

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:	Dark Lane, Freshford
PROPOSAL:	6’ – 0’’ Width Limit
SCHEME REF No:	26-046
REPORT AUTHOR:	Gina West

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	
(b)	for preventing damage to the road or to any building on or near the road, or	X

(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

To introduce a 6' – 0" width limit at Dark Lane, Freshford, from its junction with New Road to its junction with Church Hill.

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 6' – 0" width limit. It has balanced the various considerations and concluded that it is appropriate to promote a 6' – 0" width limit at Dark Lane, Freshford. 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 a 6' – 0" width 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 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 2026/27 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 email and attachments regarding the proposed introduction of a width restriction on Dark Lane, Freshford.

It is understood from the Statement of Reasons that the proposal is “*To introduce a 6’ – 0” width limit at Dark Lane, Freshford, from its junction with New Road to its junction with Church Hill.*”

Reasons

Properties along Church Hill are frequently damaged by large vehicles attempting to negotiate the route. The proposed additional width limit would help to deter larger vehicles from using Dark Lane as a through route, thereby reducing the risk of further damage to adjacent properties and improving highway safety.” As shown on the attached plan.

It is understood from the attached plan that there are already 6’ width restrictions in the area, and the proposed 6’ width restriction at Dark Lane joins the two existing restrictions.

As stated in previous correspondence with Bath and North East Somerset Council regarding the introduction/revision of width restrictions, particularly those which are environmental in nature, an environmental width restriction such as is proposed, often raises community expectations of enforcement of any contravention and we are aware that there are likely to be exemptions for vehicles with legitimate access.

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.

Please can you advise where any revised advance signage of the proposed restriction is to be placed to avoid motorists erroneously entering the restricted area and if physical indications of the width restriction are to be installed?

Officer Response:

Additional advance warning signage indicating the 6'-0" width restriction will be installed on Church Lane at the Bath and North East Somerset (B&NES) boundary. This is intended to provide early notification to motorists of the new width limit restriction.

Emergency Services – No comment.

Road Haulage Association – No comment.

Freight Transport Association - No comment.

Parking Services - No comment.

Waste Services - No comment.

First Bus - Rail Replacement buses operate through Freshford when the railway is down, as long as access for these can be maintained.

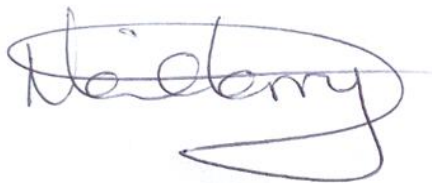
Ward Members

Councillor Matthew McCabe – No comment.

Councillor Fiona Gourley – No comment.

Freshford Parish Council – 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, sweeping flourish at the end.

Neil Terry
Traffic Management and Network Manager

Date: 24/06/2026