

# OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER

3

## OUTCOME OF TRO PROCESS

PREPARED BY: Traffic Management Team, Highways and Traffic Group

**TITLE OF REPORT:** Milsom Street, Bath

**PROPOSAL:** Experimental Prohibition of Motor Vehicles (Bus Gate) and associated parking and loading restrictions

**SCHEME REF No:** 20 – 010B

**REPORT AUTHOR:** Paul Garrod / Neil Terry

### 1. DELEGATION

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

<b>Section A</b>	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
<b>Section B</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.
<b>Section D9</b>	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	

(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**

Bath and North East Somerset Council is proposing to restrict access to vehicular traffic in Milsom Street, Bath (between George Street and Quiet Street) between the hours of 10.00am and 18.00pm, 7 days per week. Local buses would be exempt from the restriction.

Parking and loading restrictions in Milsom Street would be amended to reflect the operating times of the bus gate. New loading bays are provided in George Street to mitigate for the loss of ability for loading and unloading in Milsom Street between 10am and 6pm.

The objective behind the proposal is to create a priority route for public transport vehicles and cycles along Milsom Street. Removing extraneous through traffic will also make the road a more pleasant environment for shoppers, pedestrians and cyclists.

It is proposed that the prohibition of motor vehicles would be introduced with the support of Experimental Traffic Regulation Order (ETRO) in the first instance, to be made permanent if the project is successful and after consideration of any objections or other representations.

The success, or otherwise, of the ETRO would be evaluated using the following methods:

- Assessment of bus journey reliability along the route.
- Before and after assessments of on-street activity, including footfall and cycling movements.
- Stakeholder surveys and stakeholder feedback ie residents, accessibility groups, faith organisations.
- Business engagement, to include the impact on trade and loading activities.
- Reference to existing guidance relating to the evaluation of townscapes and pedestrianisation.

The proposal to remove through traffic from Milsom Street between 10am and 6pm would restrict access to the existing Blue Badge parking bays in Milsom Street, so it is proposed that additional Blue Badge parking bays would be introduced in New Bond Street. It is currently anticipated that 5 additional bays could be introduced by rearranging the current parking and loading arrangements. It is also anticipated that the 8 current temporary Blue Badge parking bays on Quiet Street / Queen Square and Barton Street could become permanent bays to help provide more central disabled parking provision for Blue Badge Holders.

#### **4. BACKGROUND**

Milsom Street is used by numerous local bus services, and there are two well-used bus stops approximately half-way along its length. However, parking and loading activity along the route can have a negative impact on bus journey times and reliability, particularly during the day.

When the Covid 19 pandemic first emerged, a temporary 10.00am to 6.00pm access restriction was introduced in Milsom Street to help prioritise public transport and to aid social distancing, and this restriction remains in place. Prior to the introduction of this temporary measure, Milsom Street had unimpeded vehicular access throughout the day. Although the existing bus gates further along the route already restricted through-traffic (from 10.00am to 6.00pm) the road was still busy with delivery and servicing traffic, and motorists picking-up and dropping-off passengers or seeking on-street parking opportunities.

Aside from improving bus journey times and reliability along the route, it is considered that the removal of extraneous through traffic from Milsom Street, between 10.00am and 6.00pm, would help to improve the environment for bus passengers waiting at the bus stops, pedestrians and cyclists, and also support efforts to create a more pleasant trading environment and public realm for residents and visitors.

The access restriction would also support the programme of events and activities planned for the area through the High Street Renewal Programme. The development of the Programme scope has been informed by consultation and engagement with the community, local traders and businesses, along with property agents and landlords.

This project is not part of the separate City Centre Security proposals but takes into account the changes that could be made if that project were to go ahead. A summary of those proposals can be found here: <https://beta.bathnes.gov.uk/bath-city-centre-security-traffic-regulation-orders-consultation/what-scheme-means-you>

#### **5. SOURCE OF FINANCE**

This proposal is being funded through capital expenditure, project code TCL0014.

