

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

4

OUTCOME OF TRO PROCESS

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: South West Outer Bath Area TRO Review

PROPOSAL: Parking Restrictions

SCHEME REF No: 22- 008

1. DELEGATION

The delegation to be exercised in this report is contained within **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	
(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 restrictions around the South West Outer Bath area.

4. **BACKGROUND**

A number of proposals for: No Parking At Any Time restrictions, No Stopping At Any Time on School Keep Clear markings, the removal of a 30 minute Limited Waiting restriction, and a Disabled Parking bay restriction at various locations around the South West Outer Bath area were submitted to the Council by local residents, Ward Members and the Bath & North East Somerset Councils Traffic Management and Transport Planning Engineers. The reason behind these requests was to improve visibility and access for emergency and refuse vehicles, to allow for the safe passage and re-passage of vehicles and to provide limited on-street parking provision.

5. **SOURCE OF FINANCE**

This proposal is being funded by the capital Parking budget, project code TC8302.

6. **INFORMAL CONSULTATION REQUIREMENT**

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

The responses to the informal consultation can be found in TRO report number 2.

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.

Plan 3 – North View Close, Twerton, Bath (No Parking At Any Time)

Objections – 1, Support – 0, Support in part - 0

Objections main points raised:

- High demand for on-street parking by local residents.

- The kerb/middle island at the turning end of the Close has already been moved further back by the Council many years ago, this has been more than adequate to assist larger vehicles turning.
- Not aware of any accidents caused by parked vehicles.
- This proposal will remove the ability to park approximately 8 cars.
- Larger vehicles, such as Council refuse trucks, rarely use the Close in comparison to the residents who use the Close for parking 24/7. Removing the ability to park in these Zones 24/7 purely for the benefit of the odd vehicle that has to reverse to turn is not acceptable.
- The proposal will increase traffic speeds.
- Parked cars act as a traffic calming measure here.
- A lot of children live in this Close so increased traffic speeds is unsafe.
- I have spoken to neighbours in passing who are also against this proposal and are annoyed that necessary street parking, parking outside houses that has existed forever, is being removed for little notable benefit.

Response: The No Parking At Any Time restrictions along North View Close were requested by the local Ward Members around the junction and turning head to prevent obstruction to larger vehicles and improve visibility splays. The purpose of the highway is for the safe passage and re-passage of vehicles. Parking is an obstruction of that right and therefore can only be condoned where it is safe to do so. The proposed restrictions only remove parking at the junctions and around the turning head where it is not appropriate to park. However, after consultation with the local Ward Members regarding the extent of the No Parking restrictions around the property side of the turning head, it is the recommendation of this report that they are reduced to extend only between the boundary of properties 11 / 12 and 15 / 16 as this is the area which causes an obstruction to larger vehicles when cars are parked in this location. It is the recommendation of this report however as the Council only received 1 objection, that the proposed restrictions around the junction of North View Close are sealed within this Order and implemented on-site as advertised to improve visibility splays.

Plan 9 – Moorfields Drive, Moorlands, Bath (No Parking At Any Time)

Objections – 1, Support – 0, Support in part – 0

Objection main points raised:

- I would like to object to the proposed traffic proposal to the above streets as part of a collection of streets you are proposing to change. are highly populated with residential parking and with the sudden influx of RPZs this is just going to push the problem onto these streets more and cause even more

congestion and pollution. I strongly believe they should be left as they are before even more chaos is caused in the Moorfields area.

Response: The No Parking At Any Time restrictions on Moorfields Drive were requested by the Traffic Management Team to prevent obstruction of local residents vehicles caused by parked cars opposite. As the Council only received one objection to these restrictions, which are proposed to prevent obstruction on the highway, it is the recommendation of this report that they are implement as advertised and sealed within this Order.

Plan 10 – Hensley Gardens, Moorfields, Bath (No Parking At Any Time)

Objections – 0, Support – 1, Support in part - 5

Main points raised:

- The residents agreed to and requested double yellow lines on the east side of Hensley Gardens opposite Nos 1 – 3 only. This was requested on 28/10/22 in line with the email submission to Councillor Jess David and the Highways Dept which we were expecting to be faithfully reproduced into the TRO. The request never included restriction of parking in the bay at the end of the cul-de-sac.
- There has never been a problem with vehicles parking within the turning head, and it provides a useful place for visitors to temporarily park whilst visiting residents.
- The turning area is sufficiently large enough that with a vehicle parked in this location there is still ample room for larger vehicles to turn around.
- Residents have placed notices (No Parking, turning area) in the turning area at the end of Hensley Gardens which has kept the bay clear the last 4 years. Parking restrictions in this area is therefore not necessary and will cause issues for the occasional visitor or maintenance tradesman servicing the area.
- These restrictions will help avoid parked vehicles overhanging the dropped kerb outside numbers 6 & 7 and parking opposite these driveways.

