

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

**HIGHWAYS AND TRANSPORT SERVICE**

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**REFERENCE:** HSB-28-14

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**PROPOSED WAITING RESTRICTIONS IN THE VICINITY OF PARSONAGE GREEN, SALISBURY**

**Purpose of Report**

1. To:
  - (i) Consider objections to the proposed introduction of waiting restrictions at various locations in the vicinity of Parsonage Green, Salisbury.
  - (ii) Recommend the making of the Traffic Regulation Order (TRO) as advertised.

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

2. The proposed TRO meets one of the priorities of the Council's Business Plan. That priority being:
  - Outcome 2 – People in Wiltshire work together to solve problems locally and participate in decisions that affect them.
3. Outcome 2 has been met through development of the proposals in conjunction with the local elected Wiltshire Council Member, local residents and representatives of the local bus company to address the problem of parked vehicles obstructing the bus route along Parsonage Green.

**Background**

4. Parsonage Green is located to the south-west of Salisbury City Centre in the Salisbury Harnham ward. The main access to Parsonage Green is via Saxon Road, both of which are accessed via the A3094 Harnham Road. Saxon Road serves as the main access to Harnham Infant School. In addition to Harnham Infant School the site at the southern end of Saxon Road also houses Harnham Junior School and Puddleducks Community Playgroup.
5. Saxon Road, south of its junction with Parsonage Green is subject to a prohibition of driving order. This order prevents motorists, other than residents of Saxon Road (and their visitors) and staff of the school, from driving on this section of Saxon Road. The order was introduced in 2007 to address safety concerns raised by the Harnham Schools Travel Plan Group primarily focused on the lack of a proper turning head at the southern end of Saxon Road. Parents were driving right up to the school gate when dropping off/collecting their children but the lack of a proper turning resulted in parents mounting the footways when turning their vehicle around having collected their child. Vehicles mounting the footways, at a time when parents and children were accessing/egressing the school grounds, was an obvious and understandable point of concern. The prohibition of driving order has successfully addressed this issue.
6. The introduction of the prohibition of driving order in Saxon Road effectively meant that it was not possible for parents to park in Saxon Road whilst undertaking the school run and consequently parent parking was primarily displaced into the adjacent Parsonage

Green. Parking problems in Parsonage Green have become progressively worse since the introduction of the prohibition of driving order.

7. The most commonly observed parking problem is that of parents undertaking the school run parking on both sides of Parsonage Green, preventing the R5 bus service from travelling along the road. As a consequence, the bus either has to wait in the road until it can proceed; doing so not only delays the bus service but can cause traffic behind the bus to back up into Saxon Road and onto the A3094 Harnham Road. Alternatively, the bus has to miss this section of the route out which means that passengers waiting to board or alight in Parsonage Green are unable to do so.
8. Since 2010 the Council has received requests for from local residents, the Harnham Schools Travel Plan Group, the Police and the local bus company to introduce measures to address the parking problem outlined above. In response to these requests Councillor Dalton, the local Wiltshire Council Member, asked officers to investigate the parking problems in Parsonage Green and identify solutions to address them.
9. Between October 2012 and December 2014 officers, in conjunction with Councillor Dalton, local residents, the Harnham Schools Travel Plan Group and the local bus company, developed proposals for the introduction of waiting restrictions in the Parsonage Green area to address the problems highlighted in paragraph 7 of this report.
10. Funding, via a developer contribution, was identified to allow the proposals for Parsonage Green to be progressed during the 2014-2015 financial year. In March 2014 a TRO proposing the introduction of waiting restrictions in the Parsonage Green area was formally advertised for comment. The Council's closing date for receipt of objections or other representations to the advertised TRO, together with the grounds on which they were made, was 7 April 2014.

### **Summary of Proposals**

11. One TRO was advertised as part of this scheme and proposed the introduction of a mix of 'No Waiting At Any Time' (NWAAT) and 'No Waiting' restrictions operating Monday-Friday 8.15 am - 9.15 am and 2.30 pm - 3.30 pm in Parsonage Green and Wiltshire Road.
12. The Council also took the opportunity to propose the introduction of a short length of NWAAT in Netherhampton Road to stop motorists visiting the One Stop Shop from parking on the footway in front of the shop.
13. Plans, showing the Council's advertised proposals, are attached as **Appendix 1**.

### **Summary of Responses**

14. A total of 14 items of correspondence have been received in response to the proposals contained within the advertised TRO. None of the items of correspondence received referenced the proposed NWAAT restriction in Netherhampton Road. Of the 14 items of correspondence received, 11 expressed support for the Council's proposals. Of the remaining three items of correspondence, one objected to the Council's proposals and the other two offered comments on the Council's proposals without indicating whether or not they supported or opposed them.
15. A summary of the correspondents who wrote in support of the TRO is attached as **Appendix 2**. A summary of the correspondents who wrote in opposition to or commenting on the TRO is attached as **Appendix 3**. A full summary of the comments raised by objectors, together with officer comments, is attached as **Appendix 4**. The substantive issues raised by the objector are detailed below.

