

**SUMMARY OF COMMENTS AND OBJECTIONS RECEIVED OBJECTING TO / COMMENTING ON THE PROPOSED PROVISION OF
'NO WAITING AT ANY TIME' RESTRICTIONS IN LOWER BEMERTON, SALISBURY AND OFFICER RESPONSE**

Comment Ref. No.	Comment	No. of Times Received	Officer Response
1	I object to the proposed introduction of 'No Waiting At Any Time' restrictions in Lower Bemerton as it will result in a reduction in the number of parking spaces available for residents to use.	2	Please refer to main report as this issue has been considered as a substantive issue.
2	<p>Wiltshire Council's reasons for proposing to make the order, state that the order is proposed:</p> <p><i>"For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of such danger arising"</i></p> <p>There have not to the best of my knowledge been any accidents or incidents involving injury to any residents or road users as a result of the current parking situation. In St Andrews Road, there is a mix of families with young children as well as elderly people with limited mobility. In both cases, these people rely on being able to safely park within close proximity to their homes. The proposed reduction in spaces will mean that people will have to resort to driving 'round the block' several times in the hope that a space becomes available. This will thus increase the number of vehicle movements in the area. My partner works at Salisbury District Hospital and often comes home late at night. Often the only parking space available is at the top of Church Lane by the junction of Wilton Road. The street lighting in that area is already quite poor and I have serious concerns that the reduction in the number of spaces available will mean she may have to park the other side of Wilton Road, e.g. Pembroke Road, or even further away in Lower Road, or even as far away as Cherry Orchard Lane. For a woman on her own walking from these areas late at night is going to result in an increase in danger, not a reduction.</p>	1	<p>When advertising Traffic Regulation Orders (TROs) for comment the Council, in its role as the local highway authority, is legally required by the Road Traffic Regulation Act 1984 to publish its reasons for proposing the introduction of waiting restrictions.</p> <p>The reasons for which waiting restrictions can be introduced are defined by the Road Traffic Regulation Act 1984. There are seven defined reasons why a highway authority may introduce waiting restrictions and in the case of this TRO one such reason used by the Council is:</p> <ul style="list-style-type: none"> • For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising. (Defined as reason 'A' by the Road Traffic Regulation Act 1984) <p>Reason 'A' is typically used in situations where 'No Waiting At Any Time' (NWAAT) restrictions are introduced to deal with road safety hazards. Given that it is proposed to introduce NWAAT restrictions to protect visibility at a number of junctions and remove parking at locations where it is considered to be unsafe in Lower Bemerton (please refer to paragraph 9 of the main report for locations), it is considered appropriate for the Council to have used reason 'A' when publishing this TRO.</p> <p>In general, the correspondent's comments focus on the fact that the provision of NWAAT restrictions would reduce the number of parking spaces in Lower Bemerton and may force him or his wife to have to park further away from their property than they currently do. It is important to consider these comments in the context of what both highway law and the highway code states on the provision of parking on the public highway.</p> <p>Highway law states the public highway is for the passage and repassage of persons and goods, and consequently any parking on the highway is an obstruction of that rite of passage. There are no legal rights to park on the highway, or upon the Council (as the local highway authority) to provide parking on the public highway, but parking is condoned where the rite of passage along the highway is not impeded.</p>

			<p>The highway code (to which 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 turning manoeuvres at junctions. Any residents parking 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. Therefore, whilst it is proposed to introduce NWAAT at a number of junctions it should be remembered that motorists should not be parking at such locations anyway.</p> <p>The Council is acutely aware of the pressure on parking spaces in residential areas and has taken this into account in developing its proposals and used the minimum amount of NWAAT restrictions considered safe and practical in providing the best balance possible between retaining parking spaces and addressing the road safety concerns raised. One specific example of this approach is in St. Andrew's Road at its junction with Church Lane where the proposed NWAAT restrictions are less than 10 metres in length.</p> <p>The situation where a motorist has to drive around the block to find a parking space could be construed to already be occurring given the correspondent's comments about his wife having to park in nearby roads when finishing work late. Presumably, the correspondent's wife first checks to see if there are any parking spaces available in the road in which she lives before driving around adjacent roads until she finds a parking space. Motorists not able to find a parking space in the road they live in have the option of driving and finding a parking space in an adjacent road and clearly do not have to continually drive around the block waiting for a space to become free in the road in which they live. Therefore, the Council's proposals would seemingly not unduly alter the current situation in this particular respect.</p> <p>The correspondent's comment about street lighting has been noted. There are lighting columns present on the A36 (T) Wilton Road, Church Lane and St. Andrews Road so there should already be a reasonable level of lighting in the area. However, if the correspondent's concerns about the level of street lighting in the area persist they can be raised as an Area Board Issue for investigation through the Community Area Transport Group process.</p> <p>The correspondent's concerns about the personal safety of his wife in the event she has to park further away from their property than at present are understandable. However, the comments do appear to be based on the possibility problems might occur rather than problems that are actually occurring. This is an important point given, by the correspondent's own admission, his wife already has to park some distance away from their property on occasion. The correspondent (or his wife) could contact and work with the council's Community Safety Team to address any existing or future personal safety concerns.</p>
