

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

HIGHWAYS AND TRANSPORT SERVICE

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REFERENCE: HTW-16-18

**DEVERILL ROAD, WARMINSTER ORDER:
PROPOSED WAITING RESTRICTIONS**

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls on Deverill Road, Warminster.
 - (ii) Recommend the making of the Traffic Regulation Order as advertised.

Relevance to the Council's Business Plan

2. The proposed scheme meets the two key priorities of the Wiltshire Council Business Plan:
 - Priority 2 – Strong Communities. (Reduced road casualties, Reduced risk of floods, Healthier population, Good Countryside access and cycling and walking opportunities).
 - Priority 4 – Working with Partners as an innovative and effective Council – (Community involvement, Delivering together).

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 2016/17 reviews were; Bradford on Avon, Corsham, Malmesbury, North Parishes and Warminster.

Detail

5. The Traffic Regulation Order (TRO) for this proposal was advertised from Friday 14 July 2017 until Monday 7 August 2017.
6. During the advertisement period a total of four items of correspondence have been received in response to the proposals contained within the advertised TRO. Of those four letters received, two objected the scheme and two commented on the proposal.

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 re passage 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 Implications

8. There is no risk to the Council as a result of this proposal.

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 and new signs to be installed. 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 this proposal.

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 proposal as advertised.
 - (ii) Not implement the proposals.
 - (iii) Implement the proposal 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 as advertised.

Proposals

18. That:
- (i) The restrictions be implemented as advertised.
 - (ii) The objectors be informed accordingly.

The following unpublished documents have been relied on in the preparation of this Report:

Letters of representation