

## OUTCOME OF TRO PROCESS – DECISION (following objections)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

**TITLE OF REPORT:** Beau Street / Stall Street, Bath**PROPOSAL:** Prohibition of driving of motor vehicles /Suspension parking /Suspension of one-way traffic**SCHEME REF No:** 24-032**REPORT AUTHOR:** Simon Thomas**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:

<b>Section A</b>	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility...."
<b>Section B</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.
<b>Section D9</b>	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 holds 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,	
(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**

- Prohibition of driving of motor vehicles 6pm to 10am daily on Beau Street at its junction with Stall Street in Bath.
- Suspension of central zone parking bay on Beau Street.
- Suspension of one-way traffic on Beau Street between the junctions of Stall Street and Bilbury Lane.

The proposals are shown in **Appendix 1**.

### 4. **REASON**

The Beau Street/ Stall Street junction is currently closed between 10am and 6pm daily.

The TRO, under Section 1 of the Road Traffic Regulation Act 1984, would close Beau St at its junction with Stall St in Bath, prohibiting motorised vehicles between 6pm and 10am daily for the *purpose*:

1. *“to avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising”*
2. *“for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)”*
3. *“to preserve or improve the amenities of the area through which the road runs”.*

This will improve the environment for pedestrians and reduce pedestrians’ interactions with motor vehicles.

The TRO will also:

- Suspend one parking bay on the south eastern side of Beau St to enable improved manoeuvrability for vehicles;
- Suspend the existing one-way order on Beau St between the junctions of Stall St and Bilbury Lane.

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 driving of motor vehicles 6pm to 10am daily on Beau Street at its junction with Stall Street in Bath, the suspension of a central zone parking bay on Beau Street and the suspension of one-way traffic on Beau Street between the junctions of Stall Street and Bilbury Lane. It has balanced the various considerations and concluded that it is appropriate to promote the Prohibition of driving of motor vehicles 6pm to 10am daily on Beau Street at its junction with Stall Street in Bath, the suspension of a central zone parking bay on Beau Street and the suspension of one-way traffic on Beau Street between the junctions of Stall Street and Bilbury Lane. 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 Prohibition of driving of motor vehicles 6pm to 10am daily on Beau Street at its junction with Stall Street in Bath, the suspension of a central zone parking bay on Beau Street and the suspension of one-way traffic on Beau Street between the junctions of Stall Street and Bilbury Lane 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 Prohibition of driving of motor vehicles /Suspension parking /Suspension of one-way traffic proposals 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 funded under costcode: TCY0013/ 3LY10

## **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 Highways.

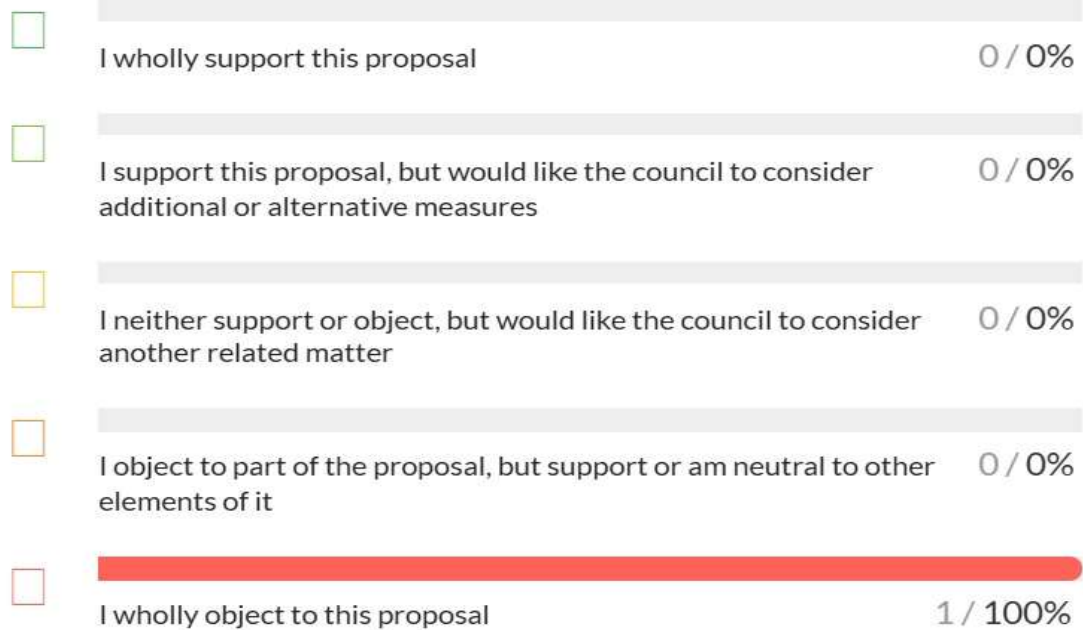
The responses to the informal consultation can be found in TRO report number 3.

