

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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OUTCOME OF TRO PROCESS – DECISION (following objections)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: Oakley, Claverton Down, Bath – Scholars Way

PROPOSAL: Signal Controlled Toucan Pedestrian Crossing

SCHEME REF No: 25-009

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 23 enables local highway authorities to establish crossings for pedestrians.

3. PROPOSAL

To introduce a Signal Controlled Toucan Pedestrian Crossing on Oakley, Claverton Down, Bath just north of the junction of Copseland. A Toucan crossing can be used by pedestrians and cyclists.

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 a Signal Controlled Toucan Crossing. It has balanced the various considerations and concluded that it is appropriate to promote a Signal Controlled Toucan Crossing. 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 Signal Controlled Toucan Crossing 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 pedestrian crossing facilities, 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 the Scholars Way active travel scheme.

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.

The responses to the informal consultation can be found in TRO report number 3.

9. **OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))**

The objections received have been summarised below with the technical responses in italics underneath each one.

6 comments received.

- Thanks for the letter about the crossing at Oakley. It is very welcome. Please could you also consider a crossing at the top of North Road as well. Or at North Road before the University entrance (where the pavement stops). It is currently difficult to cross this road and many students do so dangerously. Additionally, more school pupils would walk up and down North Road to Ralph Allen, Bathwick St Mary's and King Edwards if it were safe to cross here and could then get across Oakley. This would reduce road traffic on north road slightly as well - and every little helps. It would also slow traffic down which is needed at times.

My daughter would walk on her own to school if it were safe to cross at the top of north road. As it is we need to walk with her. Several of our neighbours drive their kids to school simply because it is not safe for them to cross north road.

Either option would work as if the crossing were at the top children/students could walk down North Lane and cross at the top. Or if by the uni entrance they would be able to walk on the pavement to the top to the Oakley crossing. As it stands however the proposals don't fix all of the problems as North Road remains dangerous to cross.

Officer response:

The request for an additional pedestrian crossing on North Road, either at the top of North Road or near the University entrance, is acknowledged, but is beyond the scope of this scheme.

Within the scope of the current works, changes are proposed at the junction of Bathwick Hill and North Road to improve safety for people crossing the side road. This includes tightening the junction bell mouth to reduce crossing distances, slow turning vehicle speeds and improve visibility between pedestrians and drivers. These measures are intended to make the existing crossing movement across North Road safer, particularly for children, students and other vulnerable users, by shortening exposure to traffic and reinforcing pedestrian priority at the junction.

- Thanks for your reply. This highlights just how confusing are the ways in which our highways are funded. We could end up with a hugely expensive crossing over a road that's actually falling apart. During term time hundreds of buses use Oakley every day carrying many thousands of university students and school children. Road safety for all users must be a top priority. So the scheme only makes sense if it includes funds to resurface Oakley as well. Or it should be delayed until BANES can find the funds to resurface the road. Perhaps the

University could be asked to stump up the funds? They are the main beneficiaries of any upgrade to this road.

In any event I will comment on the required TRO once it's advertised. I regularly walk across Oakley at this point and given my experience of doing so I'm not a fan of what's proposed, I'm afraid. It's way over the top, in the wrong place, unsightly, out of keeping with the local area, and a waste of public money no matter where that money actually comes from.

I would point out that Scholars' Way from here to Combe Down isn't safe to use outside daylight hours because it's unlit. That rules out its use by university students who return from campus after dark. They probably make up the vast majority who could use this route.

Officer response:

The comments regarding the condition of Oakley, the level of bus use, and the importance of road safety for all users are acknowledged.

The Oakley Toucan Crossing scheme is fully funded through the UK Government via the West of England Mayoral Combined Authority, through the City Region Sustainable Transport Settlement (CRSTS). This funding is allocated to specific projects and cannot be re-purposed to deliver additional highway maintenance or separate crossing schemes outside the approved scope. The scheme is therefore not funded by Bath & North East Somerset Council and cannot be delayed or expanded to accommodate wider resurfacing or additional works beyond those already approved.

It should be noted, however, that carriageway resurfacing is included within the scheme extents on Oakley as part of the approved works. The resurfacing limits are shown on the detailed design drawings and will address the carriageway condition within the footprint of the scheme.