#### **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 TRO report number 1/2.

**7. EVALUATION OF THE EXPERIMENT (following the 6-month public advertisement of the proposal)**

The objective of the access restriction was to prioritise access for buses and to make the road a more pleasant environment for pedestrians and cyclists through the removal of motor traffic.

Informal monitoring and observations suggest that the movement of public transport vehicles along Milsom Street is now more straightforward as a result of the significant reduction in other kerbside activity along the road, such as loading and motorists manoeuvring into parking spaces. No adverse comments regarding bus access and reliability along Milsom Street have been received from bus operators since the Experimental TRO has been operation.

Since the Experimental TRO came into effect in November 2021 there has been specific growth in food and beverage businesses in the street, most of which have explored options for outdoor seating now that the street is a more pleasant environment. One retailer which has moved in has been very positive about the access restriction and the new parklet outside their unit that it facilitated. The retail units in the street are currently at nearly full occupancy for the first time in two years. Whilst it is not known what direct impact the access restriction has had on businesses, this does show that Milsom Street remains an attractive location for retail and food & beverage businesses to be based. Vacancy assessments between 2021 and 2022 have seen a 30% reduction in number of vacant units on Milsom Street, suggesting that the area is becoming more appealing for businesses.

The road is used by two bus operators, one of which operates the Lansdown Park & Ride service and runs every 15 minutes to the stop, and the other is the City Tour services, which also runs every 15 minutes during the daytime.

The Park & Ride operator has advised that less traffic using Milsom Street has benefitted their service because it means they can now get through the first cycle of the traffic signals in New Bond Street. They have also stated that not having vehicles manoeuvring in and out of parking spaces means they can easily pull into the bus stop and are not obstructed. Both of these factors reduce journey times and increase reliability of journey times.

The other operator has advised they would like the restriction to remain in place. Although they have stated it has not had a big impact on journey times, they advised that previously cars were not parked particularly well which would cause difficulty for buses getting past, which delayed their running time and such incidents in some cases could cause delays on the service of several minutes.

**8. 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. **Appendix 1** attached to

this report includes the full responses received during the 6-month public consultation.

**Total Responses: 325**

**Objections – 163,  
Support – 140,  
Support in part - 22**

**Objections main points raised:**

**Disabled Access:**

- Restricts options for blue badge parking.
- A number of comments stated that the Council are in breach of the equalities act, by not making reasonable adjustments that are suitable for disabled drivers or passengers who can't travel from the other blue badge bays that are too far in distance to travel back to Milsom Street.
- Further limitation of access to the city for Blue Badge Holders.
- The new Blue Badge Holder parking bays in New Bond Street are too far away from Milsom Street. There are no signs to show people how to get to the additional Blue Badge Holder bays.
- Not all people with mobility difficulties are Blue Badge Holders which means they cannot use the alternative on-street parking spaces.
- One organisation that supports disabled people advised that its minibus is no longer able to access the road.
- Closing Milsom Street discriminates against the disabled, and especially blue badge holders.
- It was claimed that the Council have made UNESCO a World Heritage City inaccessible to disabled residents.
- A number of objections stated that Milsom Street is a public road and that the Council has no right to remove disabled people's access to it.
- A number of objections stated that not being able to park in Milsom Street has effectively shut them off from shops on both Milsom Steet and Quiet Steet.
- Disabled and elderly people need access to Milsom Street at all times.
- A number of comments received stated that the suggested access route for Disabled Drivers via Old King Street, John Street and Quiet Street is often not accessible due to vehicles such as small lorries or large vans parked delivering to premises in Old King Street or John Street.

- A number of objections referenced the fact that Milsom Street is on a hill, which is why it's even more important that disabled people who are trying to be independent to have access.
- A number of objections noted that the council car parks now charge for disabled parking and felt that the Council are trying to actively discourage disabled drivers from visiting Bath.

