

**DEPUTY LEADER AND CABINET MEMBER FOR HIGHWAYS, STREETSCENE AND BROADBAND – COUNCILLOR JOHN THOMSON**

**HIGHWAYS AND TRANSPORT SERVICE**

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**REFERENCE:** HSB-

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**CALNE AND CALNE WITHOUT: PROPOSED WAITING RESTRICTIONS**

**Purpose of Report**

1. To:
  - (i) Consider objections to the advertised proposals for parking controls at various locations in Calne and Calne Without.
  - (ii) Recommend the making of the Traffic Regulation Order with amendments to the advertised proposals.

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

2. The proposed scheme meets the three key priorities of the Business Plan, as the local community worked together with Wiltshire Councillors and council officers on the proposals, the restrictions will help protect vulnerable road users and will support the local businesses by protecting their accesses.

**Background**

3. A new procedure for dealing with requests for Parking and Waiting Restrictions was agreed in 2011. In order to appropriately manage the demand for changes to parking controls it is necessary to engage the Town and Parish Councils in the prioritisation of local demand for new controls in their area, so that the limited resources of the Council are directed to deal with the demands which are supported by Town and Parish Councils and identified locally as a priority.
4. Requests from Town and Parish Councils were received in 2012 and were assessed and scored by Engineers in the Highway Network Management Team. The first locations approved to proceed to review were agreed in November 2012 [Decision - HT-055-12](#) and Calne and Calne Without was among those selected to progress.
5. Proposals for all of these sites have been developed and have been advertised as part of the statutory procedure for making Traffic Regulation Orders. As a result of the public advertisement, 78 letters of representation were received. There were 20 comments of support and 58 of objection, including 1 petition signed by 247 individuals. These are listed in **Appendix 1**, together with a summary of their comments and officer comments on the points raised.

**Detail**

6. Calne Town Council and Wiltshire Councillors had raised concerns over a number of sites within the town and these were investigated, together with other outstanding requests for amendments.

## **Main Considerations for the Council**

7. 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.

## **Safeguarding Considerations**

8. There is no risk to the Council as a result of these proposals.

## **Public Health Implications**

9. There is none in this scheme.

## **Environmental Impact of the Proposal**

10. The introduction of the parking controls will involve the laying of lines and installation of a small number of signs. This will have an impact on the visual aspect but has to be balanced against the need to ensure that safe access and visibility is provided. The impact that unsuitable and inconsiderate parking had on traffic flow was also a key consideration.

## **Equalities Impact of the Proposal**

11. There is none in this scheme.

## **Risk Assessment**

12. There is no risk to the Council as a result of these proposals.

## **Financial Implications**

13. Funding will need to be sought, in order to implement these proposals.

## **Legal Implications**

14. All changes to existing parking restrictions require amendments to the Traffic Regulation Order. 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**

15. To:
  - (i) Implement the proposals as advertised.
  - (ii) Not implement the proposals.
  - (iii) Implement the proposals with amendments.

### **Reason for Proposals**

16. The comments set out in **Appendix 1** on the various objections received indicate that it is considered appropriate to introduce the scheme with the minor amendments detailed in **Appendices 2 and 3**.

### **Proposals**

17. That:
- (i) The restrictions be implemented as advertised, subject to the minor amendments detailed in **Appendices 2 and 3**.
  - (ii) The objectors be informed accordingly.

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

Letters of representation