

# OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)

## PRELIMINARY CONSULTATION (Cabinet Member for Sustainable Transport Delivery)

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PREPARED BY: Traffic Management Team, Highways and Traffic Group

<b>TITLE OF REPORT:</b>	<b>Larkhall Square, Upper Lambridge Street &amp; St Saviours Road.</b>
<b>PROPOSAL:</b>	<b>Loading restrictions and correcting double yellow lines.</b>
<b>SCHEME REF No:</b>	<b>26-025</b>
<b>REPORT AUTHOR:</b>	<b>Sadie Cox-Alcuaz</b>

### 1. DELEGATION

The delegation to be exercised in this report is contained within **Part 2 Section 2.35** of the Constitution under the **Delegations of Functions to Officers**, as follows:

<b>Section A</b>	The Chief Executive, Executive Director - Chief Operating Officer, 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 their area of responsibility.
<b>Section D</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 and the Head of Highways Delivery hold 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 introduce ‘no loading at any time’ loading restrictions on lengths of existing double yellow line parking restriction.

To incorporate an existing length of double yellow line parking restriction into a TRO. This restriction is in place on the carriageway but is not currently supported by a TRO.

The proposals are shown on the attached drawing.

**4. REASON**

Please refer to the Statement of Reasons.

The Council has had in mind and discharged the duty (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable. It has also had regard to the factors which point in favour of imposing the proposed loading restrictions and incorporating a length of existing parking restriction into a TRO. It has balanced the various considerations and concluded that it is appropriate to promote these measures. The Council has also considered and discharged its network management duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed loading and parking restrictions are consistent with that duty, having regard to its other policies and objectives.

**5. IMPACT ON EQUALITIES**

An Equality Impact Assessment has been undertaken in relation to the proposal, which is available upon request. 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.

## 6. **IMPACT ON HUMAN RIGHTS**

The proposals are considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property). However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (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 proposal(s) within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

## 7. **SOURCE OF FINANCE**

This proposal is being funded by the capital Parking budget.

## 8. **CONSULTATION REQUIREMENT**

The proposal requires consultation with the Chief Constable, Emergency Services, Road Haulage Association, Freight Transport Association (Logistics UK), Parking Services, Waste Services, Ward Members and the Cabinet Member for Sustainable Transport Delivery.

## 9. **COMMENTS RECEIVED TO DATE**

**Chief Constable** - Thank you for your email and attachments regarding the proposed introduction of waiting restriction on Larkhall Square, Upper Lambridge Street and St Saviours Road, Larkhall, Bath as shown on the attached plan.

It is understood from the Statement of Reasons that the proposal is

*“To introduce ‘no loading at any time’ loading restrictions on lengths of existing double yellow line parking restriction.*

*To incorporate an existing length of double yellow line parking restriction into a TRO. This restriction is in place on the carriageway but is not currently supported by a TRO.*

*The proposals are shown on the attached drawing.*

### *Reasons*

*The proposed loading restrictions are required to deter vehicles from obstructing pedestrian dropped kerbs, ensuring safe and accessible pedestrian crossing points. All parking restrictions on the public highway require the support of a TRO in order to be legally enforceable. “*

Enforcement of waiting restrictions within the Bath and North East Somerset Council area rests with Bath and North East Somerset Council Parking Services. Consideration regarding the potential displacement of existing parking, and the enforcement needs of these restrictions should be of importance.

The proposals should meet the aspirations behind their introduction.

**Emergency Services** - No Comment

**Road Haulage Association** - No Comment

**Freight Transport Association** - No Comment

**Parking Services** - No Comment

**Waste Services** – No Comment

**Ward Members**

Cllr Joanna Wright – No Comment

Cllr Saskia Heijltjes – No Comment

REPORT APPROVED FOR CIRCULATION TO CABINET MEMBER FOR  
SUSTAINABLE TRANSPORT DELIVERY.

A handwritten signature in black ink, appearing to read 'Callum Bush', written over a faint circular stamp or watermark.

Callum Bush

Date:05/05/2026

Principal Engineer

Traffic Management and Network (Place Management)