

OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	OLDFIELD PARK / WESTMORELAND RESIDENT PARKING
PROPOSAL:	Various Waiting Restrictions
SCHEME REF No:	22 – 004
REPORT AUTHOR:	Kris Gardom

1. DELEGATION

The delegation to be exercised in this report is contained within **Part 3, Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

Section A	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
Section B	Without prejudice to the generality of this, Officers are authorised to: serve any notices and make, amend or revoke any orders falling within his/her area of responsibility.
Section D9	An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator.

For the purpose of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.

2. LEGAL AUTHORITY

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 report specifically for the reason(s) shown 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	
(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)	

3. **PROPOSAL**

To implement various parking / waiting restrictions around the South West and North West Outer Bath area, including parking bays reserved for permit holders only.

4. **BACKGROUND**

The Bath and North East Somerset Council's Traffic Management Team has been developing a scheme to introduce a Residents' Parking Zone (RPZ) in the Oldfield Park and Westmoreland area of Bath, which is being proposed. The proposed Residents' Parking Zone covers a large area of approximately 2,800 residential and business addresses.

Bath and North East Somerset Council held a 28-day public consultation between 22nd October and 18th November 2021 on the Residents' Parking Zone. All households and businesses in the area of the proposed RPZ received a letter which contained information on the proposals and a link to the consultation web pages. Respondents were encouraged to use an online survey. Hard copies of the consultation materials and survey were available upon request. A public exhibition also took place in the Main Hall at the Oldfield Park Baptist Church on the 2nd November 2021, between 4pm and 8pm, where residents were able to view the proposal plans and ask questions. The proposals were also publicised through a press release and social media.

In total, there were 773 responses to the proposed Residents Parking Zone. Of those respondents within the proposed zone boundary (549): 44% supported, 18% partially supported and 38% objected, the introduction of the proposed RPZ in Oldfield Park and Westmoreland.

A number of requests were received during the consultation process to amend the proposed restrictions slightly. These changes have been incorporated into the new RPZ plan which is now being consulted on as part of the Traffic Regulation Order (TRO) process and can be seen attached to this report. These changes included introducing additional 3 hour limited parking bays near the main shopping high street, commercial premises and community facilities around the proposed zone to provide sufficient time for drivers to park and utilise these facilities ensuring that the commercial viability of the area is not affected by the introduction of an RPZ.

The proposed introduction of the Oldfield Park / Westmoreland RPZ sits alongside the council's approach to Liveable Neighbourhoods which includes three strategy documents, one of which relates to the [implementation of residents' parking schemes](#). It involves the expansion and implementation of RPZs in Bath to help achieve wider transport policy aims by reducing commuting and local trips by car.

- **Appendix 1 – Oldfield Park / Westmoreland RPZ TRO plans**
- **Appendix 2 – AECOM Amendment Report**

5. SOURCE OF FINANCE

This proposal is being funded by the Transport Improvement Programme TC9012S18.

6. CONSULTATION REQUIREMENT

The proposal requires informal consultation with the Chief Constable, Ward Members and the Cabinet Members for Transport.

