

**CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND WASTE –  
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**HIGHWAYS AND TRANSPORT SERVICE**

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**REFERENCE:** HTW-31-18

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**PROPOSED WAITING RESTRICTIONS  
VARIOUS LOCATIONS, SALISBURY**

**Purpose of Report**

1. To:
  - (i) Consider the comments received following the formal advertisement of proposed amendments to the layout of waiting restrictions at various locations in Salisbury.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO hereafter) with amendments to the advertised proposals.

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

2. The proposal meets two of the priorities in the Council's Business Plan 2017-2027. Those priorities being:
  - Priority 2 – Strong Communities
  - 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 issues directly raised by members of the local community. The proposed waiting restrictions will address road safety concerns, requests for additional parking and support community projects such as Co-Cars (Community Car Club). Addressing issues raised by members of the local community will contribute towards the building of a stronger community.
4. Priority 4 has been met through the development of the proposals (to which this report relates) with members of the local community through the Council's formal waiting restriction process and the Salisbury Area Board via the Salisbury Community Area Transport Group (CATG).

**Background**

5. Requests for new or amendments to existing waiting restrictions can be made by any member of the local community through the Council's approved waiting restriction process. All of the proposed restrictions consulted upon were drawn up in response to requests submitted through the Council's approved waiting restriction process between 2012-2016.
6. Requests submitted through the Council's approved waiting restriction process are held on a list awaiting the allocation of funding to allow them to be taken forward for implementation on the ground. The Salisbury CATG allocated funding to allow the aforementioned requests to be taken forward for implementation to address issues that were directly affecting the local community.

7. A TRO proposing new or amendments to existing waiting restrictions at 22 locations in Salisbury was formally advertised for comment on 10 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 4 June 2018.

### **Summary of Proposals**

8. Plans, showing the Council's advertised proposals, are attached as **Appendix 1**. The proposals listed below are those consulted upon that were subject to objections or comments:
- The provision of additional 'No Waiting At Any Time' (NWAAT) restrictions in Manor Farm Road (proposals can be viewed on Page 5 of Appendix 1).
  - The provision of additional NWAAT restrictions in Tollgate Road (proposals can be viewed on Page 6 of Appendix 1).
  - The removal of a residents parking bay in Douglas Haig Road (proposals can be viewed on Page 12 of Appendix 1).
  - The provision of additional NWAAT restrictions in Bouverie Avenue (proposals can be viewed on Page 15 of Appendix 1).
  - The provision of additional NWAAT restrictions in Heronswood (proposals can be viewed on Page 16 of Appendix 1).
  - The provision of NWAAT restrictions and a time limited parking bay in Lime Kiln Way with parking limited to '2 hours, No Return Within 4 Hours Monday to Saturday 8.00am to 6.00pm' (proposals can be viewed on Page 17 of Appendix 1).
  - The provision of additional NWAAT restrictions in Devizes Road (proposals can be viewed on Page 18 of Appendix 1).
  - The provision of additional NWAAT and 'No Waiting Monday-Saturday 8.00am-6.00pm' restrictions in Highbury Avenue (proposals can be viewed on Page 19 of Appendix 1).
  - The provision of additional NWAAT restrictions in Russell Road (proposals can be viewed on Page 20 of Appendix 1).
  - The provision of NWAAT restrictions in Jewell Close and Hallum Close (proposals can be viewed on Page 21 of Appendix 1).

### **Summary of Responses**

9. A total of 35 items of correspondence have been received in response to the Council's proposals. Of the 35 items, 9 expressed support for the Council's proposals, 24 objected to the Council's proposals and 2 offered comments on the Council's proposals without indicating whether they supported or opposed the Council's proposals.
10. A summary of the correspondents who wrote in support of the Council's proposals is attached as **Appendix 2**. A summary of the correspondents who wrote in opposition to or commenting on the Council's proposals is attached as **Appendix 3**. A full summary of the comments raised by objectors, together with officer comments, is attached as **Appendix 4**. The substantive issues raised by the correspondents are detailed below.

