

Decision Record – Warwick District Council Off-Street Parking Order 2019

Cabinet Portfolio Holder taking the decision	Cllr Jeff Clarke Transport and Planning
Date of Decision (not before 7 December 2018)	10/12/2018

Decision Taken
That the Portfolio Holder for Transport and Planning consents to the making of the Warwick District Council Off-Street Parking Order 2019 by Warwick District Council.

Reasons for Decision
The consent of the County Council is required under section 39 of the Road Traffic Regulation Act 1984.

Background Information
<p>Warwick District Council (WDC) is proposing to introduce changes to its Off-Street Parking Order which will result in amendments to car parks operated and maintained by WDC in Warwick, Leamington Spa and Kenilworth.</p> <p>The consent of the County Council is required under section 39 of the Road Traffic Regulation Act 1984. By virtue of section 32 of that Act, off-street car parks may be provided for the purpose of relieving or preventing congestion of traffic.</p> <p>In deciding whether or not to exercise its power to consent (or to withhold consent), the Council is required to have regard to the matters set out in section 122 of the Road Traffic Regulation Act 1984. Section 122(1) requires the Council to exercise the functions conferred on it (so far as practicable having regard to the matters specified in section 122(2)) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), and the provision of suitable and adequate parking facilities on and off the highway.</p> <p>The matters to which the Council must have regard are:-</p> <ul style="list-style-type: none"> • The desirability of securing and maintaining reasonable access to premises • The effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run • The national air quality strategy prepared under section 80 of the Environmental Protection Act 1995 • The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles • And any other matters appearing to the Council to be relevant <p>Therefore whilst the overall objective of the Council must be to secure the expeditious convenient and safe movement of vehicular traffic this will sometimes need to give way to the objectives in section 122(2) and a balance has to be achieved between the overall objective and the matters set out in section 122(2).</p>

Financial Implications
None

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Portfolio Holder	Councillor Jeff Clarke

Checklist

Urgent matter?	No
Confidential or Exempt? (State the category of exempt information)	No
Is the decision contrary to the budget and policy framework?	No

List of Reports considered
Link to published proposed decision report: https://democratic.warwickshire.gov.uk/cm5/Calendarofmeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4431/Committee/593/Default.aspx

List of Background Papers
None

Members and officers consulted or informed
Portfolio Holder – Councillor Jeff Clarke Corporate Board Legal – Ian Marriott, Finance – Liz Firmstone, Virginia Rennie Equality – Clare Bonnet Democratic Services – Paul Williams Councillors Cockburn, Phillips, Clarke, Shilton and Fradgley