

Bath & North East Somerset Council

MEETING:	Cabinet	
MEETING DATE:	13th June 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2379
TITLE:	(Various Roads Bath)(Prohibition & Restriction of Waiting)(Authorised Parking Places) Order 201x	
WARD:	Bathwick, Combe Down, Kingsmead, Lambridge, Lyncombe, Newbridge, Odd Down, Oldfield, Twerton, Walcot, Westmoreland, Weston, Widcombe,	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 containing comments received during Public Consultation.</p> <p>Appendix 2 containing map schedules of all proposed schemes for implementation after modification where recommended.</p>		

1 THE ISSUE

- 1.1 To consider the points raised during the public consultation of Traffic Regulation Order "(Various Roads, Bath) (Prohibition & Restriction of Waiting)(Authorised Parking Places) Order 201x" and decide whether to proceed with the proposed scheme.
- 1.2 The TROs have been proposed for road safety and traffic flow issues within the city.

2 RECOMMENDATION

Recommendation - The Cabinet member is asked to agree that in regard to the advertised proposals below that the proposals are implemented, modified or withdrawn as below:

- 2.1 (i) prohibit and restrict parking in lengths of road in Bath. The affected roads are Ayr Street, Bailbrook Lane, Beckford Road, Bedford Street, Beechen Cliff Road, Bradford Road, Brook Road, Bruton Avenue, Caledonian Road, Chilton Road, Church Street, Claremont Buildings, Englishcombe Lane, Fairfield Park Road, Frankley Buildings, Gloucester Road, Greendown Place, Grosvenor Place, Hayesfield Park, Junction Road, King Edward Road, Lane behind Crescent Gardens off Marlborough Lane, Lower Bristol Road, Monksdale Road, Newbridge Hill, Newton Road, Ragland Lane, Ragland Street, Ringswell Gardens, Sabin Close, Shaws Way, Snow Hill, South Avenue, St John's Road, St Michael's Road, Stuart Place, Third Avenue, Triangle North, Tynning Lane, Warminster Road, West Avenue, Wood Street and Woodlands Park;

Ayr Street / Stuart Place: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction.

Bedford Street: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the turning head.

Beechen Cliff Road: That the proposals are modified to reflect the feedback from the public consultation by removing the proposal to implement Double Yellow Lines on the south side of the road. The Double Yellow Lines proposed for the northern side of the road are implemented as advertised.

Bradford Road / Greendown Place: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction and increase availability of parking by reducing the Single Yellow Line restriction in this location to Monday to Friday rather than the existing Monday to Saturday.

Bruton Avenue: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junctions.

Caledonian Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction.

Claremont Buildings: That the proposals are implemented as advertised as no objections were received. The changes will improve traffic movement by protecting the turning head.

Church Street: That the proposals are implemented as advertised as no objections were received to increase road safety and traffic flow.

Englishcombe Lane / Sabin Close: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction and improve traffic safety in Englishcombe Lane.

Fairfield Park Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety.

Frankly buildings / Tynning Lane / Snow Hill: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junctions and improve traffic flow and safety on Tynning Lane.

Gloucester Road / Bailbrook Lane: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction.

Gloucester Road / Alice Park: That the proposals are withdrawn and not implemented at this time due to public objections to the proposals. The support from some residents in the area is also acknowledged and location will be reassessed and a revised proposal will be advertised in due course.

Grosvenor Place: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction.

Hayesfield Park: That the proposals are implemented as advertised. Objections were received to the proposal due to the loss of parking spaces but it is considered that the restrictions are necessary to ensure access and improve safety.

Junction Road: That the proposals are modified so that the Double Yellow Lines are implemented from the junction of Shaftsbury Road for a distance of 5 metres in a north easterly direction to protect the junction visibility and then reduce the proposal so that the Double Yellow Lines recommence at a point 27 metres from the junction for a 14.5 metres travelling in a north easterly direction to protect the entrance and garages rather than as a continuous restriction. This provides the best compromise between safety, access and allowing parking in the area.

Lower Bristol Road: That the proposals are implemented as advertised as no objections were received.

Monksdale Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety and traffic flow by extending the existing Double Yellow Line restriction.

Newbridge Hill: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety and traffic flow by extending the existing Double Yellow Line restriction.

Ragland Street / Ragland Lane: That the proposals are modified to reflect the feedback from the public consultation so the restrictions are implemented on the adopted length of Ragland Street from its junction with Ragland Lane for a distance of 6.5 metres in a northerly direction on the eastern side and from its junction with Ragland Lane for a distance of 4.5 metres in a northerly direction on the western side of the road. On Ragland Lane south side from a point 110 metres east of its junction with Solsbury Way for a distance of 3.8 metres in an easterly direction. The modified restrictions give improved visibility at the junction of Ragland Street to improve road safety whilst recognising the pressures of parking in the area.

Shaws Way / Newton Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction by extending the existing Double Yellow Line restriction and installing additional Double Yellow Line restrictions on the opposite side of the junction.

St Michaels Road / St Johns Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction and the entrance to the cemetery.