#### **Proposed Restrictions in Heronswood**

11. Of the 35 items of correspondence received, 9 objected to the proposed introduction of additional NWAAT restrictions in Heronswood (the main distributor road within the Ridings Mead estate). The objections were made on the following grounds:

- The proposed NWAAT restrictions would remove parking spaces used by local residents (particularly those living in Martins Close) in an area where there is already insufficient parking spaces available for residents.
- The removal of parking spaces from Heronswood would result in parking being displaced into other areas of the Ridings Mead estate and would potentially cause parking problems in those areas.
- The existing parking in Heronswood causes no road safety problems.
- The existing parking helps to control the speed of vehicles travelling along Heronswood and its removal would result in an increase in the speed of vehicles travelling along the road.

#### Proposed Restrictions in Lime Kiln Way

12. Of the 35 items of correspondence received 3 objected to the proposed introduction of NWAAT restrictions and a time limited parking bay with parking limited to '2 Hours, No Return Within 4 Hours Monday-Saturday 8.00am-6.00pm' in Lime Kiln Way. The objections were made on the following grounds:

- The proposed NWAAT restrictions would remove parking spaces used by local residents and their visitors.
- The proposed time limit on the parking bay would restrict the length of time that visitors could visit residents of Lime Kiln Way.

#### Proposed Restrictions in Jewell Close and Hallum Close

13. Of the 35 items of correspondence received 4 objected to the proposed introduction of NWAAT restrictions in Jewell Close. The objections were made on the following grounds:
- The existing parking in Jewell Close and Hallum Close causes no road safety problems.
  - The proposed NWAAT restrictions would remove parking spaces used by local residents in an area where there are already insufficient parking spaces available for residents.
  - The existing parking in Jewell Close helps to control the speed of vehicles travelling along Heronswood and its removal would result in an increase in the speed of vehicles travelling along the road.

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

#### Proposed Restrictions in Heronswood

14. The current layout of waiting restrictions on Heronswood has been in place since 2011 and comprises a mix of NWAAT and 'No Waiting Monday-Saturday 8.00am-6.00pm' restrictions. The Council's proposals proposed the conversion of the existing 'No Waiting' restrictions to NWAAT restrictions and the introduction of additional lengths of NWAAT restrictions.
15. The original request for additional NWAAT restrictions to be provided on Heronswood was submitted by a resident of the Ridings Mead estate and was countersigned by seven other people. The additional NWAAT restrictions were requested to address road safety concerns in Heronswood. Specifically, that vehicles parking on the northern side of the road at the end of the existing 'No Waiting Monday-Saturday 8.00am-6.00pm' restriction were forcing vehicles travelling in an easterly direction into the wrong lane to pass the parked vehicles as they approach a blind bend.

16. Whilst the parking taking place at the location in question does force vehicles onto the wrong side of the road, this in itself is not necessarily dangerous. Travelling on the wrong side of the road to pass parked vehicles is a fairly commonplace activity, particularly in residential areas where parking typically occurs on one side of a road. Parking of this nature, in essence, creates an informal priority working system which, in turn, helps to control the speed and flow of traffic, as is the case on Heronswood.
17. The collision database maintained by the Police, which records the details of all collisions on the public highway that result in personal injury, indicates that to March 2018 (as the most recent data available) there have been no recorded collisions in Heronswood since the current layout of waiting restrictions was introduced. Therefore, despite the concerns of the originator of the request for additional waiting restrictions the parking taking place in Heronswood is not causing any particular road safety issues.
18. Of the 9 items of correspondence received objecting to the proposals for Heronswood, 8 were from residents of Martins Close. Nos. 21-31 Martins Close back directly onto Heronswood with Nos. 21-24 backing onto a section of Heronswood where it is proposed to introduced NWAAT restrictions. Most of the correspondence received referenced that there are an insufficient number of parking spaces within Martins Close for residents of the close and that removal of the ability to park on Heronswood would only exacerbate parking problems for residents of Martins Close and displace the parking into other parts of the estate. Several of the correspondents commented that they currently park on Heronswood.
19. It is agreed that the removal of parking spaces from Heronswood would result in the parking taking place at this location being displaced elsewhere in the Ridings Mead estate. This could result in the creation of parking problems where none currently exist. It is more difficult to ascertain whether or not there is sufficient parking availability within Martins Close for residents of the close without knowing the number of vehicles being sought to be parked. There are 36 properties within Martins Close and approximately 45 parking spaces (subject to the size of vehicle being parked and the efficiency of the parking). This may suggest that some of the residents of Martins Close who park in Heronswood are doing so for convenience rather than necessity. However, it is fair to say that in general the parking taking place on Heronswood in the vicinity of Martins Close is causing few problems and has not been subject to any complaints other than the request for additional NWAAT restrictions.
20. Whilst, as mentioned above, the parking taking place on Heronswood helps to control the speed of vehicles travelling along the road, the removal of parking from the locations identified in the Council's proposals would be unlikely to result in a significant increase in the speed of traffic travelling along the road given that parking would continue to able to take place on Heronswood where the proposed NWAAT restrictions finish. Any parking that occurs would serve to slow the traffic using the road.