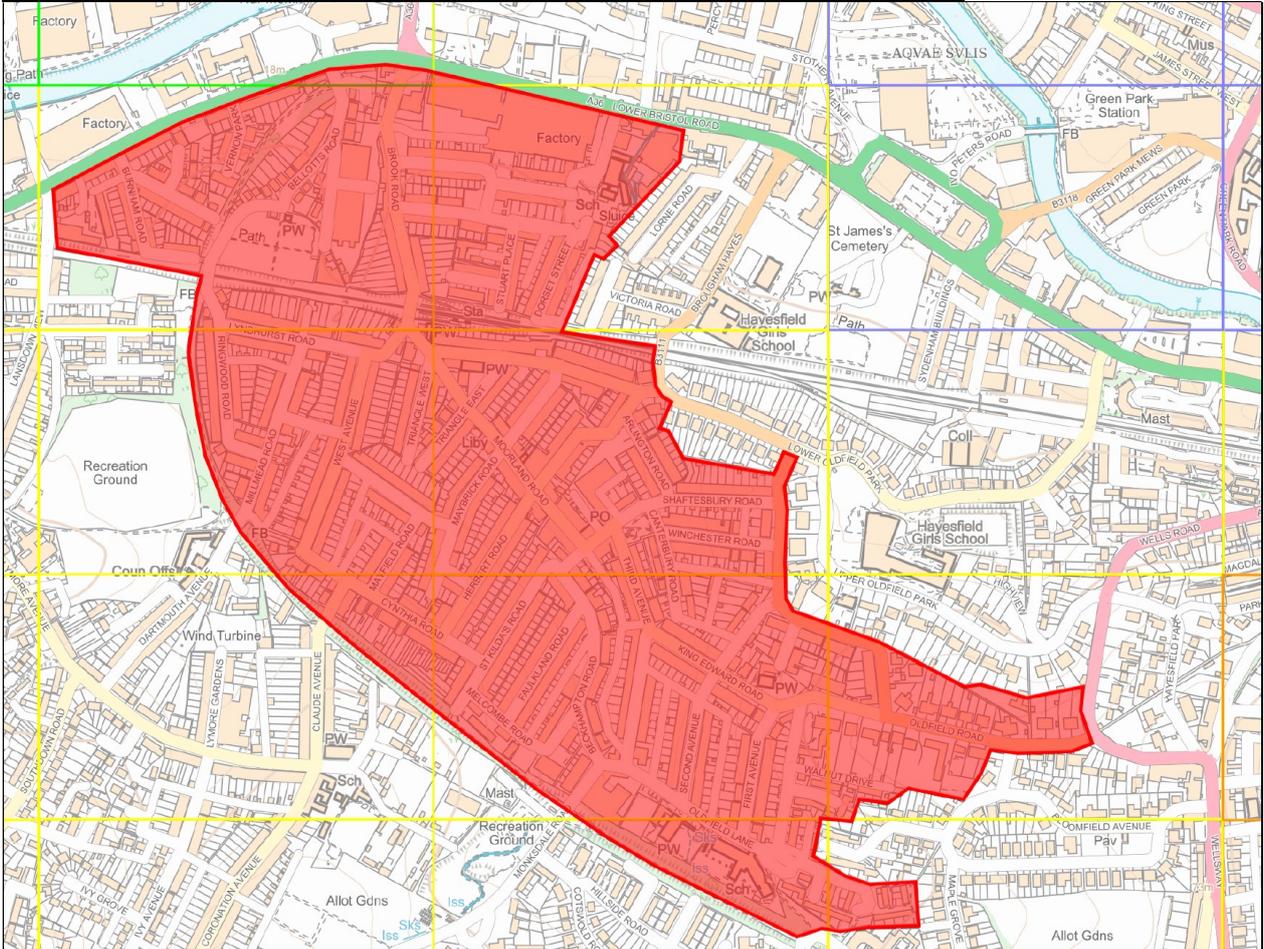
PROPOSALS APPROVED FOR INFORMAL CONSULTATION WITH THE CHIEF CONSTABLE, WARD MEMBERS AND CABINET MEMBER FOR TRANSPORT.



Signature:
Paul Garrod
Traffic Management and Network Manager

Date: 9th May 2022

Oldfield Park / Westmoreland – Resident Parking Zone Boundary Plan:



7. COMMENTS RECEIVED TO DATE

Chief Constable - No comment.

Parking

Parking Manager - I broadly support the implementation of the restrictions but there should be a recognition that additional restrictions require additional revenue support for new staff to reflect the fact that every new restriction requires a very small percentage of a staff member to enforce on a regular or semi-regular basis. Whilst this impact for a single scheme may itself be relatively small, it will have a cumulative impact for the enforcement across other locations.

Ward Members within RPZ boundary

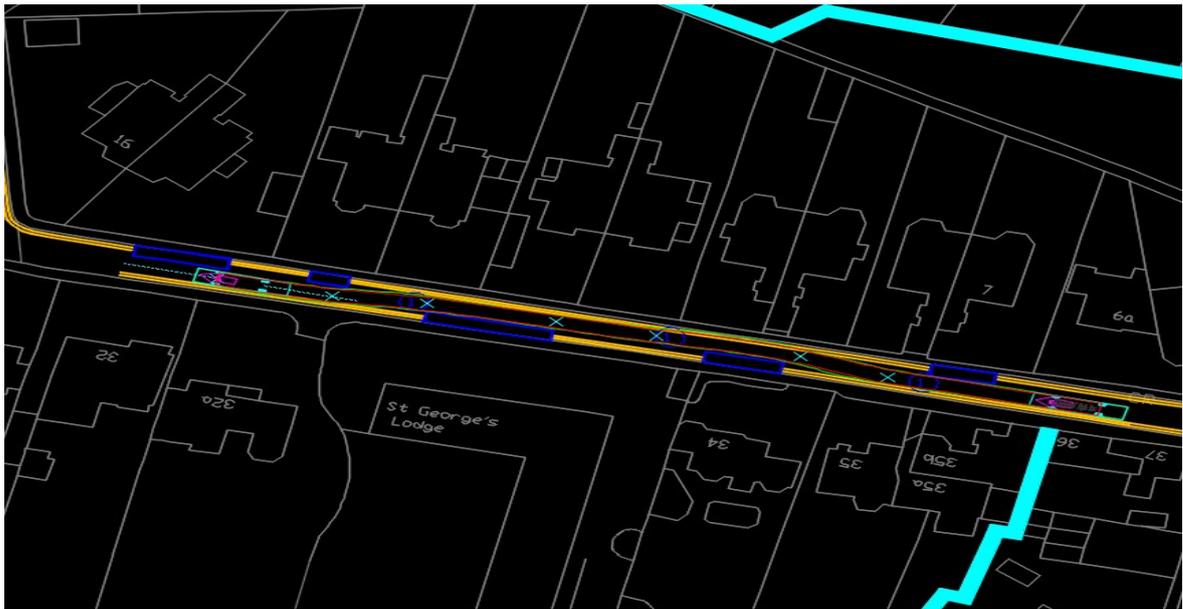
Oldfield Park:

