

**OFFICER DECISION REPORT - EXPERIMENTAL TRAFFIC REGULATION  
ORDER (ETRO)**

**3**

**APPROVAL TO PROGRESS ETRO**

PREPARED BY: Traffic Management Team, Highways and Traffic Group

<b>TITLE OF REPORT:</b>	<b>Oldfield Park / Westmoreland RPZ 28 ETRO</b>
<b>PROPOSAL:</b>	<b>Limited Waiting Amendment Experimental TRO</b>
<b>SCHEME REF No:</b>	<b>23 – 021</b>
<b>REPORT AUTHOR:</b>	Traffic Management Team

**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:

<b>Section A</b>	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
<b>Section B</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.
<b>Section D9</b>	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 purposes 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	
(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	
(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 introduce additional dual use (Permit Holder / Limited Waiting Bays) and dedicated Limited Waiting only parking bays for between 2 and 3 hours, for visitors to local businesses and organisations on a number of streets within the Oldfield Park / Westmoreland's Resident Parking Zone 28 area as indicated in **Schedule 1** below and on the attached **Appendix A** and **Appendix B** plans.

The proposal is to introduce these changes via an Experimental Traffic Regulation Order (ETRO). These proposals are made as a result of a request from the community, including ward members, business owners, the GP surgery, faith and community groups.

ETROs can remain in place for a maximum of 18 months while the effects are monitored and assessed. The ETRO process includes a six-month initial public consultation period to receive feedback about the scheme. During this time, anyone can raise comments, objections or statements of support regarding the scheme.

The key benefit for a Local Authority in using the ETRO process is so that restrictions can be trialled in a live environment on the ground and an assessment made of their effectiveness after the initial 6 month consultation period has concluded. The Authority can then make the best-informed decision possible whether to make the restrictions permanent or not.

An ETRO has a lifespan of up to 18 months unless revoked, amended or made permanent.

### 4. **BACKGROUND**

This zone is one of seven RPZs being introduced in Bath as part of the council's Liveable Neighbourhoods programme in 2022/23.

The purpose is to reduce commuter parking, prioritise parking for residents, and ensure there is adequate short-term parking available to support local businesses.

RPZs also support wider council policies (including the council's Journey to Net Zero ambitions) that aim to reduce vehicle emissions, encourage the use of public transport, reduce congestion, and ensure fair consideration and street space is given to those that wish to walk, wheel or cycle.

The original Traffic Regulation Order for the Oldfield Park and Westmoreland RPZ was sealed on 8 December 2022. It followed a formal TRO public consultation in June 2022. Consultation reports on both can be found on the scheme's project timeline at [www.bathnes.gov.uk/LNRPZ](http://www.bathnes.gov.uk/LNRPZ) (Oldfield Park and Westmoreland RPZ).

Since the TRO was sealed, the council has received requests from the community and ward members/councillors to provide more short-stay bays for visitors/customers who are unable to purchase permits because they do not live in the zone.

The council recognises the importance of providing parking for people visiting the local shops, GP surgery, faith and community groups, and has agreed to accommodate the community's wishes on a trial basis, as laid out in this ETRO.

The aim is to provide more bays that can be used by visitors for up to 2 or 3 hours. No decision on making these changes permanent can be made until feedback received during the trial is considered.

Up-to-date information on the consultation will be available online at [www.bathnes.gov.uk/LNRPZ](http://www.bathnes.gov.uk/LNRPZ)

## **5. SOURCE OF FINANCE**

The proposal is being funded through the Oldfield/Westmoreland RPZ budget code: TC9012S18

## **6. INFORMAL CONSULTATION REQUIREMENT**

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

## **7. INFORMAL CONSULTATION FEEDBACK**

### **Chief Constable:**

Thank you for your email and attachments regarding the proposed introduction of an Experimental Traffic Regulation Order (ETRO) to vary the existing Residents Parking Zone TRO for the Oldfield Park / Westmoreland Residents Parking Zone, as shown on the attached plans.