#### Proposed Restrictions in Lime Kiln Way

21. There are currently no waiting restrictions present within Lime Kiln Way. The original request to provide NWAAT restrictions and a time limit on the parking layby opposite Nos. 6-8 Lime Kiln Way was submitted by a resident of the road. The NWAAT restrictions were requested to address road safety concerns arising from vehicles parking in appropriate locations (particularly on blind corners) and the time limit on the layby was requested to stop commuters and shoppers from using the layby all day and in doing so allow the layby to be used by visitors to residents of Lime Kiln Way.
22. All three items of correspondence received objecting to the proposals for Lime Kiln Way objected on the grounds that the introduction of NWAAT restrictions and a time limit on the layby would restrict the ability for residents of Lime Kiln Way to receive visitors. Two

of the correspondents made reference to staff from Salisbury District Hospital parking in the layby which, in turn, forced visitors to residents of Lime Kiln Way to park in the road and that the proposed two hour time limit on using the layby was insufficient for visitors' needs.

23. Four site visits were undertaken in developing the proposals for Lime Kiln Way. One vehicle was noted to have been parked on Lime Kiln Way during one of the site visits. On this basis it would appear that the area is not subject to mass all day commuter and shopper parking as suggested by the originator of the request NWAAT restrictions.
24. The collision database maintained by the Police, which records the details of all collisions on the public highway that result in personal injury, indicates that in the preceding ten year period to March 2018 (as the most recent data available) there have been no recorded collisions in Lime Kiln Way. Therefore, despite the concerns of the originator of the request for NWAAT restrictions the limited parking taking place in Lime Kiln Way is not causing any particular road safety issues.
25. During the site visits undertaken in developing the proposals for Lime Kiln Way the layby was only noted to be full of parked vehicles on two occasions. It is difficult to know to what extent, if any, the layby is being used by staff from Salisbury District Hospital (located in the adjoining Odstock Road) with no way of identify the vehicles using the layby but it is certainly possible that staff seeking to avoid paying for parking at the hospital may seek to make use of it.
26. The introduction of a time limit on the use of the layby would prevent its use by any commuters (irrespective of where they work) and shoppers and, as such, the layby would be available for use by visitors to residents of Lime Kiln Way. A two hour time limit is sufficient to stop commuter parking and accommodate most visitor parking needs. It should be noted that all properties in Lime Kiln Way have a minimum of two off-street parking spaces. This level of off-street provision, in conjunction with ability to use the layby opposite Nos. 6-8, should be sufficient for residents' visitor parking needs even if a time limit was introduced on the use of the layby. However, it would be possible to amend the hours of operation placed on parking in the layby to address some of the concerns raised by correspondents in respect of the length of time visitors would be able to use the layby for.

#### Proposed Restrictions in Jewell Close

27. There are currently no waiting restrictions present within Jewell Close. The original request to provide NWAAT restrictions was submitted by a resident of Woodvill Road (which is accessed via Jewell Close) and was countersigned by one other person. The NWAAT restrictions were requested to address road safety concerns arising from vehicles parking in the vicinity of the bend close to the junction of Jewell Close and Hallum Close. More specifically, parking at this location was obstructing visibility of vehicles travelling around the bend.
28. Three site visits were undertaken in developing the proposals for Jewell Close. No vehicles were witnessed parking in the vicinity of the bend close to the junction of Jewell Close and Hallum Close during these site visits. This would tend to indicate that any parking taking place at this location is occurring overnight. However, some parking was observed to be taking place at the junction of Jewell Close and Hallum Close during the aforementioned site visits.
29. The collision database maintained by the Police, which records the details of all collisions on the public highway that result in personal injury, indicates that in the preceding ten year period to March 2018 (as the most recent data available) there have been no recorded collisions in Jewell Close. However, there has been one recorded collision in

