

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

**HIGHWAYS AND TRANSPORT SERVICE**

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**REFERENCE:** HTW-26-18

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**PROPOSED WAITING RESTRICTIONS IN SOMERSET ROAD  
AND BISHOPDOWN ROAD, SALISBURY**

**Purpose of Report**

1. To:
  - (i) Consider the comments received following the formal advertisement of proposed amendments to the layout of waiting restrictions in Somerset Road and Bishopdown Road, Salisbury.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO hereafter) as advertised.

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

2. The proposal meets three of the priorities in the Council's Business Plan 2017-2027. Those priorities being:
  - Priority 2 – Strong Communities
  - Priority 3 – Protecting the vulnerable
  - Priority 4 – Working with Partners as an innovative and effective Council
3. Priority 2 has been met through the proposed introduction of waiting restrictions that will address road safety concerns raised by the Somerset Road Education Trust (SRET) and provides an improved walking route to the Somerset Road Campus which will contribute towards the building of a stronger community.
4. Vehicles parking on footways close to the Somerset Road Campus causes them to become impassable and forces pedestrians and wheelchair users into the carriageway to pass by the parked vehicles. The proposed waiting restrictions will help the Council to stop vehicles from parking on footways near the Somerset Road Campus which in turn will help to protect vulnerable road users and meet Priority 3.
5. Priority 4 has been met through the development of the proposals (to which this report relates) with the SRET.

**Background**

6. Somerset Road and Bishopdown Road are located to the north-east of Salisbury City Centre in the St. Mark's and Bishopdown Ward. Somerset Road comprises a mix of residential properties and the Somerset Road Campus (managed by the SRET) which includes Exeter House Special School, St. Mark's Pre-School, Wyndham Park Infants' School and St. Mark's Junior School. There are no properties located within the section of Bishopdown Road where it is proposed to introduce additional waiting restrictions, although there is a pedestrian access to the Somerset Road Campus in this area.
7. Both Somerset Road and Bishopdown Road share a junction with St. Mark's Avenue. St. Mark's Avenue is part of Residents Parking Zone H and is already subject to parking

controls along its entire length. St. Mark's Avenue is already used for parking by parents of children attending the schools in the Somerset Road Campus. The existing parking controls in St. Mark's Avenue, in conjunction with an appropriate level of enforcement, are sufficient to manage the aforementioned parental parking at this location.

8. Somerset Road and Bishopdown Road, like many roads that are situated close to schools, experience parking and traffic flow issues at the start and end of the school day. The problems in Somerset Road and Bishopdown Road are to a degree exacerbated by virtue of there being four schools located on the Somerset Road Campus.
9. The main problems being experienced in Somerset Road are motorists parking on the existing No Waiting At Any Time (NWAAT – double yellow lines), time limited 'No Waiting' (single yellow line) and School Keep Clear (SKC) restrictions during school drop off and pick up periods. The parking taking place is hindering crossing movements being undertaken both with and without the assistance of the School Crossing Patrol in the vicinity of the main entrance to the school campus by obstructing dropped kerb crossing points and restricting visibility of approaching traffic.
10. Similarly, the main problems being experienced in Bishopdown Road are motorists parking on the existing NWAAT and SKC restrictions as well as parking on the footway on the eastern side of the road during school drop off and pick up periods. The parking taking place is hindering crossing movements being undertaken both with and without the assistance of the School Crossing Patrol in the vicinity of the school campus by obstructing dropped kerb crossing points and restricting visibility of approaching traffic. Additionally, the parking on the footway is causing the footway to become impassable by pedestrians (and wheelchair users) and resulting in pedestrians (including parents with children) having to walk in a live running carriageway.
11. In response to complaints received from parents and local residents about the problems being experienced in Somerset Road and Bishopdown Road the SRET, led by the head teacher from St. Mark's Junior School, approached the Council in 2017 through its Taking Action On School Journeys (TAOSJ) programme to request the introduction of additional waiting restrictions to address the problems outlined in the aforementioned roads. Working with the head teacher from St. Mark's Junior School officers from the Council developed the proposals consulted upon.
12. A TRO proposing amendments to the layout of waiting restrictions in Somerset Road and Bishopdown Road was formally advertised for comment on 17 May 2018. 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 11 June 2018.

### **Summary of Proposals**

13. The advertised TRO proposed:
  - The provision of additional NWAAT restrictions in Somerset Road and Bishopdown Road.
  - The use of 'No Loading Monday – Friday 8.00am – 9.30am and 2.00pm – 4.00pm' restrictions in conjunction with the existing and proposed NWAAT restrictions in Somerset Road and Bishopdown Road.
  - The use of a 'No Loading Monday – Friday 8.00am – 9.30am and 2.00pm – 4.00pm' restriction in conjunction with the existing 'No Waiting Monday – Friday 8.00am – 6.00pm' restriction in Somerset Road.
  - The conversion of the existing advisory SKC restrictions in Somerset Road and Bishopdown Road to mandatory SKC restrictions operating at all times.
  - The provision of a bus stop clearway at the junction of St. Mark's Avenue and Bishopdown Road.

14. A plan showing the Council's advertised proposals is attached as **Appendix 1**.

### **Summary of Responses**

15. A total of six items of correspondence have been received in response to the Council's proposals. Of the six items, two expressed support for the Council's proposals, one objected to the Council's proposals and three offered comments on the Council's proposals without indicating whether they supported or opposed the Council's proposals.
16. A summary of the correspondents who submitted comments is attached as **Appendix 2**. A full summary of the comments submitted by correspondents, together with officer comments, is attached as **Appendix 3**. The substantive issues raised by the correspondence are detailed below.