Third Avenue / King Edward Road: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety at the junction by converting the existing Single Yellow Line Restriction to a Double Yellow Line restriction on to the northern side of the junction and installing an additional Double Yellow Line restriction on the southern side of the junction.

Lane Behind Crescent Gardens: That the proposals are withdrawn and not implemented at this time due to public objections to the proposals. The area will be monitored and reassess in the future.

Lower Bristol Road / Wood Street: That the proposals are implemented as advertised as no objections were received. The changes will improve road safety by converting the existing Single Yellow Line restriction to a Double Yellow Line.

West Avenue / South Avenue / Triangle: That the proposals are implemented as advertised except the Double Yellow Lines outside no 47/48 West Avenue and 97/98 West Avenue which will be withdrawn from the proposals due to objections from residents.

Warminster Road: That the proposals are implemented as advertised as no objections were received to the specific Double Yellow Lines within the proposal which protect accesses to properties and garages. .

- 2.2 (ii) limit waiting in lengths of road in Bath. The affected roads are Beckford Road, Lower Bristol Road and Warminster Road.:

Recommendation –

Beckford Road: That the proposals are withdrawn and not implemented at this time due to public feedback. The area will be reassessed in due course.

Lower Bristol Road: That the proposals are implemented as advertised as no objections were received.

Warminster Road: That the restrictions are implemented as proposed to improve the ability of parents to park by the school and discourage all day parking by commuters.

3 FINANCIAL IMPLICATIONS

3.1 Funding for the schemes is estimated as between £3,620 – 4,344. Funds are confirmed as available from within the Local Transport Plan Capital Budget for this financial year.

3.2 Lines have a life expectancy of between 7 and 10 years. The consultation process included Highways and no concerns were raised regarding on-going maintenance costs and these works can be incorporated within the existing revenue budget. The highways maintenance budget is prioritised for road safety issues in the first instance, however parking restrictions do need to be maintained to ensure enforcement can be undertaken.

4 CORPORATE OBJECTIVES

- *Building communities where people feel safe and secure*
- *Improving transport and the public realm*

4.1 Comment on the Proposed Changes to Parking Restrictions (see Appendix 1), take into account the matters referred to above.

5 THE REPORT

- 5.1 The proposals were developed as the result of the concerns of the Traffic and Safety Team, Ward Councillors and local residents caused by increasing problems as a result of the growing number of vehicles parking in inappropriate places in the area throughout the day. These vehicles park in close proximity to junctions (causing visibility problems), on narrow sections of road and close to driveways (where vehicle access is restricted).
- 5.2 Consideration needs to be given to the responses received and a decision made on the way forward. Common Law states the highway is for the passage and re-passage of persons and goods, and consequently any parking on the highway is an obstruction of that right of passage. There are no rights to park on the highway but parking is condoned where the right of passage along the highway is not impeded. The consideration of the objections to the introduction of controls has to be considered in this context. There is also no legal right to park on the highway either outside a property or even within a specific street.
- 5.3 The TRO is being proposed is the duty of every local authority to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities as set out in section 122 Road Traffic Regulation Act 1984 (RTRA) .
- 5.4 The points raised in relation to the proposed scheme are set out in the attached Appendix with officer comments.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

- 7.1 An EqIA has been completed. No adverse or other significant issues were found.
- 7.2 The proposals will improve access to and from residential properties in the area and traffic flow including bus services. Additionally the proposals will improve pedestrian access at junctions by removing parking vehicles to allow full use of the pedestrian dropped kerb crossings, facilitating access for pedestrians with wheelchairs and pushchairs.

8 RATIONALE

- 8.1 The recommended restrictions are proposed so as to avoid danger to persons or other traffic using the road or to prevent the likelihood of any such danger arising and to facilitate the passage on the road or any other road of any class or traffic.
- 8.2 Under Section 1 of the Road Traffic Regulation Act 1984 a Traffic Authority may make an Order as specified below:

The traffic authority for a road outside Greater London may make an order under this section (referred to in this Act as a "traffic regulation order") in respect of the road] where it appears to the authority making the order that it is expedient to make it—

(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, or

(b) for preventing damage to the road or to any building on or near the road, or

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

(e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or

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

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

9 OTHER OPTIONS CONSIDERED

9.1 To implement all restrictions as advertised. This option was rejected based on the public feedback to the proposals as advertised.

9.2 To not implement any of the schemes. This option was rejected as the proposals, including those modified, improve the road safety, parking and traffic flow on the specified roads.

10 CONSULTATION

10.1 *Ward Councillors; Other B&NES Services; Local Residents; Stakeholders/Partners; Other Public Sector Bodies*

10.2 The proposals were advertised by erecting notices along the affected lengths of road for a 21 day period ending on 1st March 2012, inviting written comments to the proposal. At the same time a copy of the notice was placed in the Public Notice section of the local newspaper. Responses made are set out in the Appendix to this report.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Customer Focus; Health & Safety; Other Legal Considerations*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Chris Major 01225 394231
Sponsoring Cabinet Member	<i>Councillor Symonds</i>
Background papers	Nil
Please contact the report author if you need to access this report in an alternative format	