*Response:*

*Since we introduced the bus gate in June 2020, we have been monitoring the temporary restriction, as well as speaking to key stakeholders and considering the feedback received from residents and businesses.*

*As a result of this, we have made several adjustments to assist people with limited mobility, as well as businesses and residents with their deliveries. We have made the following changes:*

- *Announcing plans to install 5 additional Blue Badge parking bays in New Bond Street and 2 new disabled bays on Quiet Street (taking the total number of spaces in this area from 4 to 11)*
- *Making plans to improve the pedestrian route between Broad Street car park and Milsom Street*
- *Allowing Dial-a-Ride Community Transport access to Milsom Street to drop off and pick up passengers during operating hours*
- *New accessible seating installed in Milsom Street*

*We have written to all blue badge holders, for whom we have records, to notify them of this consultation and to ensure they are able to comment. An Accessibility Study was also carried out by an independent consultant from the National Register of Access Consultants to consider the impacts on people living with various disabilities, including those with additional mobility needs. The study made some recommendations for improvements, some of which are being carried out as part of this project, including additional Blue Badge parking bays and seating.*

*Blue Badge bays were also monitored in Broad Street car park, New Bond Street and Quiet Street on Tuesday 1<sup>st</sup>, Wednesday 2<sup>nd</sup>, Friday 4<sup>th</sup> and Saturday 5<sup>th</sup> March 2022 during the hours of the access restriction, which showed that these parking spaces are currently not being used to their full capacity. The distance between the disabled bays in the car park and Milsom Street is approximately 28 metres.*

*It is not possible to provide direction signs to on-street parking bays for Blue Badge Holders. The design and content of traffic signs is highly regulated and there are no signs available to direct people to on-street parking. The Council has made it clearer that the 'no motor vehicles' restriction on John Street does not apply to Blue Badge Holders by improving the signage there. The consultation web pages also included a map to show where Blue Badge Holder parking is available in close proximity to Milsom Street:*

*<https://beta.bathnes.gov.uk/milsom-street-experimental-traffic-regulation-order-etio-consultation/scheme-overview>*

*Providing an exemption for Blue Badge Holders would re-introduce additional traffic in the street. Many of these vehicles would be pulling into and away from the kerbside to allow passengers in and out and also reversing manoeuvres into parking spaces. This activity would hinder the passage of buses as they wait for vehicles to complete their parking manoeuvre. Whilst it would enable Blue Badge Holders direct access to Milsom Street, it would not be possible to limit the exemption to picking up or dropping off within the street itself, meaning the street could be used as a through route, for instance to access The Podium car park.*

*An exemption for Blue Badge Holders would also have to be extended to include an exemption for taxis, since Blue Badge Holders can be passengers in any vehicle. This would re-open the road to a considerable number of vehicles and reduce the benefit the access restriction brings to buses and the overall environment of the street..*

*Although it is no longer possible for vehicles to parking or drop off/pick up passengers in Milsom Street between 10am and 6pm, we have provided additional Blue Badge parking bays less than 50 metres away in Quiet Street and approximately 70 metres away in New Bond Street. Using John Street and Quiet Street as an alternative access, it is still possible for a vehicle displaying a Blue Badge to drop off or pick up within 30 metres of the bottom of Milsom Street.*

#### **Deliveries:**

- A number of objections stated that the ETRO is making life difficult for delivery companies.
- A number of comments stated that businesses will lose trade and leave the City.
- A number of comments stated that Milsom Street is a commercial area, and that we need to support businesses in the area, not turn it into a bike park.
- A comment was received which stated that the ETRO seems only to continue the dogmatic hostility towards private cars (and vans used by tradesmen and for deliveries).
- It was noted that a number of shops on Milsom Street are interior furnishing shops for the home, in which the shopper has to pick their item up directly outside due to the size and load straight into their vehicles.
- A number of comments stated that the ETRO is making it very hard for deliveries to be made to shops or for collections from shops on Milsom Street.

