

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

HIGHWAYS ASSET MANAGEMENT & COMMISSIONING

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REFERENCE: HSSF-37-24

**PROPOSED AMENDMENTS TO PARKING & WAITING RESTRICTIONS
VARIOUS ROAD, DEVIZES**

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls on various road in Devizes.
 - (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 two of the outcomes 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 members of the local community through the Devizes Area Board via the Devizes 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 speed limit changes that will address road safety concerns.

Background

3. The Devizes Local Highway & Footway Improvement Group (LHFIG), agreed to fund the assessment of new and outstanding requests across the town.
4. The proposed restrictions were requested by the Town Council and Local Members in response to requests received by their constituents. In the main to prevent obstruction, physical or to visibility caused by inappropriate parking and to change existing restrictions to suit the current environment.
5. Plans outlining the proposals is provided in **Appendix 1**.

Consultation

6. Consultation has been undertaken with:
 - The elected Wiltshire Council Member through the statutory TRO consultation process.
 - The elected Devizes Town Council through the statutory TRO consultation process
 - Members of the Devizes Local Highways & Footways Improvement Group (LHFIG)
 - Emergency services through the statutory TRO consultation process
 - Members of the public through the statutory TRO consultation process
7. The proposed TROs were subject to formal consultation between 9th May and 3rd June 2024. During the consultation period a total of nine items of correspondence were received in response to the Council's proposals. Of these, six were in objection, one in support and two made general comments.
8. The proposal has been developed following prioritisation by the Devizes Local Highways & Footway Improvement Group (LHFIG) and endorsement by Devizes Area Board.

Main Considerations for the Council

9. Consideration needs to be given to the responses received and a decision made on the way forward. 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.
10. A summary of the issues raised and officer comments are included in **Appendix 3**.

Safeguarding Considerations

11. There is no risk to the Council because of these proposals.

Public Health Implications

12. There are none with this proposal.

Corporate Procurement Implications

13. There are none in this proposal.

Environmental and Climate Change Considerations

14. The Council's proposals would require the introduction of signing 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.

Equalities Impact of the Proposal

15. There are none in this scheme.

Risk Assessment

16. There is no risk to the Council arising from these proposals.

Financial Implications

17. Changes on the ground will be funded by the LHFIG, with a contribution from Devizes Town Council. Failure to proceed with the project may result in unspent funds currently allocated to this project being returned to the LHFIG.

Legal Implications

18. The implementation of the proposed parking restrictions require amendments to the TRO. 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

19. To:
- (i) Implement the proposals as advertised.
 - (ii) Implement the proposals with recommended amendments
 - (iii) Abandon the proposals.

Reason for Proposals

20. The comments set out in **Appendix 3** on the various objections received indicate that it is considered appropriate to reduce the impact of some of the proposals. These recommended amendments are shown in **Appendix 4**.

Proposals

21. That:
- (i) The proposals be implemented as advertised with recommended amendments detailed in **Appendix 4**.
 - (ii) The objectors be advised accordingly.

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

None