

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

4

APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Transport Group

TITLE OF REPORT: RPZ Beacon Hill
PROPOSAL: Various Waiting and Loading and Parking Restrictions
SCHEME REF No: 22 – 026
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 Richmond Place, part of Summerfield Road, Richmond Lane, Richmond Close, Mount Beacon, Beacon Road, and part of Richmond Hill, 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 [26th May 2022 from 4pm to 8pm], and an in-person event [26th May 2022 from 4pm to 8pm at St Stephen's 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 113 responses to the proposed Residents' Parking Zone. 109 of these came through the online portal.

89 responses were from within the proposed Zone with a further 24 from outside the area. The majority (87%) of respondents oppose the Residents' Parking Zone.

Whilst overall support for the scheme is very low, it is the opinion of the local Ward Councillors' that support does exist for a scheme which covers a smaller area encompassing Beacon Road, Mount Beacon, Richmond Lane and Richmond Hill only.

Amendments to be made:

- 1) Proposed boundary amended to cover only Beacon Hill, Beacon Mount, Richmond Hill, and Richmond Lane.
- 2) The revised proposals should not include any permit parking restrictions on Richmond Place. All new bay and lining proposals for Richmond Place. Maintain the existing no waiting at any time restrictions at the junction with Richmond Road/Richmond Close. Maintain the School Keep Clear.
- 3) Introduce a new no waiting at any time restriction on the north side of Beacon Road extending westwards to supersede a short section of the existing no waiting at times restriction opposite the junction with Richmond Lane to prevent obstructive parking.

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.

Beacon Hill Residents Parking Zone TRO – Public Consultation Findings

**Responses Received: 96; of which
Support – n=10, Partially Support – n=2, Object – n=84**

From responses received within the proposed zone boundary, 13% of respondents were in support, 0% partially supported and 87% 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=83):**
A significant number of respondents (n=52) felt that the proposals will not be of benefit to residents of the area as there is no problem with parking in the Beacon Hill area.

“There is no parking problem – spaces for residents are almost always available.”

“Restrictions are unnecessary and detrimental. At present it is always possible for Local Residents to park, even if this is not directly outside one’s house.”

Typically, some of the roads within the proposed Beacon Hill area experience high levels of parking demand with limited remaining capacity. However, a significant number of respondents (n=52) felt that the proposals will not be of benefit to residents of the area and state in general there is no support for the introduction of RPZ controls.

“The current situation, though busy around school pick up and drop off times, largely works well for local residents. All that introducing permits for the suggested area would do would be to push parking onto Richmond Place where there would be no restrictions, creating additional pressures.”

- **Previous proposal was unanimously voted against (n=42):**

Many respondents (n=42) felt the previous round of consultation clearly demonstrated that there was no appetite for parking controls in the area.

“Why is this still being proposed when 87% of people objected? Really annoying to feel like it hasn’t been listened to.”

“I objected to the proposals in June and have not changed my mind since. The majority, that it 87% of us that previously responded objected to the residents parking proposal, so I ask you, why is this going any further? We do not want residents parking.”

There is strong feeling that the proposals should have been withdrawn altogether following the first round of consultation.

- **Will just move parking issues to other areas / streets (n=31):**

Some respondents felt the proposals would displace parking congestion into roads outside the borders of the proposed zone especially Richmond Place.

The proposals are intended to remove unwanted commuter parking and free up road space for residents to park near to their homes. Whilst there is a likelihood that some non-permit holders will move into the next available area not within a zone, this has been highlighted during the consultations as something to bear in mind. If only a section of a street is included within the zone boundary, the commuter vehicles displaced from the area within the zone will move into the next available area not within the zone. For this reason, areas of the City must be looked at on a zonal basis.

- **Permits are an additional expense / too expensive (n=26), and Cost of living crisis mentioned (n=9):**

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.

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.

- **Council criticism / money making scheme (n=11):**

Some respondents felt that the scheme is being implemented to generate revenue for the local council.

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 Road Traffic Regulation Act (1984) (RTRA 1984). The proposals are themselves the measure to address risks to pedestrian safety from air pollution and achieve its duty under s122 of the RTRA 1984.

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, such as Safer Routes to Schools.

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 not supportive of the scheme and have no further comments.

Cabinet Member for Transport

Cllr Manda Rigby - This scheme was suggested by the local ward councillors after a local resident had canvassed neighbours who were supportive of an RPZ and amended after the initial consultation. The amended scheme still failed to get widespread support, and although it is in line with our climate emergency policy, with such overwhelming objections from the local community and little turnout from those in favour, it won't be progressed.

8. RECOMMENDATION

That the Traffic Regulation Order is abandoned/withdrawn.



Signature:

Date: 28/11/2022

Paul Garrod
Traffic Management & Network Manager

9. 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.	X
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>	

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.



Signature: ...

..

Date: ...29/11/2022

Chris Major
Director for Place Management