

OUTCOME OF ETRO PROCESS – DECISION (following objections)

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: Southlands, Weston, Bath – Liveable Neighbourhood Scheme**PROPOSAL: Modal Filter (prohibition of motor vehicles)****SCHEME REF No: 22 – 017****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 Southlands, Weston, Bath, 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 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.

Southlands 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: TLN00024S

6. INFORMAL CONSULTATION REQUIREMENT

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

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

7. 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: 322

Objections – 229

Support – 85

Support in part – 8

Objections main points raised:

Overall, 220 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	72
Increases journey times	53
Causes more pollution / vehicles travel further	49
Negatively impact residents	39
Favours wealthy residents / privatisation / divides the community	27
Negatively impacts mental / physical health	26
Doesn't solve parking issues / makes parking issues worse not intended to remedy parking issues experienced in the area.	25
Increases traffic / congestion	24
Negatively impact lifestyle / isolates residents	24
The trial scheme is unnecessary	18
Residents unable to park	17
Causes dangerous driving behaviour / manoeuvres	14
The trial scheme is a waste of money	14
Negatively impacts those with disability / elderly	14
Unfair to drivers	7
Negatively impact businesses / church	7
No alternative / viable public transport available	3
Disrupts local traffic	1
Negatively impacts wider Bath residents	1
Permits are expensive / increase in cost	1

General objection without giving more detail	1
Total number of comments received	220

Traffic displacement

The main concern identified was that the trial scheme displaces traffic and causes congestion elsewhere, with specific concern over the High Street.

Respondents commented that there were concerns that the trial scheme increases journey times and that the trial scheme causes vehicles to travel further’.

About the monitoring

- Baseline traffic data was collected for seven consecutive days from 3 October to 9 October 2022 to gain average daily counts before the trial started in November 22.
- Post-installation traffic data was collected for seven consecutive days from 18 to 24 April 2023 and again from 3 to 9 October 2023
- By comparing post-installation average daily counts with baseline data, we can assess the impact of the trial. We did not collect data during school or university holidays or other times that impact significantly on average traffic flows.
- Please note that for the purpose of this summary **we are comparing baseline data with October 2023 data plus daily averages collected over a full week (7 days), unless stated otherwise**. You can read the full report for further details at Appendix A.

Response:

The traffic monitoring data conducted in October 2022 (pre-trial) and again in October 2023 (post-installation) provides the evidence and, in terms of the principal alternative routes for traffic, we saw an increase in one area and a drop in another including:

Anchor Road

- *164 more vehicles per day (5%) were recorded on Anchor Road travelling in a north-eastern bound direction.*
- *Around 400 more vehicles per day, equating to 1% increase, were recorded on Anchor Road in a south-eastern bound direction.*
- *These increases are not considered to be highly significant and can be interpreted as being within typical variance of traffic flow volumes.*

Weston High Street

- *We recorded a drop of up to 180 vehicles per day travelling in each direction on Weston High Street which equates a 3% drop in traffic.*
- *Again, these decreases are not considered to be highly significant and can be interpreted as being within typical variance of traffic flow volumes.*

Air pollution

In the ETRO public consultation, 49 respondents said they were concerned about the effect of the trial on air pollution in surrounding areas.

Response:

In the Southlands area, Weston High Street, Penn Hill Road, Southlands and Anchor Road, levels of nitrogen dioxide (NO₂) were monitored.

- *Southlands saw a 10% reduction from 10 to 9 µg/m³ as an annual average.*
- *Penn Hill Road saw a 20% reduction from 15 to 12 µg/m³ as an annual average.*
- *Anchor Road saw a 21% reduction from 24 to 19 µg/m³ as an annual average.*
- *Weston High Street saw a small (6%) increase in NO₂ concentrations from 16 to 17 µg/m³ as an annual average.*

All these readings are well below the Government legal limit of 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.

Parking

There were comments from respondents in the surveys that the proximity to the Royal United Hospital had an impact on their (and their visitors') ability to park near their homes on Southlands because spaces were used by commuters and visitors to the hospital. Some respondents noted that the trial scheme 'doesn't solve parking issues / makes parking issues worse'.

