

Decision Record – Parking Restrictions

Cabinet Portfolio Holder taking decision

Councillor Peter Butlin – Transport and Highways

Date of Decision: (NOT BEFORE – 21st September 2012)

25th September 2012

Decision taken

I, Portfolio Holder for Transport and Highways, approve the following:

That the Warwickshire County Council (District of Warwick) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On-Street Parking Places and Residents Parking) (Consolidation) (Variation No. 18) Order 2012 be made as advertised but with the following amendments:

- 1) Subject to further consultation with residents directly affected by minor changes to the proposals as advertised, the revised proposals for Angless Way, Kenilworth, shown on Plan 2 in Appendix A, be implemented.
- 2) The proposals for residents' parking bays on the west side of Union Road, shown on Plan 1 in Appendix G, be withdrawn.

Reasons for Decisions

1.1 Proposals for waiting restrictions in various locations in Warwick District were advertised in the Courier series of publications on 12 July 2012. Objections to a number of the proposals were received. The report considers the objections and recommends how they should be dealt with.

1.2 A number of proposals were included in the advertisement with no objections being received, and therefore will be implemented as advertised.

1.3. The proposals which attracted objections or comments are in the following locations:

Kenilworth

- (i) Angless Way and Talisman Close

Leamington

- (i) Bury Road and Flavel Crescent
- (ii) Union Road
- (iii) Willes Road

Warwick

- (i) Harriott Drive
- (ii) Pickard Street
- (iii) Stratford Road and Noble Close

(iv) Tachbrook Park Estate

1.4. The comments, suggestions and objections that have been received were considered by the Portfolio Holder, together with the reasons for the proposals. A copy of the report is attached to this decision notice.

Background Information/ factors considered in arriving at these decisions - (set out below and in the officer report):

Background:

A copy of the report, including the proposed Traffic Regulations Orders and objections, is attached to this decision notice. The statutory criteria for Traffic Regulation Orders is included as Appendix I.

Report Author:	Phil Mitton
Head of Service:	Graeme Fitton
Strategic Director:	Monica Fogarty
Portfolio Holder	Councillor Peter Butlin

Checklist

Urgent matter: yes/no*

No

Confidential or Exempt (state category of exempt information)

No

Is the decision contrary to the budget and policy framework?

No

List of Reports considered [please attach or forward a copy]

Report from author.

List of Background Papers [please include directorate contact names and numbers for access to background papers]

Various letters and e-mails of support or objection

Any members and officers consulted or informed and any comments given.

Head of Service – Graeme Fitton

Transport and Highways – Roger Bennett, Estyn Williams and Roger Newham

Legal – Laura Carter

Local Members – Councillors Whitehouse, Bould, Davis, Boad, Goode, Naylor, Warner and Hopkinson

**Proposed Decision to be taken by the
Portfolio Holder for Transport and Highways
on or after 21st September 2012**

**Various Roads, Warwick District
Proposed Waiting Restrictions**

Recommendations

That the Warwickshire County Council (District of Warwick) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, On-Street Parking Places and Residents Parking) (Consolidation) (Variation No. 18) Order 2012 be made as advertised but with the following amendments:-

- (i) Subject to further consultation with residents directly affected by minor changes to the proposals as advertised, the revised proposals for Angless Way, Kenilworth, shown on **Plan 2 in Appendix A**, be implemented.
- (ii) The proposals for residents' parking bays on the west side of Union Road, shown on **Plan 1 in Appendix C**, be withdrawn.

1.0 Key Issues

- 1.1 Proposals for waiting restrictions in various locations in Warwick District were advertised in the Courier series of publications on 12 July 2012. Objections to a number of the proposals were received. The report considers the objections and recommends how they should be dealt with.
- 1.2 A number of proposals were included in the advertisement with no objections being received, and therefore will be implemented as advertised.
- 1.3. The proposals which attracted objections or comments are in the following locations:

Kenilworth

- (i) Angless Way and Talisman Close

Leamington

- (i) Bury Road and Flavel Crescent
- (ii) Union Road
- (iii) Willes Road

Warwick

- (i) Harriott Drive
- (ii) Pickard Street
- (iii) Stratford Road and Noble Close
- (iv) Tachbrook Park Estate

- 1.4. The comments, suggestions and objections that have been received are discussed below together with the reasons for the proposals. The number of objections received is shown in brackets [].

- 1.5 The statutory criteria for decisions on making Traffic Regulation Orders is included as **Appendix I**.

2.0 **Angless Way and Talisman Close, Kenilworth (Plans 1 & 2 in Appendix A)**

Proposals are for Limited Waiting parking bays (with exemptions for residents' permit holders) in Talisman Close to promote turnover of short-term parking and availability of spaces for residents, with sections of double yellow lines where carriageway width is restricted to maintain a safe running lane, preserve the free flow of traffic and to allow turning movements.

For safety reasons, double yellow lines are proposed in sections of Angless Way to preserve carriageway width and increase visibility.

- 2.1 Two letters of support were received for the proposals as advertised, along with the following objections:

Objection [2]

The inclusion of a bay for two cars at the end of Talisman Close could obstruct larger vehicles (e.g. delivery lorries and refuse collection) from turning.

Response

Carriageway width would remain sufficient for turning movements of all but the largest vehicles, and it is unlikely that articulated trailer lorries would attempt to access a small, residential cul-de-sac.

Objection [1]

The costs of resident permits are too high; residents should not be asked to foot the bill for directing commuters into fee-paying car parks.

Response

The fees levied for resident permits are to cover administrative costs only and are standard for all residents' parking schemes across Warwick District.

Objection [3]

Double yellow lines in Angless Way would leave insufficient capacity for residents and their visitors since availability of off-street parking is limited. With co-operation between neighbours, residents are currently able to park in front of their own and shared driveways without causing an obstruction.

Response

There is sufficient space to allow turning movements in the turning head whilst still retaining a limited amount of parking in front of driveways. A revised scheme with reduced lengths of double yellow lines could be considered. This would be subject to further consultation with residents directly affected by the changes.

2.2 **Recommendation**

The proposals for Talisman Close, shown on **Plan 1 in Appendix A**, be implemented as advertised.

Subject to further consultation with residents directly affected by minor changes to the proposals as advertised, the revised proposals for Angless Way, Kenilworth, shown on **Plan 2 in Appendix A**, be implemented.

