

Proposed Pedestrian Crossing Statement of Reasons

Bath and North East Somerset Council

MARLBOROUGH BUILDINGS, BATH

RAISED TABLE SPEED HUMP

STATEMENT OF REASONS

Proposal

To introduce a new raised table speed hump on Marlborough Buildings, Bath centred approximately 7.5 metres north of the junction with Royal Avenue.

The proposal corresponds with the proposal 25-050 Marlborough Buildings Zebra Crossing.

The proposals are shown on the attached drawing TCH0041 / GA2.

Reasons

Funding has been secured to install a raised table speed hump to enhance the proposed zebra pedestrian crossing (TRO 25-050) on Marlborough Buildings, Bath. Pedestrians can experience difficulties when crossing Marlborough Buildings to reach sites such as Royal Victoria Park and Royal Avenue, particularly groups of pedestrians or those with restricted mobility.

It is considered that a raised table speed hump to complement the proposed zebra pedestrian crossing would be an appropriate traffic calming feature at this location, and would help to encourage active travel.

The Council has considered article 8 within Schedule 1 to the Human Rights Act (Right to respect for private and family life, home and correspondence) and Protocol 1 Article 1 (Peaceful enjoyment of possessions). Both of these rights are qualified rights, and the Council does not consider that the measures proposed under the TRO amount to a deprivation of possessions as the right to access property has not been extinguished. The proposals are considered to have a minimal impact on human rights. However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (such as in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate

aim and proportionate to do so. The proposals within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposed Order is consistent with the section 149 public sector equality duty, which it has discharged.

Road Traffic Regulation Act 1984

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 23 enables local highway authorities to establish crossings for pedestrians.

This proposal is also made in accordance with The Highways Act 1980 Section 90A which permits a highway authority to both construct and remove road humps in a public road, for which they are the highway authority, if the highway is subject to a legal speed limit for motor vehicles of 30 miles per hour or less or the road humps are specially authorised by the Secretary of State.

In making this proposal the Council has discharged its duty under section 122 of the Road Traffic Regulation Act 1984.

The Council is under a duty pursuant to section 122(1) of the Road Traffic Regulation Act 1984 (as amended) to exercise its duties under the Act (so far as practicable having regard to the subsection (2) matters), to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

As for the subsection 122(2) matters:

- a) the desirability of securing and maintaining reasonable access to premises.

Comment: installing a raised table speed hump in the proposed location would not cause any issues in relation to access to premises.

- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run.

Comment: installing a new raised table speed hump would complement the proposed zebra pedestrian crossing and would have a positive impact on access to local amenities.

- bb) The strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

Comment: the proposal could encourage greater use of active travel for some journeys.

- c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.

Comment: The proposal would have no impact on the passage of public service vehicles.

d) Any other matters appearing to the local authority to be relevant.

Comment: N/A

Having balanced the various matters and considerations, the Council has concluded that it is appropriate to progress the proposed Order.

The Council has also discharged its duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed Order is consistent with that duty, given its other policies and objectives.

Neither section 16 nor section 122 of the 1984 Act precludes the making of the proposed Order.

Date: 13th October 2025