

**Subject: Various Roads, Ludgershall and Tidworth – Parking and Waiting Restrictions**

**Cabinet Member: Cllr Nick Holder**  
**Cabinet Member for Highways, Street Scene, and Flooding**

**Reference: HSSF-02-25**

---

### **Purpose of Report**

1. Consider the comments received following the formal advertisement of proposed amendments to the layout of waiting restrictions at various locations in Tidworth & Ludgershall.
2. Recommend the making of the Traffic Regulation Orders (TROs hereafter) as advertised.

### **Relevance to the Council's Business Plan**

3. The proposal meets three of the priorities set out in the Council's Business Plan 2022- 2032.
  - Priority 2 – Resilient Society.
  - Priority 3 – Thriving Economy.
  - Priority 4 – Sustainable Environment.
4. Priority 2 has been met through the development of the proposals (to which this report relates) with members of the local community through the Council's formal waiting restriction process and the Tidworth Area Board via the Tidworth 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.
5. Priority 3 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. Addressing issues raised by members of the local community will contribute towards the building of a stronger community.
6. Priority 4 has been met through the proposed parking restrictions as they may encourage people to use more sustainable means of transport such as cycling, public transport or car share. Waiting restrictions are also promoted to ensure the free flow of traffic is maintained to the benefit of road safety and prevention of idling.

## Background

7. Requests for new or amendments to existing waiting restrictions can be made by any member of the local community through the Council's approved waiting restriction process. All the proposed restrictions consulted upon were drawn up in response to requests submitted through the Council's approved waiting restriction process between 2023-2024.
8. Requests submitted through the Council's approved waiting restriction process are held on a list awaiting the allocation of funding to allow them to be taken forward for implementation. As part of the change in operation from Community Area Transport Group (CATG) to Local Highways and Footways Improvement Groups (LHFIG) in April 2022 these requests can now be allocated funding and actioned through the 2023/2024 LHFIG process. The Tidworth LHFIG has allocated funding to allow the aforementioned requests to be taken forward to address issues that were directly affecting the local community in a variety of locations.
9. TROs proposing new or amendments to existing waiting restrictions at 6 locations in Tidworth & Ludgershall were formally advertised for consultation on the 29th of August 2024. The Council's closing date for receipt of comments to the advertised TROs, together with the grounds on which they were made, was the 23rd of September 2024. A copy of the Council's advertised proposals are attached as **Appendix 1**.
10. During the consultation period a total of 18 items of correspondence were received in response to the Council's proposals. Of those 18 items, two expressed support for the Council's proposals, fourteen objected to the Council's proposals and two offered comments on the Council's proposals without specifically supporting or opposing them. Please refer to **Appendices 2-4** which contain details of the correspondence and officer responses.
11. The elected Wiltshire Council Member for Tidworth gave support in the consultation period, and the elected Wiltshire Council Member for Ludgershall did not formally comment through the consultation process but has raised concerns by residents regarding reduced on street parking within Deweys Lane, Ludgershall.
12. Tidworth Town Council did not formally comment through the consultation process but has expressed support for the provision of the waiting restrictions through the Tidworth LHFIG.
13. Ludgershall Town Council expressed support for the overall project, however separately of the consultation process have voted to remove the amendments at Deweys Lane, Ludgershall from the order.

## Main Considerations for the Council

14. 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 against the wishes of local residents to determine if it is suitable to 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.

15. 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.

16. 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**

17. Proposed TROs and advertisement of highway infrastructure changes are not generally subject to engagement with the Overview and Scrutiny Committee. This proposal has not been to Overview and Scrutiny Committee however meets the requirements of the legal process set out by the Road Traffic Regulation Act (1984).

### **Safeguarding Implications**

18. There are no safeguarding implications related to this proposal.

### **Public Health Implications**

19. The proposed waiting restrictions promote free passage along the public highway. This has the potential to reduce engine idling which would contribute to a reduction in vehicle emissions.