3.0 Bury Road, Flavel Crescent and Tachbrook Road, Leamington Spa (Plan 1 in Appendix B)

Bury Road and Flavel Crescent are residential streets located close to Leamington Spa railway station and local shops and businesses. To promote turnover of short-term parking and availability of spaces for residents, a residents' parking scheme is proposed in Flavel Crescent and a section of Bury Road. The informal disabled bay currently in place within this area (outside 46 Bury Road) would be formalised to provide a dedicated disabled parking space for residents

To maintain a safe running lane and preserve the free flow of traffic in this area, double yellow lines are included within these proposals in Flavel Crescent and sections of Bury Road, extending a short distance into Kennan Avenue and Sargeant Street to preserve visibility at junctions.

Double yellow lines are also proposed for safety reasons on Tachbrook Road at its junctions with Gas Street, Priory Street and the un-named access road between 61 and 63 Tachbrook Road, maintaining carriageway width and visibility for vehicles entering and exiting Tachbrook Road.

- 3.1 One letter of support was received for the scheme as advertised, along with the following objections.

Objection [2]

Availability of parking spaces is already limited in Tachbrook Road due to commuters for Leamington Spa railway station and visitors to the town centre. Further reductions in available parking in Tachbrook Road and surrounding streets are going to compound the existing issues.

Response

Double yellow lines at the junctions are proposed on safety grounds, and are designed to leave the maximum available number of on-street spaces while still offering appropriate protection to vehicles entering and exiting Tachbrook Road.

There may be some displacement of parked vehicles from roads contained within the proposed residents' parking scheme. An informal consultation was carried out in 2009 regarding a residents' parking scheme incorporating Tachbrook Road, Gas Street and Priory Street; the majority response from these streets was not in favour, mainly citing the available capacity in the narrow side streets. The effects of the proposals for Bury Road and Flavel Crescent would be monitored, and should the need arise the possibility of extending the residents' parking scheme could be considered as a priority for future works.

3.2 Recommendation

The proposals for a residents' parking scheme and double yellow lines, shown on **Plan 1 in Appendix B**, be implemented as advertised.

4.0 Union Road, Leamington Spa (Plan 1 in Appendix C)

A residents' parking scheme has recently been introduced on the east side of Union Road. Objections were received during consultation based on the parking capacity of the scheme, and it was agreed that further proposals be advertised for additional bays on the west side of Union Road to promote turnover of short-term parking and availability of spaces for residents.

4.1 The following objection has been received.

Objection [1]

Several houses within Union Road have off street parking facilities. Coupled with the newly implemented residents' parking scheme on the east side of Union Road, there is already sufficient capacity for residents to park freely – further allocated bays will only serve to displace additional vehicles into nearby unrestricted roads, potentially causing problems for residents in Heath Terrace and Gulistan Road as well as for business within the area.

Response

This scheme was promoted before the full implementation of the residents' parking scheme on the east side of Union Road. Since its introduction, availability of spaces in the area has been monitored. While the residents' parking scheme is extensively used, there are generally available spaces within the bay so the quantified evidence provided by the objector is noted.

Levels of use in the existing residents' parking scheme will continue to be monitored; if capacity is proved to be insufficient then consideration could be given to extending the residents' parking scheme as a priority for future works.

4.2 **Recommendation**

The proposals for residents' parking bays on the west side of Union Road, shown on **Plan 1 in Appendix C**, be withdrawn.

5.0 Willes Road and Leam Terrace, Leamington Spa (Plan 1 in Appendix D)

Willes Road is a main route into and out of Leamington Spa town centre and has high volumes of traffic including heavy goods vehicles. Double yellow lines are proposed on sections of Willes Road to preserve carriageway width and maintain the free flow of traffic, continuing a short distance into Leam Terrace to preserve visibility at the junction.

5.1 The following objections have been received.

Objection [2]

Residents are concerned about the potential for displacement of parked vehicles into nearby streets, specifically Newbold Terrace East, where excessive volumes of parked cars already cause issues with visibility and access at junctions.

Response

It is accepted that further restricting parking on Willes Road will displace some vehicles into surrounding streets. The effects of restrictions introduced would be monitored, and if necessary access protection markings and double yellow lines at the junction of Newbold Terrace East and its cul-de-sac section could be considered as a priority for future works.

Objection [2]

Further erosion of the availability of unrestricted spaces for visitors to the town centre. The proposal does not address the issue of the lack of unrestricted parking and will push the problem to another part of town. The scope and type of restriction are unnecessary and detrimental to the area.

Response

The proposals are designed in the interests of road safety and traffic management. There will continue to be significant lengths of unrestricted parking in the surrounding area.

5.2 Recommendation

The proposals for double yellow lines on Willes Road and Leam Terrace, shown on **Plan 1 in Appendix D**, be implemented as advertised.

6.0 Harriott Drive, Warwick (Plan 1 in Appendix E)

Double yellow lines are proposed in the cul-de-sac section of Harriott Drive to keep the turning head clear of parked vehicles for safety reasons, allowing heavy goods vehicles to turn safely. This will remove the need for the current regular practice of reversing down a long section of Harriott Drive.

6.1 The following objection has been received.

Objection [1]

Putting double yellow lines in Harriott Drive will lead to Hawkes Drive, Collins Road and Heathcote Way becoming congested. Proposals will benefit Harriott Drive but further long term plans need to be put in place to benefit other areas of the estate, e.g. road widening and using currently grassed areas to create parking areas.

Response

Generally, there are no more than 6-8 cars parked in the area of proposed double yellow lines. There is sufficient capacity for these cars further into Harriott Drive on straight sections of road where parking does not obstruct movements of larger vehicles.

6.2 Recommendation

The proposals for double yellow lines in Harriott Drive, shown on **Plan 1 in Appendix E**, be implemented as advertised.

7.0 Pickard Street, Warwick (Plan 1 in Appendix F)

The proposal is for a single bay for disabled badge holders, within a bay currently designated for resident permit holders only. This bay will provide a dedicated disabled parking space in the area for residents.

7.1 The following objection has been received.

Objection [1]

Availability of spaces within the existing residents' parking scheme is already limited and removing one space would further restrict other residents' ability to park within the paid-for scheme. Disabled bays at the end of Pickard Street are already underused.

Response

The resident who originally requested the disabled bay resides within the area eligible for resident permits. While the disabled bay would be available for use by non-residents displaying a blue badge, it is anticipated that it would primarily be used by this resident or others within the area, so overall capacity would not be reduced.

The bays at the end of the cul-de-sac were originally provided as a facility for visitors and care-providers for residents in the adjacent retirement bungalows. Use of the existing disabled bays would be monitored; if they are underused there is the potential to increase capacity within the residents' parking scheme as a priority for future works.

