

WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE COUNTY OF WILTSHIRE (VARIOUS BYWAYS AND FOOTPATH, AMESBURY,
BERWICK ST JAMES, DURRINGTON, WILSFORD CUM LAKE AND WOODFORD)
(PROHIBITION OF DRIVING) EXPERIMENTAL ORDER 2018**

Statement of Reasons For Making the Above-Mentioned Order

For the purpose of carrying out an experimental scheme of traffic control.

RTRA 1984 Section 1 (1)

- (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;
- (b) For preventing damage to the road or to any building on or near the road;
- (d) For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;
- (f) For preserving or improving the amenities of the area through which the road runs.

This Statement of Reasons relates to the making of the following Experimental Traffic
Regulation Order

Proposal – Experimental Traffic Regulation Order

1. It is proposed that an experimental traffic regulation order ('ETRO') should be made under the Road Traffic Regulation Act 1984 (RTRA 1984) Section 1(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, (b) for preventing damage to the road or to any building on or near the road, (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which is unsuitable having regard to the existing character of the road or adjoining property and (f) for preserving or improving the amenities of the area through which the road runs through prohibiting the use by motorised vehicles (with exceptions for agricultural

access; essential maintenance access; emergency vehicles; vehicles associated with the security and operation of the World Heritage Site (WHS) , vehicles associated with works and maintenance in connection with the A303 and invalid carriages).

2. This experimental traffic order is to be implemented in accordance with Sections 9 and 10 of the RTRA 1984.
3. The proposed experimental traffic regulation order would apply to the entire length of the byways and footpaths listed below;
 - i. **Durrington Byway 10**
 - ii. **Amesbury Byway 12**
 - iii. **Amesbury Byway 11**
 - iv. **Wilsford cum Lake Byway 1**
 - v. **Berwick St James Byway 11**
 - vi. **Woodford Byway 16**
 - vii. **Wilsford Cum Lake Byway 2**
 - viii. **Wilsford cum Lake footpath 3**

Statement of Reasons for Making the Above-Mentioned ETRO Under the RTRA 1984

Section 1 (1)

4. The Council as the traffic authority in Wiltshire may under the RTRA 1984 section 1(1);

‘make an order under this section (referred to in this Act as a “traffic regulation order”) in respect of the road 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, or (b) for preventing damage to the road or to any building on or near the road, or (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which is unsuitable having regard to the existing character of the road or adjoining property or (f) for preserving or improving the amenities of the area through which the road runs’
5. The Byways are routes situated within the Stonehenge World Heritage Site (WHS), **(as shown on the attached Plan marked.....)**. The WHS is bounded on the western side by the A360 and B3086, on the northern side by The Packway through

Larkhill, on the eastern side by the A345 and River Avon and on the southern side by a line between Great Durnford and Druid's Lodge.

6. The impact of traffic on the WHS was first raised in 1986 by UNESCO. The A344 was stopped up between its junction with Byway Amesbury 12 and its junction with the A303 at Stonehenge Bottom and the greater part of the section of the A344 between Airman's Cross and the A344 junction with Byway Amesbury 12 was made subject to a traffic regulation order prohibiting use by motor vehicles (with certain exceptions) which was implemented in 2013 when the Stonehenge Visitors Centre was first opened to the public. In June 2013 the Statement of Outstanding Universal Value ('OUV') was adopted by the World Heritage Committee. It is Government policy that WHS nominated to UNESCO must have a **WHS management plan in order to have** effective management systems in place specifying how the OUV, authenticity and integrity of each site is to be maintained. The Council as one of the stakeholders has adopted the Stonehenge WHS Management Plan 2015– 2021 ('Management Plan'). Policy 6a of the Management Plan states the need to Identify and implement measures to reduce the negative impacts of roads, traffic and parking on the WHS and to improve road safety and the ease and confidence with which residents and visitors can explore the WHS' and Policy 6b states the aim to manage vehicular access to byways within the World Heritage Site to avoid damage to archaeology, improve safety and encourage exploration of the landscape on foot whilst maintaining access for emergency, operational and farm vehicles and landowners. In 2017 a major infrastructure scheme to improve the A303 (the A303/A358 Corridor Improvements (A303 Stonehenge (Amesbury to Berwick Down scheme)) proposed a dual-carriageway via a tunnel through the WHS past Stonehenge which will protect or enhance the WHS.
7. The apparent increase in motorised traffic using the byways on a regular basis since 2013 is now causing damage to sections of the byways to an extent that some sections are now more difficult for smaller vehicles to pass through. The damaged sections would also be expected to cause significant difficulties for pedestrians, equestrian users and cyclists. The byways are unsealed and are not designed for the current levels of traffic throughout the year.
8. Anecdotal evidence indicates the byways have become far more widely used since 2013 and there has been an apparent increase in motor vehicles using particular