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3	<p>In addition, if our cars are parked further away, it may have an impact on insurance premiums as they would no longer be parked in the immediate vicinity of the policy holder's address. If a break in were to occur and the alarm to be triggered, we would not be able to attend the vehicle as it could be parked some distance away outside someone else's house.</p>	1	<p>The impact on vehicles' insurance premiums is not a due consideration for the Council when proposing the introduction of waiting restrictions.</p> <p>Again, by the correspondent's own admission his wife has, on occasion, to park some distance from their property so the situation described by the correspondent is one they already face and seemingly without issue. This view appears to be borne out by the local crime map which shows there to be no particular problem with vehicle crime in the area where the correspondent lives with only one instance of vehicle crime having been recorded in the six months to December 2013 (most recent six months of data available).</p>
4	<p>There have never been any issues with emergency vehicles gaining access to St Andrews Road. Other vehicles such as home delivery vans, builders merchant lorries and removal lorries are also able to gain access, although this is often easier after 9 am when the majority of residents will have gone to work. In the event that a large lorry does require access and the odd vehicle requires moving over to allow its passage, this is easily achieved by asking the owner concerned if they could re-park it to one side. However, if residents are forced to park two or three roads away, it will be much harder for the lorry driver to locate the owner as they could be in a different location.</p>	1	<p>Clearly, this comment is inaccurate given the incident described in paragraph 6 of the main report where parking at the junction of St. Andrew's Road contributed to preventing an ambulance from accessing the road.</p> <p>The provision of NWAAT restrictions at junctions should mean that motorists do not have to move their cars in the event that a large vehicle has to access the road.</p>
5	<p>Wiltshire Council's reasons for proposing to make the order, state that the order is proposed:</p> <p><i>"For preserving or improving the amenities of the area through which the road runs"</i></p> <p>I cannot think of one amenity in the St Andrews Road area which will be preserved or improved by making it more difficult for residents to park within a reasonable distance of their houses. As mentioned above, the residents need to be able to park close to the homes especially those older people who have limited mobility and cannot walk long distances to get to their cars. Everyone needs to be able to go food shopping at least once a week and currently it is usually possible to park sufficiently close to the house to unload the bags. Once the number of spaces has been reduced, there will be an increase in the number vehicles stopping in the middle of the road to unload. This will cause inconvenience and danger to other road users. It will impede the flow of traffic which will increase the noise and environmental pollution while making no improvement to the amenities in the area.</p>	1	<p>When advertising TROs for comment the Council, in its role as the local highway authority, is legally required by the Road Traffic Regulation Act 1984 to publish its reasons for proposing the introduction of waiting restrictions.</p> <p>The reasons for which waiting restrictions can be introduced are defined by the Road Traffic Regulation Act 1984. There are seven defined reasons why a highway authority may introduce waiting restrictions and in the case of this TRO one such reason used by the Council is:</p> <ul style="list-style-type: none"> • For preserving or improving the amenities of the area through which the road runs. (Defined as reason 'F' by the Road Traffic Regulation Act 1984) <p>Reason 'F' is typically used in situations where waiting restrictions are being introduced to make sure that an existing service or action can continue to take place. In the case of Lower Bemerton the provision of NWAAT restrictions will protect turning manoeuvres at a number of junctions and private accesses allow access/egress from private driveways and (amongst other examples) allow emergency services and refuse collection vehicles to easily access local roads. It is therefore considered appropriate for the Council to have used reason 'F' when publishing this TRO.</p> <p>The introduction of NWAAT restrictions will not lead to an increase in the number of vehicles stopping in the middle of the road to unload shopping. It is</p>

			permitted to stop on NWAAT restrictions to load and unload goods. Although (as previously explained) vehicles should not be stopping within 10 metres of a junction, realistically the Council is aware that this practice will occur, particularly when it comes to loading and unloading goods. This situation should not be overly problematic as motorists will only be stopped for a short period of time and will be in close proximity to their vehicle should it need to be moved. However, allowing junctions to be permanently obstructed by parked vehicles is a situation that would be problematic. It should also be noted that it is not proposed to introduce NWAAT restrictions outside of the correspondent's property.
