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HIGHWAYS AND TRANSPORT

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REFERENCE: HSB-01-15

STANTON ST QUINTON, PROPOSED WAITING RESTRICTIONS AT KINGTON LANE

Purpose of Report

1. To:
 - (i) Consider objections to the proposed introduction of waiting restrictions at the junction of Kington Lane and the C72 at Stanton St Quinton.
 - (ii) Recommend that the proposed Order be abandoned and an alternative scheme of kerblines amendment be brought forward.

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; and
 - Outcome 6 – People are as protected from harm as possible and feel safe.

Background

3. In 2011 Stanton St Quinton Primary School, through their School Travel Plan, identified a desire to encourage parents dropping off and picking up children to park in Kington Lane and walk to the school, rather than park directly outside the school. Following investigation by the Council the need for changes within the Kington Lane bellmouth to accommodate an uncontrolled crossing point were identified. A consequence of this was the need to narrow down the bellmouth slightly on the western side.
4. Consultation on the proposed scheme took place in October 2011 with the school, parish council, local member, and the police. As a result, some minor changes outside the church were made. No comments were received with reference to the C72 / Kington Lane junction. Subsequent construction works took place in February 2013. A plan showing the constructed scheme is included at **Appendix 1**.
5. Since the completion of the works a number of complaints have been received relating to difficulties faced by larger vehicles when turning both into and out of Kington Lane. In particular, Snows Commercials, a business that specialises in the recovery of damaged HGVs and PSVs and has a yard located in Kington Lane, uses articulated low loaders for transport purposes and has experienced obstruction and delay at the Kington Lane junction on a number of occasions. Prior to construction the design of the junction was checked using AutoTrack software and this indicated that turn movements by large vehicles would be possible. Photographic evidence supplied by Snows Commercials shows that the difficulties they have encountered are principally due to parked vehicles, both on Kington Lane and the C72, which combined with the revised layout limits the room available to turn.

6. To address the concerns being raised, and keep the junction area clear of parked vehicles, a scheme to introduce waiting restrictions was proposed. This proposal has recently been subject to formal advertisement to enable consultation with the local community to take place. A copy of the advertised waiting restrictions is included at **Appendix 2**.

Summary of Responses

7. A total of 39 items of correspondence have been received in response to the proposals contained within the advertised TRO. Of these, one expressed support for the Council's proposals with the remaining 38 items objecting to the Council's proposals.
8. A summary of the correspondents who wrote in is attached as **Appendix 3**. A full summary of the comments raised is attached as **Appendix 4**. The substantive issues raised by the objectors are detailed below.

Main Considerations for the Council

9. Consideration needs to be given to the responses received and a decision made on the way forward. 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.
10. It is clear from the level of comment received, and the views expressed by the local community, that the introduction of waiting restrictions is seen as the wrong solution to address the problem. Furthermore, the view is expressed that the solution to the problems being encountered is to restore the junction to its previous layout as it is stated that turn issues did not exist previously. It is noted that both the school and the parish council do not support the introduction of waiting restrictions.
11. Whilst it is accepted that turn manoeuvres may well have been easier under the old layout it is evident that this was not as trouble free as the objectors have made out. Prior to the works being constructed it was evident that overrunning of the south-east verge (the left turn from the C72 into Kington Lane) by HGVs was taking place. As a consequence, the scheme design included for a concrete apron on the back of the kerbline to protect the verge and allow overrunning to continue. It is incorrect for objectors to say that the Council's design did not allow for, or have knowledge of, the HGV movements taking place.
12. Concern is expressed that the introduction of waiting restrictions would only serve to displace parking activities to other areas of the village and that this would cause more problems. Additionally, the view is expressed that parking would have to take place further into Kington Lane, thereby increasing the distance required to walk to the school. This can be seen as a disincentive to walk to school.
13. The suggestion made that returning the junction to its previous arrangement is considered to have some merit; however, no guarantee can be taken that this will fully solve all turn manoeuvres if inappropriate parking takes place. Nevertheless, the overwhelming view expressed by the local community that the junction previously operated satisfactorily needs to be noted.

Safeguarding Considerations

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

Public Health Implications

15. None.

Environmental Impact of the Proposal

16. If introduced, the proposed waiting restrictions will require the provision of additional road markings which could be considered to impact on the visual aspect of the junctions and on a rural village.

Equalities Impact of the Proposal

17. There are none in this scheme.

Risk Assessment

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

Financial Implications

19. All expenditure for the necessary works will be funded from existing Highways budgets.

Legal Implications

20. The introduction of 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 TRO being successfully challenged in the High Court.

Options Considered

21. To:

- (i) Implement the proposals as advertised.
- (ii) Abandon the proposals and seek an alternative solution.

Reason for Proposals

22. It is felt that the Council's revised proposal better responds to the views expressed by the local community and offers a balanced approach between addressing the school run parking problems and providing sufficient space in the junction bellmouth for turning HGVs.

Proposals

23. That:

- (i) The advertised waiting restrictions be abandoned
- (ii) An alternative scheme of kerblines amendment be brought forward.

(iii) Supporters and objectors be informed accordingly.

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

- Letters of support
- Letters of objection