

## Traffic Regulation Order (TRO) Statement of Reasons

### Bath and North East Somerset Council

Review of on-street parking charges, including size-based permit fees

#### **STATEMENT OF REASONS**

##### Proposal

Following consideration of feedback from a preliminary public consultation, undertaken in October/November 2025, the council is proposing to review on street parking permit charges to include:

- A. Introduction of an additional resident's permit charge based on vehicle size (area) in 2026/27.
- B. An increase to visitor permit charges in 2026/27.

Emissions-based parking charges are proposed to be introduced at unrestricted sections of the following locations:

- C. Weston Road, Bath, between the junction with Park Lane and the northeast entrance into Royal Victoria Park.

It is proposed that 25m of permit holder parking on Monmouth Street be changed to Police Vehicle only parking. To mitigate this reduction in permit holder parking, 25m of dual-use (permit holders/pay and display) parking on Monmouth Place will become exclusive central zone permit holder parking.

More details of the proposals, including a breakdown of the charges, are included in the main report.

##### Reasons

1. Vehicle sizes are increasing, driven by consumer demand for larger models like SUVs, which made up over 60% of new UK car sales in 2024—up from less than 50% in 2020. Research shows that bigger vehicles such as SUVs and vans are more likely to cause serious injuries or fatalities to pedestrians (especially children) and cyclists because of their height and blind spots. Large vehicles also block

buses, emergency services, and deliveries on narrow roads, making travel more difficult for everyone.

2. The Government's Road Safety Strategy, released on 7 January, highlights that vulnerable road users face higher risks of serious or fatal injuries, especially from larger vehicles with high bonnets. It commits to investigating these safety concerns further.
3. Reviewing visitor permit charges complements a separate review of base charges in 2025/26 for resident parking permits to ensure that Resident Parking Schemes are self-financing so that their operating costs are not covered by other council funds.
4. Parking charges will always be emotive and formed a core tenet of these proposals, these being the mechanism to incentivise behaviour change. It was therefore expected that the overall view of respondents during our preliminary 21-day public consultation during October and November 2025 would be broadly aligned to previous consultations on parking charges where most respondents typically oppose any price increase. However, analysis of the results indicates a contrast with previous consultations seeking to introduce or increase parking charges and there was a notable degree of support for the introduction of size-based additional charges.
5. In addition to the permit charge proposals, it's also proposed that parking charges are introduced at locations where unrestricted parking on the public highway exists and is currently utilised by commuters, discouraging more sustainable travel choices including public transport and the Park and Ride. The introduction of charges at these locations ensures that local communities continue to be able to utilise this parking by encouraging turnover of spaces.
6. Avon and Somerset Police will soon open an operational base in central Bath, located on Monmouth Street. To support police operations throughout the city and nearby areas, dedicated parking spaces for marked police vehicles will be provided directly adjacent to the premises, helping officers deploy quickly and boosting their visibility. The current 25 metres of central zone permit holder parking are planned to be moved to Monmouth Place, replacing dual use permit parking and pay-and-display spaces to be converted exclusively for permit holders.
7. These proposals have been developed in accordance with the duty under s122 of the RTRA 1984 (to secure the expeditious, convenient and safe movement of traffic) as well as enabling the council to fulfil its network management duty under section 16 of the Traffic Management Act (2004) (TMA 2004), which also states that the council must manage its road network with a view to securing the expeditious movement of traffic and may take any action they consider will contribute to securing (a) more efficient use of that network, or (b) the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.
8. These proposals support the council's Corporate Strategy and local transport policy whilst also remaining consistent to the council's commitments to Liveable Neighbourhoods and the Journey to Net Zero.
9. It is important to note that parking permit charges cannot be introduced for the purpose, whether primary or secondary, of raising revenue, even if this revenue was intended to be applied to fund projects meeting the purposes set out in the RTRA

1984. The proposals are themselves the measure to address risks to pedestrian safety from larger vehicles and achieve its duty under s122 of the RTRA 1984.