Response: The No Parking At Any Time restrictions on Hensley Gardens was requested by the local Ward Member on behalf of local residents to prevent obstruction caused by parked cars to larger vehicles and help improve property access. Due to the observations raised above it is the recommendation of this report that the proposed restrictions are reduced in length and extend only opposite properties 1 – 3 and 6 - 7, but not within the turning head area. These measures will keep Hensley Gardens clear of obstruction for larger vehicles and improve access in and out of residential driveways opposite.

Plan 12 – Englishcombe Way / Englishcombe Lane, Moorfields, Bath (No Parking At Any Time)

Objections – 2, Support – 1, Support in part – 0

Objection main points raised:

- We live on Englishcombe Lane and have never experienced problems with parking.
- Speed is the main issue on the road despite 20mph limits. Parking changes would not help this.
- The impact would be on residents guests and their ability to visit / stay. Not on general traffic flow in the city.
- Restrictions would not make the road safer (instead, a speed camera would help this).
- Residents have not been contacted to ask if the parking is a problem - it is not.
- Existing parking does not affect the flow of traffic on Englishcombe Lane.
- The properties along this section of Englishcombe Lane are all 4-5 bedroom properties, and therefore likely to have 3-4 adults and their vehicles. If the amount of parking is to be reduced outside 31a/31b/33, I would like to know where it is expected that the vehicles that currently use this section of road are to park.
- They are highly populated with residential parking and with the sudden influx of RPZs this is just going to push the problem onto these streets more and cause even more congestion and pollution. I strongly believe they should be left as they are before even more chaos is caused in the Moorfields area.

Support main points raised:

- We the undersigned residents of Englishcombe Way, write to support the extension of double yellow lines. The extension of the double yellow lines will limit parking and improve residents' line of sight when exiting Englishcombe Way, hopefully making the junction less hazardous. Please see letter included in the file signed by 9 local residents.

Response: The No Parking At Any Time restrictions at the junction of Englishcombe Way / Englishcombe Lane were requested by the local Ward Member on safety grounds on behalf of local residents to improve visibility splays when exiting onto the busy main road. As the Council only received two objections and 9 local residents supported the scheme, it is the recommendation of this report that the proposed restrictions are implemented on-site, however they should be shortened to extend an additional 2 cars lengths only up to the property boundary of 31b / 33. This extension of the existing No Parking At Any Time restrictions will improve visibility splays when exiting Englishcombe Way, but retain valuable on-street parking for local residents where possible. This is considered to be an appropriate compromise.

Plan 13 – Southdown Road, Southdown, Bath (No Parking At Any Time)

Objections – 7, Support – 2, Support in part – 0

Objection main points raised:

- Why is it thought necessary to have no parking restrictions outside 110-136 Southdown Road?
- Why are there no No Parking restrictions on Southdown Road at the point Belmore Gardens joins Southdown Road, near a sharp bend in Southdown Road?
- It is not clear to me how far the no parking at any time restrictions extends outside 101 & 103 Southdown Road.
- Is the purpose of this particular no parking restriction related to the post box, shop and post office at 101 Southdown Road or is it related to increasing visibility splays from the off-street parking at 103 Southdown Road? If it doesn't include the later I would like to request that the later are included.
- No Parking At Any Time signs will be unsightly and add to sign overload in the area of Southdown Road. The proposed No Parking lines on the road are not necessary, the majority of drivers obey the Highway Code and do not park close to the corner. There is no need for No Parking road markings to enforce this. The road markings will be visual pollution in this neighbourhood.
- By stopping people parking on Southdown Road people will park in the adjoining roads making it very difficult for emergency services to attend to possible emergencies in these adjoining roads.
- I do not see an issue with the parking on Southdown Road at present, so I see no need to implement these restrictions.
- Everyone (who pays road tax) should be entitled to park outside their home.
- This will have a negative social impact on the residents.
- The road markings will be visual pollution in this neighbourhood and are unnecessary.
- This will create havoc for the residents who park outside their houses at the lower end of Southdown Road.
- Under the other new proposals further down into Oldfield Park with only residents permit parking and two cars per residence, the knock-on effect for student property/multiple occupancy and with properties with more than two cars will be to park up Southdown Road. So restricting parking up between Teddington Close and Loxley gardens will produce parking friction.

