

Single Member Cabinet Decision

Executive  
Forward Plan  
Reference

**E2893**

**SOUTH EAST, BATH TRO 2016**

<b>Decision maker/s</b>	Cllr Anthony Clarke
<b>The Issue</b>	Traffic Regulation Order ( <b><u>VARIOUS ROADS, SOUTH EAST OUTER AREA, BATH) (PROHIBITION AND RESTRICTION OF PARKING AND LOADING) (NO STOPPING ON ENTRANCE MARKINGS) (AUTHORISED AND DESIGNATED PARKING PLACES) (VARIATION NO. 4) ORDER 201*</u></b> Consideration of responses to public consultations
<b>Decision Date</b>	25 <sup>th</sup> August 2016
<b>The decision</b>	<p>The Cabinet Member AGREES that the proposals be implemented, modified or withdrawn as below:</p> <p><b>1.1 Restrictions as detailed on plan G13 and H13.</b></p> <p><b>Roads affected: Calton Gardens</b></p> <p><b>Restriction:</b> Proposed No Waiting At Any Time markings</p> <p><b>Recommendation:</b> That the proposals are <b><u>withdrawn</u></b> as the Council received 37 objections to the implementation of these restrictions and no comments of support. It is therefore recommended that these proposed No Waiting At Any Time markings are not implemented at this time.</p> <p><b>1.2 Restrictions as detailed on plan H17.</b></p> <p><b>Roads affected: Meare Road and Queen's Drive</b></p> <p><b>Restriction:</b> Proposed No Waiting At Any Time markings</p> <p><b>Recommendation:</b> That the proposals are <b><u>implemented</u></b> as the Council received only 1 objection to the implementation of these restrictions, however these proposals were requested by Local Councillors to improve access and visibility for emergency and refuse vehicles around this junction It is therefore recommended that these proposed No Waiting At Any Time markings are implemented.</p> <p><b>1.3 Restrictions as detailed on plan I19.</b></p> <p><b>Roads affected: Combe Road Close</b></p> <p><b>Restriction:</b> Proposed No Waiting At Any Time markings</p> <p><b>Recommendation:</b> That the proposals are <b><u>withdrawn</u></b> as the Council received 5 objections to the implementation of these restrictions and only 1 comment of support. As on-street parking stock is limited in this area and due to the lack of local support on this small cul-de sac it is</p>

recommended that these restrictions are not implemented at this time.

#### **1.4 Restrictions as detailed on plan J18.**

##### **Roads affected: Church Road**

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

**Recommendation:** That the proposals are **implemented** as the Council received 1 objection and 1 comment of support to the implementation of these restrictions. These proposals were requested by the local councillor to improve manoeuvrability for vehicles within the turning head at the end of Church Road by upgrading the existing advisory white keep clear markings into enforceable No Waiting At Any Time markings.

#### **1.5 Restrictions as detailed on plan J17.**

##### **Roads affected: Claverton Down Road**

**Restriction:** Proposed No Stopping on School Entrance Markings, Mon – Fri, 8am – 6pm

**Recommendation:** That the proposals are **implemented** as the Council received no objections and 1 comment of support in part to the implementation of these restrictions. These proposals were requested by the local councillor to improve accessibility and visibility when entering and exiting the school grounds onto the busy Claverton Down Road.

#### **1.6 Restrictions as detailed on plan I12.**

##### **Roads affected: Pulteney Road**

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

**Recommendation:** That the proposals are **implemented** as the Council received no objections to the implementation of these restrictions and these proposals were requested by the local councillor to improve visibility on this section of highway.

#### **1.7 Restrictions as detailed on plan J11.**

##### **Roads affected: Bathwick Hill**

**Restriction:** Proposed extension of Residents Parking Zone A, Mon - Sat, 8am – 6pm and 4 hours Limited Parking No Return within 1 hour.

**Recommendation:** That the proposals are **withdrawn**. The Council received 3 objections, 2 comments of support and 2 comments of support in part. After a full consultation process in excess of 50% of the total number of residents of the streets directly affected must be in favour of the proposals to ensure a clear majority are in favour due to the restrictive and fiscal impact of a scheme. Therefore as the Council did not receive an over whelming majority in favour, it is recommended that Resident Parking Zone A is not extended at this time. It is also recommended that the 4 hour limited waiting restriction is not implemented as without the Resident Parking element this would have a direct impact on local residents.

#### **1.8 Restrictions as detailed on plan K17, M17, M16, and L17.**

**Roads affected: Claverton Down Road**

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

**Recommendation:** That the proposals are **implemented** as the Council received no objections to the implementation of these restrictions and 1 comment of support and 2 comments of support in part. The managers of open access countryside wanted it noted that they do feel the restrictions will create an issue for local residents and the general public who wish to access the Claverton Down countryside. These proposals however were requested by the local councillor and our Traffic & Safety Engineer. It is therefore recommended that these proposed restrictions are implemented.

**1.9 Restrictions as detailed on plan H14.**

**Roads affected: Lyncombe Hill**

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

**Recommendation:** That the proposals are **implemented**. The Council received 5 objections to the implementation of these restrictions, however these proposals have been approved by the Local Councillor and the area Traffic & Safety Engineer. A proposal was put forward in a previous TRO to remove the whole parking bay (2 cars length). It was considered that parking in this location does act as a traffic calming measure and it was therefore recommended by the Safety Engineer that at least one space should remain. The new proposals were drafted recommending the removal of one space only. As parking in this location obstructs the safe access of vehicles to and from the adjacent property, it is recommended that the proposal to remove one Resident Parking space and replacement with No Waiting At Any Time markings is implemented.

**1.10 Restrictions as detailed on plan E19 and F19**

**Roads affected: Kempthorne Lane**

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

**Recommendation:** That the proposals are **withdrawn** as the Council received 16 objections to the implementation of these restrictions and 1 comment of support in part. A number of the comments received said that the restrictions did not go far enough to tackle obstruction and access issues. There were also concerns that parking would migrate into Clara Cross Lane and that any proposals should consider this section of the highway too. It is therefore recommended that these proposals are withdrawn at this time and that new proposals and further consultation with residents is carried out.

**Rationale for decision**

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 South East Bath due to the increasing volume of vehicles on our roads and the growing number

	<p>of vehicles parking inappropriately. A total of 82 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>
<b>Issues considered</b>	<p><i>Social Inclusion; Customer Focus; Sustainability; Equality (age, race, disability, religion/belief, gender, sexual orientation); Health &amp; Safety; Other Legal Considerations</i></p>
<b>Other options considered</b>	<p><b>To implement all restrictions as advertised</b> This option was rejected based on the public feedback and objections to the proposals as advertised.</p> <p><b>Not to implement any of the schemes</b> This option was rejected as the proposals recommended for implementation improve the parking and traffic flow on the specified roads.</p>
<b>Signatures of Decision Makers</b>	
<b>Date of Signature</b>	
<p><b>This decision is subject to Call-in for 5 working days following the day of publication</b></p>	