#### *Response:*

*Since we introduced the bus gate in June 2020, we have been monitoring the temporary restriction, as well as speaking to key stakeholders and considering the feedback received from residents and businesses.*

*As a result of this, we have made several adjustments to assist businesses and residents with their deliveries. We have made the following changes:*

- *Providing 3 new loading bays on George Street to create dedicated space for loading and unloading near Milsom Street*

### **Pollution / Traffic Congestion:**

- A number of comments stated that they felt the ETRO will continue to make pollution and congestion in George Street much worse.
- A number of comments stated that traffic is already a mess along The Paragon / London Road, which backs up along Guinea Lane with people needing to navigate down Walcot Street to access The Podium and Broad Street car parks and that stopping traffic accessing Milsom Street will make this worse.
- A number of comments stated that the closure of Milsom Street already causes more congestion in all the streets around it and more pollution with vehicles now circling the City.
- It was stated that the ETRO is a solution to a problem that doesn't exist, and in so doing is making bottlenecks elsewhere.
- It was stated that the Council's current policy to remove traffic away from the centre has adversely affected the rest of the city with vehicles now using all of the other access routes into the city with no restriction, increasing pollution and traffic in the areas where people actually live.
- It was stated that the Council has been in no rush to make any assessments of the areas outside of the centre, and no changes to improve safety have been made as a result of displaced traffic.
- It was stated that this ETRO is yet another example of the council making it harder to live and work in the city.
- It was felt that not everyone can deliver to the businesses along Milsom Street before 10am and that the new loading bays in George Street are insufficient and that many businesses have already voiced their concerns at how pedestrianizing this street has negatively affected trade and at a time when they need every bit of help to recover from lockdowns.
- It was stated that this ETRO is an unnecessary further attack on motorists.
- It was stated that allowing buses to use Milsom Street, which in turn leads to long queues of people waiting to board does nothing to enhance the area and introduces more pollution than the limited number of cars which tend to drive down Milsom Street would do.



- It was stated that there are far too many applications to close streets in Bath with an aim to improve air quality.
- It was stated that the mixture of buses, bicycles, pedestrians and motorised bikes and scooters which currently have access to Milsom Street is often a dangerous combination.

*Response:*

*It has not been possible to assess whether the restriction in Milsom Street has caused more congestion or reduced air quality in George Street. During the period of the experiment and the temporary restriction before that, Cleveland Bridge on the A36 in the city was closed for a number of months and also had other restrictions in place which has led to more traffic using A4 George Street.*

**Residents:**

- Makes life difficult for residents.
- It was stated that residents feel very much like the city is trying to push locals out in favour of tourists.
- It was recommended that residents living in the street should have 24-hour access, although the parking restriction should apply.
- It was noted that until there is progress on alternatives forms of transportation in and out of the City Centre, it is not sensible to further restrict access to Milson Street.

*Response:*

*Residents can use the parking spaces in Milsom Street outside of the 10am to 6pm restriction. In such a central location it would be unusual for most residents to be able to park on-street in the immediate vicinity of their property in any town or city at any time of the day.*

**Taxis:**

- It was stated that taxis need to be able to drop of passengers with disabilities near the banks or main shopping area and the ETRO prevents this.
- A number of objections commented that by not giving licensed taxis access to Milsom Street the Council are forcing them to travel a greater distance to travel from the north of the city which causes greater congestion and more emissions. They state that BANES taxis and private hires are now CAZ compliant so would not be adding unnecessarily to the climate emergency
- A number of comments stated that the ETRO has made life very difficult for taxi customers, especially the elderly.
- A number of objections from taxi operators stated that Milsom Street is a good shortcut to avoid traffic around the city.

- A number of comments stated that Milsom Street should be open to private hire and taxis, as they are part of the public transportation system.
- A number of objections asked why Milsom Street can't be like every other bus gate in Bath which are open for buses and taxis between 10am to 6pm.

