

Bath & North East Somerset Council

DECISION MAKER:	Cllr Caroline Roberts, Cabinet Member for Transport	
DECISION DATE:	On or after 1 st January 2015	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2705
TITLE:	OUTER AREA, BATH, ZONE 15 & 16 PARKING VARIATION	
WARD:	WALCOT	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 - Drawing No. PR15-16/01 "Proposed Changes to Layout" Appendix 2 - "Equality Impact Assessment / Equality Analysis". Appendix 3 - "Formal Consultation Responses".		

1 THE ISSUE

- 1.1 To consider the points raised during the public consultation of Traffic Regulation Order "Outer Area, Bath, Zone 15 & 16 Parking Variation" and decide whether to proceed with the proposed scheme.

2 RECOMMENDATION

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Cabinet member is asked to agree that, in regard to the advertised proposals, the proposals be implemented, modified or withdrawn as below:

- 2.1 *"To vary residents parking conditions for parts of Arundel Road, Frankley Buildings and Margaret's Hill, Bath."*

Margaret's Hill – That the proposals are implemented as advertised as no objections were received. This proposal increases parking in Zone 16 in a location that is adjacent to the Zone.

Frankley Buildings – That the proposals are withdrawn and not implemented at this time due to public objections to the proposals.

Arundel Road - That the proposals are implemented as advertised as no objections were received. This proposal allows specific properties (Blue Cedar, 25 and 26) that face onto Camden Road to be included within the Residents Parking Zone.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Costs are limited to the removal and replacement of the two signs indicating the start of the restriction on to existing posts and overlaying the zone number on the bay signs, a total cost of approximately £110. This work will be carried out as part of the Transport Improvement Block capital budget, which is funded by the Integrated Transport Block Grant.
- 3.2 As there are no additional assets there will be no on-going revenue costs as a result of this work.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 A proportionate Equalities Impact Assessment has been carried out. No discriminatory factors have been identified. The Equalities Impact Assessment is included as Appendix 2.

5 THE REPORT

- 5.1 The Council has committed to review all Residents Parking Zones when required to ensure that they are still functioning as designed and to allow small changes within the Zone boundaries and in exceptional circumstances to consider adding adjacent roads if residents agree. The proposals were developed as the result of the concerns of Ward Councillors and local residents who wanted changes to be made.
- 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 as it 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 (RTA) .
- 5.4 The points raised in relation to the proposed scheme are set out in the attached Appendix with officer comments.

6 RATIONALE

6.1 The proposals were consulted upon to address operational parking issues and in response to public and Ward Councillor demand.

7 OTHER OPTIONS CONSIDERED

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

7.2 To not implement any of the schemes. This option was rejected as the proposals recommended for implementation improve the parking and traffic flow on the specified roads.

8 CONSULTATION

8.1 Ward Members; Internal transport colleagues; Other B&NES Services; Local Residents; Emergency Services.

8.2 Consultation was carried out by e-mailing internal and external contacts. Notices were also advertised in the local press and erected on all affected roads and locations of specific interest for a 21 day period from 9th to the 30th October 2014. All affected people had the opportunity to participate in the TRO consultation process, and to make their opinions known.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	
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