Response:

It should be noted that the purpose of the trial was primarily to reduce through-traffic and speeding through the area, rather than tackle parking issues, but it was hoped that the restriction might contribute to a reduction in the number of commuters using Southlands for parking given the no-through-route.

Parking was therefore not monitored as part of the trial, however, comments were gathered about the impact of the trial on parking during the end-point survey with residents:

- *Just under half the residents who responded to the survey (33 out of 74 residents) felt there had been an improvement in parking or said that it had 'stayed the same'.*
- *Just over half felt it had become worse, with many stating it was much worse (41 out of 74 residents).*

This data can only be considered indicative because these residents chose to participate in the survey.

Negatively impacts local people/businesses:

A few comments noted that there were concerns that the trial scheme was creating a divide in the community and was negatively impacting on residents, including those with a disability. Others felt that it favoured wealthy residents.

Response:

The Council is more widely working towards a number of targets that will help to address climate change. As such, in 2020 the council adopted the Liveable Neighbourhoods policy which sets out it's ambition to reduce the dominance of vehicles in residential areas. The allocation of road space must be reconsidered to reduce carbon emissions, improve air quality and promote healthy lifestyles. Our vision is to provide fairer access for those travelling on foot and by bicycle, creating healthier outdoor spaces for everyone to enjoy. This was reflected in the scheme's data collection which showed an increase in numbers of people walking and cycling along Southlands.

The installation of a modal filter means that drivers may need to take a different route to access Southlands, but Southlands 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 at Appendix B.

In our end point survey 31 respondents out of the 75 living on Southlands agreed that the scheme has had a positive impact on themselves and their area. Respondents noted that they felt the scheme had improved safety on the streets, especially for children or the elderly and that the area was quieter, there was a positive change in atmosphere and therefore their quality of life.

Other:

Some respondents felt that the scheme was unnecessary or a waste of money and causes drivers to make dangerous manoeuvres when turning in the turning circle either side of the restriction. Others felt that the scheme was unfair to drivers or did not support the scheme because there was no other viable public transport.

Response:

The Council is more widely working towards a number of targets that will help to address climate change. As such, in 2020 the council adopted the Liveable Neighbourhoods policy which sets out it's ambition to reduce the dominance of vehicles in residential areas. The allocation of road space must be reconsidered to reduce carbon emissions, improve air quality and promote healthy lifestyles. Our vision is to provide fairer access for those travelling on foot and by bicycle, creating healthier outdoor spaces for everyone to enjoy. This was reflected in the scheme's data collection which showed an increase in numbers of people walking and cycling along Southlands.

Provision for turning areas were made and painted with double yellow lines either side of the restriction to allow vehicle users to turn in this area if required, much as drivers would do before the trial if they entered one end of Southlands and wanted to exit the same end.

Southlands remains open to motorised vehicle traffic as do other local roads, therefore it is not felt that the trial would result in local people being forced to use public transport as an alternative to a private motorised vehicle.

Support:

Just over three-quarters (71%) of the 322 respondents oppose the Experimental Traffic Order Regulation (ETRO), with a further 2% saying they partially support, the remaining 26% of respondents support 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 85 respondents provided comments with reasons why they would 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.

Comment	Support (number)
Safer for children / elderly	26
Stopped rat running	18
Road is safer	18
Reduced traffic in the trial scheme area	16
Makes the area safer / more pleasant to walk / cycle	16
Generally improved the street	11
Encourages more walking and cycling	8
Road is quieter	8
Improved the environment	8
Reduced speeding	8
Support the need for a consultation / to provide feedback on trial scheme	5
Total number of comments received	85*

*One respondent stated that they support the trial scheme, however provided suggestions rather than reasons why they supported the trial scheme.

The main reason for support of the trial scheme, was that it made the area 'safer for children / elderly', in particular walking to school or the park.

Respondents have commented that the ETRO had 'stopped rat running' and 'made the road safer'.

Respondents also stated that it 'made the area safer / more pleasant to walk / cycle'.

Some commented there had been 'reduced traffic in the trial scheme area'.

Recommendation: Approve and seal as advertised

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

Chief Constable:

No comment.

Parking Services:

No comment.

Ward Members:

Weston:

Cllr Malcolm Treby – No comment.

Cllr Ruth Malloy – No comment.

Cabinet Member:

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.



Chris Major
Director for Place Management

Date: 02/04/24