

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

(25-012) (NEW SYDNEY PLACE, SYDNEY ROAD, BATHWICK) (BATH) (PROHIBITION OF MOTOR VEHICLES) (PROHIBITION OF PARKING AND WAITING) ORDER 202-

STATEMENT OF REASONS

Proposal

On the 1st of April 2024, Bath & North East Somerset (B&NES) Council introduced a through-traffic restriction trial on Sydney Road at its junction with New Sydney Place, Bath, which included the introduction of parking restrictions as shown on Appendix 1 and the removal of the left turn lane from Warminster Road into Sydney Road in order to help drivers and motorcyclists understand that Sydney Road is no longer a through-route. This was introduced for a minimum of six months using an Experimental Traffic Regulation Order (ETRO). For the purpose of this report, the area referred to as New Sydney Place is Sydney Place between its junctions with Darlington Street and Sydney Mews.

The trial has been introduced under the Liveable Neighbourhood (LN) programme. In line with the broader objectives of the LN programme, the through-traffic restriction aims to:

- Prevent motorists from using this residential street as a short cut (to avoid the Bathwick St/Beckford Road A36 junction).
- Improve the safety of the Sydney Road and North Road junctions with Warminster Road (A36).
- Create a safer, quieter, and healthier street for those walking, cycling, or wheeling through the area.
- Encourage more people in the area to walk or cycle for shorter journeys and reduce the numbers of short journeys made by car.

These proposals were advertised via an Experimental Traffic Regulation Order (ETRO) 23-031. The ETRO process included a six-month public consultation period to receive feedback about the scheme. During this time, anyone could raise comments, objections or statements of support regarding the scheme. An online questionnaire was available from 1st April until the 3rd of October 2024 (5pm), which was also available on request in print and alternative formats.

The key benefit for a local authority in using the ETRO process is so that restrictions can be trialled in a live environment on the ground and an assessment made of their effectiveness after the initial 6-month consultation period has concluded. The authority can then make the best-informed decision possible whether to make the restrictions permanent or not.

The feedback received from the 6-month public consultation of ETRO 23-031 which ran between the 1st April 2024 to the 3rd October 2024 was consolidated with monitoring data within Single Member Decision Report E3601 which was considered by Cabinet Member for Resources, Councillor Mark Elliott. A decision to make the scheme permanent was made by Cllr Elliott on 17th February 2025. This decision was subject to a call-in which was dismissed by a meeting of the Climate Emergency and Sustainability Policy Development Panel on 13th March 2025.

The decision, recorded as being made on 13th March 2025, was taken to provide people with further opportunity to comment ahead of a final decision being made whether to make the through-traffic restriction permanent.

This TRO consultation 25-012 will provide members of the public with a further 21-day consultation period to make comment on the through-traffic restriction and parking restrictions, which is currently still in place on an experimental basis under the provisions of the ETRO which has a life span of up to 18 months unless revoked, amended or made permanent. The ETRO expires on the 1st October 2025. If the decision is taken to approve and seal the proposed restrictions contained within this TRO consultation 25-012 then this TRO will come into force on the day the ETRO expires.

All comments from this consultation will be collated within a final report for consideration by the Director of Place Management who will make the final decision (in consultation with the relevant Cabinet member) whether to abandon, amend or approve the through-traffic restriction, parking restrictions and removal of the left turn lane from Warminster Road into Sydney Road.

The location and extent of the proposed restrictions is shown on the attached drawing – **Appendix 1.**

Reasons

Liveable Neighbourhoods are part of our toolkit to tackle the climate and ecological emergency, act on our Health and Wellbeing Strategy and ensure social justice. All schemes will require changes in travel behaviour by residents, commuters, and visitors alike. Modifying travel behaviour and car ownership levels is difficult in the short term, but the rewards can be significant.

The introduction of Liveable Neighbourhoods has the potential to make huge improvements to people's lives, enabling communities to improve their health, wellbeing, and equality of opportunity.

Liveable Neighbourhood strategies in B&NES (Low Traffic Neighbourhoods, Residential Parking Strategy, and On Street Electric Vehicle Charging Strategy) were the subject of public consultation between 9th September and 18th October 2020. The responses demonstrated overwhelming public support for the council's approach and proposed measures.

These strategies were approved in December 2020, and applications were subsequently sought for Liveable Neighbourhoods, Residents' Parking Zones, and Electric Vehicle Parking. Ward Members and Parish Councils were asked to submit expressions of interest by 12th February 2021, with a second round of expressions of interest invited by 5th May, and a third round by 5th August 2021.

Consultation with local communities has continued to be at the heart of the Liveable Neighbourhoods programme since 2021 with ideas for improvement to their areas being put forward by residents themselves during public engagement and co-design workshops to address the issues they commonly experience.

During a public consultation in Autumn 2020 on Liveable Neighbourhoods in B&NES, the following results were received from 1,575 respondents (including residents and visitors to the B&NES area):

- 85% said they agreed with the principle of reducing the dominance of vehicles in residential areas
- 84% said they agreed that to establish LNs, it may be necessary to restrict through traffic on certain streets
- 78% agreed that certain trade-offs are required to achieve those aims

The issues that ward councillors put forward in the original application for a Liveable Neighbourhood in New Sydney Place and Sydney Road in Spring 2021 were summarised as follows:

- Rat-running by commuters and vehicles avoiding the primary route by deviating through adjoining streets;
- Non-compliance with the 20-mph limit and speeding cars, motorcycles and coaches at all times;
- Non-compliance with the 7.5 tonne weight limit by HGVs and coaches;
- A lack of safe crossing points, with pedestrians habitually ignored by drivers; and
- Narrow pavements outside Sydney Gardens and near the railway bridge.

During public engagement specifically on the New Sydney Place & New Sydney Road area in Autumn 2021, the most common issues cited by the 119 residents from the area who took part in the survey was through traffic (67%), followed by speeding traffic (60%), followed by HGV traffic (46%) and parking (34%).

71% of those responding from this area went on to say that a restriction on through traffic would have the most impact in addressing these issues.

A workshop was held on 13 July 2022 with residents who expressed an interest during earlier consultations to co-design the Liveable Neighbourhood.

At the workshop, 39 attendees took part in a series of exercises to identify what they liked about the area, what could be improved, and what specific measures could help, plotting these on a map of the area. Attendees later returned to view all the suggestions on maps and were asked to prioritise those within the LN area.

The [full workshop report](#) contains all the issues that were raised and the types of ideas that came forward, including a through-traffic restriction on Sydney Road.

The Liveable Neighbourhood programme is funded by the City Regional Sustainable Travel Settlement (CRSTS) following the approval of a full business case in September 2024 by the Combined Mayoral Authority (MCA), which included this scheme in New Sydney Place and Sydney Road.

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	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)	

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 through-traffic restriction does not prevent access to properties in New Sydney Place and Sydney Road but may require vehicle owners to take a longer route to access some properties.

- 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: there are amenities located on Sydney Road, including a hotel, orthodontics and museum and the through-traffic restriction may require visitors to these amenities to take a longer route to access them. The road has a 7.5T weight limit.

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

Comment: air quality monitoring as part of the trial has established that there has been no significant impact on nitrogen dioxide levels (a pollutant closely linked with vehicle emissions) as a result of the trial. This monitoring will continue in accordance with the monitoring and evaluation plan submitted as part of the full business case.

- 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: the through-traffic restriction does not prevent access to public transport vehicles in New Sydney Place and Sydney Road, but may require vehicles to take a longer route to access some properties.

- 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: 07/04/2025