7.2 **Recommendation**

The bay designated for Disabled Badge holders only in Pickard Street, shown on **Plan 1 in Appendix F**, be implemented as advertised.

8.0 **The A429 Stratford Road and Noble Close, Warwick (Plan 1 in Appendix G)**

The A429 Stratford Road is a bus route and main through route into and out of Warwick town centre. Double yellow lines are proposed to preserve carriageway width and maintain the free flow of traffic.

Currently unrestricted, parked cars in the section of Noble Close adjacent to Stratford Road restrict visibility and access into the road for larger vehicles, including refuse collection and emergency services. For safety reasons double yellow lines are proposed to increase visibility and to allow emergency access.

A petition has previously been received (with 300 signatures) highlighting the speed of vehicles and issues caused by parking on the whole length of Stratford Road, specifically stating "the parked cars are particularly irksome to those living near West Street", the section of road which encompasses the scheme as advertised.

8.1 The following objections have been received.

Objection [1]

To prevent cars from parking all day on Stratford Road, parking should be limited to two hours.

Response

Parked cars can restrict carriageway width on Stratford Road to the point where two vehicles are unable to pass side-by-side, especially in the case of buses and heavy goods vehicles. As a main route into and out of Warwick, the intention is not to remove all-day parking but to maintain the free-flow of traffic.

Objection [1]

Costs of parking are prohibitive for those already travelling long distances to work in Warwick town centre. For those prepared to walk long distances, the availability of unrestricted free parking in well-lit safe areas such as Noble Close makes working in Warwick viable.

Response

Proposals for Noble Close would not restrict the whole road; unrestricted parking will still be available in the straight section of road where parked vehicles would not impede access for larger vehicles, as well as in other nearby streets.

8.2 **Recommendation**

The proposals for double yellow lines in Stratford Road and Noble Close, shown on **Plan 1 in Appendix G**, be implemented as advertised.

9.0 Tachbrook Park Estate, Warwick (Plan 1 in Appendix H)

Proposals are for double yellow lines in sections of Athena Drive, Artemis Drive, Plato Close, Homer Close, Hermes Close, Tachbrook Park Drive and Harriott Drive on the Tachbrook Park Trading Estate. For safety reasons these are intended to regulate parking in an area with high volumes of Heavy Goods Vehicles, preserve the free flow of traffic, to preserve visibility at junctions and for vehicles entering the highway from private accesses.

9.1 The following objections have been received.

Objection [1]

Proposals would directly affect the availability of spaces in Apollo Way, which would leave staff at business units such as Listers VW with nowhere to park.

Objection [1]

Spaces in Athena Drive are rarely available already during the day; further restricting parking could lead to vehicles using the private (unmanned and unsupervised) allocated parking in business units such as Athena Court.

Response

The proposals are designed to retain the maximum amount of on-street unrestricted parking which can safely be accommodated while maintaining carriageway width and visibility at junction and major accesses to off-street premises.

9.2 Recommendation

The proposals for double yellow lines on the Tachbrook Park estate, shown on **Plan 1 in Appendix H**, be implemented as advertised.

10.0 Timescales associated with the decision/Next steps

10.1 Further consultation with residents of Angless Way, Kenilworth, to be undertaken immediately.

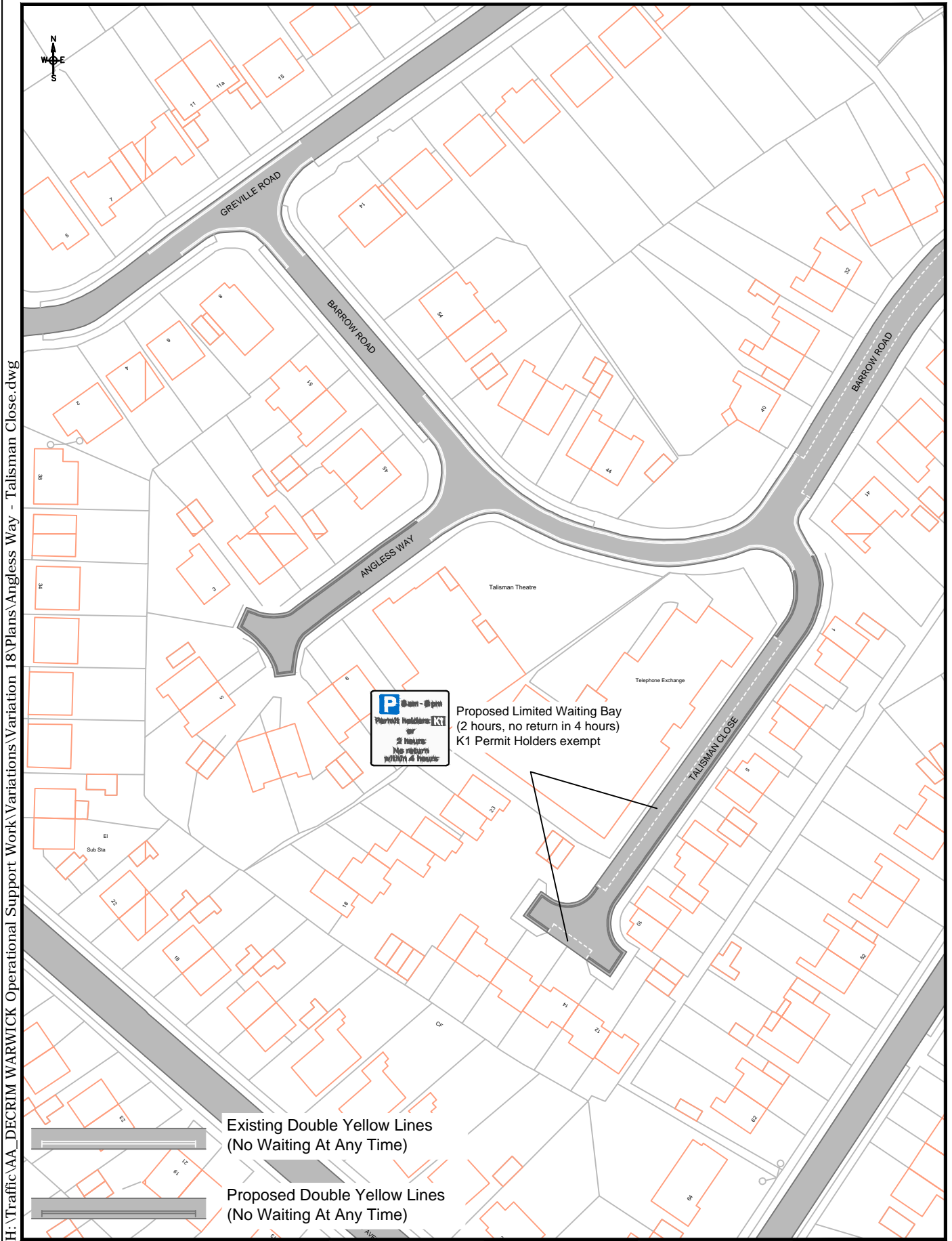
10.2 The aim will be for Variation 18 to the Traffic Regulation Order to be made and implemented within 6-8 weeks of decision.

