

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PUBLICLY ADVERTISE THE TRO

PREPARED BY: Traffic Management Team, Highways and Traffic Group

| | |
|-------------------------|--|
| TITLE OF REPORT: | Bear Flat Mobility Hub CRSTS Scheme |
| PROPOSAL: | Speed Limits and Bus Lane |
| SCHEME REF No: | 26-043c |
| REPORT AUTHOR: | Traffic Management Team / KG |

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:

| | |
|------------------|--|
| Section A | 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....” |
| 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 their area of responsibility. |
| Section D | 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, | X |
| (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**

The introduction of a bus lane operating between 07:00 and 10:00 Monday – Friday on Bloomfield Road / A367 Wellsway, and a speed limit change from 30mph to 20mph on the A367 Wellsway.

The proposals are shown on the attached Appendix 1 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 a Bus Lane operating between 07:00 and 10:00 Monday – Friday and a 20mph Speed Limit. It has balanced the various considerations and concluded that it is appropriate to promote these restrictions. 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 Bus Lane operating between 07:00 and 10:00 Monday – Friday and 20mph Speed Limit is 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 Bus Lane and Speed Limit 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 through cost code: TCSVL004S

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 - Please could the Traffic Regulation Order for the revised bus lane retain the exemption for "Emergency Service Vehicles in the execution of their duty" or similar wording.

With regard to the speed limit change from 30mph to 20mph on the A367 Wellsway. There has been a marked increase in the number of speed restrictions being introduced by local authorities across our Force area. This has prompted a review of our current processes and a return to a previously established consultation format. Going forward informal consultations should be received by the Traffic Management Unit with a minimum of a 6-week time frame. This should be accompanied by speed and collision data to support the consultation. The Traffic Management Unit will then review on behalf of the Chief Constable. The Constabulary may not support speed reductions if the data submitted is not sufficient and/or the road design is not appropriate.

Please could you provide us with the supporting speed data /collision history information, to enable us to provide an informed response on behalf of the Chief Constable.

As previously discussed, we have a Force stance regarding the introduction of speed limits, which has been written to reflect the current speed environment. I copy this below for your information.

“Speed limits are only one element of speed management, and local speed limits should not be set in isolation. They should be part of a package with other measures to manage speeds, which include engineering, visible interventions and landscaping standards that respect the needs of all road users and raise the driver’s awareness of their environment, together with education, driver information, training and publicity.

The police service has to ensure all resources are used effectively in responding to community priorities. Avon and Somerset Constabulary will support all appropriate speed limits, including 20mph roads, where;

The limit looks and feels like the limit, giving visiting motorists who wish to conform that chance; the desired outcome has to be speeds at the limit chosen so as to achieve safe roads for other and vulnerable users, not high speeds and high enforcement;

The limit is self-enforcing (with reducing features) not requiring large scale enforcement;

The limit is only introduced where mean speeds are already close to the limit to be imposed, (24mph in a 20mph limit) or with interventions that make the limit clear to visiting motorists;

Speeding problems identified in an area must have the engineering, site clarity and need re-assessed, not simply a call for more enforcement.

Enforcement will be considered in all clearly posted limits, given other priorities, and this will be by:

Targeted enforcement where there is deliberate offending and the limits are clear; Where limits are not clear (that is they don’t feel like or look like the limit or are on inappropriate roads), they will not be routinely enforced, only targeted where there is intelligence of obvious deliberate disregard which may result in increased threat, harm or risk to other road users.

Deliberate high harm offenders will always be targeted and prosecuted whereas enforcement against drivers who simply misread the road may not be appropriate. None of the above should in anyway leave the impression that we will not enforce the law. As with all speed limits, and other enforcement work, we will use evidence to ensure that our resources are allocated in the most appropriate way using appropriate tactics.

Enforcement of limits that do not comply with the above representations could lead to mistaken offending and could risk the loss of public support. Enforcement cannot and must not take the place of proper engineering and or clear signing.”

We do not, as part of our response on behalf of the Chief Constable to formal consultation, check the accuracy or validity of what is being proposed but we do consider implications for road safety and enforcement.

It is not possible to dedicate an enforcement presence to such a restriction. The signage and any other physical measures to be introduced to enforce / heighten

motorist awareness of the proposed scheme is therefore of importance. Any enforcement will be targeted, and intelligence led.

We always expect that:

- a) the powers being exercised are available to you as traffic authority, are valid and are appropriate for the proposals;
- b) the descriptions of the lengths of road, the road names, the road numbers and any directional descriptions are correct and accurate;
- c) where any proposals replace existing restrictions or prohibitions, that the previous orders are adequately revoked or varied;
- d) the mandatory traffic signs giving legal effect to the order will be fully TSRGD compliant, will give drivers adequate guidance and will be placed to accord to the descriptions in the order.

We look forward to receiving the requested further/additional information in due course to enable us to make an informed response to this consultation on behalf of the Chief Constable.

Officer response:

The following additional data was forwarded to the Chief Constable:

- *Speed survey data (Wellsway, Bear Flat)*
- *Collision data*

Thank you for your email and for sight of the speed data for the A367 Bear Flat, Bath where the 20mph speed limit is being proposed.

Looking at the data on the attached spreadsheet, the mean speeds do not appear to be commensurate with a proposed 20mph speed restriction with speeds ranging from 29.5 – 27.1mph, 29.8 – 26.6mph and 29.3 2.3mph within the existing 30mph speed limit. Although it's clear from the data that at certain times of day, traffic speed is under 20mph, potentially due to traffic volume at those times and to the presence of the traffic signals, this is not carried through in periods where traffic volume is less dense.

