

**13<sup>th</sup> November 2019**

Dear All,

A few weeks ago, Tim Guard approached me, and informed me that several local residents had been in contact with him, seeking to clarify the legalities around parking in the centre of the village, particularly opposite the Old Post Office.

Separately, the Headteacher of Luckington Community School also spoke to me regarding parking concerns around the school premises, particularly at the beginning and end of the school day.

I have also been approached, by other sources, who have raised concerns in respect of some vehicles being parked inconsiderately on pavements/footpaths in the village.

All these issues are outside of the remit of Luckington and Alderton Parish Council, and fall within the responsibility of the Wiltshire Council Highways Department, or in respect of enforcement action, Wiltshire Police. Consequently, I sought clarification from Wiltshire Highways in respect of the first two.

Highways have now replied, and the information they have provided is attached. The two maps show the 'extent of highway maintainable at public expense' in both the area opposite the Old Post Office and around the boundary of Luckington Community School / Pre School. These maps form part of the 'Public Record' and are drawn from a register of all 'highways maintainable at public expense', which Wiltshire Highways are obliged to keep under the provisions of the Highways Act 1980.

Highways maintained at public expense are subject to all normal traffic law (including obstruction of the highway etc), and parking restrictions, where they have been specifically implemented (with markings and signs) by the local highways authority. I don't think we have any of these in Luckington. If we did, enforcement normally rests with the police, but in some (predominantly urban areas) areas local authorities employ civilian enforcement officers to assist in dealing with parking issues. The 'extent of highway maintainable at public expense' is essentially the highway over which the public are entitled to pass and repass without hinderance.

The internet is a good source of further information regarding this and further information regarding this can be found here:

<https://www.buckles-law.co.uk/site/contact/>

<https://www.stjohnschambers.co.uk/wp-content/uploads/2018/10/Ways-highways-highways-maintainable-at-public-expense.pdf>

<https://www.houseopedia.com/knowning-the-difference-between-public-and-private-streets>

Recently, a number of residents have also raised queries over 'parking on the pavement'. This is a complex issue, and legal reality doesn't always coincide with people's expectations, but further helpful information can be found here:

<https://www.askthe.police.uk/content/Q387.htm>

<https://www.rac.co.uk/drive/advice/legal/parking-on-the-pavement/>

Overall, it is probably very beneficial for the village that Wiltshire Highways has clarified their responsibility for these areas of 'highways maintainable at public expense', particularly as the available historical information suggests that the roadway in front of The Pump House is laid over a

sizeable void/underground tank which originally fed the village pump (located near the village 'Lockup'). This sizeable void/underground tank is obviously a significant potential future liability, and it is reassuring that it falls within the Wiltshire Highways remit.

Parking can be a divisive and acrimonious issue within communities, especially if road users fail to consider the potential impact of their actions on others.

I would ask that we all:

- Think before you park on the pavement / footpath. You may be forcing other road users, especially pedestrians into the path of danger. It can be especially risky and difficult for those using prams/pushchairs or mobility scooters.
- Consider residents, there is no legal right for someone to park immediately outside their premises, but for those who have to load/unload children, shopping or luggage from their vehicles, then distance can easily become not only inconvenient, but potentially expose them to increased risk.
- Consider others when parking in the vicinity of the school, particularly at the beginning and the end of the school day. Vehicles cause obstruction and can block sight lines for pedestrians crossing the road. This can increase risk, please think of the potential consequences of your actions.
- Avoid parking in close proximity to road junctions, some of the junctions within the village are challenging at best. Parked vehicles can block the view of even the most careful drivers, please think of your impact on others.

Finally, the recent heavy rain has been a challenge for our local road drain network. This also falls under the responsibility of Wiltshire Highways. And they have undertaken a lot of drain clearance in the parish in recent weeks.

If you come across a problem on the roads with blocked drains, surface flooding or fallen trees, please report it to Wiltshire Council as soon as possible. Then they can allocate someone to deal with the issue as soon as practicable. If the issue is urgent, please call:

Wiltshire Highways on 0300 456 0105 (out of hours service)

If the issue poses an immediate danger to other road users, please consider contacting the police either on 101 (non-emergency) or via 999.

Otherwise, please report it to Wiltshire Council, by one of the following means:

- My Wiltshire App
- Telephone: Wiltshire Council Customer Services 0300 456 0100
- On line via the Wiltshire Council Website <http://www.wiltshire.gov.uk/>

Please be considerate to your fellow residents and those who pass through our parish.

Thanks,

John Buckley  
Councillor  
Luckington & Alderton Parish Council