10. Any surplus raised from on street charges must be applied for a purpose specified in section 55(4) of the RTRA 1984 and will be allocated to support the development of sustainable transport schemes in accordance with statutory obligations.
11. The Council has considered article 8 within Schedule 1 to the Human Rights Act (Right to respect for private and family life, home and correspondence) and Protocol 1 Article 1 (Peaceful enjoyment of possessions). Both of these rights are qualified rights, and the Council does not consider that the measures proposed under the TRO amount to a deprivation of possessions as the right to access property has not been extinguished. The proposals are considered to have a minimal impact on human rights. However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (such as in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate aim and proportionate to do so. The proposals within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.
12. The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposed Order is consistent with the section 149 public sector equality duty, which it has discharged.

#### Road Traffic Regulation Act 1984

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 1 provides, generally, for Orders to be made for the following reasons, and in the case of this Order specifically for the reason(s) shown and marked below:

(a)	for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or	X
(b)	for preventing damage to the road or to any building on or near the road, or	X
(c)	for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or	X
(d)	for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,	
(e)	(without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or	
(f)	for preserving or improving the amenities of the area through which the road runs, or	X
(g)	for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)	X

In making this proposal the Council has discharged its duty under section 122 of the Road Traffic Regulation Act 1984.

The Council is under a duty pursuant to section 122(1) of the Road Traffic Regulation Act 1984 (as amended) to exercise its duties under the Act (so far as practicable having regard to the subsection (2) matters), to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

As for the subsection 122(2) matters:

- a) the desirability of securing and maintaining reasonable access to premises.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that the council can fulfil its network management duty under section 16 of the TMA2004. Introducing higher permit charges for larger vehicles supports a shift away from the growing preference for bigger private cars, which currently reduce the amount of available kerbside space within residential areas. By discouraging the use of oversized vehicles, the measures aim to improve access, reduce congestion, and make more efficient use of limited on-street parking.

Ensuring that Resident Parking Schemes remain self-financing means that rising operating costs do not compromise their effectiveness. Without this financial sustainability, there is a greater risk of increased non-compliance, such as unauthorised parking or higher levels of contravention of existing restrictions.

- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that the council can fulfil its network management duty under section 16 of the TMA2004. Introducing higher permit charges for larger vehicles supports a shift away from the growing preference for bigger private cars, which currently reduce the amount of available kerbside space within residential areas. By discouraging the use of oversized vehicles, the measures aim to improve access, reduce congestion, and make more efficient use of limited on-street parking.

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- bb) The strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

Comment: The proposals increase the cost of a permit for larger vehicles. Whilst it is acknowledged that this is not a universal rule, it's noted that larger, heavier vehicles will typically require a larger engine, and therefore combust more fuel, than that required by a smaller vehicle of similar age. The increased permit cost for these larger, heavier vehicles is aimed to encourage behaviour change and reduce air pollution caused by more polluting private vehicles, whilst also reducing the emissions that cause climate change.

- c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that the council can

fulfil its network management duty under section 16 of the TMA2004. Introducing higher permit charges for larger vehicles supports a shift away from the growing preference for bigger private cars, which currently reduce the amount of available kerbside space within residential areas. By discouraging the use of oversized vehicles, the measures aim to improve access, reduce congestion, and make more efficient use of limited on street parking.

Ensuring that Resident Parking Schemes remain self-financing means that rising operating costs do not compromise their effectiveness. Without this financial sustainability, there is a greater risk of increased non-compliance, such as unauthorised parking or higher levels of contravention of existing restrictions.

d) Any other matters appearing to the local authority to be relevant.

Comment: These proposals promote public health and support safer movement of pedestrians by encouraging the use of smaller vehicles, which present lower risks to both pedestrians and cyclists. Larger vehicles can create additional hazards, including obstructing buses, emergency services, and delivery vehicles on narrow roads, making travel more difficult for everyone.

The measures also support the strategic aims of local transport policy by reducing congestion and limiting the intrusion of vehicles into neighbourhoods—particularly residential areas—while aligning with the Council’s commitments under the Liveable Neighbourhoods programme.

Ensuring that Resident Parking Schemes remain self-financing means that rising operating costs do not compromise their effectiveness. Without this financial sustainability, there is a greater risk of increased non-compliance, such as unauthorised parking or higher levels of contravention of existing restrictions.

Having balanced the various matters and considerations, the Council has concluded that it is appropriate to progress the proposed Order.

The Council has also discharged its duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed Order is consistent with that duty, given its other policies and objectives.

Neither section 16 nor section 122 of the 1984 Act precludes the making of the proposed Order.

Date: 24/04/2026