Woodvill Road which is accessed via Jewell Close. Therefore, despite the concerns of the originator of the request for NWAAT restrictions it would appear that parking taking place in the vicinity of the bend close to the junction of Jewell Close and Hallum Close during these site visits is not causing any particular road safety issues.

30. It is agreed that the introduction of NWAAT restrictions would result in any parking taking place in the vicinity of the aforementioned bend being displaced elsewhere in Jewell Close and adjoining roads. This could result in the creation of parking problems where none currently exist. However, it is fair to say that in general the parking taking place on Jewell Close and Hallum Close is causing few problems and been subject of no complaints other than the request for additional NWAAT restrictions.
31. Whilst the parking taking place in the vicinity of the bend in question might, to a degree, be controlling the speed of vehicles using Jewell Close the biggest factor in controlling the speed of vehicles at this location is the bend itself. The removal of parking from the locations identified in the Council's proposals would be unlikely to result in a significant increase in the speed of traffic travelling along the road, given both the presence of the bend and that parking would continue to be able to take place on Jewell Close where the proposed NWAAT restrictions finish.

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

32. 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. The Council has to balance meeting its statutory obligations, as the local highway authority, against the wishes of local residents to, in the main, allow parking to continue to take place. It is important to consider the comments received in the context of what both highway law and the Highway Code states on the provision of parking on the public highway.
33. Highway law states the public 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 legal rights to park on the highway, or upon the Council (as the local highway authority) to provide parking on the public highway, but parking is condoned where the right of passage along the highway is not impeded.
34. The Highway Code (to which all users of the public highway must adhere) states that motorists should not stop or park opposite or within 10 metres (32 feet) of a junction. This is specifically to protect visibility and turning manoeuvres at junctions. Any parking taking place within 10 metres of a junction could be considered to be causing an obstruction of the public highway and liable to enforcement action by the Police.

### **Overview and Scrutiny Engagement**

35. There are none in this scheme.

### **Safeguarding Implications**

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

### **Public Health Implications**

37. There are none with this proposal.

### **Corporate Procurement Implications**

38. There are none with this proposal.

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

39. 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 areas where they are to be introduced. The impact would vary on a location by location basis.
40. Of the 22 locations where new or amendments to existing waiting restrictions are proposed, 18 are already subject to the provision of waiting restrictions and the associated road markings and signs. As such, the impact from the Council's current proposals would be minimal. Of the four locations where there are not currently any waiting restrictions present, all are subject to the provision of road markings, signs and other items of street furniture, so again the impact from the Council's current proposals would be minimal.
41. 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**

42. There are none with this proposal.

### **Risk Assessment**

43. 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**

44. There is an allocation in the 2018-2019 Salisbury CATG budget which allows for the design and introduction of this scheme. Should the scheme not progress, the funding would be returned to the Salisbury CATG budget allocation and would be available to be put towards other schemes.

### **Legal Implications**

45. 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**

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

### **Reason for Proposals**

47. The amendments proposed to the Council's advertised proposals serve to directly address concerns raised by correspondents without being detrimental to the Council meeting its statutory obligations as the highway authority. The proposed amendments will also be in accordance with both Priority 2 and Priority 4 of the Council's Business Plan.

### **Proposals**

48. That:
- (i) The proposed waiting restrictions be introduced as advertised subject to the following amendments:
    - (a) The proposed NWAAT restrictions in Heronswood are not introduced.
    - (b) The proposed NWAAT restrictions in Lime Kiln Way are not introduced.
    - (c) The proposed restriction on the layby in Lime Kiln Way is amended to parking limited to '2 hours, No Return Within 4 Hours Monday to Friday 8.00am to 6.00pm'.
    - (d) The proposed NWAAT restrictions in Jewell Close are not introduced.
  - (ii) Correspondents be informed accordingly.

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

Letters of Support