

**CABINET MEMBER FOR TRANSPORT, WASTE, STREET SCENE AND FLOODING
CLLR DR MARK McCLELLAND**

HIGHWAYS, TRANSPORT AND WASTE SERVICE

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

REFERENCE: HTW-

**WESTBURY ORDER:
PROPOSED WAITING RESTRICTIONS**

Purpose of Report

To:

- (i) Consider objections to the advertised proposals for parking controls at various locations within the Westbury Order.
- (ii) Recommend the making of the Traffic Regulation Order (TRO) with minor amendments to the advertised proposals.

Consultation

As part of the parking requests were received from Westbury Town Council and three locations within the Westbury area were put forward to advertisement.

During the advertisement period a total of 24 items of correspondence were received in response to the proposals contained within the advertised TRO. Of the 24 items of correspondence received, 15 expressed support for the Council's proposals, 8 objected to the proposals in their current form and 1 commented on.

After the advertisement period a total of 3 items of correspondence were received in response to the proposals contained within the advertised TRO. Of the 3 items of correspondence received, 0 expressed support for the Council's proposals and 3 objected the proposals in their current form. These objections were late due to Covid 19 and self-isolation. The decision to allow them has been made.

Details of correspondence can be found in **Appendix 1** together with a summary of comments. Officer response to the comments can be found in **Appendix 2**.

Options Considered

To:

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

Reason for Decision

The comments set out in **Appendix 2** on the various objections received indicate that it is considered appropriate to introduce the scheme as advertised.

INTENTION TO MAKE DECISION

Following consultation with officers I give notice that I intend to make the decision set out in the attached report. If you would like to make any representations to me on this issue, please do so by

The following supporting documents are attached:

- Appendix 1 - Items of Correspondence received
- Appendix 2 - Comments of Objection and Support

The following supporting documents are available from the officer named above:

- Letters of representation
- Proposed plans of all locations

Date

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Cllr Dr Mark McClelland

Cabinet Member for Transport, Waste,
Street Scene and Flooding

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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 protect vulnerable road users and will support the local businesses by protecting accesses.

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 continually received and scored by Engineers in the Traffic and Network Management Team. These locations in the Westbury area were considered as part of the 2020/21 reviews.

Detail

6. The TRO for this proposal was advertised from 19 November to 13 December 2021.
7. During the formal consultation period, 24 items of correspondence were received, 15 expressed support for the Council's proposals, 8 objected to the proposals in its current form and 1 commented on.

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 re-passage 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 this year's Traffic and Network Management 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. The comments set out in **Appendix 2** on the various objections received indicate that it is considered appropriate to introduce the scheme as advertised

Proposals

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

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

Letters of representation