Cllr Shaun McGall – Appendix 2 – Amendment Report, Ref 2: Third Avenue & Oldfield Lane - I'm not convinced that we have made sufficient allocations around the Moorfield Inn for its patrons.

Response: The parking bays along Oldfield Lane were all made 3 hours limited waiting as well as introducing them on Third Avenue near to the Moorfield Inn to cater for their requirements. Would you like us to make a few more of the spaces in Third Ave dual use? Answer Cllr McGall: Happy to proceed to TRO advertisement with the current arrangement of 3 hour Limited Waiting bays.

Ref 16: Oldfield Road - If there was a minimum loss of parking spaces on these two streets which was less than the observed commuter parking in the original parking stress survey, then I would still be supportive of some staggered parking on alternative sides of the road to provide traffic calming where traffic speeds rarely keep to the 20-mph limit on these key walking routes to Beechen Cliff and Hayesfield Schools.

Response: We could move the permit bays highlighted on the drawing below from the northern side of Oldfield Road to the southern side, which would act as a traffic calming measure but would result in a net loss of 3 parking spaces (15 metres) due to tracking for larger vehicles such as buses. If you are happy for us to make this change, I will ask for the plans to be updated? We can't relocate any other bays due to the dropped kerbs and property entrances along the southern side. The parking bays were originally placed along the northern side as this is the status quo and where residents currently park. – Answer Cllr McGall: I'm happy to propose this loss of parking to provide some chicane on Oldfield Road. However, if this was opposed at the next stage (due to loss of parking by residents on Oldfield Road itself) are we able to revert to the original proposal within any legal problems or delays in the overall scheme? – *Traffic Management Response: Yes we would recommend within the final report that if the residents after the public consultation wanted the bays to revert back to the northern side of Oldfield Road, this would not constitute a substantial change and therefore we could make that slight alteration.*



Ref 17: Junction Road - See comments for Ref 16.

Response: The reason the parking bays were located on the south-eastern side of Junction Road was because this is where properties are located. If we placed the parking bays on the northwest side, residents would need to cross the highway from their vehicles. We located the proposed parking bays where residents currently park and feel this is the safest option.

Ref 19: North Avenue - This is surely an error? 'North'?!?

Response: You are correct, and this should refer to Third Avenue and the southern end, not the northern end as that is where the Moorfields Inn is located and what the sketch shows in the table on page 10 of the report. This has now been updated.

Westmorelands:

Cllr June Player – Both Cllr Colin Blackburn and I have concerns about the RPZ which are:

In Section 4 Paragraph 1- Whilst we support RPZ's in principle it states in this paragraph that this RPZ is being supported by both of us, but we do not support in its current form and have stated so previously so we find this statement very misleading to our residents.

This paragraph also states that the Zone covers a large area of approximately 2,800 residential and business addresses which we find is far too large to be able to properly benefit the residents.

Section 4 Paragraph 3 we find the reported findings also misleading - whilst you report 18% partially supported the introduction of the RPZ it could just as easily be

reported that 18% partially OBJECT.

Response: For a number of years Councillor Player and Councillor Blackburn have requested that the Council develop a Resident Parking Zone for the Westmorelands area due to on-street parking pressures and have been involved throughout the consultation process leading up to this final design being put forward to public consultation. The only concern noted to date is the size of the proposed Zone as it covers both Westmorelands and Oldfield Park. It has been explained that the Zone boundary has been developed as a result of existing Zone boundaries, main artery routes around the east of Bath and possible displacement factors. Councillor Player requested that the initial Zone boundary be extended to cover Bellotts Road, Inverness Road, Vernon Park, and Burnham Road on the eastern edge, which was accommodated.