Concerns regarding the wider condition of Oakley outside of the scheme extents, and comments relating to ongoing maintenance and future resurfacing requirements, will be passed to the Council's highways maintenance and asset management teams for consideration as part of their wider programmes.

In relation to the design and location of the proposed crossing, the Council considers that a signal-controlled Toucan Crossing is an appropriate and proportionate response at this location, given the volumes of pedestrians, cyclists, buses and general traffic, particularly during term time, and the need to provide a safe, controlled crossing facility for a wide range of users, including students, school children and those with mobility impairments.

- I wish to express concern about the details of the above proposal, which includes a toucan crossing.

My concern is not about the toucan crossing itself, but the facilitation of cycling on the footpath between Soldier Down Lane (mislabelled as The Avenue on the

detailed scheme) and North Road, as currently proposed. We use this footpath daily to access dog walking around the University & National Trust footpaths, so have a good understanding of the issues around its use, as pedestrians.

My particular area of concern is where the footpath turns most sharply towards the direction of Soldier Down Lane, from the direction of North Road & Bathwick Hill. If you are adjacent to the wall separating the path from The Woodlands, then you can only see a distance of 1.7 metres ahead. Picture provided. It is natural for all users of this path walk the shortest distance, by the wall. That's fine for pedestrians with slower speeds, but in the past 18 months we have suffered 3 near misses with cyclists illegally using this footpath & coming round this blind bend at speed, putting the safety of pedestrians at risk.

It's made worse currently by the refuse bin currently located only 1.7 metres from this wall, compressing all users into this narrow width, increasing the chance of a collision (also pictured).

This proposed TRO increases the safety risk to pedestrians using this footpath, not only by allowing cyclists to use it, but also by facilitating increased cycle speed around this dangerous corner, through dropping kerbs.

Users of this area are a mix of university students & a resident population that's relatively elderly. The safety risk to this latter group, from a collision, is much higher & indeed potentially fatal. This is a discriminatory risk against older people under the equality act and also impairs the human rights of pedestrians. The assessment carried out by Neil Terry dated April 1st has failed to correctly assess the impacts on safety, equality & human rights.

It's therefore imperative that some mitigation of this risk is included in the implementation of this proposed scheme.

What is good about this scheme is that a wider footpath is proposed, from the current 1.7 metre width to 2.2 to 3 metres wide. Nevertheless, pedestrians & cyclists are encouraged to be close to The Woodlands wall, with the paved area adjacent to the wall & the relocated waste bin & grass providing some width restriction, so poor line of sight remains with users now in greater danger due to higher cyclist speeds. That is not good.

This could be addressed very simply by moving the waste bin & perhaps the grassed area to be next to The Woodlands wall at the sharpest point of this turn. That will force all users to keep a greater distance from the wall and thus have a much longer line of sight ahead, greatly reducing the chances of collisions with cyclists. Users will only add a second or so to their journey, but safety risks would be lower, especially for elderly people.

A further measure that would help in reducing cyclists speeds would be removing the dropped kerb onto North Road, farthest from this junction. There is another one a couple of metres closer, for cyclists coming up Bathwick Hill, that involves a slightly sharper turn for cyclists onto the footpath, which would help lower speeds. I'm less concerned about cyclists coming up Bathwick Hill, because it's steep, but at that point North Road is flat, so cyclists coming up it could approach

with speed.

Have you also considered if/how e-bikes with much higher speeds & weight, further increasing collision/harm risk, might use this area?



Officer response:

With regard to the principle of shared use, the proposal seeks to formalise movements that are already occurring informally. As noted, incidents involving cyclists using the footway at speed have taken place under the existing arrangement, where no supporting infrastructure, signing, or mitigation is in place. The scheme introduces a managed and more legible layout, including widening of the path to typically between 2.2 m and 3.0 m, provision of tactile paving, and clearer route definition. These measures are intended to reduce conflict by increasing usable space and encouraging more predictable behaviour from both pedestrians and cyclists, rather than increasing risk overall.

It is acknowledged that visibility is currently constrained by the alignment of the wall and the positioning of existing street furniture. The proposed widening is intended to reduce the need for users to track tightly along the wall, thereby improving forward visibility and allowing greater separation between opposing movements. However, it is accepted that the effectiveness of this is influenced by how space is used in practice.