*Response:*

*The removal of traffic provides a safer and more pleasant environment in this area with high pedestrian footfall. Providing an exemption to taxis and/or Blue Badge Holders would re-introduce much more traffic into the road. Although this would enable them to drop off and pick up passengers within Milsom Street itself, it is likely that the road would be predominantly used as a through route by taxis, making the road an attractive route and therefore would have very frequent vehicle movements. This would be contrary to the main objective of giving priority to buses, helping them to reduce journey times and increase reliability. Taxis carrying or picking up Blue Badge Holders can use John Street and Quiet Street to access the bottom of Milsom Street.*

**Other:**

- A number of comments stated that a pedestrianised area allowing bikes and e-scooters is dangerous.
- It was stated that if terrorists want to attack Bath they will; road closures and bus gates will not protect the city centre against terrorism, and this is being used as an excuse to restrict our movements.
- A number of comments stated that the ETRO was an unnecessary waste of public funds.
- It was recommended that the restrictions closing off Milsom Street should be on weekends only.
- A number of comments stated that public transport needs to be addressed before this council starts closing the city centre off to cars. There needs to be cheaper, more reliable and more frequent public transport and more park and ride facilities.

*Response:*

*The access restriction in Milsom Street is not part of the City Centre Security scheme but has been introduced to provide a priority route for buses.*

**Partially support main points raised:**

**Disabled:**

- Access should be provided for delivery vehicles & Blue Badge Holders.

- We received a number of comments which supported the goal of reducing traffic in the centre but felt disabled access should still be provided on Milsom Street.
- We received comments questioning why the Council doesn't implement a number plate recognition system by having cars registered. This is something the RUH currently do.
- It was suggested that Blue Badge Holders be allowed to park on one side of Milsom Street only, thereby bringing better access into the city centre.
- It was suggested that access from Broad Street car park needs to be updated and the number of disabled bays increased.
- It was suggested that more disabled spaces be made available in Queen Square.
- It was suggested that gates between the Broad Street car park and Milsom Street should be kept open at all times as this would enable easier access for disabled groups.

#### **Residents:**

- It was felt that the current 6pm restriction end time is too late and 5pm would work equally well.
- Concerns were raised over the signage of the bus gate not being clear enough resulting in penalty charges on local residents.

#### **Taxis & Public Transport:**

- We had comments from taxi drivers supporting the bus gate but felt they should be allowed access to pick up elderly and disabled people from Milsom Street.
- Taxi drivers felt this bus gate should match the others within the city centre and allow them access.

#### **Other:**

- We had comments suggesting more could be done to enhance Milsom Street such as planting trees, installing power points for street market stalls, introducing covered cycle parking points and a contraflow cycle lane.
- We had comments suggesting that the bus gate should exclude all vehicles along Milsom Street.

### **Access via John Street:**

- Concerns were raised regarding access to the city centre via Old King Street and John Street, which it was felt has become a rat run and that the route should be regulated in some way.

#### *Response:*

*The reason why taxis have not been permitted to use Milsom Street, unlike the other bus gates in the city centre, is because providing an exemption to taxis would re-introduce much more traffic movement and activity into the road, which would be contrary to the main objectives of the scheme. Aside from these vehicles stopping and waiting on the kerbside to allow passengers to board and/or alight, it's also likely that the road would be predominantly used as a through route by taxis, as Milsom Street can provide access to a number of central destinations. Taxis carrying or picking up Blue Badge Holders and other passengers can use John Street and Quiet Street to access the bottom of Milsom Street.*

*The council does not own the pathway between Broad Street car park and Milsom Street but is working with the land owner to make improvements. These will include gate repairs, lighting, and re-painting. Opportunities to extend the hours it is open are being explored to further improve access.*

### **Bath Preservation Trust Response to Milsom Street: Experimental Traffic Regulation Order (ETRO) Consultation**

The proposals, which include an Experimental Traffic Order form part of a package of comprehensive measures to address the ongoing disparity between private car usage and sustainable transport access within Bath city centre.

BPT maintains that any access restrictions should be considered as a broader part of traffic management plans and an overall vision or strategy for the public realm, including plans for high street renewal and regeneration.