#### **Enforcement of Existing and Proposed Waiting Restrictions**

17. Of the six items of correspondence received, five made reference to the proposed waiting restrictions for Somerset Road and Bishopdown Road needing to receive a greater level of enforcement at the start and end of the school day than the existing waiting restrictions in the area currently received to make the proposed restrictions effective.
18. Specific enforcement issues raised by the correspondents were vehicles being parked on existing NWAAT and No Waiting restrictions, footways being obstructed by parked vehicles and vehicles obstructing driveway accesses.

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

#### **Enforcement of Existing and Proposed Waiting Restrictions**

19. For both the existing and the proposed new restrictions in the area to work as intended it requires motorists to park in accordance with them and for an appropriate level of enforcement action to be undertaken against motorists who park in contravention of them.
20. The Council is responsible for enforcing parking restrictions and does currently undertake regular enforcement of the existing restrictions in the vicinity of the Somerset Road Campus at various times of the day, including targeted enforcement around the start and end of the school day. Obviously, this approach would continue should the proposed restrictions be introduced on the ground. To assist with parking enforcement activities outside schools the Council is currently exploring the option of introducing mobile Automatic Number Plate Recognition (ANPR) camera enforcement at such locations.
21. The proposed restrictions in Somerset Road and Bishopdown Road will make the enforcement activities undertaken by the Council more effective through the use of a time limited No Loading restriction. The importance of No Loading restrictions are that they remove the ability for motorists to stop on NWAAT or No Waiting restrictions to load and unload. Currently, the Council's Parking Enforcement Officers (PEOs) must allow motorists parked on NWAAT or No Waiting restrictions a 5-10 minute period of grace to determine if they are legitimately loading or unloading their vehicle before they can issue a Penalty Charge Notice (PCN). This is usually sufficient time to enable a parent to drop off or pick up a child from the school campus. If the proposed No Loading restrictions are introduced then from an enforcement point of view this will mean that the PEOs will be able to immediately issue a PCN to any vehicle parked on such a restriction. The use of No Loading restrictions should help to dissuade parents from parking on the existing and proposed NWAAT and No Waiting restrictions.
22. Similarly, the SKC restrictions currently in place in Somerset Road and Bishopdown Road are the advisory variant. This means that they can only be enforced by Wiltshire Police using their powers to deal with offences of obstruction of the public highway. By converting these restrictions to the mandatory variant it will allow the PEOs to undertake enforcement action against vehicles parking on them. This will again help to make enforcement activities undertaken by the Council in this area more effective. It should be noted that Wiltshire Police will still be able to undertake enforcement action against

motorists stopping on the SKC restrictions in place irrespective of them being converted to the mandatory variant.

23. Motorists that park in such a way that they prevent access to/from a resident's driveway or obstruct the footway so that it is impassable by a pedestrian or a wheelchair user can be reported to Wiltshire Police who are able to undertake enforcement action using their powers to deal with offences of obstruction of the public highway. Such issues can be reported to the Wiltshire South Community Policing Team.
24. It is also worth noting that where NWAAT, No Waiting and No Loading restrictions are provided they apply equally to both the carriageway and the footway. Therefore, the provision of these restrictions (especially in Bishopdown Road) will allow the PEOs to undertake enforcement action against vehicles parking on the footway and will serve to complement any enforcement activities undertaken by Wiltshire Police in respect of obstructions of the public highway.

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

25. Consideration needs to be given to the comments received on the Council's advertised proposals and whether or not changes should be made to them in light of the comments received. Potential changes to the Council's proposals need to be considered in the context of making sure that any revised proposals address the problems being experienced in Somerset Road and Bishopdown Road as raised with the Council by the SRET.

### **Overview and Scrutiny Engagement**

26. There are none in this scheme.

### **Safeguarding Implications**

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

### **Public Health Implications**

28. The introduction of the waiting restrictions as proposed will move parking activities away from the pedestrian accesses to the Somerset Road Campus. This will result in parents and children arriving by car having a short walk from where they will be able to park to access the school campus. The short walk will serve to help improve public health.

### **Corporate Procurement Implications**

29. There are none with this proposal.

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

30. The Council's proposals 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 the area is already subject to the provision of road markings, signs and various items of street furniture the resultant impact from the Council's current proposals would be minimal.
31. 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**

32. There are none with this proposal.

### **Risk Assessment**

33. If schemes, programmed for design or delivery within the current financial year, are not progressed the Council risks the potential of delayed delivery in subsequent years due to other funding demands and uncertainty of future budget allocations.

### **Financial Implications**

34. There is an allocation in the 2018-2019 TAOSJ 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 TAOSJ budget allocation and would be available to be put towards other schemes.

### **Legal Implications**

35. 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.

### **Options Considered**

36. To:
- (i) Implement the proposed waiting restrictions as advertised.
  - (ii) Abandon the proposals.

### **Reason for Proposals**

37. The proposed restrictions will serve to address the parking and traffic flow issues in Somerset Road and Bishopdown Road as raised with the Council by the SRET.

### **Proposals**

38. That:
- (i) The proposed waiting restrictions be introduced as advertised.
  - (ii) Correspondents be informed accordingly.

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

None