Background Papers

1. Various letters and e-mails of support or objection

	Name	Contact Information
Report Author	Phil Mitton	philmitton@warwickshire.gov.uk
Head of Service	Graeme Fitton	graemefitton@warwickshire.gov.uk
Strategic Director	Monica Fogarty	monicafogarty@warwickshire.gov.uk
Portfolio Holder	Councillor P Butlin	cllrbutlin@warwickshire.gov.uk

APPENDIX A OF AGENDA No.



H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Angless Way - Talisman Close.dwg

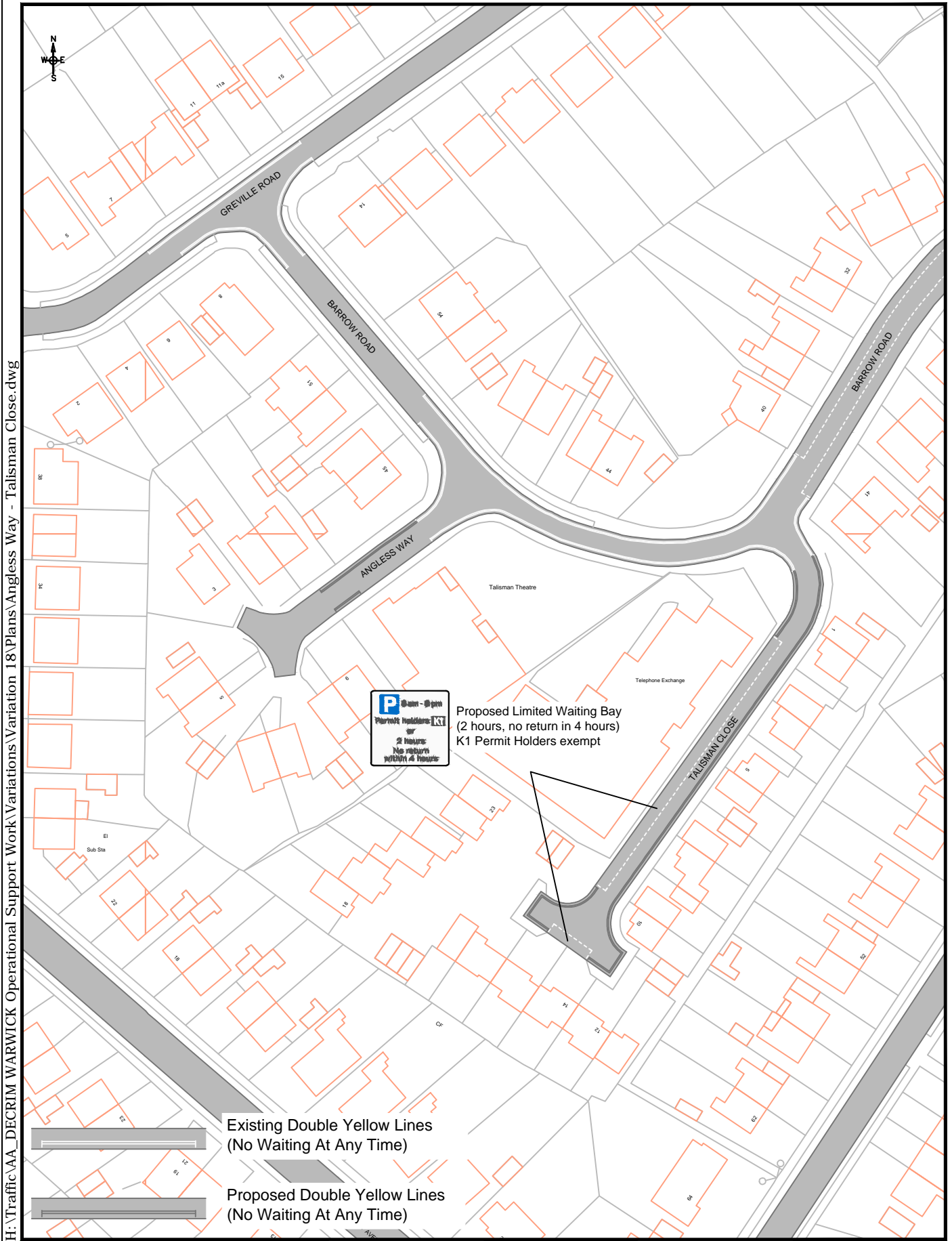
Reference No.:	TP/8703-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Talisman Close & Angless Way - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



APPENDIX A OF AGENDA No.



H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Angless Way - Talisman Close.dwg