Whilst indicated not to be part of the city centre security proposals, it must be acknowledged that the proposed ETRO would further restrict traffic access within the historic city centre in conjunction with further access restrictions to the south.

We maintain the continued need for a holistic vision for traffic access throughout the city centre and its immediate surroundings to better conceptualise how proposed measures integrate with other restrictions and public realm activation measures.

#### **Comments:**

- BPT remain supportive of the opportunity for the increased prioritisation of pedestrian and cyclist access into and through the city centre and associated opportunities for public realm improvement, as well as the delivery of enhanced sustainable transport options.
- BPT are supportive of a 6-month trial of the proposed measures to assess their effectiveness in practice as well as highlighting potential

access/congestion issues that should be addressed as part of any permanent implementation of restrictions.

- BPT welcomes the possibility of applying a similar restriction 'buffer' across the bottom of Milsom Street where it runs into New Bond Street, so there is a clear and sustainable route on the approach up from Union Street.
- BPT maintains that measures should be appropriately balanced against the need to sustain and enhance city centre access for disabled people and/or people with mobility issues to ensure our high streets remain inclusive and accessible for all.
- BPT questions whether measures be introduced to address limited disabled parking bays (e.g. free Blue Badge parking in all council parking spaces, as currently practiced by York City Council)? Alternatively, Blue Badge drivers could be prioritised along Quiet Street and New Bond Street to facilitate access to on-street disabled parking whilst appropriately managing a possible increase in traffic flow between 10am and 6pm. This could then allow for increased turnover of on-street parking on Quiet Street to disabled parking to address potential difficulties of access restrictions.
- BPT calls for further details regarding how the 'Dial-a-Ride' service would work, as well as the criteria against which a request for an access permit would be measured.
- BPT questions whether e-scooters will be permitted the same rights as cyclists in using Milsom Street during restricted hours?
- BPT has heritage concerns regarding the increased density of loading bays along George Street. This road remains in heavy use by private car users as well as delivery vans and HGVs with increasing pressure on the junction with Gay Street and the congested north-eastern access from the Paragon through to Queen Square. We therefore maintain that the intensified service use of this road could exacerbate its status as a traffic 'pinch point' and worsen congestion, an effect which would be felt along adjoining streets, to the detriment of the character and amenity of the conservation area and setting of listed buildings.
- Where it is proposed to retain traffic flow through Quiet Street and onto New Bond Street, there could be an opportunity to address and improve conflict between pedestrian and private car users. The junction between Quiet Street and Milsom Street can act as a 'blind spot' where traffic can emerge behind other road users. BPT suggests that this could be better signposted to improve public safety and amenity, preferably in a way that does not require excessive signage or other potential clutter, e.g. tactile changes in road surfaces, traffic calming measures.
- Where public seating is proposed along Milsom Street, this should accord with the Bath Pattern Book with reference to designs, forms, colours, and finishes, to ensure a cohesive approach to public amenity space throughout the conservation area and World Heritage Site.

## **Support:**

The Council received **131** responses of support for the ETRO, however reasons for supporting the scheme were not requested as part of the consultation process as the Council's consultation procedure focuses on the concerns of local residents and visitors to Bath to see how these can best be addressed.

## **9. ADDITIONAL INFORMAL COMMENTS RECEIVED (in response to the formal comments / objections received during the 6-month public advertisement of the proposals)**

### **Chief Constable**

It is noted that a considerable number of objections were received, out of a total response of 325, Objections – 163, Support – 140, Support in part – 22, with a considerable number citing concerns for disabled (blue badge) access, concerns from residents of Milsom Street, a lack of access by taxis as there are no exemptions to the bus gate for such transport, and concerns regarding displacement of traffic and potential congestion caused by vehicles parking elsewhere.

With regard to the specific issues concerning disabled access and use of taxis, please could you advise of the impact of the proposals in terms of the Equalities Impact Assessment, to demonstrate how B&NES are meeting this duty? I am aware that this can encompass ensuring that planning for transport provision or access to buildings takes account of the needs of people with mobility issues or access needs. It is noted that the draft TRO3 report attached contains the statement "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." I understand that the view is that an appropriate alternative is access via Quiet Street/John Street but this appears insufficient given the comments made as objections within the attached report.