6	Has the Council taken into account the impact on house values and saleability of the proposed changes? Parking is already at a premium in the area and only a handful of residents are fortunate to have a driveway, or parking at the rear of the premises. By reducing the number of spaces, it will have a negative effect on the area and the ability of the residents to enjoy the amenities available.	1	The impact on the value of houses is not a due consideration for the Council when proposing the introduction of waiting restrictions.
7	<p>So, what alternatives could Wiltshire Council investigate to alleviate the dangers and approve the amenities?</p> <p><u>Alternative 1</u></p> <p>Provide better signage to enforce the current 7.5 ton restriction to prevent incidents like this at 07:53 on 8th March (please refer to the photo below) where an articulated lorry attempted to use Church Lane to access Churchfields Industrial Estate. The driver ended up having to reverse back out onto Wilton Road (A36) during rush hour traffic which resulted in significant delay for other road users:</p> <p>NOTE: the proposed No Waiting restrictions would not have prevented the car from parking on the left hand side as this is several metres further up Church Lane from its junction with St Andrews Road.</p> <p><u>Alternative 2</u></p> <p>Install a curved mirror on Church Lane at its junction with St Andrews Road to improve visibility on this difficult corner for residents turning left or right.</p> <p>3) The Council should take into account the time of day that its own vehicles visit St Andrews Road. In two recent examples:</p>	1	<p><u>Response to Alternative 1</u></p> <p>Enforcement of the 7.5 tonne weight limit restriction covering Lower Bemerton is the responsibility of the Police. The 7.5 tonne weight limit restriction covering the area, including the Church Lane entry into the restriction, is signed as per the Traffic Sign Regulations and General Directions 2002 (TSRGD) and therefore fully enforceable by the Police. For reference the TSRGD is a statutory instrument of Parliament which governs what signs can legally be erected on the public highway and in which situations they can be used.</p> <p>In addition to the 7.5 tonne weight limit restriction covering Lower Bemerton there is also a local Lorry Watch Scheme in place which allows members of the public to report lorries travelling through the weight limit restriction to the councils Trading Standards team who can then seek to undertake enforcement action. If the correspondent would like to find out more or get involved with the Lorry Watch Scheme in Lower Bemerton then they can contact Cllr Margaret Willmot, the local scheme co-ordinator, via mwillmot@salisburycitycouncil.gov.uk.</p> <p><u>Response to Alternative 2</u></p> <p>It is the policy of Wiltshire Council to not install mirrors on the public highway as the road safety benefit of providing such objects is very much in doubt. Mirrors can give motorists a misleading image or dazzle motorists due to sunlight or headlights at night and often cause as many problems as their use seeks to solve.</p> <p>As an alternative you could seek the co-operation of an adjacent landowner to enable a mirror to be positioned off the public highway. However, in such</p>

	<p>A Scarab mini road sweeper attempted to clean the gullies at about 8 am before the majority of residents had left for work. The driver was only able to get to the kerb in one part of the road where a vehicle had recently left. If he had made the same journey about 90 minutes later, there would only have been a handful of cars parked in the way.</p> <p>On Fridays, during refuse collection, we often have two or all three lorries in the road at the same time, often coming from opposite ends of the road such that it makes it impossible for anyone to leave. I have often been late for work as the drivers are unable to pull over to let vehicles pass. While the introduction of the new fortnightly collection means we will no longer have all three vehicles on the same day, if the lorries were to arrive after 9am, they would have more room to work and the operatives would not be struggling to move wheelie bins between parked cars.</p>		<p>circumstances the onus of responsibility would rest with the landowner rather than Wiltshire Council in the event of an accident being caused by the presence of a mirror.</p> <p><u>Response to Alternative 3</u></p> <p>The correspondents' comments are noted and will be forwarded on the Council's Streetscene Team for their information.</p>
