

# OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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## APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Transport Group

<b>TITLE OF REPORT:</b>	<b>RPZ Walcot/Snow Hill/Claremont Rd</b>
<b>PROPOSAL:</b>	<b>Various Waiting and Loading and Parking Restrictions</b>
<b>SCHEME REF No:</b>	<b>22 – 027</b>
<b>REPORT AUTHOR:</b>	<b>Kris Gardom</b>

### 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	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 including Snow Hill and adjoining roads, stretching north to include Bennet Lane, Arundel Road and part of Camden Road; east to Eastbourne Avenue, Claremont Road and St Saviours Road; south to Kensington Place and the boundary of the River Avon; and west to parts of the The Paragon, London Street and London Road, Bath.

This RPZ will aim to prioritise on-street parking for residents and provide accessible parking near social hubs within the area including pubs, places of worship, charities, and other 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 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 2022.

A virtual online event was held on the 27th May at 12pm, and an in-person event took place at the Riverside Youth Centre on the 24th May 2022 between 4pm to 8pm. These events 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 287 responses to the proposed Residents' Parking Zone.

A total of 219 responses were from within the proposed Zone with a further 68 from outside the area. Just under a quarter (22%) of respondents support the Residents' Parking Zone with a further 15% saying they partially support, the remaining 63% of respondents object to the proposals.

There were differences in the levels of support shown for the proposals. Almost three quarters (73%) of respondents who rate the current parking provision as bad either supported or partially supported the plans compared to 4% of those who currently feel the current parking provision is good.

Whilst overall support for the scheme is low, it is the opinion of the local Ward Councillors that the proposals on the whole do serve to provide benefit to all residents in the area and suggest that the proposals are taken forward with some minor amendments. Implementation of parking restrictions on a smaller area only is likely to have significant effect upon those neighbouring streets through migration of and displacement of identified parking issues.

Amendments to be made:

- On the east side of Tying Lane change bay to dual-use – permit holders or 1hr no return 1hr.
- Tying Lane, convert advisory disabled bay identified as redundant into permit holders only bay.
- Belgrave Road, convert advisory disabled bay identified as redundant into permit holders only bay.
- Eastbourne Avenue, convert advisory disabled bay identified as redundant into permit holders only bay.
- Arundel Road. To be signed as a permit parking area east of properties No. 2-3.
- Highbury Place to be signed as a permit parking area east of its junction with Bennett Lane.
- Middle Lane be signed as a permit parking area west of its junction with Upper East Hayes.

## 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.

## **Snow Hill Residents Parking Zone TRO – Public Consultation Findings**

**Responses Received: 234; of which  
Support – n=43, Partially Support – n=24, Object – n=167**

**From responses received within the proposed zone boundary, 21% of respondents were in support, 9% partially supported and 70% 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):**

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

“It is unacceptable to put additional costs on people in a cost-of-living crisis. People cannot afford the extra money for this scheme or for the permit. You are hurting already disadvantaged people... This scheme does not tackle the parking problem. Most parked cars in this area are owned by residents.”

*Typically, the roads within the proposed Snow Hill area experience high levels of parking demand with limited remaining capacity. Contrary to the objectors stating that there are no current parking issues, 35 respondents give support on the basis that current parking is bad in the area, with a further 6 respondents stating that the proposals would improve parking for residents. An additional 12 respondents gave general support for the introduction of RPZ controls.*

*“I am affected by commuter parking. I regularly cannot park outside my house or even near it in order to unload selves, groceries, gardening materials, or load our car to go on holiday. It is a real headache. My car has also been damaged by commuter parking.”*

- **Permits are an additional expense / too expensive (n=73), and Cost of living crisis mentioned (n=45):**

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 proposing 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.”*

- **Will just move parking issues to other areas / streets (n=36):**

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

"The scheme will create parking issues for the residents of St Saviours Road, Holland Road, St Saviours Way and Beaufort West and East, because all the measure will do is to push commuter parking further out. St Saviours Way often experiences congestion due to dangerous parking at the junction with London Road."

*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.*

- **Council criticism / money making scheme (n=32):**

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.*

- **RPZ will not reduce the number of cars / guarantee a space (n=11), The RPZ will reduce the number of parking spaces (n=28), Does not address parking issues experienced in an evening (n=20):**

Some respondents felt that the changes will not be effective unless it guarantees a place to park next to their home. The proposals do not cover evenings and overall there is a sense that there is a loss of parking capacity.

“Limiting commuter parking is a good idea. However, this proposal is a sledgehammer to crack a nut. Why not simply ban all commuter parking during peak weekday hours?”

*A Residents' Parking Permit does not guarantee a parking space on the street. The cost of the permit is a fee for membership of the scheme, not a payment for parking. Having a Residents' Parking Permit does not allow you to park illegally, for example on yellow lines.*

*The proposals generally formalise current parking practice in the area and have as much as possible sought not to materially affect parking capacity. The proposals do introduce some additional parking restrictions however, predominantly at and on the junctions within the area. This is to improve intervisibility and ensure dropped crossing locations are kept clear of parked vehicles, aiding pedestrians.*

- **Negative effect on disabled / elderly (n=8):**

Some respondents felt the proposals were unfair on vulnerable persons such as the elderly or disabled due to their need for a motor vehicle for transportation.

*We completed an Equality Impact Assessments to assess and identify impacts to those groups with protected characteristics and those vulnerable individuals on low income and in deprived areas. This proactive first stage consultation allowed us to consider additional needs and feedback that we may not have considered, and we have since published an updated a revised Equality Impact Assessment to ensure no group is disproportionately impacted.*

*Following consideration of feedback received from the public the Council introduced measures to mitigate the issues raised, including permits of short durations for 3 and 1 month which make the permits more affordable for residents who own more polluting vehicles.*

- **Impact on community organisations:**

An objection was received from the Genesis Trust who raised concerns about the proposals. This relates to the impact the scheme would have on their staff and volunteers. Under the terms and conditions of the council's permit scheme, businesses and other organisations are entitled to two permits used operationally for the business/organisation or its customers.