sections of the byways since the A344 was closed to motor vehicles in 2013. With the expected changes to the A303 through the A303/A358 Corridor Improvements (A303 Stonehenge (Amesbury to Berwick Down scheme) it is considered very likely that the levels of motorised vehicles using the byways within the WHS will continue to increase to the potential detriment of non-motorised users of the byways and visitors to the WHS. There is now considered to be a potential danger to non-motorised highway users (pedestrians, equestrians and cyclists) who are now having to negotiate around increasing numbers of both moving and disordered parked vehicles (cars, motor homes, and large vans) when using the byways where the public would normally expect levels of motorised traffic to be lower than that of other users.

9. It is considered that the proposals will generally assist to secure the safer movement of non-motorised highway users of the byways; create a safer and more pleasant environment for non-motorised highway users of the byways and visitors to the WHS therefore improving the amenities of the WHS; will reduce instances of obstructive, dangerous and displaced parking; will reduce the ongoing damage to the byways arising from the increased levels of motorised traffic and reduce incidents of anti-social behaviour in the area. It is anticipated that the proposals will also promote increased levels of non-motorised access to the WHS

10. Access for horses, horse-drawn vehicles, walkers and cyclists would be unaffected. Exceptions would be made for agricultural access; essential maintenance; emergency vehicles; vehicles associated with the security and operation of the WHS site, vehicles associated with works and maintenance of the A303 and invalid carriages.

11. When considering whether to make a traffic order the Council is under a duty pursuant to section 122 of the RTRA 1984 (as amended) 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 having regard to the matters specified in section 122’.

It is considered that the proposals will generally assist to secure the safer movement of vehicular, pedestrian, equestrian (including cyclists) traffic on the byways and within the WHS. Parking is provided for at the Stonehenge Visitors Centre and there

is also provision for public transport for visitors to Stonehenge from Salisbury. Landowners and occupiers within the Stonehenge WHS have indicated to the Council that restrictions on motor vehicles will not affect their reasonable access to their premises and land as the landowners and occupiers have not objected to the temporary restrictions put in place on the byways for motor vehicles during the Solstice Events. It is accepted that use by agricultural use has caused some damage to the sections of the byways south of the A303. Agricultural vehicles will be subject to an exception to the order but landowners and occupiers have indicated they would find alternative routes to access their land. It is therefore considered that the proposals will affect the matters as specified in section 122 as follows:

(a) the desirability of securing and maintaining reasonable access to premises;
(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the area through which the roads run;

12. The changes are initially being proposed on an experimental basis to determine the impact of the changes on the byways and the non-motorised traffic using the byways should they be introduced on a permanent basis. As such the implementation on an experimental basis will afford the council flexibility if considered appropriate to modify or suspend the Order as a result of any objections received during consultation, and provide an opportunity to monitor the effects of the scheme before consideration is given after the trial period as to whether or not the provisions of this Experimental Order should be made permanent.

13. The Experimental Order will be in force for a maximum period of 18 months before a decision is required to be made as to whether or not to bring the Order into permanent effect. Objections to the Order may be submitted within the first 6 months of the operational date, or if the Order is subsequently varied or modified, within 6 months of the date of the variation or modification coming into force.

Recommendations:

14. Following discussions with the Cabinet Member, A303 Stonehenge (Amesbury to Berwick Down Scheme) Officer Steering Group, the Police, directly affected

landowners (including Highways England and the National Trust) it is recommended that this proposal be formally advertised.

Local Member Views:

15. Local Members and the Cabinet Member for Highways Transport and Waste are aware of the intention of Officers to take this scheme forward to the formal advertisement stage.

Parvis Khansari

Director – Highways and Transport

Wiltshire Council

XXX June 2018