8	<p>I object to Wiltshire Council's stated reasons for proposing to make the order as I believe the council's proposals are against them, namely:</p> <ul style="list-style-type: none"> a. For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of such danger arising f. For preserving or improving the amenities of the area through which the road runs 	1	<p>When advertising TROs for comment the Council, in its role as the local highway authority, is legally required by the Road Traffic Regulation Act 1984 to publish its reasons for proposing the introduction of waiting restrictions. The reasons for which waiting restrictions can be introduced are defined by the Road Traffic Regulation Act 1984. There are seven defined reasons why a highway authority may introduce waiting restrictions.</p> <p>Reason 'A' is typically used in situations where 'No Waiting At Any Time' (NWAAT) restrictions are introduced to deal with road safety hazards. Given that it is proposed to introduce NWAAT restrictions to protect visibility at a number of junctions and remove parking at locations where it is considered to be unsafe in Lower Bemerton (please refer to paragraph 9 of the main report for locations). It is considered appropriate for the Council to have used reason 'A' when publishing this TRO.</p> <p>Reason 'F' is typically used in situations where waiting restrictions are being introduced to make sure that an existing service or action can continue to take place. In the case of Lower Bemerton, the provision of NWAAT restrictions will protect turning manoeuvres at a number of junctions and private accesses allow access/egress from private driveways and (amongst other examples) allow emergency services and refuse collection vehicles to easily access local roads. It is therefore considered appropriate for the Council to have used reason 'F' when publishing this TRO.</p>
9	<p><u>Loss of proximity to parking for elderly residents and families with children</u></p> <p>I reside in Lower Road with two young children. My property is situated on the main bend. Living either side are two elderly residents in the 80s who have difficulty walking</p>	1	<p>The main bend referred to is a blind 'S' bend situated between Nos. 65 and 83 Lower Road. A small amount of parking takes place on part of the north-eastern side of the bend. Given the physical characteristics of the 'S' bend parking on it is potentially hazardous. Parking at this location can also block access to/egress from the private driveway of No. 71 Lower Road. The proposed use of NWAAT restrictions at this location is to address the issues</p>

	<p>long distances. The proposed plan will increase the travel distance from our homes to the spaces either side of the main bend. At this stage this increase in distance cannot be measured due to escalating competition for fewer parking spaces that will inevitably occur as a result of this plan.</p> <p>By further disconnecting our properties from the existing pedestrian infrastructure I ask whether the imposition of the plan will adversely affect the safety of my children and the accessibility of disabled residents to their homes. As such this does not satisfy the stated reason – clause (f) of the RTRA – ‘preserving amenities’.</p>		<p>outlined above.</p> <p>The correspondent’s comments focus on the fact that the provision of NWAAT restrictions would reduce the number of parking spaces in Lower Bemerton and may force his family (and elderly neighbours) to park further away from their properties than they currently do.</p> <p>As stated above there are no legal rights to park on the highway, or upon the Council (as the local highway authority) to provide parking on the public highway. If the proposals are implemented parking will still be possible within 50 metres of the correspondents, and his neighbours, properties. The figure of 50 metres is particularly important in the context of his elderly neighbours and Traffic Advisory Leaflet 5/95 Parking for Disabled People (TAL 5/95). TAL 5/95 provides advice on the provision of disabled parking bays, albeit that it focuses on the provision of parking in town or city centre environments rather than residential environments. TAL 5/95 advises that in situations where people have extreme mobility difficulties parking should be available within 50 metres of a destination (such as a bank or post office). As stated above TAL 5/95 focuses on the provision of parking in town or city centres; however, if you were to apply its advice to the proposed introduction of NWAAT at this location, the Council’s proposals would accord with it.</p>
10	<p><u>Loss of proximity for unloading and other practical purposes</u></p> <p>Situated on the main bend (the central section of the plan) our properties are without pavements or an appropriate stopping point directly outside, hence we rely upon available spaces adjacent to Bemerton House/ pathway up to the railway crossing for everyday practical purposes. Based on the published plan one can estimate that 5-6 parking spaces, all of which fulfil a vital role in our well-being, will be lost.</p> <p>I ask whether the practical impact of the middle section of the plan on my home is disproportionate compared to other properties in the village. As such this does not satisfy the stated reason clause (f) of the RTRA – ‘preserving amenities’.</p>	1	<p>The introduction of NWAAT restrictions will not result in a loss of proximity for unloading or other practical purposes. It is permitted to stop on NWAAT restrictions to load and unload goods and to pick up or drop off people. However, in such situations it will be up to individual motorists to determine whether it is safe and practical to stop and use NWAAT restrictions for such purposes.</p>