I have also spoken to my Counter Terrorism Security colleague regarding the bus gate and they have responded with the following observation " ...preventing a terrorist incident with the use of a vehicle doesn't really apply in these circumstances whereas the inner HVM scheme does provide some physical mitigation. The Milsom Street Bus Gate is a notional measure which can be ignored by someone with hostile intent. During the pandemic I did see the previous scheme in operation and was concerned when we found a ticketed vehicle in breach of the scheme which had been there for 2 days. If the scheme comes to fruition I would suggest that there be a more robust method of dealing with someone in contravention. If this had been a hostile vehicle being used as a vehicle borne device, we might have been in trouble. Just giving it a ticket was frankly not good enough. No additional enquiries had been made."

Whilst I appreciate that data on usage of alternate roads may be skewed due to the closure of the Cleveland Bridge during ongoing works, it would be beneficial to analyse where displaced traffic has relocated. George Street is a location known for

congestion due to parking issues and its junction with Gay Street and the prohibition of movement is a location deemed of sufficient interest to warrant inclusion in the first tranche of using enforcement powers under Chapter 6 of the Traffic Management Act. Additionally, the mini roundabout at the junction of Walcot Street and The Paragon/A4 could see heavier usage if traffic wishes to access the car parking in Walcot Street from that direction rather than via Milsom Street/New Bond Street/Broad Street.

There is no mention of emergency service access through the bus gate, please can this be clarified to confirm that there are exemptions for emergency service vehicles "in the execution of their duty" as with other bus gates and similar measures throughout the Force area, including Bath and North East Somerset Council.

*Response:*

*An EQIA has been produced to support the scheme and is available for public scrutiny if required. A copy will be forwarded to the Chief Constable in due course.*

*As mentioned by the Counter Terrorism Security Officer, preventing a terrorist incident with the use of a vehicle doesn't really apply in these circumstances. As a result, no physical HVM measures are proposed or considered necessary as part of this proposal.*

*It is not known where traffic may have been displaced by the experimental bus gate in Milsom Street, as this could not be formally assessed in the circumstances. It is considered unlikely, however, that the through traffic displaced by the bus gate will have had a detrimental impact elsewhere on the road network.*

*There is an exemption in the ETRO for any ambulance, fire, or police authority vehicle, provided that the vehicle is clearly distinguishable as such. This exemption would be carried forward to any permanent arrangement.*

## **Parking Services**

I'm supportive of these proposals and appreciate being able to review the final report.

I note the comments about Blue Badge parking; the increase in provision in the adjacent roads; and use of existing provision and would also add that charges in council car parks have applied in Bath car parks since at least 2013. It should also be noted that a Blue Badge is not a financial concession but one based on mobility.

This restriction is located at the junction of Milsom Street and George Street to prevent entrapment of vehicles and is managed and enforced using Automatic Number Plate Recognition (ANPR) cameras, as the only appropriate and cost-effective means to enforce a restriction of this type. A Blue Badge is issued to an individual and not to a vehicle and it's not currently possible to identify whether a passenger with a valid Blue Badge is within in a vehicle.

## **Ward Members (Kingsmead):**

### Cllr Sue Craig

My only comment would be that arrangements should be made for residents of Milsom Street so that they can gain access for e.g. an emergency plumber.

This has been done for residents inside the City Centre Security Zone.

