

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

PENN HILL ROAD, BATH - ZEBRA PEDESTRIAN CROSSING

STATEMENT OF REASONS

Proposal

To introduce a new zebra pedestrian crossing on Penn Hill Road between the junctions of Southlands and Royal United Hospital Gate 3 as shown on the attached plan as part of the LN programme for the area. The proposed zebra pedestrian crossing would replace an existing pedestrian refuge island.

Reasons

Funding has been secured through the City Regional Sustainable Travel Settlement (CRSTS) to install a pedestrian crossing (zebra) on Penn Hill Road, Bath. Pedestrians are currently experiencing difficulties when crossing over Penn Hill Road to reach sites such as the Royal United Hospital. The proposed zebra crossing will facilitate the passage of pedestrians crossing Penn Hill Road, making it safer for both local children and vulnerable road users and improve the quality of life for local people

Initial site observations have indicated that a zebra pedestrian crossing would be the most suitable form of pedestrian facility at this location, having due regard for the number of pedestrians, volume of traffic, topography, and character of the 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 23 enables local highway authorities to establish crossings for pedestrians.

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 proposed zebra pedestrian crossing would generally assist to secure the safer movement of pedestrian and vehicular traffic and will not impact on property access.

- 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 to ensure the free unobstructed flow of traffic on the highway and would facilitate the passage of pedestrians crossing Penn Hill Road, making it safer for both local children and vulnerable road users and improve the quality of life for local people

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

Comment: the proposed zebra pedestrian crossing would complement the Council's aspirations for improving air quality as it may encourage greater use of walking, wheeling, and cycling for some journeys in the wider area. The proposals are not expected to have a detrimental impact on 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: the proposed zebra pedestrian crossing would not negatively impact on the passage of public transport vehicles.

- 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: 19/01/2026