wiltshire Councillors and Council officers on the proposals – making it an involved community scheme that was delivered together.

The restrictions will help protect vulnerable road users and will support the local businesses by protecting accesses.

Background

3. The procedure for dealing with requests for Parking and Waiting Restrictions was agreed in 2016 [Decision HT-19-16](#). 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 are continually received and scored by Engineers in the Highway Network Management Team. The locations considered as part of the 2017/18 reviews were; Cricklade, Melksham, Tidworth, Tisbury and Kennet Parishes

Detail

5. The TRO for this proposal was advertised from 27 October 2017 until 20 November 2017.
6. During the formal consultation period, 53 items of correspondence were received, 0 expressed support for the Council's proposals, 53 objected to the proposal in its current form and 0 commented on.

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 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

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 introduction of the parking controls will involve the laying of new lines. 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

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

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 comments set out in **Appendix 2** on the various objections received indicate that it is considered appropriate to introduce the scheme with the minor amendments detailed in **Appendix 3**.

Proposals

18. That:
- (i) The restrictions be implemented as advertised, subject to the minor amendments detailed in **Appendix 3**.
 - (ii) The objectors be informed accordingly.

The following unpublished documents have been relied on in the preparation of this Report:

Letters of representation