

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Transport Group

TITLE OF REPORT: RPZ Sion Hill/Summerhill Road
PROPOSAL: Various Waiting and Loading and Parking Restrictions
SCHEME REF No: 22 – 025
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 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 Sion Hill and Summerhill 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 all day and commute into the City Centre or other facilities in this or 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 2022.

A virtual online event [19th May 2022 from 4pm to 8pm], and an in-person event [19th May 2022 from 4pm to 8pm at Bath Spa-Sion Hill conference room] 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 59 responses to the proposed Residents' Parking Zone. 57 of these came through the online questionnaire with two respondents responding by email.

A total of 41 responses were from within the proposed Zone with a further 18 from outside the area.

Just over a third (37%) of respondents support the Residents' Parking Zone with a further 16% saying they partially support. Of the 15 respondents who felt that the current parking provision was bad, 87% supported the plans with one respondent partially supporting them and one objecting. Similarly, of the 16 respondents who felt the current parking provision was good, 94% objected to the plans.

The percentages of respondents showing overall support and objection for the scheme is similar. It is the opinion of the local Ward Councillors' that support does exist for a scheme which covers Sion Hill and Summerhill Road and should be progressed with some amendments.

Amendments to be made:

- 1) Remove most of proposed lining and bay markings. Maintain all existing restrictions. Area to be signed as permit parking area from Sion Road westwards. All roads to be restricted to resident permit holder only except in marked bays.
- 2) Provide two dual use bays adjacent to the allotments - PH or 3 hours NR 1 hour. New double yellow lines to prevent obstructive parking nearby.
- 3) Provide a dual use bay near property 21a Sion Hill - PH or 3 hours NR 1 hour.
- 4) New double yellow lines opposite properties Kite Lodge, Sunnyside, and Dawnside to maintain clear access to driveways opposite.
- 5) New double yellow lines outside property 27 Sion Hill to prevent obstructive parking on bend.
- 6) New double yellow lines on the northern side of Sion Hill between Summerhill Road and Sion Road to prevent obstructive parking.
- 7) Change zone boundary to include properties 4-7 Primrose Hill.

5. SOURCE OF FINANCE

This proposal is being funded by RPZ capital budget TCRP001.

6. INFORMAL CONSULTATION REQUIREMENT

Informal consultation was carried out with the Chief Constable, Ward Members and the Cabinet Members for Transport.

The responses to the formal consultation can be found in TRO reports numbers 1/2/3.

7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))

The objection / comments received have been summarised below with the technical responses in italics underneath each one.

The objection / comments received to the 28-day public consultation have been summarised below with the technical responses in italics underneath each one.

Sion Hill Residents Parking Zone TRO – Public Consultation Findings

Responses Received: 64; of which

Support – n=29, Partially Support – n=11, Object – n=24

From responses received within the proposed zone boundary, 50% of respondents were in support, 23% partially supported and 28% objected to the proposals (Due to rounding to whole numbers, percentages may not total 100%)

Objections Main points raised:

- **RPZ are unnecessary / there are no current parking issues (n=11):**

Some respondents felt that the proposals will not be of benefit to residents of the area as there is no problem with parking in the Sion Hill and Summerhill Road area.

“There is no need for a parking scheme. Over 20 years neither we nor our long-term tenants have observed any parking issues which would warrant implementation of these restrictions. We have never been unable to park outside or very near our house.”

Typically, the roads within the proposed area including Sion Hill and Summerhill Road do experience high levels of parking with limited remaining capacity. Contrary to the objectors stating that there are no current parking issues, 22 supporting respondents give support on the basis that current parking is bad in the area with a further 10 respondents stating that the proposals would improve parking for residents.

“Despite the reduction in parking by Bath Spa students there remains a problem of parking from outsiders especially during times when there are events on in nearby parks or just when the weather is nice and people want to picnic on the old golf course. Non-residents tend to park without attention to access and generally reduce the number of places for parking.”

- **Permits are an additional expense / too expensive, and Cost of living crisis mentioned (n=8):**

Some respondents felt that the proposals are unfair on lower income residents and unwelcome at a time when there is a cost-of-living crisis.

“You are proising additional costs on people who are already struggling as well as already paying for living in this area”.

It is recognised that the timing of any proposed increase in costs is never welcome and that it has been a challenging time for many due to the impacts of Covid-19 and subsequent increases on household bills due to the energy price hikes resulting from the Ukraine conflict. One cannot ignore the need to act to progress measures which aim to improve air quality. No charges are applied retrospectively as the new charges will only apply at the point of purchase or renewal of a resident parking permit. It should also be noted that the purchase of a permit is optional as residents may choose to park in unrestricted areas outside of their residents parking zone or on their driveways where it is not possible for us to charge for parking.