20. The proposed waiting restrictions will also help enhance road safety for pedestrians and increase visibility for vehicle drivers and cyclists which aides' safety perception and encourages travel by sustainable modes.

21. The introduction of the waiting restrictions can serve to discourage car use., Any reduction in car use may help to ease congestion and de-clutter streets, particularly in town centre environments.

### **Procurement Implications**

22. The laying of new road markings, including supervision activities, materials and labour, will be procured through our existing Term Consultancy and Term Highways Maintenance contracts.

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

23. A review of the equality risk matrix has been undertaken and determined a low equality risk score therefore a full Equality Impact Assessment is not required.
24. Waiting restrictions provide improved visibility and remove parking and congestion which will aid vulnerable users in navigating crossing movements.
25. Part of this scheme also involves providing a disabled bay within a well-used shopping area in the Town of Ludgershall which can be utilised by vulnerable highway users.

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

26. The proposal will introduce additional street furniture in the form of signage, white and yellow road markings. There will be no need for additional electricity consumption to facilitate the operation of any of the additional signage.
27. Many of the items within the proposal contribute to addressing road safety concerns and have the possibility to promote an increase in walking and cycling, particularly for shorter journeys, reducing reliance on private motor vehicles and thereby providing a positive impact on carbon reduction. The proposal will also help to prevent excess vehicle idling.

### **Workforce Implications**

28. There are none with this proposal.

### **Risks that may arise if the proposed decision and related work is not taken**

29. The requirement for the waiting restrictions has been identified and agreed through the LHFIG process. The formal advertisement relates to various locations across Tidworth & Ludgershall. Should the decision be taken not to proceed as advertised, parking at all locations would continue without the legal ability for the Council to undertake enforcement action against it. The only enforcement that would then remain possible would require the Police to commit significant resources to visiting every location and enforcing under the rules of the Highway Code. Parking within these locations could create a road safety issue in that it would impede users of existing dropped kerb crossing points and limits inter-visibility between users and approaching vehicles which could result in increased collisions.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

30. If the decision is made to proceed as advertised, there is a risk that there may be further challenge at the call-in stage. This is considered to be a minimal risk.

### **Financial Implications**

31. There is an allocation in the 2024-2025 Tidworth LHFIG budget which allows for the introduction of the proposed waiting restrictions. Should this scheme not progress the funding would be returned to the Tidworth LHFIG budget allocation and would be available to be put towards other schemes.

### **Legal Implications**

32. The implementation of the proposed waiting restrictions requires formal advertisement and processing in line with the Road Traffic Regulation Act 1984 and associated procedural regulations. Failure to adhere to the statutory processes could result in challenge through the High Court.

### **Options Considered**

33. The options considered are:

- (i) Implement the proposed TROs as advertised.
- (ii) Amend the proposed TROs in consideration of the comments received.
- (iii) Abandon the proposals.

### **Conclusions/Proposal**

34. It is proposed to proceed as advertised, apart from Deweys Lane the proposals for which can be removed from the TRO. The provision of waiting restrictions has been identified as a requirement through the Tidworth LHFIG and subject to public consultation as part of that process. The formal advertisement to which this report relates is for the waiting restrictions at various locations within Tidworth and Ludgershall. Implementation of the waiting restrictions in accordance with the Road Traffic Regulation Act (1984) ensures that enforcement of the waiting restrictions and disabled bay can take place to minimise the potential for conflict arising from vehicles stopping to park within the extents of the public highway as outlined within the attached plans.

### **Lead Director – Samantha Howell**

Report Author: Rhiann Surgenor, Senior Engineer, [rhiann.surgenor@wiltshire.gov.uk](mailto:rhiann.surgenor@wiltshire.gov.uk),  
01722 434201

10/12/2024

### **Appendices –**

- Appendix 1 – Proposal plans
- Appendix 2 – List of supporters
- Appendix 3 – List of objectors
- Appendix 4 – Comments and officer response

### **Background Papers**

None