Reference No.:	TP/8703-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

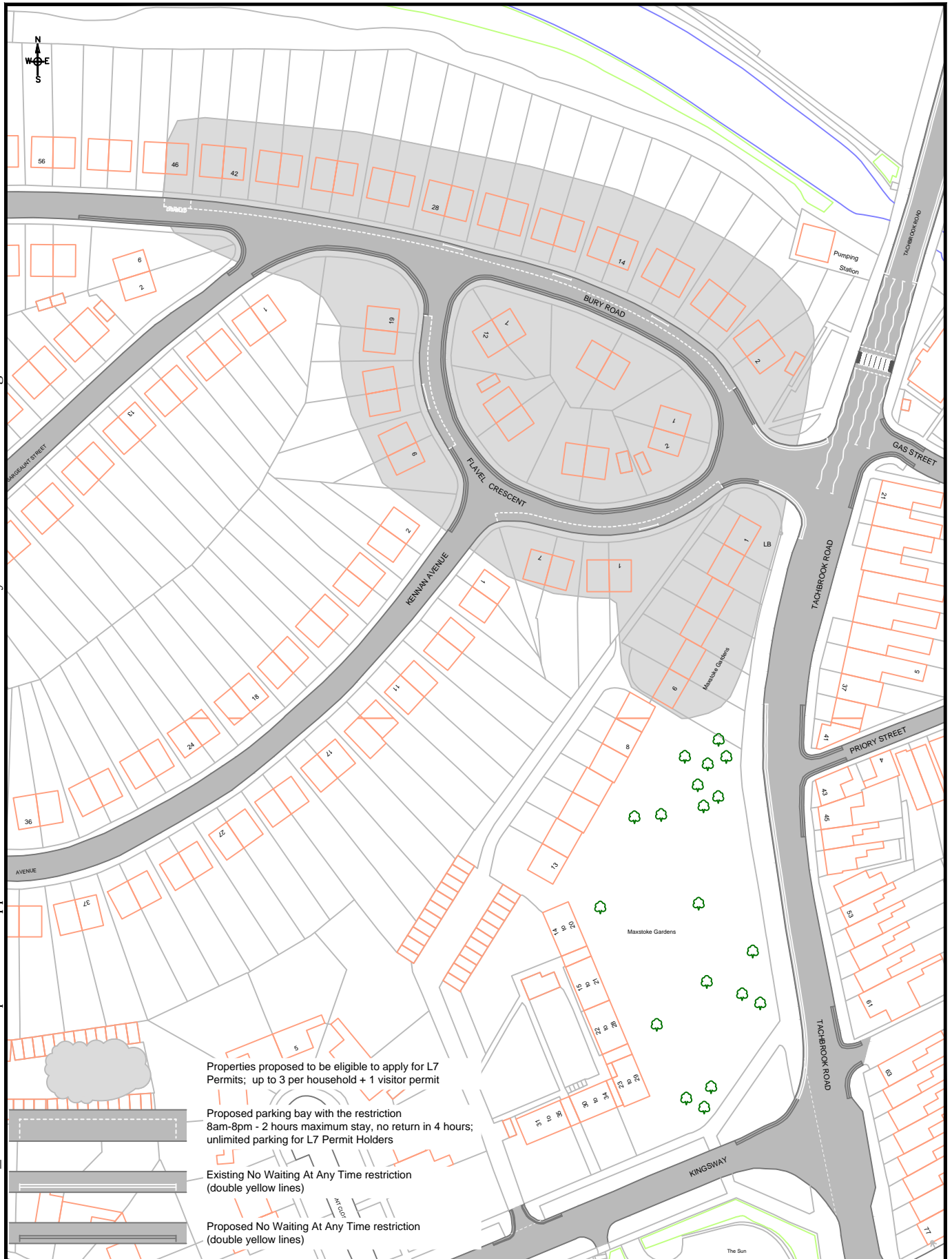
Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Talisman Close & Angless Way - Plan 2 (Revised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



APPENDIX B OF AGENDA No.


H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Bury Road - Tachbrook Road.dwg



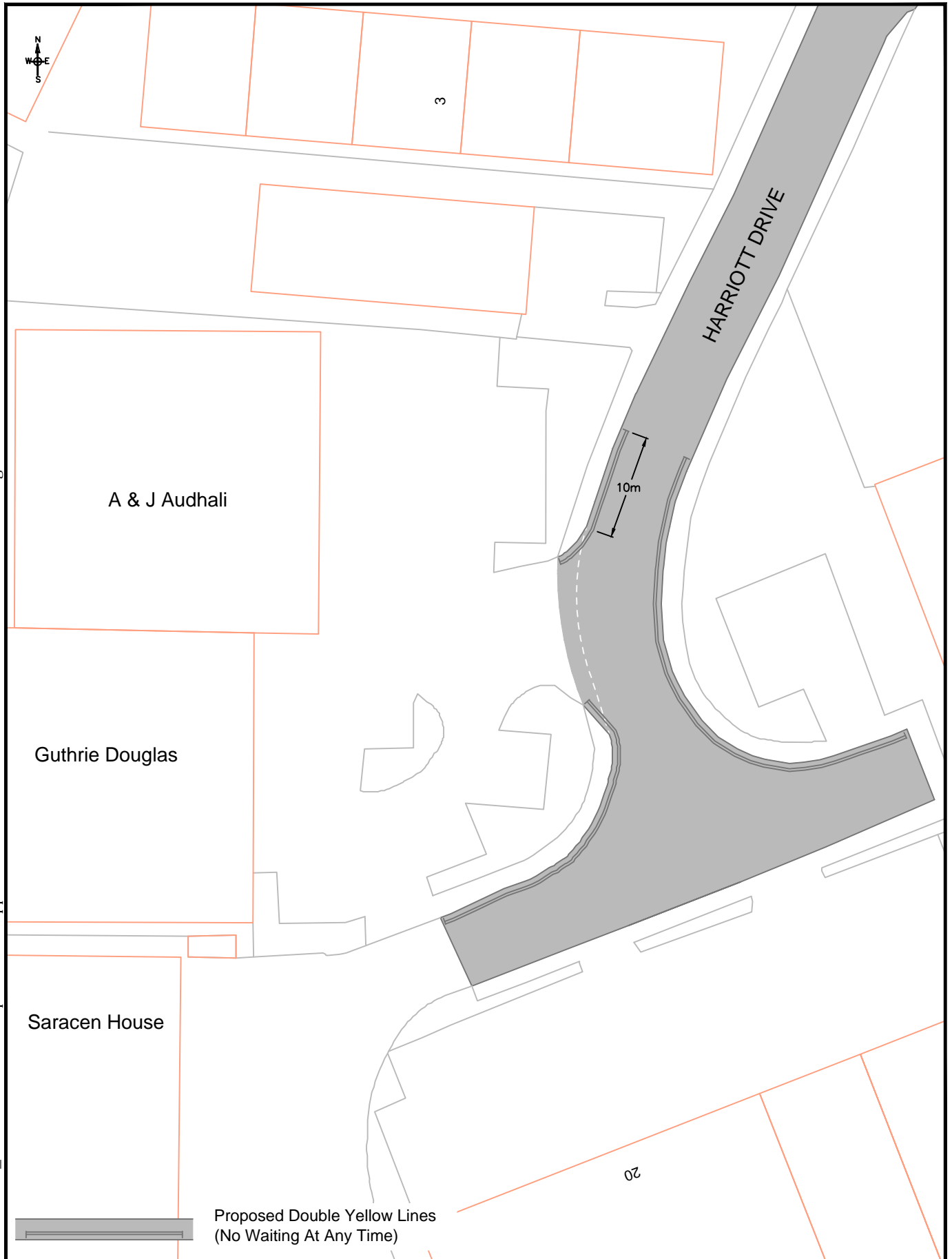
Reference No.: **TP/8705-C** Drawn by: **PM** Checked by: **RB**

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Bury Road & Flavel Crescent - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.

