

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

**HIGHWAYS ASSET MANAGEMENT AND COMMISSIONING**

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**PROPOSED WAITING RESTRICTIONS**  
**A4 London Road and Wessington Court, Calne**

**Purpose of Report**

1. To:
  - (i) Consider the comments received following the formal advertisement of proposed waiting restrictions at the following locations in Calne and to recommend a way forward.
    - A4 London Road
    - Wessington Court
    - Bus Stop Clearways on A4 London Road

**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– 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 Holy Trinity Church of England Academy, through the Taking Action on School Journeys (TAOSJ hereafter) project and thereafter members of the local community through the Calne Area Board via the Calne 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.
  - Outcome 3 Thriving Economy– 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 to fulfil statutory obligations placed upon it in its role as the local highway authority.

**Background**

3. As part of the development of their school travel plan, the Holy Trinity Church of England Academy identified issues with vehicle congestion, inappropriate parking and problems with pedestrian visibility at the zebra crossing on the A4. An investigation into these issues was undertaken and recommendations were made as part of a TAOSJ report. The TAOSJ Project has allocated funding to allow these requests to be developed to address issues that were directly affecting the local community and primary school at these locations.
4. The Traffic Regulation Orders outlining the proposed restrictions at the aforementioned locations were formally advertised for consultation on 11<sup>th</sup> July 2024. The Council's closing date for receipt of comments to the advertised TROs, together with the grounds on which they were made, was 5<sup>th</sup> August 2024.

### **Summary of Proposals**

5. Additional Double Yellow lines on the A4 will reduce inappropriate parking at peak times and enable the existing zebra crossing to become more visible for approaching traffic. This in turn should assist the school crossing patroller to help pupils cross the road safely outside Holy Trinity Church of England Academy.
6. Plans showing the Council's advertised proposals are attached at **Appendix 1**.
  - A4 London Road
  - Wessington Court
  - Bus Stop Clearways on A4 London Road

### **Summary of Responses**

7. During the consultation period a total of 40 items of correspondence were received in response to the Council's proposals. Of the comments received 18 expressed support, 18 objected, and 4 related to general observations of the area.
8. A list of the correspondents who commented on the Council's proposals is attached as **Appendix 2**. A full copy of the comments raised, together with officer responses, is attached as **Appendix 3**.
9. Substantive comments are comments that would result in the Council seeking to make changes to the proposals it advertised. Whilst all comments have been discussed, it is considered that no substantive comments have been submitted by the correspondents who objected to the Council's proposals.
10. Support was given by the Holy Trinity Church of England Academy, the Town Council and local elected Members at the proposal stage.

### **Main considerations for the Council**

11. Consideration needs to be given to the comments received to the Council's advertised proposals and to whether changes should be made to the proposals. 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 but in a safe manner. 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.
12. 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.
13. 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.
14. It is apparent from consultation with the local primary school and comments received during the consultation period that problematic and inconsiderate parking is currently taking place along the A4 at peak times during school drop off and pick up. At times, this causes visibility issues for people leaving Church View and also for pedestrians using the zebra crossing. This compromises pedestrian safety and could act as a barrier for people wishing to walk to school.
15. The proposals are considered to be of benefit to the wider community, enabling the local buses to have an established area to stop and prohibiting drivers from stopping in this area, whilst helping to alleviate the problematic parking issues on the A4 at peak times and enabling pedestrians to be seen at the zebra crossing. The requests made by local residents and the school, to improve the road safety outside the school and prevent inconsiderate parking around the junction of Church View have been considered.

### **Overview and Scrutiny Engagement**

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

### **Safeguarding Implications**

17. There are no safeguarding implications.

### **Public Health Implications**

18. The introduction of the proposed restrictions supports the wider aims to encourage active travel modes for journeys to school.

### **Procurement Implications**

19. There are no procurement implications.

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

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

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

21. 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.
22. As there are existing road markings, signs, and other items of street furniture are present, the impact from the Council's current proposals is considered to be minimal.

### **Risk Assessment**

23. Not proceeding with the Council's proposals, in particular those that were subject to the receipt of objection, may 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. The funding allocation for implementation is to be sought from the Taking Action on School Journeys budget. Should this scheme not progress the funding would remain within its budget allocation and would be available to be put towards other Taking Action on School Journeys 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:
- (i) Implement the proposed TROs as advertised.
  - (ii) Amend the proposed TROs in consideration of the comments received.
  - (iii) Abandon the proposals.

### **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 will improve the visibility of the existing zebra crossing, prevent people from parking inappropriately at peak times and enable the school crossing patroller to aid children using the zebra crossing in a safer manner.
29. Investigations into the school travel plan have shown that 85% of children attending Holy Trinity Academy live less than 1 mile away from the school; an entirely walkable distance for many. By improving safety at the zebra crossing and encouraging use of the park and stride options, there may be a modal shift to encourage more walking to school, which in turn should ease the problematic parking in the area.
30. The proposals are in accordance with outcomes 2 and 3 of the Council's Business Plan.
31. The proposals will provide a solution to traffic problems identified at school peak times.

### **Proposals**

32. That:
    - (i) The Traffic Regulation Orders listed below be implemented as advertised:
      - A4 London Road
      - Wessington Court
      - Bus Stop Clearways on A4 London Road
    - (ii) The correspondents who commented on the Council's proposals be informed accordingly.
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### **The following unpublished documents have been relied on in the preparation of this Report:**

Taking Action on School Journeys Report – Holy Trinity Primary Academy, Calne (2022-051)