

## Traffic Regulation Order (TRO) Notice(s)

### Statement of Reasons

#### **Bath and North East Somerset Council**

26-037B ROGERS CLOSE, CLUTTON

RAISED TABLE SPEED HUMPS

#### **STATEMENT OF REASONS**

##### Proposal

To introduce a Raised Table Speed Hump on Rogers Close, Clutton.

The proposals are shown in Appendix 1.

##### Reasons

The pedestrian improvement measures at Upper Bristol Road and Rogers Close, Clutton, seek to improve connectivity between existing walking and cycling networks and new or enhanced active travel infrastructure, thereby increasing opportunities for sustainable travel within the area.

The proposed signal-controlled toucan crossing on Upper Bristol Road and the raised table crossing on Rogers Close are necessary to facilitate and support these active travel improvements by providing safer and more convenient crossing facilities for pedestrians and cyclists.

It is considered that the proposed raised table speed hump on Rogers Close would improve pedestrians' ability to safely cross the side road and would help to reduce vehicle speeds at the junction.

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 proposal is consistent with the section 149 public sector equality duty, which it has discharged.

### Highways Act 1980

This proposal is 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: Access to premises would not be affected by the proposed raised table speed hump.

- 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: The proposals could improve access to local amenities by helping to reduce the speed of vehicular traffic and improving safety for pedestrians.

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

Comment: The proposed raised table speed hump could encourage local residents etc. to walk, wheel, and cycle for some journeys, thus reducing vehicle trips.

- 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: No public service vehicles are in operation on Rogers Close, Clutton.

- 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: 21/07/2026