Bath & North East Somerset Council

Improving People's Lives

Traffic Management Team
Bath & North East Somerset Council
Lewis House, Manvers Street, Bath. BA1 1JG
www.bathnes.gov.uk
Email: TROS_@bathnes.gov.uk
Telephone: 01225 394041

Traffic Regulation Order (TRO)
Statement of Reasons

Bath and North East Somerset Council

(26-074) (Donnington Walk, Keynsham)

(Shared Footway & Cycle Track / Lane)

STATEMENT OF REASONS

Proposal

To implement a combined footway/cycleway on the footpath between Queens Road and Kelston Road which runs alongside Donnington Walk, Keynsham. The footway will be widened accordingly.

The proposal is shown in Appendix 1 attached to this report.

Reasons

Planning consent 24/04238/FUL relates to the erection of 45 dwellings, together with enhancements to the existing public open space. As part of the approved development, the existing footway which runs alongside Donnington Walk is to be widened and is proposed to be converted to a shared-use footway/cycleway.

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

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 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	
(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,	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	X
(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 not 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: it is not considered that the proposals would have a detrimental impact on amenities in the area.

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

Comment: The proposals are aimed at increasing sustainable travel options as an alternative to the private car and could contribute to improved air quality.

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: improvements to the footway could improve access to bus stops in the area and encourage greater use of public transport.

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: 22/10/2026