It is noted that the physical traffic management features which form part of this proposed scheme are not sited on the main A367 carriageway, but within its junctions to affect traffic emerging on to it.

As stated in our earlier response on behalf of the Chief Constable, we have a Force stance regarding the introduction of speed limits, which has been written to reflect the current speed environment. I copy this below for your information.

“Speed limits are only one element of speed management, and local speed limits should not be set in isolation. They should be part of a package with other measures to manage speeds, which include engineering, visible interventions and

landscaping standards that respect the needs of all road users and raise the driver's awareness of their environment, together with education, driver information, training and publicity.

The police service has to ensure all resources are used effectively in responding to community priorities. Avon and Somerset Constabulary will support all appropriate speed limits, including 20mph roads, where;

The limit looks and feels like the limit, giving visiting motorists who wish to conform that chance; the desired outcome has to be speeds at the limit chosen so as to achieve safe roads for other and vulnerable users, not high speeds and high enforcement;

The limit is self-enforcing (with reducing features) not requiring large scale enforcement;

The limit is only introduced where mean speeds are already close to the limit to be imposed, (24mph in a 20mph limit) or with interventions that make the limit clear to visiting motorists;

Speeding problems identified in an area must have the engineering, site clarity and need re-assessed, not simply a call for more enforcement.

Enforcement will be considered in all clearly posted limits, given other priorities, and this will be by:

Targeted enforcement where there is deliberate offending and the limits are clear; Where limits are not clear (that is they don't feel like or look like the limit or are on inappropriate roads), they will not be routinely enforced, only targeted where there is intelligence of obvious deliberate disregard which may result in increased threat, harm or risk to other road users.

Deliberate high harm offenders will always be targeted and prosecuted whereas enforcement against drivers who simply misread the road may not be appropriate. None of the above should in anyway leave the impression that we will not enforce the law. As with all speed limits, and other enforcement work, we will use evidence to ensure that our resources are allocated in the most appropriate way using appropriate tactics.

Enforcement of limits that do not comply with the above representations could lead to mistaken offending and could risk the loss of public support. Enforcement cannot and must not take the place of proper engineering and or clear signing."

We do not, as part of our response on behalf of the Chief Constable to formal consultation, check the accuracy or validity of what is being proposed but we do consider implications for road safety and enforcement.

We are unable to support a reduction in speed limit to 20mph in these circumstances.

Officer response:

The following summary of 24hr 85% / mean speeds was forwarded to the Chief Constable:

| | Location | NB | | | SB | | |
|---|--|------|------|-----|------|------|-----|
| | | 85% | Mean | SD | 85% | Mean | SD |
| 1 | A367 Wellsway North of Bruton Avenue | 18.4 | 15.5 | 3.3 | 18.7 | 14.8 | 3.9 |
| 2 | A367 Wellsway / Bear Flat (north of Bloomfield Rd) | 24.9 | 18.6 | 6.2 | 26.5 | 22.5 | 4.4 |

Thanks for your email and the additional data, that definitely changes the response as the new figures are all within the mean speed range which would be commensurate with the proposed 20mph.

Emergency Services

No comment.

Road Haulage Association

No comment.

Freight Transport Association

No comment.

Parking Services

From both an enforcement and management perspective, our preference would be to remove the permit bays altogether. This would help prevent situations where permit holders might be tempted to contravene the bus lane regulations in order to access these bays.

We did briefly consider keeping the bays but restricting their operation during bus lane hours. However, upon reflection, this approach would be inconsistent with how other bays are managed and could cause confusion for permit holders, potentially leading to increased PCN issuance or disruption to local services.

Officer response:

This matter has now been resolved by the design team.

Waste Services

No comment.

Ward Members

Cllr Alison Born / Cllr Stuart Bridge - Thank you for asking for comments on these proposals which I have discussed with Cllr Bridge. We are both pleased to see that much of the feedback from residents has been acted upon and the revised plans should improve the local area and make it more pedestrian friendly while also enabling vehicles to pass through, shops to receive deliveries people to catch buses etc.

Some questions remain regarding provision for turning right into Hayes Place and Shakespeare Avenue as well as in and out of Bloomfield Road and we would like the 20mph zone to stretch from the bottom of the Wells Road to at least the Devonshire Arms. We would be grateful if due consideration could be given to these issues.

Officer response:

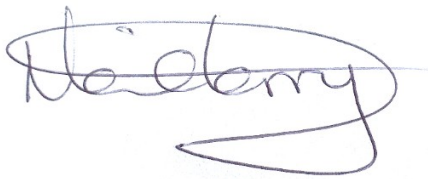
Design enquiries have been forwarded to the design team to consider and respond.

Cabinet Member for Sustainable Transport Delivery:

Cllr Lucy Hodge - Please proceed to public consultation.

10. RECOMMENDATION

As no significant objections and/or comments have been received following the preliminary consultation described above, the public advertisement of the Traffic Regulation Order should progress.



Neil Terry
Traffic Management and Network Manager

Date: 08/06/2026

11. **DECISION**

As the officer holding the above delegation, I approve the progression of this Traffic Regulation Order.

A handwritten signature in blue ink, appearing to read 'P. Garrod', is positioned above the printed name.

Paul Garrod
Head of Highways Delivery

Date: 08/06/2026