Your suggestion regarding the relocation of the waste bin and adjacent verge to influence user positioning and improve sightlines is noted and will be considered as part of our design. There is scope within detailed design to review the placement of street furniture and soft landscaping to help draw users away from the wall at the sharpest point of the bend, thereby increasing visibility and reducing the likelihood of conflict. This reflects a proportionate approach to mitigating a known localised constraint.

With regard to the concern that the proposal may increase cyclist speeds, particularly through the provision of dropped kerbs, the intention of the design is to encourage safer, more controlled movements across the junction, directing cyclists towards the toucan crossing rather than informal and less predictable routes. The geometry, tactile paving, and shared use environment are expected to naturally moderate speeds; however, the point raised regarding the location and number of dropped kerbs is acknowledged and will be reviewed to ensure

that arrangements do not inadvertently encourage higher-speed entry onto the shared path from North Road.

The existing safety risk to pedestrians, particularly at this bend has been recognised as a result of constrained space, limited visibility, and unregulated cyclist behaviour. The scheme seeks to address this through increased width and formalisation rather than exclusion. While it is not possible to eliminate all risk, particularly where user behaviour cannot be wholly controlled, the proposed arrangement is considered to represent an overall safety improvement compared to the current situation.

In terms of the potential impact on older or more vulnerable users, this has been considered as part of the scheme's assessment process. The objective is to create a more accessible and safer environment for all users by reducing informal conflict points and improving spatial provision. The concerns you have raised are noted and will form part of the ongoing design review to ensure that mitigation measures are appropriately targeted at locations of greatest risk.

The question of e-bikes is acknowledged. While their higher speeds and mass are recognised, they remain subject to the same legal status and behavioural expectations as conventional cycles. The scheme design is therefore based on managing cycle behaviour more generally, rather than distinguishing between specific cycle types, although this is an emerging consideration that continues to be monitored.

- I fully support the above concerns about the present design of the crossing. As one of the elderly residents of North Road I have been almost run down by cyclists at the junction of North Road and Soldier Down Lane at least three times. The design needs to change to increase visibility at that corner.

Officer response:

The existing safety risk to pedestrians is recognised, particularly at this corner, which is a result of constrained space, limited visibility, and unregulated cyclist behaviour. The scheme seeks to address this through increased width and formalisation rather than exclusion. While it is not possible to eliminate all risk, particularly where user behaviour cannot be wholly controlled, the proposed arrangement is considered to represent an overall safety improvement compared to the current situation.

- Please find below our responses to the proposed scheme.

All of these relate to pedestrian safety, many elements of which seem to have been overlooked in the pursuit of cyclists' convenience.

1] There should be additional bollards or, better, offset barriers across the pavement adjacent to the wall of The Woodlands around the corner from Soldier Down Lane into North Road. These are needed to inhibit the presently uncontrolled and frequently high speed cycle traffic which uses the pavement to

the detriment and substantial risk of pedestrians at what is a blind corner with visual distractions of bus and general traffic movements at a complex junction.

2] There should be no provision for cycle parking between Bathwick Hill/Woodland Place and North Road. e-bike locations elsewhere in Bath [and other cities] are already abused with bikes left scattered around posing additional hazards for all road users.

3] There should not be a cycle lane past the westbound bus-stop on North Road, We have seen the dangers of cycle lanes which bus passengers have to cross on Upper Bristol Road - from the relative safety of a bus. If one of your objectives is to improve safety then this will not achieve it.

4] Whilst encouraging and aiding bicycle travel it is counterproductive to compromise the safety of the demographic who cannot use cycles - this demographic includes the aging population which you are elsewhere forecasting to grow as a percentage of the population of Bath.

Officer response:

1) The concern regarding uncontrolled cycle speeds and limited visibility at the bend is recognised, particularly given the existing conditions where informal cycling movements already occur. The proposed scheme seeks to address this by widening the shared use path and formalising movements, supported by signing and tactile features to encourage appropriate behaviour. With regard to bollards or offset barriers, while these can in some cases reduce cycle speeds, their use is not generally supported by current design guidance due to their impact on accessibility. Such features can create barriers for wheelchair users, mobility scooters, visually impaired users, and those with pushchairs.