The proposed charging structure for emissions based resident permits aligns with the Vehicle Excise Duty (VED), (commonly known as car or road tax) bands based on CO2 emissions, used by the DVLA.

Permits with shorter durations of 3 and 1 months are available in order to help spread the cost. This will provide greater flexibility for the purchase and management of permits, whilst also helping to ensure they are not accidentally left to expire (subject to payment card details remaining valid).

Air pollution can cause or contribute to a variety of health conditions, particularly amongst the young and elderly. Each year in the UK, around 40,000 deaths are attributable to exposure to outdoor air pollution which plays a role in many of the major health challenges of our day. It has been linked to cancer, asthma, stroke and heart disease, diabetes, obesity, and changes linked to dementia. The health problems resulting from exposure to air pollution have a high cost to people who suffer from illness and premature death, to our health services and to business. In the UK, these costs add up to more than £20 billion every year. Source: Royal College of Physicians – “Every breath we take: the lifelong impact of air pollution” <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>.

There are over 300 premature deaths a year in the West of England due nitrogen dioxide emissions (Joint Local Transport Plan 4, West of England Combined Authority, 2020), whilst in B&NES 92% of nitrous dioxide emissions are from road traffic (Transport Delivery Action Plan for Bath Phase 1: Current and Future Report, Bath and North East Somerset Council, 2020). The proposals therefore seek to improve air quality through the application of the polluter pays principle.

“I support all the reasons suggested in the proposals - less traffic, more public transport, more sustainable and healthy travel, although I do feel that the lowest earners should have free permits.”

Chief Constable

There are no further observations to add to those already expressed, and shown on the “Officer Decision Report, Approval to progress TRO” provided.

Parking Services

No comment.

Ward Members

Lansdown: Cllr Mark Elliot / Cllr Lucy Hodge

Following meetings with ward councillors to understand and discuss the concerns arising from the consultation and to address these concerns where practical to do so in revised plans, they are supportive of the scheme and have no further comments.

Cabinet Member for Transport

Cllr Manda Rigby - This scheme is supported to a level consistent with other RPZ schemes previously implemented in the authority, and with the amendments made, would garner even more support. I approve this scheme being implemented.

8. AMENDMENTS TO THE PROPOSALS

During the consultation some suggestions for minor changes to the proposals were made. It is not possible to make significant changes to the proposals without re-consulting. However, minor changes can be taken forward. It is recommended that, if the decision is taken for the scheme to go ahead, the following minor changes should be made:

Requested change

Sion Hill – two proposed dual use bays adjacent to allotments be made limited waiting only

Recommendation

Concern was raised that the proposals for dual use will lead to the bays being occupied by permit holders meaning visitors to or maintenance workers needing access to the allotments may be unable to park. Amend the restriction to limited waiting 3hr no return within 1 hr.

Requested change

Sion Hill – west side of loop. Move the proposed dual use bay northwards

Recommendation

Concern was raised from residents on the western side of the loop that the proposals for dual use bay was too close to where residents currently park. Relocation of the bay northwards has no material affect on overall provision of parking for either permit holders or those wishing to use the limited waiting without a permit. The necessary signage for the bay can be erected onto an existing lighting column with the bay relocated 15m further north towards the junction.

9. RECOMMENDATION

That the Traffic Regulation Order is adjusted as described below and sealed.



Signature:

Date: 28/11/2022

Paul Garrod
Traffic Management & Network Manager

10. **DECISION**

As the Officer holding the above delegation, I have decided that the objections / comments be:

a)	not acceded to and the Order as advertised be sealed.	
b)	acceded to in full and the proposal(s) withdrawn.	
c)	acceded to in part and the following adjustments, being of minor significance; be included in the Order to be sealed. <i>specify minor amendment to Order here:</i> <ul style="list-style-type: none">• Sion Hill southeast corner adjacent to the allotments – change 2 no. bay restriction type to 3hr limited waiting only.• Sion Hill western side of loop – relocate proposed dual use bay northwards by c.15m.	X

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.

The Councils Liveable Neighbourhood Policy has been used as the basis to set out our approach in developing the schemes with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement Residents Parking Schemes is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses. The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.



Signature: ...

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Date: 29/11/2022...

Chris Major
Director for Place Management