

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

25-079 Review of Bath off-street parking charges

STATEMENT OF REASONS

Proposal

Following consideration of feedback from a preliminary public consultation, undertaken in October/November 2025, the council is proposing to review off street parking charges including:

- A. Increase the charge for all day parking at Bath Park and Ride (P&R) sites for motorists not using the P&R bus service from £3 to £4 for a 24-hour period.

It's also proposed that the following changes are made:

- A. Update the operational hours of the daytime charges at the Sports and Leisure Centre car park, Bath, from 08.00 to 20.00 to 06.00 to 20.00.
- B. Removal of the Holburne Museum, as a car park not controlled by the council, as a location from the TRO.
- C. To remove the 4-hour maximum stay between 20.00 and 08.00 (overnight) for an electric vehicle whilst charging at Larkhall Square Car Park.
- D. Clarification that a digital authorisation within a council car park does not require the display of a physical ticket.

More details of the proposals, including a breakdown of the charges where appropriate, are included in the main report.

Reasons

1. We want to discourage long-stay parking at our P&R sites by those who do not use the P&R bus service to free up the limited parking space for those who do, particularly at peak times. This will ensure our P&R services are effective in encouraging sustainable travel and ensure that site users parking all day contribute the maintenance of the sites and the service. This does not affect the short -stay parking charge which will remain unchanged.

2. Parking charges will always be emotive and form a core tenet of these proposals, these being the mechanism to incentivise behaviour change.
3. In addition to the parking charge proposals that formed part of our preliminary 21-day public consultation during October and November 2025 the council proposes further operational changes affecting some or all locations within this order.
4. Adjusting the start time of daytime charges at Bath Sports and Leisure Centre from 08:00 to 06:00 will provide equitable access for users participating in activities beginning between 06:30 and 08:00. This change ensures that these individuals are no longer required to purchase an overnight stay for events with only a brief overlap, thereby enhancing access to activities for early morning participants that are beneficial to health.
5. The removal of the Holburne Museum from the TRO is required because the council no longer maintains operational control over this privately owned location.
6. Removal of the maximum 4-hour limit for overnight charging of electric vehicles at Larkhall Square car park allows the local community to utilise these facilities outside regular hours. This measure supports the transition to electric vehicles in areas with limited off-street parking provision and aligns with the use of EV bays at other council car parks where there are no parking time use restrictions between 20.00 and 08.00.
7. Digital authorisations include paid for parking or a parking permit/season ticket in a Bath car park purchased via the council's current supplier, MiPermit. Such an authorisation does not require a motorist to display any ticket or other evidence in their vehicle. This proposal is a technical amendment to provide improved clarity within the order.
8. These proposals have been developed in accordance with the duty under s122 of the RTRA 1984 (to secure the expeditious, convenient and safe movement of traffic) as well as enabling the council to fulfil its network management duty under section 16 of the Traffic Management Act (2004) (TMA 2004), which also states that the council must manage its road network with a view to securing the expeditious movement of traffic and may take any action they consider will contribute to securing (a) more efficient use of that network, or (b) the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.
9. These proposals support the council's Corporate Strategy and local transport policy whilst also remaining consistent to the council's commitments to Liveable Neighbourhoods and the Journey to Net Zero.
10. 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.

11. 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, section 35 (Variation of charges at off-street parking places). An order under section 35(1)(a)(iii) of this Act makes provision as to the charges to be paid in connection with the use of off-street parking places, the authority making that order may vary those charges by notice given under this section.

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: The proposals help the council fulfil its network management duty under section 16 of the TMA2004 by ensuring that access to limited parking capacity across its P&R sites, particularly at peak times, for those visitors looking to access the city centre is not adversely affected by other motorists using the sites for all day parking and who do not use the P&R bus service. This helps to reduce the volume of visitor traffic into the city centre and maintain the flow of vehicles on the network, especially with regards to public transport and emergency vehicles.

- 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: n/a

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

Comment: The proposals help to ensure that access to limited parking capacity across its P&R sites, particularly at peak times, for those visitors looking to access the city centre is not adversely affected by other motorists using the sites for all day parking and who do not use the P&R bus service. This helps to reduce the volume of visitor traffic, and pollution, into the city centre and maintain the flow of vehicles on the network, especially with regards to public transport and emergency vehicles.

- 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 proposals help to ensure that access to limited parking capacity across its P&R sites, particularly at peak times, for those visitors looking to access the city centre is not adversely affected by other motorists using the sites for all day parking and who do not use the P&R bus service. This helps to reduce the volume of visitor traffic into the city centre and maintain the flow of vehicles on the network, especially with regards to public service and emergency vehicles.

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

Comment: The changes proposed to the start time of daytime charges at the Sports and Leisure Centre car park enhance access to activities for early morning participants that are beneficial to health. Allowing electric vehicles to utilise the EV charging facilities overnight at Larkhall Square car park supports the transition to more sustainable electric vehicles in areas with limited off-street parking provision helping to encourage a reduction in the emissions from vehicles that combust fossil fuels.

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: 04/03/2026