

Single Member Cabinet Decision

Executive
Forward Plan
Reference

E2880

CENTRAL, BATH TRO 2016

Decision maker/s	Cllr Anthony Clarke
The Issue	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- Consideration of responses to public consultations
Decision Date	10 th July 2016
The decision	<p>The Cabinet Member AGREES that the proposals be implemented, modified or withdrawn as below:</p> <p>1.1 Restrictions as detailed on plan F8.</p> <p>Roads affected: Cavendish Road</p> <p>Restriction: Proposed relocation of Resident Parking bay</p> <p>Recommendation: That the proposals are Withdrawn at this time as the Council received 2 objections to these recommendations and no comments of support during the consultation.</p> <p>1.2 Restrictions as detailed on plan F8.</p> <p>Roads affected: Park Street</p> <p>Restriction: Proposed No Waiting At Any Time markings</p> <p>Recommendation: That the proposals are withdrawn at this time as the Council received 1 objection and no comments of support.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. The Service considers that 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.</p> <p>1.3 Restrictions as detailed on plan G9.</p> <p>Roads affected: Bennett Street</p> <p>Restriction: Proposed Disabled Parking Bay</p> <p>Recommendation: That the proposals are withdrawn at this time as the Council received 1 objection and no comments of support.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.</p>

	<p>1.4 Restrictions as detailed on plan H10.</p> <p>Roads affected: Pulteney Mews</p> <p>Restriction: Proposed No Waiting At Any Time markings</p> <p>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.</p> <p>1.5 Restrictions as detailed on plan I11.</p> <p>Roads affected: Pulteney Road</p> <p>Restriction: Proposed No Waiting At Any Time markings</p> <p>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.</p>
<p>Rationale for decision</p>	<p>The proposals were developed as the result of the concerns of the Traffic & Safety, Parking and Traffic Management Team, Ward Councillors and local residents caused by increasing problems related to parking, which is becoming a greater concern on many streets around Central Bath due to the increasing volume of vehicles on our roads and the growing number of vehicles parking inappropriately. A total of 5 responses were received during the public consultation. Consideration was 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. This 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 (RTRA). The proposals are designed to address operational traffic issues and parking capacity issues and it is for this reason that the decision was made to approve in part the proposals put forward.</p>
<p>Issues considered</p>	<p><i>Social Inclusion; Customer Focus; Sustainability; Equality (age, race, disability, religion/belief, gender, sexual orientation); Health & Safety; Other Legal Considerations</i></p>
<p>Other options considered</p>	<p>To implement all restrictions as advertised This option was rejected based on the public feedback and objections to the proposals as advertised.</p>

	Not to 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.
Signatures of Decision Makers	
Date of Signature	
This decision is subject to Call-in for 5 working days following the day of publication	