

**CABINET MEMBER FOR HIGHWAYS, STREET SCENE & FLOODING –
CLLR NICK HOLDER**

HIGHWAY OPERATIONS – PARKING SERVICES

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REFERENCE:

PROPOSED TRAFFIC REGULATION ORDER EV CHARGING - SHERSTON

Purpose of Report

1. To:
 - (i) Consider the comments received following the formal advertisement of a TRO proposing the introduction of EV charging bays
 - (ii) Recommend proceeding with the introduction of the TRO.

Relevance to the Council's Business Plan

2. The on-street parking TROs can help deliver many outcomes that are relevant to the Wiltshire Local Transport Plan (LTP) Car Parking Strategy:

Priority: Growing the economy

The car parking strategy can:

- Support the local economy (e.g., by making it easy for shoppers and visitors to park) and facilitate development growth (e.g., by enabling the planned housing and employment growth set out in the Wiltshire Core Strategy to 2026).
- Enhance the built and natural environment (e.g., by reducing the amount of land required for parking and by improving the look of streetscenes through the appropriate enforcement of parking contraventions).

Priority: Strong Communities

The car parking strategy can:

- Enable community groups to take over (ownership and/or management) identified off-street car parks in accordance with the Council's Community Asset Transfer (CAT) Policy.
- Enable community groups to run identified car parking services in accordance with the council's Delegation of Services to Town and Parish Councils and Funding of Delegated Services Policy.

This TRO also supports the Council's Business Plan in themes 2 and 4, Resilient Society and Sustainable Environment.

Background

3. Sherston Parish Council identified the need for EV charging bays within the parish and commissioned feasibility studies. The outcome of the study was to provide EV charging points within the High Street. The purpose for the benefit of residents and visitors to Sherston. By introducing a formal TRO this would also prevent non-EV vehicles from parking there and blocking the bays, which is currently taking place.

Summary of Proposals

4. The TRO proposed the introduction of the following:
 - Electric vehicle recharging point only 8am-6pm Max stay 4 hours No return within 2 hours on High Street, Sherston No Waiting At Any Time.

This means that outside of these hours EVs can charge without time limit.

Summary of Responses

5. During the consultation period a total of 10 items of correspondence were received in response to the Council's proposals. Of those, 8 expressed support or expressed support and offered comments on the Council's proposals. 2 items of correspondence objected to the Council's proposals.
6. A summary of the correspondence received is attached as **Appendix 1**.

Consideration of Substantive Comments

7. Majority of respondents felt the proposed wording for signage was not clear and should be amended to read EV charging ONLY at all times.
8. There were also concerns raised that the proposals would reduce the amount of parking available to all users of the High Street.

Main considerations for the Council

9. Consideration needs to be given to the comments received to the Council's advertised proposals and whether changes should be made to them. The Council must balance meeting its statutory obligations as the local highway authority and the delivery of its approved business plan, which commits the Council to improving the health, wellbeing and environment in which its residents reside, against the wishes of those who wrote in opposition to the Council's proposals.

Overview and Scrutiny Engagement

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

Safeguarding Implications

11. There are no safeguarding implications.

Public Health Implications

12. The introduction of the proposed TRO would support residents and visitors to the area with EV charging availability.

Procurement Implications

13. There are no procurement implications.

Equalities Impact of the Proposal

14. There are no equalities implications.

Environmental and Climate Change Considerations

15. The introduction of the proposed TRO would support the Councils commitment to carbon reduction.

Risk Assessment

16. Not applicable.

Financial Implications

17. None.

Legal Implications

18. Any significant changes to the terms and conditions applicable to car parks will require the processing of a TRO under the Road Traffic Regulation Act 1984 ('the 1984 Act') and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. In deciding whether or not to make a TRO and exercising any of their powers under the 1984 Act, the Council also has a duty to (having regard to the matters specified in s.122 (2)) secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The matters referred to in s.122 (2) are; the desirability of securing and maintaining reasonable access to premises; the effect on the amenities of any locality affected; the importance of regulating and restricting the use of roads by heavy commercial vehicles; the national air quality strategy; facilitating the passage of public service vehicles including the safety and convenience of persons using public service vehicles and any other matters the Council considers to be relevant. Failure to adhere to any of the statutory processes could potentially result in the proposed changes being successfully challenged in the High Court.
20. The making of a TRO includes a statutory public consultation process over a period of 21 days to permit responses including any objections to be made. Any objections must then be considered before an Order is made. The Order may be modified before it is made, in light of any objections or representations that have been received.
21. For these purposes, a significant change would include:
- (i) Imposing a charge where one did not previously exist.
 - (ii) Introducing free parking areas into a charging carpark.
 - (iii) Changing the class of vehicle permitted to use a carpark.
22. Failure to adhere to the statutory processes could potentially result in:
- (i) Any penalty charge notices issued in the location being successfully challenged.

Options Considered

23. To:
- (i) Implement the proposals as advertised.
 - (ii) Amend the proposals in consideration of the comments received.
 - (iii) Abandon the proposals.

Reason for Proposal

24. The Order be implemented as advertised.

Proposal

25. That:
- (i) The following TRO be implemented as advertised.

**THE COUNTY OF WILTSHIRE (PARISHES OF NORTH WILTSHIRE)
(PROHIBITION AND RESTRICTION OF WAITING, TAXI RANK CLEARWAYS
AND ON STREET PARKING) CONSOLIDATION ORDER 2024**
 - (ii) The correspondents who commented on the Council's proposals be informed accordingly.

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

Appendix 1
