

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

HIGHWAYS AND TRANSPORT SERVICE

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REFERENCE: HTW-34-18

**TRAFFIC REGULATION ORDER – CONISTON ROAD AND WINDERMERE ROAD,
TROWBRIDGE - WAITING RESTRICTIONS – NO WAITING AT ANY TIME**

Purpose of Report

1. To consider the comments received following the formal advertisement of a Traffic Regulation Order (TRO) relating to 'No Waiting at Any Time' waiting restrictions on Coniston Road and Windermere Road, Trowbridge and to recommend an appropriate way forward.

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. (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)
3. Priority 2 has been met through the proposed introduction of waiting restrictions that will address issues directly raised by the nearby primary school and members of the local community. The proposed waiting restrictions will address road safety concerns raised by the school. 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 Bellefield Primary School, following the Taking Action on School Journeys process.

Background

5. This request has been progressed primarily through the Taking Action on School Journeys process. This is a process by which schools produce a Travel Plan and promote ideas to encourage walking, cycling and other means of travel to school, avoiding the use of the private car. Through this process, schools often come across barriers to walking and cycling, such as road safety concerns.

6. Concerns were raised regarding the volume and nature of school related parking on Coniston Road and its junction with Windermere Road. This particularly related to the blocking of driveways and the school entrance, vehicle turning movements outside of the school entrance and reduced visibility of children crossing.

Summary of Proposals

7. Proposals are to provide a section of No Waiting at Any Time on Coniston Road in the vicinity of Bellefield Primary School and around the junction of Coniston Road and Windermere Road. A plan, outlining the extents of the proposed waiting restrictions, is provided in **Appendix 1**.

Summary of responses

8. A total of six items of correspondence have been received in response to the Council's proposals. Of the six items, three expressed support for the Council's proposals (albeit with preference for alternative restrictions) and three objected to the Council's proposals.
9. A summary of the issues raised and officer comments is included in **Appendix 2**. Details of the commentator are provided in **Appendix 3**.

Main Considerations for the Council

10. 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.
11. 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.
12. 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

13. There are none in this scheme.

Safeguarding Implications

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

Public Health Implications

15. The introduction of measures which encourage the use of alternative and sustainable methods of transport and travel, and reducing car use. This has the benefit of reducing air borne pollution and improving air quality.

Corporate Procurement Implications

16. There are none with this proposal.

Environmental and Climate Change Considerations

17. The Council's proposals would require the laying of road markings and the erection signs on the public highway. Doing so would have a minimal visual impact on the area.

Equalities Impact of the Proposal

18. There are none with this proposal.

Risk Assessment

19. 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

20. 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 TAOSJ budget allocation and would be available to be put towards other schemes.

Legal Implications

21. 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

22. To:
- (i) Implement the restrictions as advertised
 - (ii) Implement an amended restriction of 'No Waiting Mon-Fri 8am-6pm'.
 - (iii) Abandon the proposals

Reason for Proposals

23. The restrictions are intended to improve road and pedestrian safety by removing inappropriate and inconsiderate parking during school hours. It is also intended to ensure emergency service access. In light of the comments received as part of this consultation, a balance can be sought to achieve this aim while mitigating the impact upon residents.
24. The proposals will also be in accordance with both Priority 2 and Priority 4 of the Council's Business Plan.

Proposals

25. That:

- (i) An amended restriction of 'No Waiting Mon-Fri 8am – 6pm' be implemented.
- (ii) The objectors be informed accordingly.

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

None