16. The correspondent opposes the Council's proposals on the basis that they believe they will displace the existing parking problems into adjacent roads and that the Council should have implemented a comprehensive package of measures to deal with school travel issues in Harnham.

### **Council's Response to the Objections**

17. Highway law states that 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 right of passage. There are no legal rights to park on the highway, or obligations upon the Council (as the local highway authority) to provide parking on the public highway, but parking is condoned where the right of passage along the highway is not impeded. Where that right of passage is impeded the Council is obliged to address such matters.
18. It is accepted by the Council that the introduction of waiting restrictions into Parsonage Green and Wiltshire Road may displace parking problems into adjacent roads. However, the Council is obliged to address the obstructions being caused by parents parking whilst undertaking the school run. If parking problems are displaced into adjacent roads the Council will, if necessary, consider the introduction of additional parking restrictions (or other suitable measures) to address any issue that may arise.
19. The Council has tried to minimise the impact of displaced parking into nearby roads by retaining as much parking as possible in the aforementioned roads. The parking provision has specifically been staggered on alternative sides of the roads to make sure that they do not become obstructed with parked vehicles. The proposals will also help to control the speed of vehicles using the roads by creating chicane effects at the time of day that they receive their highest level of use.
20. It should be borne in mind that the proposals for Parsonage Green and Wiltshire Road are not specifically aimed at addressing school travel issues but at stopping the public highway from becoming obstructed. However, with that said the Council has worked with the Harnham Schools through their Schools Travel Plan Group since 2005 to introduce measures to address school travel issues, measures (amongst others) include improved walking facilities via Harnham Slope and Folkestone Road and the introduction of waiting restrictions in Old Blandford Road to allow the introduction of a Park and Stride scheme at this location. The schools have an active travel plan which promotes a number of sustainable modes of travel. A summary of the schools travel plan is attached as **Appendix 5**.
21. The Council remains committed to working with the schools to promote sustainable modes of travel and addressing school travel issues. The Council is continuing to work with the schools on delivering its travel plan through the Taking Action On School Journey's programme and is currently work on proposals to deliver a shared use path from Harnham Gyratory to the schools. The shared use path will be delivered in two phases with the first phase between Harnham Gyratory and Old Blandford Road due to be delivered on the ground in early 2015. When both phases have been introduced it will be possible for children to cycle all the way from the Rowbarrow Estate to the school (and vice versa) without having to cycle on the carriageway.
22. The work undertaken so far and proposed (as outlined in paragraphs 20 and 21) by both the Council and the schools shows that there is a continued commitment to addressing school travel issues in Harnham and that a package of measures has been and will continue to be provided.

### **Main Considerations for the Council**

23. Consideration needs to be given to the responses received and a decision made on the way forward. As previously stated there are no legal rights to park on the public highway or obligation upon the Council to provide parking on the public highway. The Council's

statutory duty as the local highway authority is to ensure that the right of passage along the highway is not impeded. Consideration of the objection to the Council's proposals needs to be undertaken in this context.

### **Safeguarding Considerations**

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

### **Public Health Implications**

25. There are none in this scheme.

### **Environmental Impact of the Proposal**

26. The introduction of NWAAT restrictions will require the laying of yellow lines on the public highway. Doing so will have impact on the visual aspect of the Parsonage Green area but has to be balanced against the need to maintain a right of passage. It should also be noted that there are existing waiting restrictions marked on the ground in the Parsonage Green area.

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

27. There are none in this scheme.

### **Risk Assessment**

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

### **Financial Implications**

29. This scheme is being funded by a Section 106 developer contribution. Should the scheme not progress, the funding would remain available within the developer contribution for allocation towards other schemes.

### **Legal Implications**

30. The introduction of new waiting restrictions requires the processing of a TRO. The process of introducing a TRO 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**

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

### **Reason for Proposal**

32. It is felt that the Council's proposals offer a balanced approach between addressing the problem of Parsonage Green becoming obstructed by parked vehicles and retaining the maximum amount of parking for the benefit of both local residents and parents undertaking the school run in the context of the Council meeting its statutory duties.

### **Proposals**

33. That:
- (i) The TRO be implemented as advertised.
  - (ii) Supporters and objectors be informed accordingly.
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**The following unpublished documents have been relied on in the preparation of this Report:**

- Letters of support
- Letters of objection