- Loss of parking for the residents at the lower end of Southdown Road.
- The proposed blanket no parking at any time on Southdown Road between Teddington Close and Loxley Gardens is totally unnecessary. We have had parking on both sides of the road at the bottom of Southdown Road for longer than 40 years.
- Traffic currently moves relatively freely and in busy periods there is a very good safety benefit in that it does slow vehicles down.
- The council's own recycling lorries negotiate the existing one lane channel at the bottom of Southdown Road.
- My view is that the safety angle for pedestrians is paramount. There must be a case for low landscaping secret policeman down this road as the traffic has increased and there is a significant element that ignore the 20mph limit. There may be drawbacks to this, but the cheaper plan is to keep parking on each side of the road up the hill as specified.
- I can understand putting this in at junctions but why on a long section of the road and Teddington close. All you are doing is restricting parking for people and moving cars elsewhere & possibly making it worse for people to park. The other side of it is the safety aspect as it does slow traffic going up and down the road with the car parking along those sections.

Support main points raised:

- We approve of the installation of yellow lines on the left-hand side of the Road, proceeding down the hill, to prevent the parking of vans, cars by local residents who already have private drives and garages to park their own vehicles. Continuous parking by such residents and non-residents of Southdown Road contributes to a hazard when exiting / entering our drive.
- Although there are speed restrictions these are ignored by cars, commercial vehicles and the most dangerous of all, cyclists and electric scooters, speeding down the hill.
- We would like to express our thanks for the effort you are going to in order to try to make our lives safer. Anything that you can do to make it safer when driving on and off our drive onto Southdown Road will literally be a life saver.
- There are very frequent occasions when we cannot see up or down the road and cannot see approaching traffic up or down the road. Needless to say, we have many near misses.

Response: The No Parking At Any Time restrictions along Southdown Road were requested by the local Ward Members to replace existing advisory White Keep Clear markings and in locations where local residents had raised concerns over the past year relating to visibility and property access issues. Despite the number of

objections received, as the majority of the new restrictions that have been proposed are either at junctions or are located where existing advisory white 'keep clear' markings have previously been provided, largely due to parked vehicles causing difficulties for vehicles existing driveways. It is therefore the recommendation of this report that the proposals are implemented on site as advertised.

Plan 16 – Moorfields Road, Moorlands, Bath (No Parking At Any Time)

Objections – 1, Support – 0, Support in part - 0

Objection main points raised:

- I would like to object to the proposed traffic proposal to the above streets as part of a collection of streets you are proposing to change. They are highly populated with residential parking and with the sudden influx of RPZs this is just going to push the problem onto these streets more and cause even more congestion and pollution. I strongly believe they should be left as they are before even more chaos is caused in the Moorfields area.

Response: The No Parking At Any Time restrictions on Moorfields Road were requested by the local Ward Member on safety grounds on behalf of local residents to prevent obstruction of property entrances due to parked vehicles. It is therefore the recommendation of this report as the Council only received one objection to these proposals that the restrictions are implemented as advertised and sealed within this Order.

Plan 18 – Englishcombe Lane, Moorfields, Bath (No Parking At Any Time)

Objections – 1, Support – 0, Support in part – 0

Objection main points raised:

- We live on Englishcombe Lane and have never experienced problems with parking.
- Speed is the main issue on the road despite 20mph limits. Parking changes would not help this.
- The impact would be on residents guests and their ability to visit / stay. Not on general traffic flow in the city.
- Restrictions would not make the road safer (instead, a speed camera would help this).
- Residents have not been contacted to ask if the parking is a problem - it is not.
- Existing parking does not affect the flow of traffic on Englishcombe Lane.

Response: The No Parking At Any Time restrictions on the northern side of Englishcombe Lane in front of properties 164 to 174, were requested by the local Ward Member to resolve access issues to these properties. As the Council only received one objection to these proposals which will benefit 6 residential properties, it is the recommendation of this report that the proposed restrictions are implemented on-site as advertised and sealed within this Order.

No Objections received to:

- Plan 1 – Poolemead Road, Twerton, Bath**
- Plan 2 – Poolemead Road, Twerton, Bath**
- Plan 4 – Highland Road, Twerton, Bath**
- Plan 5 – Kelston View, Twerton, Bath**
- Plan 6 – Alderley Road / Mount Road, Southdown, Bath**
- Plan 7 – The Hollow, Southdown, Bath**
- Plan 8 – Lansdown View, Twerton, Bath**
- Plan 11 – Acacia Grove, Southdown, Bath**
- Plan 14 – Sheridan Road, Twerton, Bath**
- Plan 15 – Mount Road, Southdown, Bath**
- Plan 17 – Odins Road, Moorlands, Bath**
- Plan 19 – Poolemead Road, Twerton, Bath**
- Plan 20 – Poolemead Road, Twerton, Bath**
- Plan 21 – East Way / Kelston View, Twerton, Bath**
- Plan 22 – Kelston View / The Hollow, Twerton, Bath**

As no objections were received to these proposals it is the recommendation of this report that they are sealed as advertised.