 **Warwickshire County Council**
 Monica Fogarty
 Strategic Director
 Communities
 PO Box 43, Shire Hall
 Warwick, CV34 4SX

APPENDIX C OF AGENDA No.



H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Tachbrook Park.dwg

Reference No.:	TP/8702-2-C	Drawn by:	PM	Checked by:	RB
----------------	--------------------	-----------	-----------	-------------	-----------

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Harriott Drive - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



APPENDIX D OF AGENDA No.

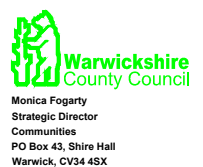
H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18 Implementation\Pickard Street.dwg



Reference No.:	TP/8765-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

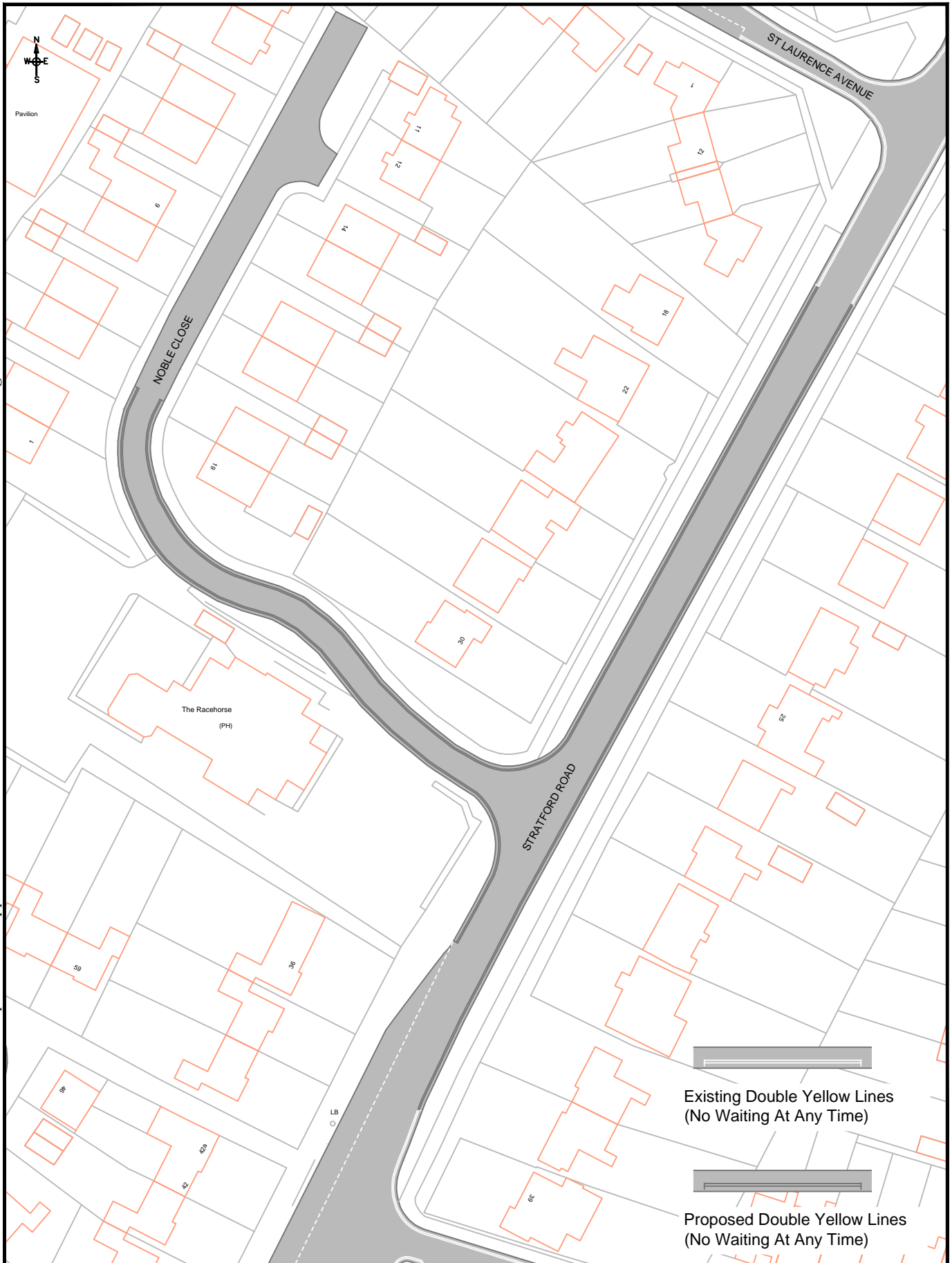
Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Pickard Street - Plan 1 (As Advertised)


Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.




APPENDIX E OF AGENDA No.

H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Noble Close - Stratford Road.dwg





Existing Double Yellow Lines
(No Waiting At Any Time)


Proposed Double Yellow Lines
(No Waiting At Any Time)

Reference No.:	TP/8700-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Stratford Road & Noble Close - Plan 1 (As Advertised)