The underlying concern about speed and visibility at the bend is accepted. As noted in related design discussions, there is scope to consider alternative physical or spatial measures such as the positioning of street furniture or subtle alignment changes to influence behaviour and improve intervisibility without compromising inclusive access.

2) The comments regarding potential misuse of cycle parking, are noted. The intention of providing cycle parking is to support sustainable travel while maintaining an orderly streetscape. Concerns about obstruction or informal parking are recognised and will be considered as part of any future design amendments, including location, layout, and management arrangements where applicable. At this stage, no finalised arrangement is intended that would compromise pedestrian safety or introduce unnecessary clutter within the footway.

3) The interaction between cyclists and bus passengers is a known area of sensitivity and has been considered in the scheme development. The objective of the proposed arrangement is to balance the needs of different users within a constrained corridor, informed by national guidance. In this instance, the

proposed cycle lane does not extend past the westbound (northbound) bus stop, with the short section of cycle lane terminating in advance of the stop#.

4) The scheme aims to improve overall safety by formalising movements that are currently informal and increasing the available space for pedestrians and cyclists. It is recognised that the existing arrangement already presents safety concerns, particularly at the blind bend, where cyclists are currently using the footway without any supporting infrastructure or mitigation measures. The proposed widening of the path and introduction of clearer layout is intended to reduce these conflicts and provide a safer environment for all users, including those who do not cycle. The needs of older and more vulnerable users have been considered as part of the scheme assessment, and the issues raised in your response will be taken into account in any potential future amendments of the design.

- I have seen that there is a proposal to install a toucan pedestrian crossing at the top of Bathwick hill.

This is a much needed initiative. I am a wheelchair user who works at the University and am currently unable to cross that road at all due to the lack of crossing infrastructure. Even with assistance the blind corner and speed of traffic means it is impossible for me to cross and be visible to motorists.

This has impacted my ability to travel to and from work as I cannot access the bus stop on the opposite side of the road in order to travel home from work. My spouse who also works at the university while physically able to cross the road has had numerous near misses and has been abused by drivers whilst attempting to cross safely.

We are currently risking our safety just to go to work and it is a constant stressor and concern.

This crossing would improve the quality of life of those travelling to and from the university by foot (and wheelchair) and those using public transport accessing the bus stops.

As a community and council there is an effort to decrease pollution and dependence on cars, this would significantly aid people in doing that in ensuring their safety as pedestrians.

Officer response:

Thank you for your supportive comments. Your experience highlights the current challenges at this location, and your feedback is welcomed in demonstrating the need for improved crossing provision.

10. **ADDITIONAL COMMENTS FROM WARD MEMBERS AND CABINET MEMBER FOR SUSTAINABLE TRANSPORT DELIVERY (in response to the above)**

Bathwick Ward

Councillor Toby Simon - Thanks for sharing this. I think it's a thoughtful response. I'm happy for it to progress to the next stage.

Councillor Manda Rigby – I'm content with this.

Widcombe & Lyncombe Ward

Councillor Alison Born – No comment.

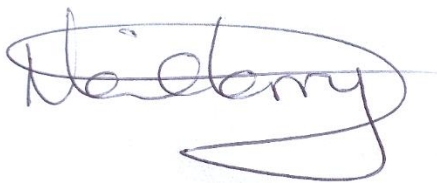
Councillor Stuart Bridge – No comment.

Cabinet Member for Sustainable Transport Delivery

Councillor Lucy Hodge - Having noted all the comments and comprehensive Officer response, I am pleased to support this proposal for a signal controlled toucan pedestrian crossing on Oakley, Claverton Down which can be used by both pedestrians and cyclists. This scheme provides new crossing infrastructure where there was none before in an important location much used by university students and employees, school children and residents. I am confident that the scheme will also increase safety in this location by increasing the available space for both pedestrians and cyclists.

11. **RECOMMENDATION**

That the Traffic Regulation Order as advertised should be implemented.



Neil Terry
Traffic Management & Network Manager

Date: 12/06/2026

12. **DECISION**

As the Officer holding the above delegation, I have decided that the objections / comments be not acceded to and the Order as advertised be implemented.

The Council's policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses.

The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.

A handwritten signature in black ink, appearing to read 'Chris Major', with a stylized flourish at the end.

Chris Major
Director for Place Management

Date: 12/06/2026