

25<sup>th</sup> September 2024

## **Meeting of Warminster Town Council Monday 30<sup>th</sup> September 2024**

### **ADDENDUM**

#### **19. Proposed Traffic Regulation Order for Smallbrook Road**

The town council has previously asked for a road closure in Smallbrook Road to protect toads during the breeding season. [FC/23/133 Road Closure Smallbrook Road. After discussion of the three proposed options, members resolved to apply to Wiltshire Council for a road closure to be implemented from 14th February 2025 to 13th March 2025 with funding to come from General Reserves.]

Wiltshire Council has proposed an Order under the Road Traffic Regulation Act 1984. The Order aims to introduce a Prohibition of Motor Vehicles (except for access) on Smallbrook Road, Warminster. The restriction would be enforced between 5pm and 5am, from 1st February to 30th April each year, covering the length of the road from its junction with Gypsy Lane to its junction with Upper Marsh Road. (See attached)

Consultation is being undertaken by Wiltshire Council. Comments on the proposal together with the reasons for which they are made should be sent to reach the Traffic Order Team, Sustainable Transport, County Hall, Bythesea Road, Trowbridge, BA14 8JN by 28th October 2024 quoting reference LJB/TRO/WARMpmv.

**Members to resolve what comments to make on the proposal.**

**WILTSHIRE COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE COUNTY OF WILTSHIRE (SMALLBROOK ROAD, WARMINSTER)**  
**(PROHIBITION OF MOTOR VEHICLES) ORDER 2024**

The Council of the County of Wiltshire in exercise of its powers under Sections 1, 2, 3, and 4 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) as amended and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order: -

1. Save as provided in Article 2 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer use, or cause or permit to be used, any motor vehicle in such a way that it proceeds along the length of road specified in the Schedule to this Order during the period of 5pm and 5am between 1<sup>st</sup> February and 30<sup>th</sup> April each year.
2. Nothing in Article 1 of this Order shall apply so as to prevent any person from using or causing or permitting any motor vehicle to proceed on the length of road referred to in the Schedule if the vehicle is being used:
  - (i) in the service of the Local Authority in pursuance of statutory powers or duties or in the services of the Police Authority, the Fire and Rescue Authority, or Ambulance Service;
  - (ii) in connection with any building operation, or demolition in or adjacent to the road, the removal of any obstruction to traffic in the road, the maintenance, improvement or reconstruction of the road, or the laying, erection, alteration or repair in or adjacent to the road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 of the Telecommunications Act 1984;
  - (iii) to enable the vehicle to be loaded or unloaded while it is in actual use in connection with the repair or maintenance of the properties served by the road;
3. The Council of the County of Wiltshire is satisfied that for avoiding danger to persons or other traffic using the road to which the Order relates, it is requisite that Section 3(1) of the Act should not apply.
4. This Order shall come into operation on xxxxxxxxxxxx 2024 and may be cited as The County of Wiltshire (Smallbrook Road, Warminster) (Prohibition of Motor Vehicles) Order 2024.

