

Bath & North East Somerset Council

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| DECISION MAKER: | Cllr Anthony Clarke, Cabinet Member for Transport | | |
| DECISION DATE: | On or after 2nd July 2016 | EXECUTIVE FORWARD PLAN REFERENCE: | |
| | | E | 2879 |
| TITLE: | Traffic Regulation Order (VARIOUS ROADS, NORTH WEST OUTER AREA, BATH) (PROHIBITION AND RESTRICTION OF PARKING AND LOADING) (NO STOPPING ON ENTRANCE MARKINGS) (AUTHORISED AND DESIGNATED PARKING PLACES) (VARIATION NO. 7) ORDER 201* Consideration of responses to public consultations | | |
| WARD: | Upper Weston, Lower Weston, Weston & Newbridge | | |
| AN OPEN PUBLIC ITEM | | | |
| List of attachments to this report: | | | |
| 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, NORTH WEST OUTER AREA, BATH) (PROHIBITION AND RESTRICTION OF PARKING AND LOADING) (NO STOPPING ON ENTRANCE MARKINGS) (AUTHORISED AND DESIGNATED PARKING PLACES) (VARIATION NO. 7) 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The Cabinet Member is asked to agree that the advertised proposals are implemented, modified or withdrawn as below: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 B4 and C4.

Roads affected: Lansdown Lane, Brookfield Park

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are **implemented** as the Council received only 1 objection to the implementation of these restrictions, at the junction of Lansdown Lane and Brookfield Park. These restrictions have been requested by the local Councillors, Colin Barret and Malcom Lees, as parking on the entrance to

this road means that people turning in would face on-coming traffic. It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.

2.2 Restrictions as detailed on plan B8.

Roads affected: Partis Way, Apsley Close and Apsley Road

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are **implemented** as the Council received only 1 objection; these restrictions were agreed with local Councillors and are being proposed to improve accessibility for emergency and refuse vehicles by preventing vehicles from parking on corners and in turning heads.

2.3 Restrictions as detailed on plan H7.

Roads affected: Bennetts Lane and Snow Hill.

Restriction: Proposed No Waiting At Any Time markings

Recommendation: That the proposals are **implemented** as the Council received 2 comments of support, 4 of support in part and 2 objections. As these proposals have been agreed by local Councillors, during a walk about, to aid accessibility and for refuse and emergency vehicles it is recommended that these proposals are implemented.

2.4 Restrictions as detailed on plan C9.

Roads affected: Kennington Road

Restriction: Proposed removal of Motorcycle Bay

Recommendation: That the proposals are **implemented** as the Council received no objections and on-street parking stock is in high demand.

2.5 Restrictions as detailed on plan D7.

Roads affected: Cedric Road

Restriction: Proposed removal of Resident Parking bay and replacement with No Waiting At Any Time markings.

2.6 **Recommendation:** That the proposals are **Implemented** as, although the Council received 10 objections to the removal of these bays, and only 3 comments in favour, after consultation with Parking Services it is of their opinion that there is usually capacity, within the road, to allow for the removal of the spaces and leave adequate parking for permit holders. This addresses the capacity concerns raised by the objectors. It was also agreed by Parking Services that there would be no impact on potential income. As the purpose of the highway is for the safe passage and re-passage of vehicles it is recommended that these bays are removed to allow safe access on and off the highway by local residents

as on-street parking capacity is not considered to be an issue. **Restrictions as detailed on plan D8.**

Roads affected: Cedric Road and Audley Park Road.

Restriction: Proposed removal of Resident Parking bay and replacement with No Waiting At Any Time markings on Cedric Road and proposed No Waiting At Any Time markings on Audley Park Road.

Recommendation: That the proposals on Audley Park Road are **Implemented**. The Council received 3 objections and 2 comments of support to these recommendations. As these proposed No Waiting At Any Time markings are replacing existing advisory White Keep Clear markings, which are an informal parking restriction to aid accessibility, it is recommended that these markings are upgraded to No Waiting At Any Time markings as the informal method is not being adhered to by drivers. The local Councillors have also agreed to these proposals through the informal consultation process. It is recommended that the proposed removal of the Resident Parking bay on Cedric Road is **implemented**, please refer to recommendations set out in 2.5.

3 FINANCIAL IMPLICATIONS

- 3.1 The cost of this work is estimated to be £1.5 - 2.5k 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 7th April 2016 to 28th 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 20 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.

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