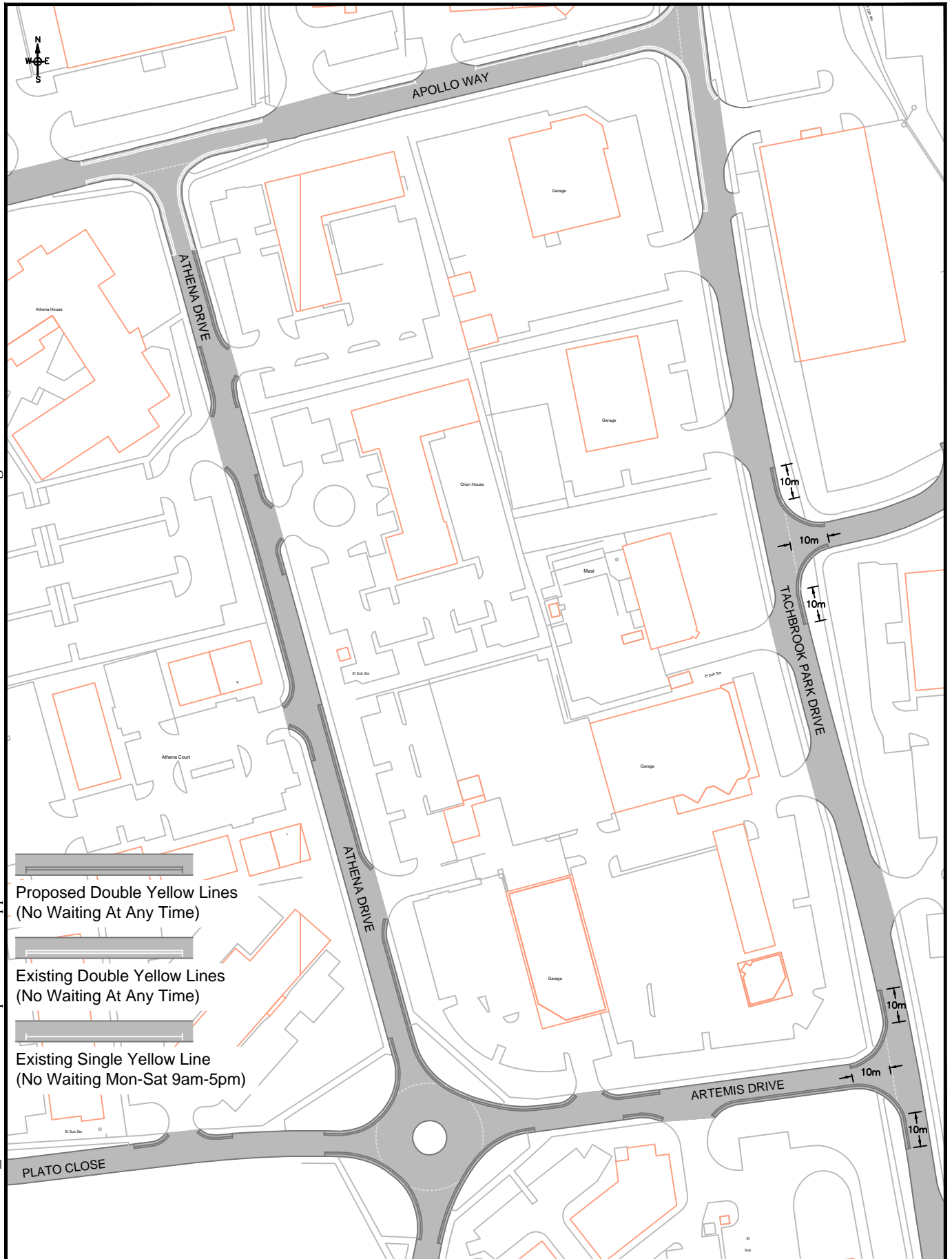
Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.

 **Warwickshire**
County Council

Monica Fogarty
Strategic Director
Communities
PO Box 43, Shire Hall
Warwick, CV34 4SX

APPENDIX F OF AGENDA No.

H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Tachbrook Park.dwg



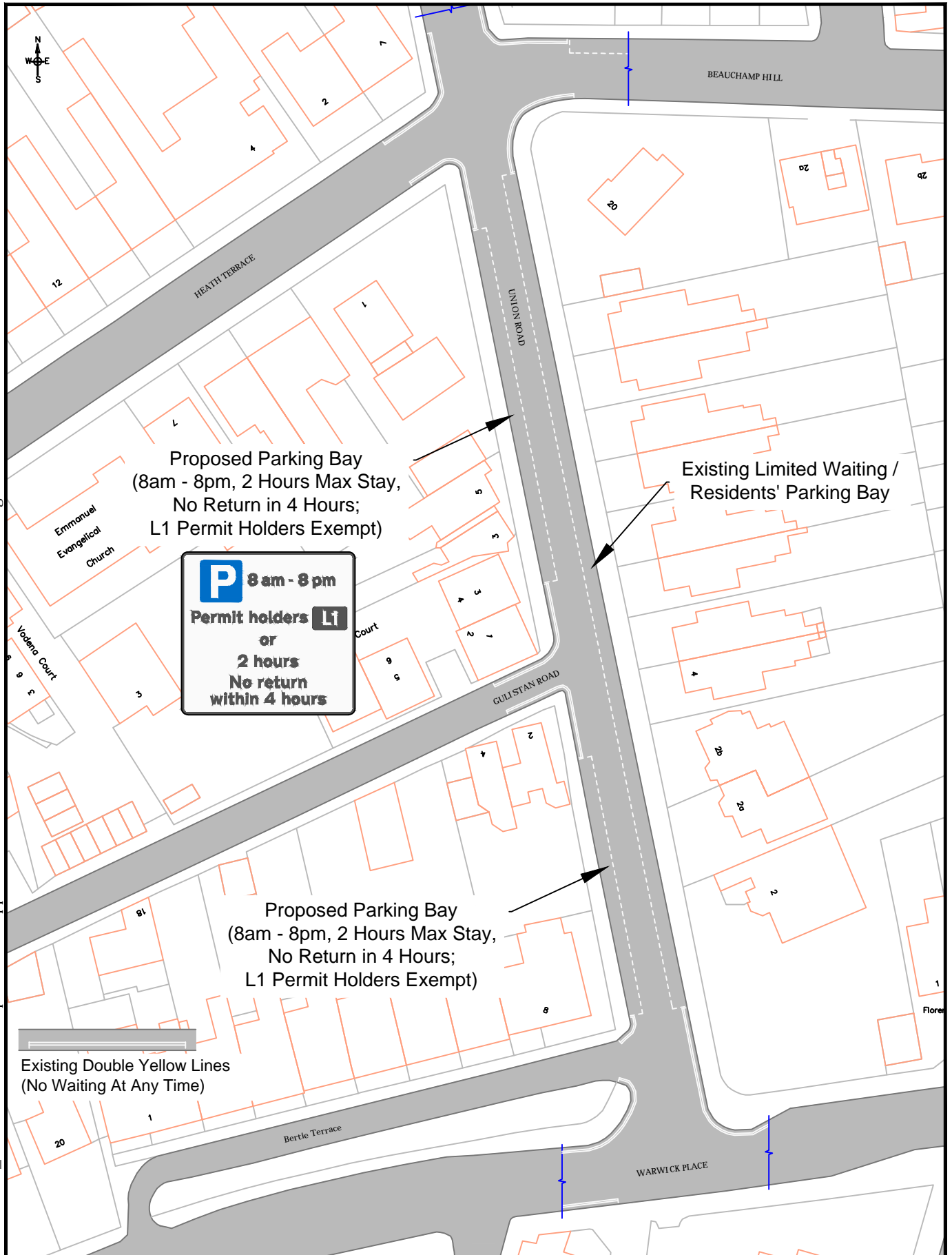
Reference No.:	TP/8702-1-C	Drawn by:	PM	Checked by:	RB
----------------	-------------	-----------	----	-------------	----

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Tachbrook Park - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



APPENDIX G OF AGENDA No.



