

OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)

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PRELIMINARY CONSULTATION (Cabinet Member for Sustainable Transport Delivery)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: A363 Bradford Road
PROPOSAL: Prohibition of Overtaking Restriction
SCHEME REF No: 25-071
REPORT AUTHOR: Gina West

1. DELEGATION

The delegation to be exercised in this report is contained within **Part 3, Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

Section A	The Chief Executive, Strategic Directors, Divisional 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 his/her area of responsibility.
Section D9	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	X

	traffic (including pedestrians), or	
(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	
(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 a Prohibition of Overtaking restriction on the A363 Bradford Road starting at a point approximately 920 metres from its junction with Pump Lane extending in a southern direction for a distance of approximately 1380 metres.

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 Prohibition of Overtaking restriction. It has balanced the various considerations and concluded that it is appropriate to promote the proposed restriction. 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 Prohibition of Overtaking restriction 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 introduction of traffic management measures 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

The scheme is included in the 25/2026 Local Active Travel and Safety Programme.

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 emails and the attached latest plans regarding proposals for revised speed limits and an overtaking prohibition on the A363 Bradford Road (Sally in the Woods) as discussed at our recent meeting.

As discussed at the recent meeting, regarding the prohibition of overtaking, this is to create a continuous length of double white line (no overtaking) from a point near the Bathford Hill junction with the A363 (where there are existing faded double white lines) to the border with Wiltshire County Council, formed from both preexisting double white line road markings and those supported by the proposed Traffic Regulation Order.

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.

This proposal should meet the aspirations behind its introduction.

As mentioned in our previous correspondence, attached, whilst the proposals for the reduction to a 40mph speed limit based on data provided appear commensurate, the Northbound median (36mph) and mean (37mph) and Southbound median (37mph) and mean (38mph) speeds shown, are currently more appropriate for a 40mph speed limit within the proposed 30mph section, with an average speed of 37.4 (from the proposed 30mph site dashboard).

However, subsequent to our recent meeting, it is now understood that there is a proposal to introduce additional road markings to heighten motorist awareness of the reduction in speed limit (including those on the approach to the proposed restriction, as shown on the attached drawing), and in the longer term, proposals to alter the current road configuration to include alterations to the junction of the A363 Bradford Road with Bathford Hill.

It is also understood that the collision history warrants the proposed 30mph speed restriction.

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.

Emergency Services – No comment.

Road Haulage Association – No comment.

Freight Transport Association – No comment.

Parking Services – No comment.

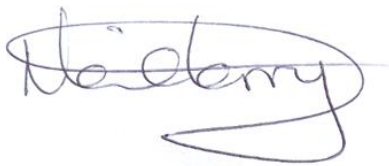
Waste Services – No comment.

Ward Members

Councillor Sarah Warren – I am supportive of these proposals, which will be important in improving road safety at this location.

Councillor Kevin Guy – No comment.

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

A handwritten signature in blue ink, appearing to read 'Neil Terry', with a large, stylized flourish at the end.

Neil Terry
Traffic Management and Network Manager

Date: 18/12/2025