## **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.

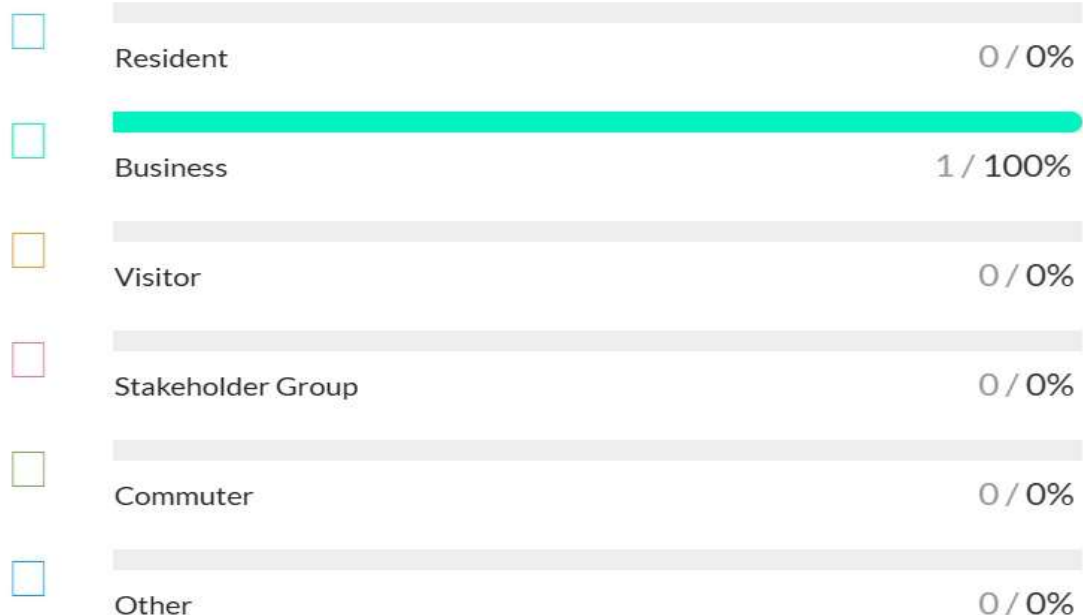
**Overall response sentiment to Order 24-032**

