

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL (DISTRICT OF WARWICK) (CIVIL ENFORCEMENT AREA) (WAITING RESTRICTIONS, ON STREET PARKING PLACES AND RESIDENTS' PARKING) (CONSOLIDATION) (VARIATION NO. T) ORDER 2026

STATEMENT OF REASONS

1. BACKGROUND

Warwickshire County Council is proposing to make a Traffic Regulation Order, pursuant to section 1 of the Road Traffic Regulation Act 1984, the effect of which will be to adapt current No Waiting At Any Time and implement a maintenance bay restrictions to support proposed new road layout and new traffic signals.

Warwickshire County Council has received S.106 funding from various developments which has been ringfenced to provide pedestrian improvements to the junction in question. The scheme includes works to upgrade existing traffic signal equipment which has reached the end of its serviceable life, and alteration of the junction layout. S.106 funds are time limited and will need to be returned if scheme is not delivered.

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:

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

**(f)for preserving or improving the amenities of the area through which the road runs*

Rationale - Widening of footways at the location and provision of crossing facilities at this busy junction where previously there were none installed will support the passage of footway users and improve the amenities of the area.

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

No changes to restrictions (full carriageway extent currently in place) but road re-alignment necessitates update to mapping

- i) Emscote Road, Leamington Spa (both sides)
- ii) Rugby Road, Leamington Spa (both sides)
- iii) Warwick New Road, Leamington Spa (both sides)

No Stopping Except In Emergency

- i) Emscote Road, Leamington Spa
From the eastern property boundary of no. 15 Mill House Terrace, eastwards
for 13.6 metres

4. EXISTING ORDER(S) TO BE REVOKED / VARIED

YES – WDC CPE Consolidation Order (2017)

5. PLANS

P_FX57 Rev 2

9.2.A445.045-WCC-LDC-ZZ-DR-CH-0001-01

Ends.