

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 HUNGERFORD ROAD AND ST JOHN'S ROAD AREA

PROPOSAL: Various Waiting and Loading and Parking Restrictions

SCHEME REF No: 22 – 028

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: the area around Locksbrook Road, Audley Grove, Hungerford Road, Edward Street, Audley Avenue, St Michaels Road, St Johns Road, and Windsor Castle, Bath.

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

A virtual online event [20th May 2022 from 4pm to 8pm], and an in-person event [20th May 2022 from 4pm to 8pm at Weston Methodist Church] were held 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 178 responses to the proposed Residents' Parking Zone. 174 of these came through the online questionnaire with 4 replying by letter or email.

126 responses were from within the proposed Zone with a further 52 from outside the area, one respondent did not state their location. Slightly over half (55%) of respondents' object to the proposals for the Residents' Parking Zone with just over a quarter (26%) supporting them.

Residents living inside the proposed Parking Zone were more likely to support it than those who live outside the Parking Zone (32% compared with 12%).

There were differences in the levels of support shown for the proposals, almost all (91%) of respondents who rate the current parking provision as bad supported or partially supported the plans compared to 13% of those who currently feel parking provision is good.

Whilst overall support for the scheme is quite low, analysis of the responses suggests that on certain streets support is generally higher.

It is the opinion of the local Ward Councillors' that support certainly exists for a Residents permit parking scheme which covers Hungerford Road and St Johns Road and that since the implementation of a scheme to cover Hungerford Road and St Johns Road only is likely to have significant effect upon neighbouring streets through migration of and displacement of identified parking issues the proposals should be progressed largely unchanged.

Amendments to be made:

- 1) On the west side of St Michaels Road amend the three proposed bays to dual-use providing non-residents with parking for up to 3 hours no return within 1 hour in this location.
- 2) On St Johns Road outside property 24, convert advisory disabled bay identified as redundant into permit holders only bay.
- 3) On Edward Street outside property 26, convert advisory disabled bay identified as redundant into permit holders only bay.
- 4) On Edward Street outside property 30, convert advisory disabled bay identified as redundant into permit holders only bay.
- 5) On Edward Street outside property 34, convert advisory disabled bay identified as redundant into permit holders only bay.
- 6) On the west side of St Michaels Road, convert car club bay identified as redundant into permit holders only bay.

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.

Hungerford St Johns Residents Parking Zone TRO – Public Consultation Findings

**Responses Received: 153; of which
Support – n=47, Partially Support – n=20, Object – n=86**

From responses received within the proposed zone boundary, 49% of respondents were in support, 7% partially supported and 43% objected to the proposals (Due to rounding to whole numbers, percentages may not total 100%)

Objections Main points raised:

• **Will just move parking issues to other areas / streets (n=48):**

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

“Whilst I am pleased that the upper reaches of Edward Street have been excluded from the scheme, I am concerned that those who do not wish to pay to park in the lower reaches will simply park higher up.”

“[I have] concerns that if the proposal is agreed people will park in Locksbrook Cemetery where, to my knowledge, there aren't any parking restrictions.”

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.

• **RPZ are unnecessary / there are no current parking issues (n=23):**

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

“There is no current problem with parking in this area and the proposed change will make it difficult for residents to have guests or workers visiting their house as they will be unable to park in the street.”

Typically, the roads within the area experience high levels of parking demand with limited remaining capacity. Contrary to the objectors stating that there are no current parking issues, 39 respondents give support on the basis that current parking is bad in the area, with a further 7 respondents stating that the proposals would improve parking for residents. An additional 25 respondents gave comments suggesting that parking issues were as a direct result of commuters.

“Parking needs to be sorted for residents instead of its use for commuters walking into town.”

“I am concerned given the large area, that residents in Lynbrook Lane, St Johns / St Michaels / Hungerford Road Drive, Ivy Bank Drive, St Johns / St Michaels / Hungerford Road Park etc, who do not have an issue with parking and who mostly have 2 parking spaces already, will vote against the proposal and be able to deny those of us who have a real issue at the bottom of St Johns / St Michaels / Hungerford Road from a solution. The residents of Lower St Johns / St Michaels / Hungerford Road, beneath the chicane at the bottom of the golf course have a real problem and should be able to decide and vote in our own right for our own community.”

- **Unfair on visitors (n=23), unfair on local workers (n=7):**

Respondents felt that the proposals will negatively impact on guests, visitors, and local workers. “There is no current problem with parking in this area and the proposed change will make it difficult for residents to have guests or workers visiting their house as they will be unable to park in the street.”

The council provides a limited number of visitors permits (1000 hours in all except the central zone, when 100 are available) to residents to allow visitors to park close to their homes. This helps to ensure, particularly amongst residents that are vulnerable or living alone, that they can receive guests.

Limiting the availability of on street parking for long stay guests, where vehicles typically remain parked for long periods during the visitors stay, ensures a higher turnover of the limited parking availability in the area and prevents commuters from parking in the area all day, an issue raised by 25 respondents.

There is no charge for short term limited waiting parking. Dual use bays are free for periods of up to 3 hours in some locations providing shoppers or service users free parking within the area. Visitor permits can be purchased by residents.

- **Permits are an additional expense / too expensive (n=22), and Cost of living crisis mentioned (n=22):**

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.

“Residents pay council tax and road tax, so why should they have to pay to park?!!! I visit family in this road and why should they have the added burden of paying for me to park and paying for their permits?”

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.”

- **RPZ will not reduce the number of cars / guarantee a space (n=19), The RPZ will reduce the number of parking spaces (n=8)**

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

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 (some currently marked with advisory keep clears). This is to improve intervisibility and ensure dropped crossing locations are kept clear of parked vehicles, aiding pedestrians.

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

Kingsmead: Cllr Sue Craig / Cllr Andrew Furse

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 - I believe that the work done on this scheme will benefit the local residents and support our climate emergency strategy so I support it's implementation.

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

Additional dual use bays on St Johns Road and Hungerford Road to facilitate visiting the funeral directors

Recommendation

Concern was raised that the proposals for dual use were not sufficient or convenient to accommodate customers of the funeral directors. Two bays to be amended to dual use thereby providing potential 3hr limited waiting for an additional 12 vehicles near to the funeral directors premises.

Requested change

Council to look at existing disabled bays e.g. whether they are still needed, relocation

Recommendation

Disabled bay provision has been checked by the council and during preliminary design stage and where identified as no longer needed have been removed to give over additional parking capacity to permit holders. No further action needed.

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.

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.	
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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"> • Hungerford Road o/s 1-4, change bay restriction type to dual use with 3hr limited waiting. • St Johns Road o/s 2a-10, change bay restriction type to dual use with 3hr limited waiting. 	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 Council's 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: ...
Chris Major
Director for Place Management

Date: 29/11/2022

