

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

(25-048) (B3116 BATH HILL / BATH ROAD, KEYNSHAM) (PROHIBITION OF PARKING)

STATEMENT OF REASONS

Proposal

The installation of Double Yellow Line (No Parking At Any Time) parking restrictions.

The proposals are shown in Appendix 1.

Reasons

As part of the planning consent for the Curo housing development on the A4 Bath Road (20/02673/OUT), the developer is required to introduce improved pedestrian and cycling provision along the B3116 Bath Road and Bath Hill, Keynsham. The proposals include widening the existing footway to create a shared-use walking, wheeling, and cycling route, and the introduction of two additional zebra pedestrian crossings.

The proposed parking restrictions are required to prevent on-street parking in areas where the carriageway will be narrowed to accommodate the widened footway.

The Council has considered article 8 within Schedule 1 to the Human Rights Act (Right to respect for private and family life, home and correspondence) and Protocol 1 Article 1 (Peaceful enjoyment of possessions). Both of these rights are qualified rights, and the Council does not consider that the measures proposed under the TRO amount to a deprivation of possessions as the right to access property has not been extinguished. The proposals are considered to have a minimal impact on human rights. However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (such as 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 proposals within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

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.

Road Traffic Regulation Act 1984

The proposed No Parking At Any Time restrictions are 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 Order specifically for the reason(s) shown and marked 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)	

In making this proposal the Council has discharged its duty under section 122 of the Road Traffic Regulation Act 1984.

The Council is under a duty pursuant to section 122(1) of the Road Traffic Regulation Act 1984 (as amended) to exercise its duties under the Act (so far as practicable having regard to the subsection (2) matters), to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

As for the subsection 122(2) matters:

- a) the desirability of securing and maintaining reasonable access to premises.

Comment: the proposals would generally assist to secure the safer movement of vehicular traffic and will not adversely impact on access to premises.

- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run.

Comment: the proposals would prevent vehicles of all types from parking where it is unsafe to do so and also ensure the free and unobstructed flow of traffic on the highway. There would be no adverse impact on local amenities.

- bb) The strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

Comment: the proposed parking restrictions are associated with walking, wheeling and cycling improvements, which will encourage greater use of these modes of transport. Free and unobstructed flow of traffic on the highway would also be achieved.

- c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.

Comment: A number of the proposals contained within this Order will restrict parking around junctions, along narrow sections of highway and around bends, which will help to improve the passage for public transport vehicles on these routes.

- d) Any other matters appearing to the local authority to be relevant.

Comment: N/A

Having balanced the various matters and considerations, the Council has concluded that it is appropriate to progress the proposed Order.

The Council has also discharged its duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed Order is consistent with that duty, given its other policies and objectives.

Neither section 16 nor section 122 of the 1984 Act precludes the making of the proposed Order.

Date: 07/04/2026