

## Bath & North East Somerset Council

DECISION MAKER:	Cllr Anthony Clarke, Cabinet Member for Transport		
DECISION DATE:	On or after 1 <sup>st</sup> July 2016	EXECUTIVE FORWARD PLAN REFERENCE:	
		E	2880
TITLE:	Traffic Regulation Order ( <b>VARIOUS ROADS, CENTRAL AREA, BATH</b> ) ( <b>PROHIBITION AND RESTRICTION OF PARKING AND LOADING</b> ) ( <b>NO STOPPING ON ENTRANCE MARKINGS</b> ) ( <b>AUTHORISED AND DESIGNATED PARKING PLACES</b> ) ( <b>VARIATION NO. 11</b> ) ORDER 201* Consideration of responses to public consultations		
WARD:	Abbey, Bathwick, Kingsmead, Lansdown		
<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

This report considers comments received in response to public advertisement of the Traffic Regulation Order: (**VARIOUS ROADS, CENTRAL AREA, BATH**) (**PROHIBITION AND RESTRICTION OF PARKING AND LOADING**) (**NO STOPPING ON ENTRANCE MARKINGS**) (**AUTHORISED AND DESIGNATED PARKING PLACES**) (**VARIATION NO. 11**) 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The Cabinet Member is asked to agree that the advertised proposals are implemented, modified or withdrawn as below: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 F8.

**Roads affected: Cavendish Road**

**Restriction:** Proposed relocation of Resident Parking bay

**Recommendation:** That the proposals are **Withdrawn** at this time as the Council received 2 objections to these recommendations and no comments of support during the consultation.

#### 2.2 Restrictions as detailed on plan F8.

**Roads affected: Park Street**

**Restriction:** Proposed No Waiting At Any Time markings

**Recommendation:** That the proposals are **withdrawn** at this time as the Council received 1 objection and no comments of support. Bollards have been placed on-site since this initial consultation began, which prevents vehicles from parking on the pavement in this location. We therefore feel No Waiting At Any Time markings are not required in this location at this time and so it is recommended that these restrictions, due to the lack of resident support, are not implemented.

**2.3 Restrictions as detailed on plan G9.**

**Roads affected: Bennett Street**

**Restriction:** Proposed Disabled Parking Bay

**Recommendation:** That the proposals are **withdrawn** at this time as the Council received 1 objection and no comments of support. On-street parking stock is in great demand in this area and so it is recommended that these restrictions, due to the lack of resident support, are not implemented at this time.

**2.4 Restrictions as detailed on plan H10.**

**Roads affected: Pulteney Mews**

**Restriction:** Proposed No Waiting At Any Time markings

**Recommendation:** That the proposals are **implemented**. The Council received 1 objection but a vehicle parked in this location can cause an obstruction to the neighbouring property by preventing a vehicle from leaving the garage. The objection states that this is private land but our adoption records show this as public highway and a current resident parking bay which can be used by anyone with a Zone 1 permit is in situ. The purpose of the highway is for the safe passage and re-passage of vehicles. Parking is an obstruction of that right and we therefore recommended this small section of No Waiting At Any Time markings are implemented.

**2.5 Restrictions as detailed on plan I11.**

**Roads affected: Pulteney Road**

**Restriction:** Proposed No Waiting At Any Time markings

**Recommendation:** That the proposals are **implemented** at this time as the Council received no objections to these proposals and they improve accessibility and visibility on the highway for the safe passage and re-passage of vehicles.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The cost of this work is estimated to be £1 - 1.5k and is funded from within the Transport Improvement Block capital programme, Parking Capital Budget.
- 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 24<sup>th</sup> March 2016 to 14<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 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 5 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>	Ariane Robinson Parking Engineer 01225 394602
<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>	