## **SCHEDULE**

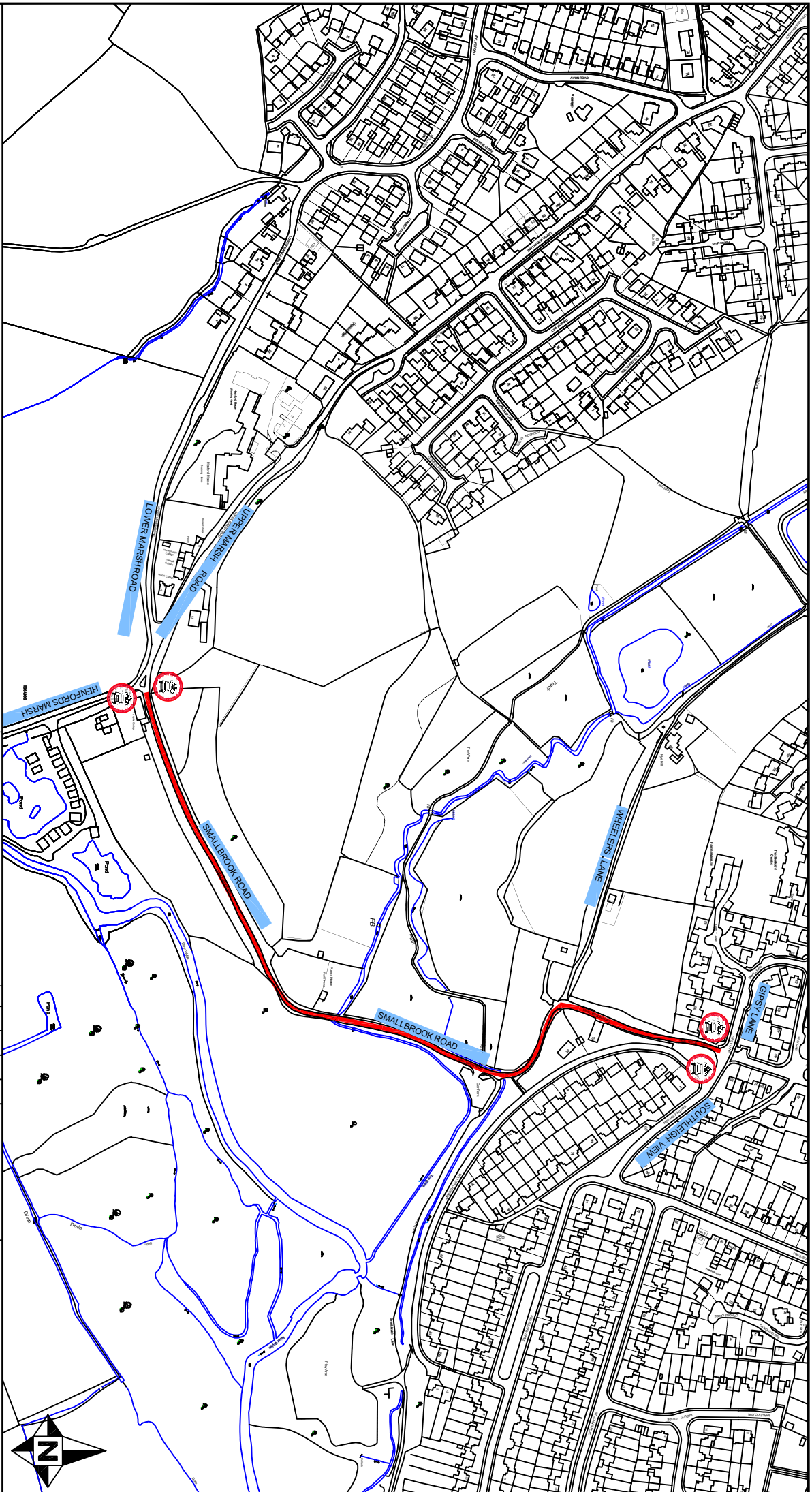
### **Road**

Smallbrook Road


### **Description**

From its junction with Gypsy Lane to its junction with Upper Marsh Road

THE COMMON SEAL of  
WILTSHIRE COUNCIL  
was hereunto affixed this  
xx day of xxxxxxx 2024  
in the presence of: -



NOTES

 Prohibition of Motor Vehicles except to access off street premises, from 1st February to 30th April, between 5pm and 5am



**Traffic Engineering Team**  
 County Hall, Bythesea Road, Trowbridge  
 Wiltshire, BA14 8JD  
 Tel: 0300 4560100  
 Website: www.wiltshire.gov.uk

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 Wiltshire Council (100044950) 2024

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A	06/24	SJA	MS	ORIGINAL	
	REV	DATE	BY/CHK	APPV	DESCRIPTION

PROJECT:		Smallbrook Road, Wyminstor	
DRAWING TITLE:		TOAD CROSSING - Prohibition of motor vehicles order	
DRAWING PURPOSE:		TOAD PLAN	
SCALES:	NOT TO SCALE	SHEET SIZE:	A4
DRAWING No.:	2024-095-SJA-0002.0	REVISION:	0
FILE REF.:	L:\7\CA\TOW\WIMINSTOR\24_2\2024-095\CA\WIMINSTOR\0002.0		

**WILTSHIRE COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE COUNTY OF WILTSHIRE (SMALLBROOK ROAD, WARMINSTER)**  
**(PROHIBITION OF MOTOR VEHICLES) ORDER 2024**

NOTICE IS HEREBY GIVEN THAT Wiltshire Council proposes to make the above Order under the Road Traffic Regulation Act 1984 the effect of which will be to introduce a **Prohibition of Motor Vehicles (except for access) during the hours of 5pm to 5am between 1<sup>st</sup> February and 30<sup>th</sup> April each year** on the following length of road:

**Smallbrook Road, Warminster** – from its junction with Gypsy Lane to its junction with Upper Marsh Road

Deposit copies of the Orders, plans and Statement of the Council's Reasons for proposing to make the Orders may be inspected at the offices of Wiltshire Council, County Hall, Bythesea Road, Trowbridge during normal office hours. Details of the proposed scheme may also be seen at Warminster Library, 3 Horseshoes Walk, BA12 9BT during the hours of 10pm to 7pm Monday, 9.30am to 5pm Tuesday and Friday, 9.30am and 12.30pm Wednesday, 9.30am to 7pm Thursday and 9.30am to 4pm Saturday until 28<sup>th</sup> October 2024. Documents can also be viewed online at <https://www.wiltshire.gov.uk/troconsultations>

Comments on the proposal together with the reasons for which they are made should be sent by post to reach the Traffic Order Team, Sustainable Transport, County Hall, Bythesea Road, Trowbridge, BA14 8JN allowing 7 days, by email to [TrafficOrderConsultations@wiltshire.gov.uk](mailto:TrafficOrderConsultations@wiltshire.gov.uk) or using the response form on the website at <https://www.wiltshire.gov.uk/troconsultations> to reach the Sustainable Transport Group by 28<sup>th</sup> October 2024 quoting reference LJB/TRO/WARMpmv.

Sustainable Transport Group, County Hall, Bythesea Road, Trowbridge BA14 8JN

4<sup>th</sup> October 2024

**WILTSHIRE COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE COUNTY OF WILTSHIRE (SMALLBROOK ROAD, WARMINSTER)  
(PROHIBITION OF MOTOR VEHICLES) ORDER 2024**

**Statement of Wiltshire Council's reasons for proposing  
to make the Order**

**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.
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Toads are protected in the UK under the Wildlife and Countryside Act, 1981. They are also a Priority Species under the UK Post-2010 Biodiversity Framework. Toads migrate across Smallbrook Road, Warminster to their ancestral pond during certain periods of the year (covered by the restrictions). These toads are at risk of being run over by vehicles using Smallbrook Road, thus reducing the already diminishing numbers of toads in the area. This TRO will enable the toad patrol to operate in a safer manner and help the toads to reach their destination, for the purpose of breeding.