11	<p><u>Impact on the feasibility of building works (logistical and financial)</u></p> <p>This year we are also due to commence extensive structural renovations to the rear of our property requiring the placement of a skip at the locations mentioned above. Preliminary discussions with builders at the tender stage have flagged this up as a potential obstacle, one that will</p>	1	<p>To place a skip on the public highway would require the contractors to apply and pay for a skip licence through the Council. At the time of application a location as to where the skip could be sited would be agreed between the contactor and officers from the Council’s Area Highways office. It is permissible to place skips on NWAAT restrictions so long as it has been agreed through the application process and any necessary safety precautions are implemented (i.e. warning lights). Therefore the proposed introduction of NWAAT restrictions will not impact on the feasibility of building works taking place in Lower Road.</p>

	<p>impact not only upon costs and timescale, but the very feasibility of the works.</p> <p>I would like Wiltshire Council to reflect on whether the plan imposes an unreasonable travel distance for a builder pushing a wheelbarrow full of rubble from number 46 Lower Road to a skip, and whether it increases the difficulty of delivering materials? As such this does not satisfy the stated reason – clause (f) of the RTRA – ‘preserving amenities’.</p>		<p>The correspondent can find out further information about applying for a skip licence via the Council’s website.</p>
12	<p>On behalf of the residents I formally ask for the plan to be significantly revised or abandoned altogether for it is the duty of the council to preserve the character of the neighbourhood by controlling traffic in the first instance rather than expose to it to greater exposure.</p>	1	<p>The comment is noted.</p>
13	<p>I note that the proposed Bus Stop Clearway on the south side of Lower Road Salisbury has been moved westwards when compared to the current stopping point for the bus, which is on the pavement outside Nadder House/78 Lower Road.</p> <p>I object to the repositioning of this bus stop because it means that the bus will now be stopping on the dropped kerb at the entrance to 78 – 82 Lower Road. This will make descending/ascending into the bus more difficult for those with mobility impairments or with pushchairs or shopping trolleys. I would suggest that the changes as they stand are contrary to disability discrimination legislation.</p> <p>I am not aware that Wiltshire Council currently has any accessibility standards for bus stops, but note that guidance from elsewhere suggests that alighting onto a dropped kerbed area is not recommended. For example, Transport for London’s ‘Accessible Bus Stop Design Guidance’ (Jan 2006) suggests that kerb heights of between 125mm – 140mm are likely to be acceptable (the kerb outside 78 Lower Road is approx 140mm high so would fall within this range). The height of the dropped kerb is considerably less than any recommended standard I have seen for bus stops, being approx 30mm high - the TfL guidance would suggest that kerb heights of less than 125mm should be increased (which if course is not possible when the bus stop is positioned across the mouth of a driveway).</p>	1	<p>Please refer to main report as this issue has been considered as a substantive issue.</p>

	<p>It may be that the bus stop has been moved to avoid any overlap with the bus stop clearway on the other side. However there is a limited service on this route (since the majority of buses use Wilton Road) and overtaking a stopped bus is unlikely to be possible in any case given the car parking which will continue to exist on the northern side of the road. In the unlikely event that two buses came from opposite directions simultaneously a limited overlap of the bus clearways would not in fact mean two buses were parked opposite each other (noting that only midi- sized buses are likely to be used on this route due to tight bends).</p> <p>I hope you will take account of these comments and modify the detailed proposals accordingly by moving the bus stop clearway on the south side of Lower Road to the length of pavement between the entrance to 78-82 Lower Road and Nadder House.</p>		
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Photo Accompanying Comment 7

