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

HIGHWAYS, TRANSPORT AND WASTE SERVICE

OFFICER CONTACT: Emma Palmer   01225 713441   Email: emma.palmer@wiltshire.gov.uk

REFERENCE: HTW-34-19

DEVIZES WAITING AND PARKING RESTRICTION REVIEW

Purpose of Report

1.   To:

    (i)   Consider objections to the advertised proposals for parking controls at various locations within Devizes Parish Order.

    (ii)   Recommend the making of the Traffic Regulation Order (TRO) with minor amendments to the advertised proposal.

Relevance to the Council's Business Plan

2.   The proposed TRO meets three of the priorities in the Council's Business Plan 2017-2027. Those being:

    •   Priority 2 – Strong Communities
    •   Priority 3 – Protecting the vulnerable
    •   Priority 4 – Working with Partners as an innovative and effective Council

Main Considerations for the Council

3.   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.

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.   Requests from town and parish councils are reviewed annually by Engineers in the Highway Network Management Team. The locations considered as part of the 2018/19 reviews were; Trowbridge, Chippenham, Westbury and Devizes.

Overview and Scrutiny Engagement

6.   None needed.

Safeguarding Implications

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

Public Health Implications

8.   There is none in this scheme.

Procurement Implications

9.   There is none in this scheme.

Equalities Impact of the Proposal

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. 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.

Risk Assessment

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

Financial Implications

13.   There is an allocation in this year's Traffic and Network Management budget for design, implementation, supervision and monitoring works.

Legal Implications

14.   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

15.   To:

        (i)   Implement the proposals as advertised.

        (ii)   Not implement the proposals.

        (iii)   Implement the proposals with amendments.

Reason for Proposal

16.   The comments set out in **Appendix 2** on the various objections received indicate that it is considered appropriate to introduce the scheme with the minor amendments detailed in **Appendix 3**.

Proposal

17.   That:

       (i)   The restrictions be implemented as advertised, subject to the minor amendments detailed in **Appendix 3**.

       (ii)   The objectors be informed accordingly.

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

None