

**CABINET MEMBER FOR HIGHWAYS & TRANSPORT, STREET SCENE AND FLOODING**

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**REFERENCE:** HTW-23-23

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**VARIOUS ROADS, WEST LAVINGTON, DEVIZES  
PARKING AND WAITING RESTRICTIONS**

**Purpose of Report**

1. To:
  - (i) Consider objections to the advertised proposals for parking controls at various locations within West Lavington.
  - (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 Traffic Regulation Order (TRO) meets the following priorities in the Council's Business Plan 2022 2032.
  - Empowered People – 'We are safe', 'We Stay Active'
  - Resilient Society – 'We ensure decisions are evidence based'
  - Thriving Communities – 'We have vibrant, well connected communities'
  - Sustainable Environment – 'We are on the path to carbon neutral'

**Background**

3. The Local Highway & Footway Improvement Groups (LHFIG), formally CATGs, now consider waiting restrictions, such as yellow lines, within their remit and budget for assessments and implementation. The Devizes LHFIG agreed to prioritise the assessment of new and outstanding requests within the village of West Lavington following a request by the Parish Council.

The roads for which proposals have been prepared are:

Duck Street / Stib Hill, West Lavington  
High Street, Littleton Panell  
High Street, West Lavington  
Sandfield, West Lavington

4. The proposed restrictions were requested by the Parish Council and Local Members in response to concerns received by parishioners. In the main, to prevent

obstruction, physical or to visibility caused by inappropriate parking and to change existing restrictions to suit the current environment.

### **Consultation**

5. The TRO associated with these proposals was advertised from 4 August to 4 September 2023. This is beyond the normal period to allow an additional week due to the school summer holiday period.
6. During the advertisement period a total of 31 items of correspondence were received in response to the proposals contained within the advertised TRO. Of the 31 items received, 13 expressed support for the proposals, 15 objected to the proposals in their current form and 3 made general comments. Details of those commenting are provided in **Appendix 1**.
7. The proposals are within the West Lavington division. The Wiltshire Council elected member for the area has given their support to the proposals.

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

8. To consider the comments received during the consultation period. A summary of the issues raised and officer comments is included in **Appendix 2**.
9. 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**

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

### **Public Health Implications**

11. There is none in this scheme.

### **Corporate Procurement Implications**

12. There is none in this scheme.

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

13. The proposed parking restrictions will require limited street furniture and road markings to be introduced where none currently exist. The signage required to ensure legality of the restrictions will aim to follow the minimum required under the guidance and legislation. However, it is recognised that there is a potential for visual impact to the environment.

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

14. There is none in this scheme.

### **Risk Assessment**

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

### **Financial Implications**

16. Funding for these works has been approved by the Devizes LHFIF from its allocated funding.

### **Legal Implications**

17. All changes to existing parking restrictions require amendments to the Traffic Regulation Order. 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**

18. To:

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

### **Reason for Proposals**

19. Following consideration of the comments set out in **Appendix 2** it is considered that minor amendments to the extent of the proposals for Sandfield and High Street, Littleton Panell is possible. These alterations have been incorporated into the revised proposals shown in **Appendix 3**.

### **Proposals**

20. That:

- (i) The proposed restrictions be amended as recommended and implemented.
- (ii) The objectors be informed accordingly.

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

Letters of representation  
Proposed plans of all locations