

## Bath & North East Somerset Council

DECISION MAKER:	Cllr Anthony Clarke, Cabinet Member for Transport		
DECISION DATE:	On or after 21 <sup>st</sup> May 2016	EXECUTIVE FORWARD PLAN REFERENCE:	
		E	2865
TITLE:	Traffic Regulation Order (VARIOUS ROADS, SOUTH WEST, OUTER AREA, BATH) (PROHIBITION AND RESTRICTION OF PARKING AND LOADING) (NO STOPPING ON SCHOOL ENTRANCE MARKINGS) (AUTHORISED AND DESIGNATED PARKING PLACES) (VARIATION NO. 3) ORDER 201- Consideration of responses to public consultations		
WARD:	Westmoreland		
<b>AN OPEN PUBLIC ITEM</b>			
<b>List of attachments to this report:</b>			
Appendix 1 – Plan of proposals			
Appendix 2 – Comments received in response to public consultation			

### 1 THE ISSUE

- 1.1 This report considers comments received in response to public advertisement of the Traffic Regulation Order: (VARIOUS ROADS, SOUTH WEST, OUTER AREA, BATH) (PROHIBITION AND RESTRICTION OF PARKING AND LOADING) (NO STOPPING ON SCHOOL ENTRANCE MARKINGS) (AUTHORISED AND DESIGNATED PARKING PLACES) (VARIATION NO. 3) ORDER 201- (“TRO”)

### 2 RECOMMENDATION

The Cabinet Member is asked to agree that the advertised proposals are implemented, modified or withdrawn as below:

#### 2.1 Restrictions as detailed on plan E10.

**Roads affected:** Midland Road & Stothert Avenue.

**Restriction:** 3 Hour Limited Waiting bays, Mon – Sat, 8am – 8pm, No Return Within 2 Hours and Disabled Parking Bays.

**Recommendation:** That the proposals are withdrawn as the Council received 11 objections to the implementation of these restrictions and only 1 response in support. There is a strong desire by all parties, i.e. residents, ward members, Crest Nicholson and Officers, to consider further options than those proposed.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The cost of this work is estimated to be £2-3k and is funded from within the Transport Improvement Block capital programme, which is funded by the DfT Integrated Transport Block grant.
- 3.2 Road markings 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 as 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 and these will be incorporated in existing budgets as part of those works.
- 3.3 There is no impact to parking income from these changes.

### **4 CORPORATE OBJECTIVES**

- 4.1 The following corporate objectives apply:
- Creating neighbourhoods where people are proud to live
  - Building a stronger economy

### **5 THE REPORT**

- 5.1 The proposals were publicly advertised from 7<sup>th</sup> April 2016 to 28<sup>th</sup> April 2016. The proposals are shown in plan form in Appendix 1. The proposals were developed as the result of the concerns of Crest Nicholson, the Traffic & Safety, Parking and Traffic Management Teams, Ward Councillors and local residents, caused by increasing problems related to parking, which is becoming a greater concern on many streets around Bath due to the increasing volume of vehicles on the roads and the growing number of vehicles parking inappropriately. A total of 12 responses were received during the public consultation. The responses are summarised in Appendix 2.
- 5.2 Consideration needs to be given to the responses received and a decision made on the way forward. Common law has established that a highway is a defined route over which "the public at large" can pass and repass as frequently as they wish, without hindrance and without charge. 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 objections to the introduction of controls has to be considered in this context.
- 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.

### **6 RISK MANAGEMENT**

- 6.1 The report author and 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 RATIONALE**

- 7.1 The proposals are designed to address operational traffic issues and parking capacity issues.

## **8 OTHER OPTIONS CONSIDERED**

- 8.1 None considered.

## **9 CONSULTATION**

- 9.1 Ward Councillors; Cabinet members; Staff; Other B&NES Services; Local Residents; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer
- 9.2 Ward Councillors, Emergency Services and local residents have been consulted via public advertisement. Internal officers have been consulted via circulation of this report.

## **10 ISSUES TO CONSIDER IN REACHING THE DECISION**

- 10.1 Social Inclusion; Customer Focus; Sustainability; Health & Safety.

## **11 ADVICE SOUGHT**

- 11.1 The Council's Monitoring Officer (Head of 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.

<b>Contact person</b>	Kris Gardom, Parking Engineer 01225 395362
<b>Background papers</b>	Road Traffic Regulation Act 1984 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996
<b>Please contact the report author if you need to access this report in an alternative format</b>	