

Bus Lane / Bus Gate Consolidation Order

Statement of Reasons

Bath and North East Somerset Council

(VARIOUS ROADS) (BUS LANES / BUS GATES) (CONSOLIDATION) ORDER 2025

STATEMENT OF REASONS

Proposal

To consolidate the numerous Bus Lane / Bus Gate Orders around Bath and North East Somerset. The purpose of this consolidation is to combine these Orders, and any subsequent variations, into one coherent new parent Order. This consolidated Order will then be added onto our digital TRO platform, AppyWay, and members of the public etc. will be able to view these restrictions via the Streets online portal.

Reasons

Bath and North East Somerset Council is moving away from written schedule Orders to digital map-based schedule Orders, as part of the requirement set by the Department for Transport (DfT) to provide all TROs on a central publication platform, also known as D-TRO, or the traffic regulation measures digital service.

TROs contain a valuable set of data and there will be many benefits to be gained from making them available in a common digital format (utilised by every authority) covering the entire public road network in England, from one trusted source and as close to real-time as possible.

The current paper-based processes for making TROs, which are stored locally, takes time and can lead to issues with record keeping, and is also inefficient. Creating digital TROs across England will deliver administrative benefits and improve access to information, including for local communities who will be better informed about changes in their area.

Bath and North East Somerset Council utilises a digital platform supplied and managed by AppyWay. The purpose of this consolidation is to combine the various Bus Lane and Bus Gate Orders within the authority into one coherent new parent Consolidation Order on the Appyway system, for the reasons outlined above.

No amendments to existing restrictions are being made as part of this consolidation process. This is only a process to combine and digitalise all of the existing Bus Lane and Bus Gate Orders.

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 proposed consolidation amount to a deprivation of possessions as the right to access property has not been extinguished. As all of the Bus Lane and Bus Gates are existing, the proposal within this report has no additional impact on human rights and is 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 existing Bus Lane and Bus Gates being consolidated within this Order were introduced in accordance with the Road Traffic Regulation Act 1984, which under Section 1 provides, generally, for Orders to be made for the following reasons (fully or in part), 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,	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)	X

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).

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

The Council has also discharged its duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed consolidation 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 consolidation Order.

Date: 04/07/2025