

**CABINET MEMBER FOR TRANSPORT, WASTE, STREET SCENE & FLOODING –  
CLLR MARK McCLELLAND**

**HIGHWAYS, TRANSPORT AND WASTE SERVICE**

**OFFICER CONTACT:** Kirsty Rose, 01225 756182, [Kirsty.rose@wiltshire.gov.uk](mailto:Kirsty.rose@wiltshire.gov.uk)

**REFERENCE:** HTW-

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## **Experimental Traffic Order – No Waiting At Any Time, Hilperton Road, Trowbridge**

### **Purpose of Report**

To:

- (i) Consider the comment received following the introduction of an Experimental Traffic Order of No Waiting at Any Time on Hilperton Road, Trowbridge.
- (ii) Recommend the making permanent of the Experimental Traffic Regulation Order (ETRO hereafter) as advertised.

### **Consultation**

The Experimental Traffic Regulation Order (ETRO) for this scheme was brought into operation on 17 August 2020. A plan of the scheme is included at **Appendix 1**.

The Road Traffic Regulation Act 1984 provides that formal consultation is not required prior to the enactment of an ETRO. However, any person may, within the first six months of operation of the ETRO, object to the making of an Order for the purpose of indefinite continuation of the traffic Order.

During the six-month period commencing at the introduction of the ETRO, one comment has been received and is classed as an objection. This comment is included at **Appendix 2**. A list of respondents is provided at **Appendix 3**.

### **Options Considered**

To:

- (i) Make a permanent Traffic Order enabling the No Waiting at Any Time restrictions to be continued.
- (ii) Advertise an amended ETRO.
- (iii) Abandon the ETRO.

**Reasons for Decision**

That:

- (i) The proposed waiting restrictions will help the Council to meet its statutory duty of ensuring that the right of passage along the public highway is not impeded.
- (ii) The waiting restrictions are integral to the active travel improvement scheme and form a safety improvement for pedestrians and cyclists.
- (iii) The proposals are in accordance with Priorities 2 and 4 of the Council's Business Plan.

**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 Experimental Traffic Regulation Order Plan (ETRO)
- Appendix 2 Respondent comment
- Appendix 3 List of respondents

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

No

Date .....

Cllr Mark McClelland  
Cabinet Member for Transport, Waste, Street Scene & Flooding

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**Experimental Traffic Order – No Waiting At Any Time, Hilperton Road, Trowbridge**

**Purpose of Report**

1. To:
  - (i) Consider the comment received following the introduction of an Experimental Traffic Order of No Waiting at Any Time on Hilperton Road, Trowbridge
  - (ii) Recommend the making permanent of the Experimental Traffic Regulation Order (ETRO hereafter) as advertised.

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

2. The use of consultation to help inform decision making aligns to the Business Plan – Strong Communities. “We want people in Wiltshire to be encouraged to take responsibility for their well-being, build positive relationships and to get involved, influence and take action on what is best for their own communities - we want residents to succeed to the best of their abilities and feel safe where they live and work”.

**Background**

3. In May 2020 the Secretary of State for Transport announced additional statutory guidance under the Traffic Management Act in response to the Covid-19 pandemic and stated the Government's expectation that traffic authorities make significant changes to road layouts to make more space for pedestrians and cyclists.
4. It was announced that there would be funding to introduce such measures to enable social distancing and to encourage and sustain the increase in active travel as we emerge from the Covid-19 restrictions. This was initially called the Emergency Active Travel Fund and funding was split into two tranches.
5. The basis of the Tranche 1 schemes was that they were introduced as a temporary measure on a public transport corridor to enable users to have a choice of travel mode. The DfT guidance at the time stated that Authorities should monitor and evaluate any temporary measures they install, with a view to making them permanent, and embedding a long-term shift to active travel.
6. The implementation of the temporary pop-up cycle scheme on Hilperton Road, Trowbridge required the removal of parking within the confines of the mandatory cycle lane on the northern side of Hilperton Road. The ETRO introduced a No Waiting at Any Time restriction outside Bellefield House and between properties 3 and 11 Hilperton Road, linking the existing restrictions of the same type.

7. Following public consultation, the decision has been made to introduce a permanent cycle facility on Hilperton Road and the restrictions set out by the ETRO continue to be needed as part of the permanent installation.

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

8. Consideration needs to be given to the comment received to the Council's advertised Order and whether changes should be made in light of the comments received.
9. In this instance, the comments raised regarding the 'No Waiting at Any Time restrictions do not relate to concerns regarding the removal of parking. The respondent asked that a permanent cycle scheme provide a greater provision than the temporary scheme provided as part of the Tranche 1 programme and that parking restriction be introduced along the entire length of Hilperton Road to facilitate this.

### **Overview and Scrutiny Engagement**

10. Overview and Scrutiny Committee has not yet been involved in this project or had oversight of the proposals. A report on Active Travel is on the forward plan for the Environment Select Committee.
11. The Active Travel Steering Group, formed of senior officers and the Cabinet Member for Highways, Transport, Waste, Street Scene and Flooding, has overseen each DfT funding bid and the development of the associated proposals.

### **Safeguarding Implications**

12. There are no safeguarding implications relating to this proposal.

### **Public Health Implications**

13. The introduction of measures which promote sustainable measure of travel can lead to improved health through active travel and improvements with air quality through reductions in vehicle emissions.

### **Procurement Implications**

14. There are no procurement implications for the Council associated with this proposal as work will be undertaken by the authority's appointed term contractors.

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

15. There are no equalities impacts relating to this proposal.

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

16. The introduction of measures which promote sustainable measure of travel can lead to improved health through active travel and improvements with air quality through reductions in vehicle emissions.
17. The Council's draft Climate Change Strategy commits to promoting and developing active travel networks to assist with its aims to achieve a zero-carbon mobility and transport system.

### **Risk Assessment**

18. Not proceeding with the Council's proposals would impact upon the effectiveness of the active travel improvement scheme implemented on Hilperton Road and would impact upon the passage of vehicles along the A361.

### **Financial Implications**

19. A funding allocation has been from the Council's Integrated Transport Block with additional funding from S106 developer contributions.

### **Legal Implications**

20. The implementation of the proposed 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 TRO being successfully challenged in the High Court.

### **Options Considered**

21. To:
- (i) Make a permanent Traffic Order enabling the No Waiting at Any Time restrictions to be continued.
  - (ii) Advertise an amended ETRO.
  - (iii) Abandon the ETRO.

### **Reasons for Proposal**

22. That:
- (i) The proposed waiting restrictions will help the Council to meet its statutory duty of ensuring that the right of passage along the public highway is not impeded.
  - (ii) The waiting restrictions are integral to the active travel improvement scheme and form a safety improvement for pedestrians and cyclists.
  - (iii) The proposals are in accordance with Priorities 2 and 4 of the Council's Business Plan.

### **Proposal**

23. That a permanent Traffic Order be made enabling the No Waiting at Any Time restrictions to be continued.

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

None