Chief Constable

Thank you for your email and attachments which I understand contain the latest proposals within the South West Outer Bath area review 23-008, including proposals for new parking restrictions or amendments to existing ones which have been requested by the public and ward members.

As per our previous response on behalf of the Chief Constable, enforcement of waiting restrictions within the Bath and North East Somerset Council area rests with B&NES Parking Services. (B&NES Parking Services comments on the proposals, identifying the potential for additional resources being needed to carry out enforcement, and the cumulative impact that enforcement of restrictions such as are proposed, on enforcement ability, are noted.)

The proposals as shown on the South West Outer Bath Area TRO 23-008 - Outcome of Process TRO Report and prior consultation, should meet the aspirations behind their introduction.

Parking Services

No comment.

Ward Members

Odd Down:

Cllr Steve Hedges – Same as below.

Cllr Joel Hirst - Steve Hedges & I have reviewed the documents and have no further comments – we support the Odins Road scheme.

Moorlands:

Cllr Jess David - **Plan 9 - Moorfields Drive:** No comments, this came forward following requests from residents. **Plan 10 - Hensley Gardens:** I am happy with the proposed amendment to remove the double yellows from the turning circle, reflecting feedback from residents. **Plan 11 - Acacia Grove:** No comments, this came forward following requests from residents. **Plan 12 - Englishcombe Way:** I note the proposed compromise from the Highways Team. Residents on Englishcombe Way continue to have concerns about visibility and have requested a road sign and/or mirror to assist drivers exiting Englishcombe Way, and to highlight the junction. **Plan 16 - Moorfields Road:** This proposal came from the previous TRO where an alternative scheme (parking restrictions on the other side of the road) did not proceed. I do not know of any residents that are currently seeking, or who support this change, and as no one has responded to this consultation, please can we remove this from the TRO. I think that further changes in this location would exacerbate current parking shortages. I also note the further comments submitted to the highways team on 15 June which oppose this proposal. **Plan 17 - Odins Road.** Please note this is not in Moorlands ward. **Plan 18 - Englishcombe Lane,** this change was requested by residents, and I am happy to support.

Response: Plan 16 – Moorfields Road, will be removed from this Order as requested by the local Ward Member above.

Southdown:

Cllr Paul Crossley – All the Southdown proposals look fine to me.

Cllr Dine Romero – I noticed an objection to restrictions on Southdown Road suggesting this would affect access to the Post Office, would you confirm that there are no planned Double Yellow Lines outside the Post Office.

Response: We can confirm that there are currently no plans to place any further parking restrictions in front of the post office at this point in time. The only proposal contained within this TRO is to convert the existing small White Keep Clear marking to the side of the post office to Double Yellow Lines as shown on the proposal plan.

Twerton:

Cllr Sarah Moore – No comment.

Cllr Tim Ball – No comment.

Westmoreland:

Cllr June Player – No comment.

Cllr Colin Blackburn – No comment.

Widcombe / Lyncombe:

Cllr Alison Born – No comment.

Cllr Deborah Collins – No comment.

Cabinet Member for Transport:

Cllr Manda Rigby – No comment.

8. RECOMMENDATION

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



Paul Garrod
Traffic Management & Network Manager

Date: 30th June 2023

9. DECISION

As the Officer holding the above delegation, I have decided that the objections / comments be acceded to in part and the following adjustments, being of minor significance; be included in the Order to be sealed.

specify minor amendment to Order here:

- *Plan 3 - After consultation with the local Ward Members regarding the extent of the No Parking restrictions around the property side of the turning head, it is the recommendation of this report that they are reduced to extend only between the boundary of properties 11 / 12 and 15 / 16 as this is the area which causes an obstruction to larger vehicles when cars are parked in this location. It is the recommendation of this report however as the Council only received 1 objection, that the proposed restrictions around the junction of North View Close are sealed within this Order and implemented on-site as advertised to improve visibility splays.*

- *Plan 10 – Hensley Gardens, Moorfields, Bath - Due to the observations raised above it is the recommendation of this report that the proposed restrictions are reduced in length and extend only opposite properties 1 – 3 and 6 - 7, but not within the turning head area. These measures will keep Hensley Gardens clear of obstruction for larger vehicles and improve access in and out of residential driveways opposite.*
- *Plan 12 - it is the recommendation of this report that the proposed restrictions are implemented on-site, however they should be shortened to extend an additional 2 cars lengths only up to the property boundary of 31b / 33. This extension of the existing No Parking At Any Time restrictions will improve visibility splays when exiting Englishcombe Way, but retain valuable on-street parking for local residents where possible. This is considered to be an appropriate compromise.*
- *Plan 16 – Moorfields Road, Moorlands, Bath – Remove from Order at Ward Members request.*

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 policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme 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.



Chris Major
Director for Place Management

Date: 04/07/2023