H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Union Road.dwg

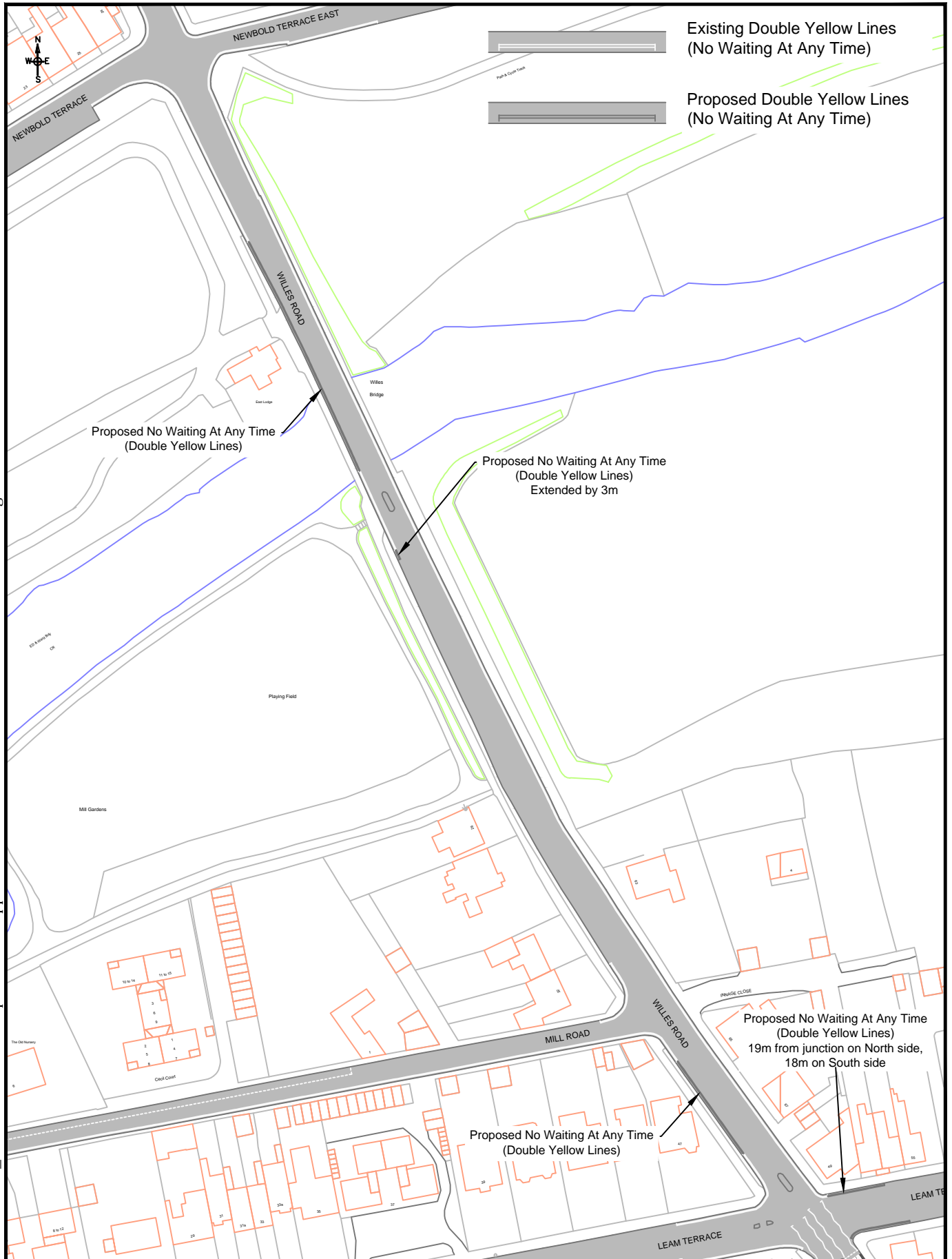
Reference No.:	TP/8704-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Union Road - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



APPENDIX H OF AGENDA No.

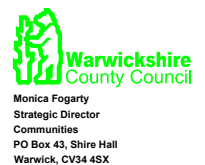


H:\Traffic\AA_DECRIM WARWICK Operational Support Work\Variations\Variation 18\Plans\Willes Road.dwg

Reference No.:	TP/8701-C	Drawn by:	PM	Checked by:	RB
----------------	------------------	-----------	-----------	-------------	-----------

Portfolio Holder, Transport & Highways - 21 September 2012
Civil Parking Enforcement - Warwick District V18
Willes Road - Plan 1 (As Advertised)

Based on Ordnance Survey mapping with the permission of the Controller of HMSO © Crown Copyright and database right 2011. Ordnance Survey 100019520. All rights reserved. Unauthorised reproduction infringes copyright and may lead to prosecution or civil proceedings. Warwickshire County Council.



Civil Parking Enforcement (CPE) - Warwick District

Statutory Criteria for Decisions on Making Traffic Regulation Orders and Parking Orders

The Road Traffic Regulation Act 1984 enables the Council to implement Traffic Regulation Orders (TROs) for one or more of the following purposes:-

- a) avoiding danger to persons or traffic;
- b) preventing damage to the road or to buildings nearby;
- c) facilitating the passage of traffic;
- d) preventing use by unsuitable traffic ;
- e) preserving the character of a road especially suitable for walking and horseriding;
- f) preserving or improving amenities of the area through which the road runs;
- g) for any of the purposes specified in section 87(1)(a) to (c) of the Environment Act 1995 in relation to air quality.

TROs are designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. Permanent TROs remain in force until superseded or revoked.

TROs must not have the effect of preventing pedestrian access at any time or preventing vehicular access for more than 8 hours in 24 to premises on or adjacent to the road. This restriction does not apply if the Council states in the order that it requires vehicular access to be limited for more than 8 hours in 24.

The Road Traffic Regulation Act 1984 also enables the Council to make orders authorising the use of part of a road as a parking place (with or without charge) for the purpose of preventing or relieving congestion.

In deciding whether or not to make an order, the Council is required to have regard to the matters set out in section 122 of the 1984 Act. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (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.

The matters to which the Council must have regard are:-

- 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

Therefore whilst the overall objective of the Council must be to secure the expeditious convenient and safe movement of vehicular traffic this cannot prevent statutory powers from being used for the specific purposes identified in section 122(1) and that a balance has to be achieved between the overall objective and the matters set out in section 122(2).