

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

5a

OUTCOME OF ETRO PROCESS – DECISION (following objections)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	Church Street, Widcombe – Liveable Neighbourhood Scheme
PROPOSAL:	Modal Filter (prohibition of motor vehicles)
SCHEME REF No:	22 – 016

1. DELEGATION

The delegation to be exercised in this report is contained within **Part 3, Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

Section A	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
Section B	Without prejudice to the generality of this, Officers are authorised to: serve any notices and make, amend or revoke any orders falling within his/her area of responsibility.
Section D9	An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator.

For the purpose of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.

2. LEGAL AUTHORITY

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 report specifically for the reason(s) shown 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)	

3. **PROPOSAL**

The introduction of a Modal Filter in Church Street, Widcombe, on an experimental basis in the first instance. A Modal Filter is, essentially, a road closure which prevents through traffic from using a route, whilst maintaining access for walking, wheeling and cycling. The filters will be porous and emergency vehicles will have access through the bollards including NT vehicles and church-related vehicles where appropriate.

The location and extent of the proposed Modal Filter can be seen within report number 3.

4. **BACKGROUND**

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 so significant that, in the future, very few people will want to return to the way we organise travel now, as experienced elsewhere in the Country.

The aim of Liveable Neighbourhoods is to reduce overall vehicle use, rather than divert traffic elsewhere. Successful schemes will be those that improve the local environment for residents, increase capacity, safety, and convenience for sustainable travel on main corridors, and foster conditions whereby residents reduce their reliance on private cars, making their local trips by walking, cycling, e-bikes or public transport.

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.

A prioritisation methodology was developed to assess the applications received, which resulted in a shortlist of schemes that are considered to offer the greatest potential and are worthy of detailed investigation and development.

Church Lane is one of the schemes that was subsequently prioritised.

It is considered appropriate for the proposed Modal Filter to be introduced on an experimental basis in the first instance, so that the actual impact of closing the road to through traffic can be assessed and monitored.

5. SOURCE OF FINANCE

The proposal is capital funded: TLN00023S

6. INFORMAL CONSULTATION REQUIREMENT

Informal consultation was carried out with the Chief Constable, Ward Members and the Cabinet Member for Transport.

The responses to the informal consultation can be found in ETRO report number 3.

7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))

The objection / comments received have been summarised below with the technical responses in italics underneath each one. **Appendix 1** attached to this report includes the full responses received during the 6-month public consultation.

OBJECTIONS/COMMENTS RECEIVED
(during the 6-month public advertisement of the proposal)

The objection/comments received have been summarised below with the technical responses in italics underneath each one.

Total Responses: 79

Objections – 29

Support – 45

Support in part - 5

Objections main points raised:

Overall, 31 respondents provided comments with reasons why they would object to the trial scheme. The table below provides a breakdown of the themes which arose from these reasons, with some respondents mentioning more than one theme.

Comment	Object (number)
Will displace traffic/causes congestion elsewhere	13
Causes more traffic at Widcombe	10
Negatively impacts wider Bath residents	8
Causes more pollution vehicles travel further	8
Increases journey times	7
Disrupts local traffic	4
Negatively impact businesses/church	4
Negatively impact residents	3
Increases traffic/congestion	3
Unfair to drivers	2
Negatively impacts those with a disability or who are elderly	2
No alternative/viable public transport available	2
The scheme is unnecessary	2
Negatively impacts mental / physical health	1
Forces drivers to Clean Air Zone	1
Permits are expensive	1
Total comments received	31

Traffic displacement:

- Out of the 79 responses to the ETRO public consultation there were 23 comments about increases in traffic elsewhere, of which 10 were specifically about Widcombe Hill.
- Respondents noted that there were concerns that the trial scheme negatively impacted roads, with Widcombe Hill, Prior Park Road, Ralph Allen Drive, Claverton Down Road mentioned as being used as alternative routes.
- There were also concerns raised regarding the traffic travelling in Widcombe, that the trial scheme forced traffic into Widcombe at areas which were already subject to high traffic volumes.

Response:

The 7-day average traffic monitoring data from October 2022 (pre-trial) and again in October 2023 (post-installation) shows that in terms of the principal alternative routes for traffic, volumes increased in one area and dropped in another.

Widcombe Roundabout area

- *In October 2023, vehicles travelling from Prior Park Road into Widcombe increased by 44 vehicles per day (on average) compared with baseline data (from 136 to 180 vehicles).*

- In October 2023, vehicles travelling from Widcombe Hill into Prior Park increased by 33 vehicles per day (on average) compared to baseline data (from 181 to 214 vehicles).

Ralph Allen Drive area

- In October 2023, vehicles travelling northbound on Ralph Allen Drive increased by 150 vehicles per day (on average) compared with baseline data (from 2901 to 3051 vehicles).
- In October 2023, vehicles travelling southbound on Ralph Allen Drive increased by 72 vehicles per day (on average) compared to baseline data (from 3022 to 3094 vehicles).

Widcombe Hill area

- In October 2023 there were fewer vehicles using Widcombe Hill than in October 2022 (pre-trial). Eastbound, there was decrease of 375 vehicles per day, on average (from 2379 to 2004 vehicles). Westbound, there was a decrease of 1385 vehicles per day, on average (from 2635 to 1250 vehicles).
- In October 2023, 1760 fewer vehicles travelled on Widcombe Hill on average, each day, in total, compared to October 2022 (pre-trial).

