

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE WARWICKSHIRE COUNTY COUNCIL (DISTRICT OF WARWICK)
(CIVIL ENFORCEMENT AREA) (WAITING RESTRICTIONS, ON STREET PARKING
PLACES & RESIDENTS' PARKING) (CONSOLIDATION) (VARIATION NO. 18)**

ORDER 2026

STATEMENT OF REASONS

1. BACKGROUND

Warwickshire County Council is proposing to make a Traffic Regulation Order, pursuant to the Road Traffic Regulation Act 1984, the effect of which will be to introduce a "No Waiting At Any Time" restriction on a section of Coventry Road, Warwick.

In accordance with Sections 65 & 66 of the Highways Act 1980, works have been recently completed to introduce and/or amend pedestrian and cycling facilities alongside the carriageway of Coventry Road, Warwick, including a section covered by a single yellow line waiting restriction ("No Waiting, Monday – Friday, 8am – 6pm").

Since project completion it has been observed that vehicles have been parking in this section, either partially or wholly on the newly created segregated cycle lane – the inference being that the single yellow line restriction by omission leaves parking available outside these hours. However, the Highway Code states that:

"You MUST NOT leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road. [Laws CSDPA sect 21 & RTRA sects 5 & 8]"

In this instance, parking partially in the carriageway or by parking on the cycle track, which would block cyclists' use of cycle facilities, can be considered to be obstructive in nature (specifically to cyclists); this proposal is therefore intended to remove any ambiguity and 'mixed messaging' around parking in the area by formalising double yellow lines on the section formerly subject to a single yellow line.

2. LEGAL FRAMEWORK

In deciding whether or not to make a Traffic Regulation 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 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).

Warwickshire County Council is proposing to make this Traffic Regulation Order based on the following legal grounds under the 1984 Act:-

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, and

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)

Restricting parking in the carriageway aids traffic flow on Coventry Road, which forms a part of a heavily trafficked route between the A46 and Warwick centre; restricting parking partially or wholly on the cycling facilities prevents obstructive parking which otherwise has the potential to leave cyclists making evasive manoeuvres and introducing points of conflict between cyclists and users of the adjacent pedestrian facilities.

The Council, as the Traffic Authority, is required to have regard to its duty under section 16 of the Traffic Management Act 2004, to manage the local road network to achieve as far as possible:

- securing the expeditious movement of traffic on the local road network; and
- facilitating the expeditious movement of traffic on road networks for which another authority is the Traffic Authority,
- having had regard to its other obligations, objectives and policies as far as possible.

The Council is required to have regard to its duty under section 149 of the Equality Act 2010 in the making of these proposals, and give regard to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Thorough consideration was given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004 in proposing this Traffic Regulation Order.

Thorough consideration was given to the equality's duty of the Council under Section 149 of the Equality Act 2010.

3. SCHEDULE

No Waiting at any Time

Coventry Road, Warwick – west side, from a point 48 metres north of the centre line of its junction with Lakin Road, northwards for 130 metres.

4. Existing Order to be varied

The Warwickshire County Council (District of Warwick) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places and Residents' Parking) (Consolidation) Order 2017 (As Varied)

5. Plans

Scheme Location	Consultation Plan Ref.	Map Tile Ref.
Coventry Road, Warwick	PTRO25-007-01	FY54 Rev.5

Ends.