With regards to the point that we described 18% of respondents in the first consultation as 'partially support' the proposals rather than 'partially object', this is because the online survey, which most people used to respond, included this description. Respondents had the choice of selecting 'support', 'object' and 'partially support' and then give further comments. Respondents were free to choose the 'object' option. The comments provided by respondents who gave the partially support response were generally in favour of the principle of an RPZ but had some concerns or wanted to see some changes.

Other issues:

ENFORCEMENT and MONITORING

If we had PAPER permits it would be very easy for any resident to check a vehicle is legitimately parked and report those without one. Having DIGITAL permits leaves residents having to rely on the Council who as we know are very overstretched. As it is, whenever I have had to report a vehicle on double yellow lines on tight corners causing problems for other drivers, I am always told that someone will come out IF they are available which does not fill one with confidence for this new large proposal truly benefitting the paying residents. SO many wardens will have to be on the ground covering this large area all the time.

Response: The council has operated the MiPermit digital permit system since 2013. This enables residents and other customers to purchase a permit via a number of channels and at a time that is convenient to them. The permit is then available for use immediately or at a date in the near future to suit their needs thus providing customers with significant flexibility, whilst also reducing the costs to the Council and is in line with the Council's Digital Programme.

Whilst I appreciate that a paper permit on display does provide reassurance to residents that vehicle is legitimately parked, the use of digital permits helps to reduce instances of misuse and fraud as the council has much greater control over the permit scheme and how permits can be used. It also helps to minimise situations where individuals may place themselves in conflict situations by challenging another motorist. Ultimately it is the only Council's qualified Civil

Enforcement Officer that have the legal powers to deal with vehicles that are parked in contravention, and these officers are trained in conflict management and have additional safeguards to ensure their safety and wellbeing when undertaking what can sometimes be a challenging role.

As with many other sectors across the country, we are experiencing challenges filling vacant roles at this time and this does impact on our deployment; however, please be assured that we are developing plans to ensure a minimum level of deployment across all RPZs, including new ones being developed. We are also looking at a range of options to address our low level of resources.

It is always the case that we are typically unable to respond reactively to reports of a vehicle parked in contravention as this sees resource taken away from others where it is also needed, and often by the time we arrive at the reported location, the vehicle has moved on. However, we always encourage individuals to report ongoing problems as this intelligence is then used to focus resource proactively to these problem areas, which is a more effective and efficient way of using our teams. It is not the case that an officer, or indeed large numbers of officers, must be covering an area all of the time in order to obtain broad compliance; however, there will always be some motorists who seek to take their chances.

Having permits only in the daytime does not address evening use so we feel the hours should be re-looked at.

Response: The hours of operation of the zone have been proposed to align with the operational hours of all the zones. This covers the core commuter times and also ensures a degree of consistency which is important to help motorists comply with the schemes. Should the operational hours vary from one to another, this would serve only to cause confusion and result in the issue of unnecessary PCNs to motorists that were looking to comply with the restriction and would therefore more broadly be counterproductive. It's also important that the hours of operation cover periods when officers are available to enforce, and we of course have less coverage later into the evening as there are less restriction to cover.

What is the justification for the 2-hour parking section in Ayr Street which is such a narrow road and like it's surrounding streets (Stuart, Caledonian, Dorset etc) is already known to be and has been for many years now overstressed parking-wise?

Response: All residential streets where possible have been provided with a dual use Permit Holder / 2 Hour Limited Waiting Bay to provide short term available on-street parking for visitors of local residents and trades people such as plumbers, electricians etc. This provides short term parking in the local area without the need for residents to use up their limited visitor permit allocation on short term visitors.

Cllr Colin Blackburn – See above.

Ward Members bordering RPZ boundary

Moorlands:

Cllr Jess David – No comments.

Southdown:

Cllr Dine Romero – No comments.

Cllr Paul Crossley – No comments.

Twerton:

Cllr Sarah Moore – No comments.

Cllr Tim Ball – No comments.

Cabinet Members:

Cllr Manda Rigby – No comments.

8. RECOMMENDATION

As no significant objections and/or comments have been received following the informal consultation described above, the Traffic Regulation Order process should commence.



Signature:

Date: 24th May 2022

Paul Garrod
Traffic Management & Network Manager

9. DECISION

As the officer holding the above delegation, I:

Approve the progression of this Traffic Regulation Order.	X
Agree that this Traffic Regulation Order should not be progressed at this time.	

In taking this decision, I confirm that due regard has been given to the Council's public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act

A handwritten signature in black ink, appearing to read 'Chris Major', is centered on the page. The signature is fluid and cursive, with a large initial 'C' and 'M'.

Signed:

Date: 25/05/22

Chris Major
Director for Place Management