

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

**HIGHWAYS, TRANSPORT AND WASTE SERVICE**

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**REFERENCE:** HTW-30-19

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**SIR BERNARD LOVELL ROAD / LIPMAN WAY,  
COWBRIDGE, MALMESBURY:  
PROPOSED WAITING RESTRICTIONS**

**Purpose of Report**

1. To:
  - (i) Consider objections to the advertised proposals for parking controls at Sir Bernard Lovell Road and Lipman Way, Cowbridge, Malmesbury.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO) as per the advertised proposal.

**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.
3. The restrictions will help improve access to Sir Bernard Lovell Close and Lipman Way, including local residents and businesses.

**Background**

4. 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.
5. The proposal for Sir Bernard Lovell Road / Lipman Way was advertised alongside proposals for Athelstan Road / St Aldhelm Road and the High Street, Malmesbury. The Malmesbury Community Area Transport Group (CATG) requested the above sites be considered outside the agreed procedure for dealing with parking and waiting restriction requests due to the concerns expressed and the need to avoid extended delay in implementing the proposals.

**Detail**

6. The TRO for this proposal was advertised from 19 September 2019 until 14 October 2019 and is shown at **Appendix 1**.

7. During the formal consultation period, 11 items of correspondence were received, 8 expressed full support for the Council's proposals, 1 supported the proposal but requested additional restrictions and 2 objected to the proposal in its current form.

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

8. 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**

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

### **Public Health Implications**

10. There is none in this scheme.

### **Corporate Procurement Implications**

11. There is none in this scheme.

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

12. There is none in this scheme.

### **Equalities Impact of the Proposal**

13. There is none in this scheme.

### **Risk Assessment**

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

### **Financial Implications**

15. There is an allocation in the Malmesbury CATG 2019/20 budget for design, implementation, supervision and monitoring works.

### **Legal Implications**

16. 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**

17. To:
  - (i) Implement the proposals as advertised.
  - (ii) Not implement the proposals.
  - (iii) Implement the proposals with amendments.

### **Reason for Proposals**

18. After consideration of the correspondence received alongside the officer's comments it is considered appropriate to introduce the scheme as per the advertised proposal.

### **Proposals**

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

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

Email / Letters of representation