Genesis Trust operates The Gateway Centre in Snow Hill. Its staff and volunteers currently park in nearby roads since it has no off-road space in which to park. The Trust has stated it may not be able to continue to operate if the proposed RPZ is implemented because many of its staff and volunteers do not live close enough to its sites to walk or cycle. It has stated that the amount of permits the council would provide is insufficient. It has a significant number of volunteers. Although they do not all work at the same time, even if the council were to make permits available, it states it would not be workable if those permits were allocated to specific vehicles. It advises that only a paper-based permit system would work and it would have to be for the number of staff/volunteers who need them. In addition to this, as a charity it has stated it could not afford the cost of permits.

*Officers have met with representatives of the Trust to understand their operational requirements. Although it may be possible to provide a special type of permit for not-for-profit community organisations, permit numbers do need to be managed in order to help achieve the scheme objectives. That is, a reduction in commuter parking and encouraging more short journeys to be taken on foot, by bike, or public transport. There has to be a charge for permits to cover the operational costs of running the permit scheme.*

### **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**

Lambridge:

Cllr Rob Appleyard – Does not support implementation  
Cllr Joanna Wright – Does not support implementation

Walcot:

Cllr Richard Samuel  
Cllr Tom Davies

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 is a large and complex scheme and I'd like to thank the officers for the work they have put into it. The parts of the scheme closest to the city centre suffer from all day commuter parking, and the scheme addresses this issue whilst also extending to prevent immediate parking displacement into the areas slightly further away and creating a coherent area. For these reasons, allied to our overarching policy to lessen unnecessary car journeys, I support this proposal.

## **8. AMENDMENTS TO THE PROPOSALS**

During the consultation a number of 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

Claremont Road amend proposals due to insufficient road width

### Recommendation

Concern was raised that the proposals include parking on both sides of Claremont Road. Currently residents only park on the east side. Proposed west side parking should be removed from proposals. Following further discussions between the cabinet member, council officers and their legal team, further suggestion of alternating parking from one side to the other and create natural traffic calming on this section of road has been made.

### Requested change

Claremont Road between Belgrave Road and

### Recommendation

Concern was raised that the proposed bays do not provide sufficient separation and may hinder



Beaufort Villas amend bays to generate passing point

opposing traffic. The bays have been shortened to provide sufficient separation. West side bay to north of Beaufort Villas extended to replace loss of capacity from the changes.

Requested change

Snow Hill – adjacent to Cathcart House include gap in bay

Recommendation

The proposals include a bay that crosses the access to garage forecourt. A gap and no waiting marking has been introduced so as to maintain access.

Requested change

Chilton Road be signed as permit parking area

Recommendation

A number of residents requested that Chilton Road be signed as a permit parking area. Residents are happy to retain current parking practices and layout and consider the installation of no waiting along sections of the road to be of significant disbenefit and reduce overall parking capacity in the road.

Requested change

Belgrave Road be signed as permit parking area

Recommendation

A number of residents requested that Belgrave Road be signed as a permit parking area. Residents are happy to retain current parking practices and layout and consider the installation of road markings and associated signage to be an unnecessary blight on the aesthetics of the street.

Requested change

Upper East Hayes northern section (running east-west) be signed as permit parking area

Recommendation

A number of residents requested that the northern section of Upper East Hayes be signed as a permit parking area. Residents are happy to retain current parking layout and maintain the numerous advisory keep clear markings. They consider the installation of no waiting along many sections of the road to be of significant disbenefit to residents and that the proposals reduce overall parking capacity in the road.

Requested change

Include loading prohibition on London Road adjacent to bus lane

Recommendation

London Road has a 24hr bus lane on the south side. Waiting should always be prohibited within a bus lane during its operational period. Loading will also normally be prohibited during the operational hours, although there may occasionally be reasons why it needs to be allowed, such as off-peak loading in a 24-hour bus lane. Any prohibition of loading, whether during or outside the hours when the lane is in force,

should be indicated with signs and markings in accordance with section 13 of TSM Ch3. Prohibit loading Mon-Sat 8am-6pm.

Requested change

Make RPZ free for residents

Recommendation

Fees are payable for permits in all Bath RPZ. There will be no concessions for Snow Hill zone.

Requested change

Change the operating hours of the RPZ, not weekends

Recommendation

This would be a significant change to the proposals and therefore cannot be taken forward without re-consulting.

Requested change

Introduce more traffic calming measures

Recommendation

Snow Hill area is currently being looked at as part of ongoing Liveable Neighbourhoods work and proposals may well include some traffic calming measures. Bay layout on Claremont Road has been amended to staggered arrangement to create a chicane effect and reduce traffic speed.

**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)	<p>acceded to in part and the following adjustments, being of minor significance; be included in the Order to be sealed.</p> <p><i>specify minor amendment to Order here:</i></p> <ul style="list-style-type: none"> <li>• Amend bay layout on Claremont Road.</li> <li>• Snow Hill provide gap at Cathcart House access.</li> <li>• Chilton Road to be signed as permit area</li> <li>• Belgrave Road to be signed as permit area</li> <li>• Upper East Hayes north section to be signed as permit area</li> <li>• London Road to include loading prohibition adjacent to bus lane</li> </ul>	<b>X</b>
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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 decision as set out above.



Signature: ... ..

Date: ...29/11/2022

Chris Major  
Director for Place Management

