

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

3

APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Transport Group

TITLE OF REPORT:	RPZ Lyme Gardens/Charmouth Rd
PROPOSAL:	Various Waiting and Loading and Parking Restrictions
SCHEME REF No:	22 – 023
REPORT AUTHOR:	Phill Batty (Aecom)

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 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	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 and loading restrictions, including designated parking bays reserved for disabled badge holders only and permit holders only.

4. BACKGROUND

Bath and North East Somerset Council's Traffic Management Team has been developing with the support of local Ward Councillors and in relation to the Councils policy to improve the parking situation for local residents and help communities to create healthier, safer streets (Low Traffic Neighbourhood Strategy – July 2020 & Residents' Parking Schemes July 2020) a scheme to introduce a Residents' Parking Zone (RPZ) covering the following area: an area which includes Lyme Gardens, Lyme Road, and Charmouth Road, Bath.

This RPZ will aim to prioritise on-street parking for residents and provide accessible parking near social hubs within the area including the school, and local businesses.

The implementation of the new RPZ will deter parking by non-residents who may currently use the area to park and commute into the City Centre or other facilities in the neighbouring areas where parking may be limited, restricted, or charged for. The initial proposal was produced as a draft to be shared with the public during a 28-day public consultation. The consultation took place between the 5th May to 2nd June.

A virtual online event [17th May 2022 from 4pm to 8pm], and an in-person event [17th May 2022 from 4pm to 8pm at Weston Methodist Church] were held in order to provide further information and enable consultees to talk to an advisor, view the proposal plans, ask questions, and submit a questionnaire.

In total, there were 86 responses to the proposed Residents' Parking Zone. 84 of these came through the online questionnaire with two replying by letter or email.

A total of 55 responses were from within the proposed Zone with a further 31 from outside the area. Respondents were split with 45% each stating support or object, overall. However, respondents who live within the proposed Parking Zone were significantly more likely to support the proposals than those who live outside the proposed Zone (58% compared to 23%).

There were differences in the levels of support shown for the proposals, more than three quarters (78%) of respondents who rate the current parking provision as bad, supported the plans. All 7 of the respondents who rated parking as good (n=7), objected to the proposals.

Overall support for the scheme is reasonably high for those respondents that live within the proposed zone. It is the opinion of the local Ward Councillors' that support does exist for a scheme which covers the area, however believe that amendments should be made to the proposals.

Amendments to be made:

- 1) On the east side of Charmouth Road amend the proposed bay to dual-use providing non-residents with parking for up to 30 minutes no return within 1 hour in this location.
- 2) On the west side of Charmouth Road amend the two proposed bays near its junction with Lyme Road to dual-use providing non-residents with parking for up to 30 minutes no return within 1 hour in this location.
- 3) On the south side of Lyme Road near its junction with Charmouth Road amend the proposed bay to dual-use providing non-residents with parking for up to 30 minutes no return within 1 hour in this location.

5. SOURCE OF FINANCE

This proposal is being funded by RPZ capital budget TCRP001.

6. CONSULTATION REQUIREMENT

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

7. COMMENTS RECEIVED TO DATE

Chief Constable

Thank you for your email and attachments regarding the proposed Residents Parking Zone for Lyme Road, Bath as shown on the attached plan. It is understood that the proposed Lyme Road RPZ TRO is one of many currently being considered for within the Bath area.

The Informal Consultation TRO states that the proposal is to *“implement various parking, waiting and loading restrictions, including designated parking bays reserved for disabled badge holders only and permit holders only.*

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The proposals should meet the Statement of Intent regarding their introduction.

Any increase in parking restrictions brings with it a potential increase in the need for enforcement. Following the introduction of Civil Parking Enforcement we are unable to address this, as enforcement of waiting restrictions backed by a Traffic Regulation Order within the Bath and North East Somerset Council area, rests with B&NES Parking Services rather than ourselves.

We are also unable to provide dedicated enforcement to any reported displaced parking into adjacent areas and would request that additional parking restrictions be considered should such displacement occur if the proposals are implemented.

Any enforcement of potential obstruction offences would be intelligence led and targeted based on gathered information and circumstances at the time at each potential obstruction offence location.

Parking Services

Andrew Dunn – Team Manager Parking Services - 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 may itself be small for a single scheme, the cumulative impact may have an impact for the enforcement across other locations.

Ward Members

Newbridge:

Cllr Mark Roper – No comment.

Cllr Michelle O’Doherty – No comment.

Cabinet Members:

Cllr Rigby - Please take this consultation to the next step.

8. RECOMMENDATION

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



Paul Garrod
Traffic Management & Network Manager

Date: 30th August 2022

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 at the top of the page.

Chris Major
Director for Place Management

Date: 07/09/2022