The survey data shows that the introduction of the through-traffic restriction has reduced both local and through-traffic on Church Street, and that while there has been a slight increase in the volume of traffic on the principal alternative route this increase is very limited in the context of the total volume of traffic at this location. The link to the traffic monitoring report can be found [here](#):

Pollution:

- In the ETRO public consultation, 8 respondents commented that they were concerned that the proposals would increase air pollution.

Response:

Levels of nitrogen dioxide (NO₂) were monitored in the Church Street, Widcombe High Street, Prior Park Road (two locations), Church Street and Widcombe Hill areas:

- Widcombe High Street saw a **6% reduction** from 16 to 15 µg/m³ as an annual average and Widcombe Hill also saw a **6% reduction** from 17 to 16 µg/m³ as an annual average.
- Prior Park Road saw a **9% reduction** from 22 to 20 µg/m³ as an annual average and the second location saw a **19% reduction** from 16 to 13 µg/m³ as an annual average.
- Only Church Street saw an **increase in NO₂ concentrations** from 9 to 10 µg/m³ as an annual average (11% increase).

All these readings are well below the Government legal limit of nitrogen dioxide (40 µg/m³) and are not seen as cause for concern when considering the impact of the trial, especially when considering typical seasonal variations in air quality levels.

Local organisations, businesses and residents:

- 2 respondents suggested that the scheme prevented carers accessing local elderly people, or those with a disability.
- Negatively impact businesses/church
- Negatively impact residents, including upon their mental or physical health

Response:

The installation of a modal filter means that drivers may need to take a different route to access Church Street, but Church Street remains accessible for vehicles and people living or visiting residents in the area. The scheme is regularly assessed for its impact on those with protected characteristics. The scheme Equality Impact Assessment can be found [here](#).

St Thomas' Church, The National Trust and other businesses based in the area were engaged with prior to the implementation of the trial and feedback helped to shape the scheme. As such, the National Trust and Church have permission to remove the bollards when access is required. If the scheme is made permanent the bollards will be replaced to lighter weight bollards to allow members of the church to remove the bollards more easily when access is required.

In our residents' end point survey which was sent to people living on roads local to the trial, 60% of those who responded felt that the trial scheme had had a positive impact on them or their household.

Other:

- Concerns have been raised that the trial scheme negatively impacts road users/drivers by increasing journey times, disrupting existing traffic flows and forcing traffic into the Bath Clean Air Zone.
- Respondents felt that there was no other alternative for travel or viable public transport.
- People felt that the scheme was unnecessary.

Response:

Church Street has an access only restriction in place which means that vehicles should not have been using it as a through route, but our data shows that this was being breached daily and the installation of a modal filter supports this restriction. The installation of a modal filter means that drivers may need to take a different route

to access Church Street, but Church Street remains accessible for vehicles and people. We do not therefore consider that this scheme has severed the area from the wider community.

Support:

Just over half (57%) of the 79 respondents support the Experimental Traffic Regulation Order (ETRO), with a further 6% saying they partially support it. The remaining 38% of respondents object to the proposals.

All responses were provided by members of the public except one respondent who replied on behalf of an organisation. This organisation is included in the total count.

A total of 48 respondents provided comments with reasons why they support the trial scheme. The table below provides a breakdown of the themes which arose from these reasons, with some respondents mentioning more than one theme.

Monitoring data shows that one year after the installation of this scheme the area is used by more walkers and cyclists and that 68% of people responding to our local residents' survey felt that road safety had improved for cyclists and 73% felt that road safety had improved for pedestrians.

Comment	Support (number)
Reduced traffic in the scheme area	24
Makes the area safer / more pleasant to walk / cycle	21
Stopped rat running	13
Road is quieter	13
Encourages more walking and cycling	12
Road is safer generally	9
Safer for children / elderly	9
Reduced accidents / damage	8
Generally improved the street	6
Improved the environment	3
Total comments received	48

Recommendation: Experimental TRO to be made permanent. Approve and seal as advertised.

8. **ADDITIONAL COMMENTS FROM WARD MEMBERS AND CABINET MEMBER FOR HIGHWAYS (in response to the above)**

Chief Constable:

It is not possible to dedicate an enforcement presence to such a restriction. The signage and any other physical measures introduced to enforce / heighten motorist awareness of the scheme is therefore of importance. Any enforcement will be targeted, and intelligence led.

The proposals should meet the aspirations behind their introduction.

Parking Services:

No comments.

Ward Members:

Widcombe / Lyncombe:

Cllr Alison Born – No comment.

Cllr Deborah Collins – No comment.

Cabinet Members:

Cllr Manda Rigby – No comment.

8. RECOMMENDATION

That the Traffic Regulation Order as advertised is sealed (the Experimental Traffic Regulation Order is made permanent).



Paul Garrod
Traffic Management & Network Manager

Date: 2nd April 2024

9. DECISION

As the Officer holding the above delegation, I have decided that the objections / comments not be acceded to, and the Order as advertised be sealed.

In taking this decision, I confirm that due regard has been given to the Council's public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act.

The Council's policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses.

The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.

A handwritten signature in black ink, appearing to read 'Chris Major', with a stylized flourish at the end.

Chris Major
Director for Place Management

Date: 02/04/24