

CABINET MEMBER FOR HIGHWAYS AND TRANSPORT – CLLR PHILIP WHITEHEAD

HIGHWAYS AND TRANSPORT SERVICE

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REFERENCE: HT-04-15

MELKSHAM AND MELKSHAM WITHOUT: PROPOSED WAITING RESTRICTIONS

Purpose of Report

1. To:
 - (i) Consider objections to the advertised proposals for parking controls at various locations in the Melksham and Melksham Without Traffic Regulation Order.
 - (ii) Recommend the making of the Traffic Regulation Order with no 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. The Wiltshire Councillors had raised concerns over a number of sites in the Melksham Town Council, Melksham Without Parish Council and these were investigated, together with other outstanding requests for amendments.

Detail

4. Following complaints alleging near misses when overtaking parked vehicles and at the request of Councillor Hubbard, and subsequent support from Melksham Town Council, proposals for waiting restrictions on Snowberry Lane in Melksham were developed.
5. Wiltshire Councillor Chivers had been approached by Melksham Without Parish Councillor for the Whitley area concerned about the parking by parents at school drop off and pick up times, particularly restricted visibility at the First Lane junction with the B3353 and issues with vehicles parking on First Lane too close to the B3353 junction.
6. Wiltshire Councillor Aves requested a change to the long-standing parking arrangements at Bath Road, to remove the time limit to provide more residential parking.

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.

Corporate Procurement Implications

10. There is none in this scheme.

Environmental and Climate Change Considerations

11. 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.

Equalities Impact of the Proposal

12. There is none in this scheme.

Risk Assessment

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

Financial Implications

14. There is an allocation in this year's Traffic and Network Management budget for design, implementation, supervision and monitoring works.

Legal Implications

15. 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

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

Reason for Proposals

17. The comments set out in **Appendix 1** on the objection received indicate that it is considered appropriate to introduce the scheme as advertised, detailed in **Appendix 2**.

Proposals

18. That:

- (i) The restrictions be implemented as advertised, detailed in **Appendix 2**.
- (ii) The objectors be informed accordingly.

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

Letters of representation