*It is understood from the ETRO report that "This zone is one of seven RPZs being introduced in Bath as part of the council's Liveable Neighbourhoods programme in 2022/23. The purpose is to reduce commuter parking, prioritise parking for residents, and ensure there is adequate short-term parking available to support local businesses. RPZs also support wider council policies (including the council's Journey to Net Zero ambitions) that aim to reduce vehicle emissions, encourage the use of public transport, reduce congestion, and ensure fair consideration and street space is given to those that wish to walk, wheel or cycle. The original Traffic Regulation Order for the Oldfield Park and Westmoreland RPZ was sealed on 8 December 2022. It followed a formal TRO public consultation in June 2022."*

*"Since the TRO was sealed, the council has received requests from the community and ward councillors to provide more short-stay bays for visitors who are unable to purchase permits because they do not live in the zone.*

*The council recognises the importance of providing parking for people visiting the local shops, GP surgery, faith and community groups, and has agreed to accommodate the community's wishes on a trial basis, as laid out in this ETRO.*

*The aim is to provide more bays that can be used by visitors for up to 2 or 3 hours. No decision on making these changes permanent can be made until feedback received during the trial is considered."*

It is further understood that the proposal is "To introduce additional dual use (Permit Holder /

*Limited Waiting Bays) and dedicated Limited Waiting only parking bays for between 2 and 3 hours, for visitors to local businesses and organisations on a number of streets within the Oldfield Park / Westmoreland's Resident Parking Zone 28 area as indicated in Schedule 1 below and on the attached Appendix A and Appendix B plans.*

*The proposal is to introduce these changes via an Experimental Traffic Regulation Order (ETRO). These proposals are made as a result of a request from the community, including ward members, business owners, the GP surgery, faith and community groups.*

*ETROs can remain in place for a maximum of 18 months while the effects are monitored and assessed. The ETRO process includes a six-month initial public consultation period to receive feedback about the scheme. During this time, anyone can raise comments, objections or statements of support regarding the scheme.*

*The key benefit for a Local Authority in using the ETRO process is so that restrictions can be trialled in a live environment on the ground and an assessment made of their effectiveness after the initial 6 month consultation period has concluded. The Authority can then make the best-informed decision possible whether to make the restrictions permanent or not.*

*An ETRO has a lifespan of up to 18 months unless revoked, amended or made permanent.”*

The proposals should meet the aspirations behind their introduction.

Enforcement of Waiting Restrictions within the Bath and North East Somerset Council area rests with Bath and North East Somerset Council Parking Services.

I will make my operational colleagues at Bath aware of the proposed ETRO and the assessment which will take place, to enable any issues we may have from a traffic management/road safety or operational perspective to be raised.

### **Parking Services:**

No Comment.

### **Ward Members:**

#### **Oldfield Park:**

Cllr Ian Halsall – No comment.

#### **Westmoreland:**

Cllr June Player – No comment.

Cllr Colin Blackburn – Cllr Player and I have tried to review this data and the changes to the bays proposed but we are unable to make meaningful comment in just 5 days, from such small and highly detailed maps. These proposals really need an individual review of all the bays proposed, why they were chosen & are there better alternatives to serve the needs of the community assets we are trying to protect.

One example is the proposed 3 hr/dual use residents bay outside 110 West Ave. There is a 4 car bay, outside a single property, very close to the end of Moorland Rd, the Baptist Chapel and community library. This should really be split as 2 dual use and 2 limited waiting bays to best serve the aims of the ETRO. I appreciate these were put together under time pressure,

but that has been of the councils making whilst being constantly advised throughout the 2 consultations (and why the majority of residents were not in favour of the scheme as proposed) that it should have been re-thought and planned better before signing off. Unfortunately, we are now trying to consider the wider impacts on the community and June and I certainly can't say we are happy but appreciate this is going ahead.

The finer detail parts of the scheme is now starting to dawn on the community and your colleagues will have seen numerous emails from residents and community assets with concerns about bays, posts, signage etc. Moorland Road is already seeing the negative impact of having signage put up without even knowing where suitable bays are to direct customers/patrons of services to, this has resulted in people leaving the area, exactly the result we all wanted to avoid.

At this stage June and I are unsure how much more we can comment about these particular bays, as it really needs an in depth, on the street review, not the desktop, stick a pin in approach that has been taken.

*Response: The proposal plans provided in Appendix A and B include full details and context of what is being proposed within this ETRO and these plans can be magnified in the PDF viewer to see all details.*

*In a subsequent meeting held between Cllr Blackburn, Cllr Hirst and officers where the ETRO proposals were discussed, Cllr Blackburn confirmed that the proposals should progress to the trial stage so that usage data could be collected on how the extra visitor bays were supporting businesses and organisations in the area.*

**Cabinet Member:**

Cllr Manda Rigby – I approve this ETRO.

**8. RECOMMENDATION**

As no significant objections and/or comments have been received following the informal consultation described above, the public advertisement of the Experimental Traffic Regulation Order should progress.



Paul Garrod  
Traffic Management & Network Manager

Date: 2<sup>nd</sup> August 2023

**9. DECISION**

As the officer holding the above delegation, I approve the progression of this Experimental Traffic Regulation Order.

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.



Gary Peacock

Date: 2<sup>nd</sup> August 2023

Head of Highways Delivery, Parking & Passenger Transport