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**PROPOSED WAITING RESTRICTIONS AND TRAFFIC CALMING
LACOCK VILLAGE**

Purpose of Report

1. To:
 - (1) Consider the comments received following the formal advertisement of proposed waiting restrictions at Nethercote Hill, High Street, West Street/High Street Junction and Traffic calming/mini roundabout at High St/West Street Junction.
 - (2) Recommend the making of the Traffic Regulation Orders (TROs hereafter) as advertised.

Relevance to the Council's Business Plan

2. The proposal meets two of the outcomes set out in the Council's Business Plan 2022-2032.
 - Outcome 2 – Resilient society
 - Outcome 3 – Thriving economy

3. Outcome 2 – communicate with communities in a way that promotes constructive discussion, tailored to the communities needs and developing better solutions to these. To empower communities and groups to act in their local area. This outcome has been met through the development of the proposals (to which this report relates) with members of the local community through the Corsham Area Board via the Corsham Local Highways & Footways Improvement Group (LHFIG hereafter) which is made up of elected members and officers from both Wiltshire Council and relevant Town and Parish Councils, as well as representatives of local interest groups.
4. Outcome 3 – Deliver infrastructure to enable local communities to live, work and play locally, businesses to invest and everyone to take responsibility for the environment. Helping to build an efficient and effective transport network, including viable alternatives to the car. This outcome has been met through the proposed introduction of waiting restrictions that will address issues directly raised by members of the local community. The proposed waiting restrictions will address road safety concerns and help the Council fulfil statutory obligations placed upon it in its role as the local highway authority.

Background

5. Requests were submitted by local residents to Lacock Parish Council regarding concerns of inappropriate parking at the proposed location on Nethercote Hill turning circle. These concerns were presented to Corsham LHFIG for consideration and funding of parking measures which seek to address the concern. The Corsham LHFIG has prioritised funding to investigate concerns at this location and to action existing requests for waiting restrictions at other locations within the village.
6. In addition to the proposals for new waiting restrictions within the village, the detailed design of the successful substantive LHFIG scheme at the West Street / High Street junction has been taking place. This proposal promotes the installation of a vertical traffic calming feature, in the form of a speed control table, along with alterations to the current waiting restriction arrangement. To minimise the costs and resource required, the statutory consultation of the Waiting Restriction Traffic Regulation Orders, and the Intention to introduce a vertical deflection in the highway were combined.

Summary of Proposals

7. A plan showing the Council's advertised proposals for Nethercote Hill is attached at **Appendix 1**.

8. A plan showing the Council advertised proposals for West Street / High Street junction are attached at **Appendix 2**.

Consultation

9. The proposed Traffic Regulation Orders were formally advertised for consultation upon from 6 October 2023 to 30 October 2023.
10. A total of one item of correspondence was received in response to the Council's proposals. This related to the proposals for Nethercote Hill, and expressed objection for to the proposal, on safety grounds due to the nearest parking being in Church Street and having to cross a ford in a dark lane.
11. Details of the objection of the Council's proposals, along with officer comments in response are attached at **Appendix 3**.
12. Support to the proposal was given by the Parish Council prior to the formal consultation.

Main considerations for the Council

13. Consideration needs to be given to the comment received to the Council's advertised proposal and whether changes should be made to them. The Council must balance meeting its statutory obligations as the local highway authority against the wishes of local residents to, in the main, allow parking to continue to take place. It is important to consider the comments received in the context of what both highway law and the Highway Code states on the provision of parking on the public highway.
14. Highway law states the public highway is for the passage and repassage of persons and goods. There is no legal right for motorists to park on the public highway, nor obligation upon Wiltshire Council (as the local highway authority) to provide parking. Parking within the confines of the public highway is accepted so long as it does not impede the right of passage along it. Where parking does impede the right of passage along a public highway the Council has a statutory duty to consider the introduction of measures to ensure that any obstruction of that right of passage is removed.
15. The Highway Code (to which all users of the public highway must adhere) states that motorists should not stop or park opposite or within 10 metres (32 feet) of a junction. This is specifically to protect visibility and enable turning manoeuvres to be undertaken at junctions. Any parking taking place within 10 metres of a junction could be considered to be causing an obstruction of the public highway and liable to enforcement action by the Police.

Overview and Scrutiny Engagement

16. There is none required as part of this scheme.

Public Health Implications

17. There are no public health implications.

Procurement Implications

18. There are no procurement implications.

Equalities Impact of the Proposal

19. There is no impact upon people who share protected characteristics.

Environmental and Climate Change Considerations

20. The Council's proposals would require the laying of road markings on the public highway. Doing so could be considered to have an impact on the visual aspect of the areas where they are to be introduced. The impact would vary on a location-by-location basis.
21. Of the location where new waiting restrictions are proposed, none are already subject to the provision of waiting restrictions and associated road markings. However, the provision of other items of street furniture are present, so the impact from the Council's current proposals is considered to be minimal.
22. The provision of the proposal would seek to reduce difficulties of vehicles using the turning circle, parked cars currently making the manoeuvre difficult, non-local walkers and residents often block the turning circle resulting in vehicles having to reverse down Nethercote Hill and back over the ford, and consequently this may aid traffic flow and improve air quality.

Risk Assessment

23. Not proceeding with the Council's proposals, in particular those that were subject to the receipt of objection, would result in the Council failing to meet its statutory duty of ensuring that the right of passage along the public highway is not impeded. Doing so

would risk undermining the Council's reputation and its engagement of the local community.

Financial Implications

24. There is an allocation in the 2023-2024 Corsham LHFIG budget which allows for the introduction of the proposed waiting restrictions. Should this scheme not progress the funding would be returned to the Corsham LHFIG budget allocation and would be available to be put towards other schemes.

Legal Implications

25. The implementation of the proposed waiting restrictions requires the processing of TROs. The process of introducing TROs is governed by the Road Traffic Regulation Act 1984 and associated procedural regulations. Failure to adhere to the statutory processes could result in the TROs being successfully challenged in the High Court.

Options Considered

26. To:

(1) Implement the proposed TROs as advertised.

(2) Abandon the proposals for waiting restrictions in Nethercote Hill.

Reason for Proposal

27. 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.

28. The proposals are in accordance with outcomes 2 and 3 of the Council's Business Plan.

29. The proposals have been prioritised by the Corsham LHFIG as a project for 2023-24 and supported by the Area Board.

Proposals

30. That:

(1) The proposed TROs be implemented as advertised.

(2) The correspondent who commented on the Council's proposals be informed accordingly.

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

None