

**WARWICKSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**Rugby CPE – Variation 14, Hollowell Way - Waiting Restrictions**

**STATEMENT OF REASONS**

**1. BACKGROUND**

Warwickshire County Council is proposing to vary the existing Warwickshire County Council (Borough Of Rugby) (Civil Enforcement Area) (Waiting Restrictions, On-Street Parking Places And Residents' Parking) (Consolidation) Order 2017 (as varied), the effect of which will to be to introduce waiting restrictions on the lengths of Hollowell Way, as described in the Schedule below.

Hollowell Way is a primarily residential street in the Brownsover area of Rugby additionally with a small shopping precinct and Boughton Leigh Infant School.

A short section of unrestricted parking between the shopping precinct and the school results in blind spots and vehicles travelling around bends and past junctions on the wrong side of the road. Proposals are to introduce a no waiting at any time restriction on the sections of road in order to allow free flow of traffic and improved visibility in an area with high levels of pedestrian and cycle travel.

**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 Hollowell Way aids traffic flow; dispersing the high concentration of demand for parking across a wider area reduces conflict points between motorists and pedestrians, potentially with reduced intervisibility.

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**

#### **Hollowell Way, Rugby**

##### **Proposed No Waiting At Any Time**

- (i) South side, from a point 36 metres east of its junction with Wetherell Way, eastwards for 39 metres

- (ii) North side, from a point 34 metres east of its junction with Wetherell Way, eastwards for 39 metres

**4. Existing Order to be varied**

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

**5. Plans**

<b>Scheme Location</b>	<b>Consultation Plan Ref.</b>	<b>Map Tile Ref.</b>	<b>Revision No</b>
Hollowell Way, Rugby	See Map Tile ED100	ED100	2

Ends.