## Response sentiment

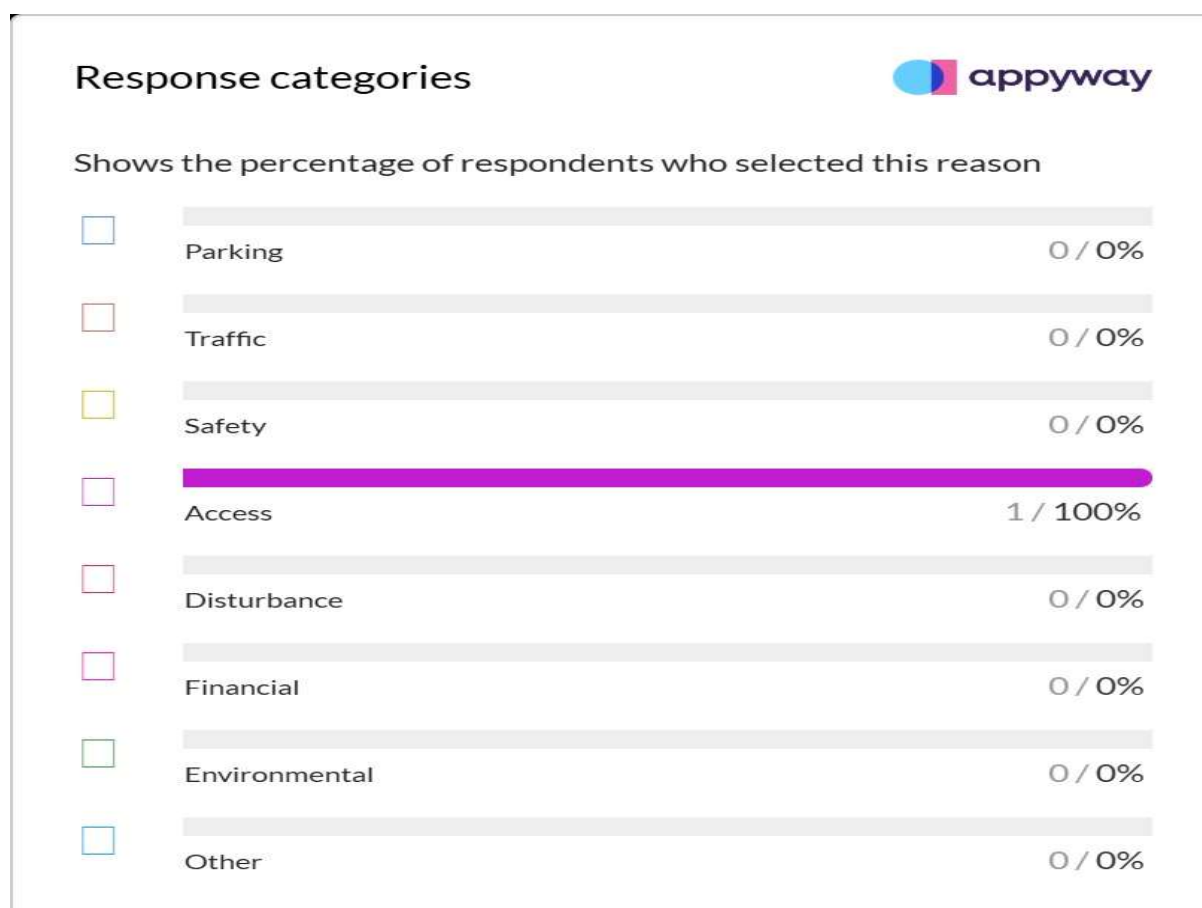


## Overall responder types to Order 24-032

### Responder types



## Overall response categories to Order 24-032



**Wholly Object– 1, Partially Object– 0, Neither– 0, Partially Support– 0, Wholly Support– 0,**

#### **Objections main points raised:**

This will permanently close off a vital access route to our property via Abbey Gate Street. There is no access to our property at all during the day. The other route to Abbey Green is via York Street but the Central Security Zone on York Street allows restaurants to place furniture along the street that has not been properly monitored, and it is often left on the road at night after 10pm. The route via Stall Street does not have restaurant furniture during the day or night so it is a clearer route and arguably safer currently than York Street and others with tables and chairs strewn across the road. There is little to no traffic at night on Stall Street except for those who have a requirement to access their property freely after 10pm and nor are there many people. There is no evidence of danger to pedestrians given and no reason given for vehicles to become a danger on these roads. I therefore see no legitimate reason for making this route permanently closed. The Central Security Zone has devalued property within its circumference because of the undesirable lack of access for both businesses and residents and this will further impact the economic damage that has already been done. The implementation of the original CSZ is not yet fully completed. There are bollards still missing from the original plan. How can these changes to the original scheme be justified if the whole scheme is not yet fully tested? If these changes are a necessity, then it gives me no confidence that the rest of the scheme is fit for purpose and that the council fully understands the devastating impact these road closures have on the everyday lives of the residents. Or if our security is even improved. If safety was genuinely at the heart of these alterations, then why have the council not installed the remaining bollards at key weak points noted in the original plan? The visual impact of the entire CSZ on this historic city is appalling. In the original planning consultation, the council stated that the scheme would have 'minimal visual impact' but particularly the bollards at the entrance of Cheap Street and the Abbey Courtyard display no consideration for the visual

impact they have on the environment. The beauty of that area has been utterly destroyed. To say these new alterations are to be visually more appropriate is just not the truth. Finally, the original scheme was to close all roads for 24 hours, but this decision was rejected taking into account the views from that consultation. There was a huge backlash from the disabled community feeling they were being shut out of the city. What has changed? Do the views of the public not matter? Given the short amount of time from the original consultation to this application to change what was agreed is not acceptable. There is no consistency in the decisions being made. Will the council now make applications to close all the other roads within the zone 24 hour? I have no confidence that this scheme has been properly thought through and genuinely protects the public from terrorist attack. I also feel the overall lack of access to the city centre is a fire and safety risk. The bollards and street furniture impede the access of emergency services and vital minutes are lost that could potentially save lives and our historic buildings. It is public knowledge that the bollards have failed to work preventing emergency help on more than one occasion. I think there is a higher risk of someone needing medical help or a fire breaking out than a terrorist attack. For all of the above I wholeheartedly disagree with these alterations applied for in this application regarding the CSZ.

*Response: The security zone operates between 10am and 6pm daily, with the new barriers at Lower Borough Walls and Hot Bath St closed to prevent vehicular access. A temporary barrier is also in place on the eastern end of Beau St to prevent access, which is placed to coincide with the operational times to prevent access to vehicles during these times. The proposal doesn't prevent vehicle access to any properties other than restrictions already in place.*

*After 6pm and up until 10am the next day, vehicles can access the security zone unimpeded via Lower Borough Walls and onward to Stall St, Abbeygate St, Swallow St and Abbey Green. Exit from the security zone is via Bath St and Hot Bath St, so the proposed restriction of Beau St between 6pm until 10am the following day, will not affect the ability for residents to access their properties or suppliers to reach their intended businesses. Emergency services have been fully consulted on this proposal and are content that alternative access is available at all times, if they are required to attend an emergency incident.*

*Bath & North East Somerset Council has fully engaged residents, businesses and organisations in advance of the scheme, discharged its Public Sector Equality Duty and has maintained communications throughout the delivery phase of the project.*

*Recent attacks in both Germany and the United States of America have demonstrated that the threat from terrorist vehicle attacks hasn't diminished.*

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

**Kingsmead Ward:**

Cllr Paul Roper – No comment.

Cllr George Tomlin – No comment.

**Cabinet Member for Highways:**

Councillor Manda Rigby – No comment.

**11. RECOMMENDATION**

That the Traffic Regulation Order as advertised is sealed.



Paul Garrod  
Traffic Management & Network Manager

Date: 23<sup>rd</sup> April 2025

**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 sealed.

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.



Chris Major  
Director for Place Management

Date: 23/04/25