### *Response:*

*If the ETRO is to be made permanent, further consideration will be given to legitimate access requirements. This could potentially follow the 'managed access list' approach which covers the roads within the City Centre Security Zone.*

### Cllr Andrew Furse

I am broadly in agreement with this restriction of through traffic in Milsom Street since much of it was circulating looking for parking. However, my comments are as follows:

1. Unlike other Bus gates such as Pulteney Bridge and in Western Riverside which prevent through traffic but retain access to both sides of the 'gate'. Placing the 'gate' at the top of Milsom Street does not permit similar access. This needs to be reconsidered.
2. We must not forget that there are residents in Milsom Street who's only access is via Milsom Street. Therefore (like the security zone) there needs to be provision for residents to obtain emergency access for plumbers, etc.
3. Traffic/pedestrian conflicts mentioned in the consultation at the junction of Quiet Street, and the rat running through Old King Street need to be addressed.
4. As the restrictions are for the same time as the security zone and if introduced as proposed excluding all traffic except buses between 10am and 6pm, there is no need for the security barriers at the north side of the security zone eg on Burton Street.
5. I note the consultation responses about blue badge holders and only add that if blue badges are permitted then so should taxis. Taxis are used by many (especially older) residents in Bath as their intra-city public transport.

### *Response:*

*1. The Milsom Street experimental bus gate has been introduced in the optimum location from an enforcement and road safety perspective. It is considered that relocating the bus gate to a point further along Milsom Street and allowing two-way vehicular access to each side during its operation, could result in difficulties for public transport vehicles and cyclists. Turning areas would also need to be created, for which there is insufficient road space.*

*2. As above in response to the comment submitted by Councillor Craig.*



3. *If the ETRO is to be made permanent, it's impact will be monitored. Access along Old King Street is already regulated by a 'prohibition of motor vehicles except for access' restriction, the impact and enforcement of which may need to be reviewed. The emerging Milsom Quarter Masterplan may provide an appropriate opportunity.*

4. *A permanent bus gate in Milsom Street cannot replace the HVM measures proposed as part of the City Centre Security Zone project, due to the access requirements along Milsom Street for public transport vehicles. and the presence of the alternative access route for Blue Badge holders and taxis (Old King Street etc.).*

5. *Please refer to the additional comments submitted by Parking Services above. If the ETRO for the bus gate in Milsom Street is made permanent, Blue Badge holders could not be permitted to use the bus gate during its hours of operation.*

**Cabinet Member for Transport:**

Cllr Manda Rigby

I support this TRO. I believe the work the officers have put in combined with the input received via all forms of consultation have resulted in the right outcome and am particularly pleased to see how the impact on Blue Badge holders has been addressed as far as possible. I appreciate that other groups of people with different disabilities have found this new scheme advantageous.

Allowing the easier flowing of buses on this street benefits all, and contributes towards our having effective and reliable options to bringing a car into the centre for those who can use the park and ride. The environment is much pleasanter and businesses have decided to open on Milsom Street in the full knowledge of the prevailing trail system now being made permanent.

**10. RECOMMENDATION**

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



Paul Garrod  
Traffic Management & Network Manager

Date: 15<sup>th</sup> March 2023

**11. DECISION**

As the Officer holding the above delegation, I have decided that the objections not be acceded to, and the Order as advertised be sealed (the experimental Order is made permanent).

I also confirm that should the Park & Ride bus service no longer stop in Milsom Street in future that a review will be undertaken to assess whether Blue Badge Holder access to the street should be enabled.

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.

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. It is acknowledged that the access restriction will affect some people who have severe mobility difficulties and who cannot walk very far. However, the scheme does benefit some people with other disabilities or health issues. Restricting traffic to buses only during the busiest times of the day makes the road safer and easier to cross, it is less noisy and fewer vehicles also means people are less exposed to vehicle emissions. The scheme has benefitted bus services which in turn benefits bus users.

Measures have been introduced to help mitigate the loss of vehicle access between 10am and 6pm for people with disabilities or mobility difficulties, including additional disabled bays nearby, new accessible seating along Milsom Street itself, and improvements that will be made to the passageway between Milsom Street and Broad Street car park. There are also existing disabled parking bays in Broad Street car park which is linked to Milsom Street via the short passageway that is open during most of the day. It is possible for a vehicle to stop within a few metres of each end of Milsom Street, in George Street or Quiet Street, to drop off or pick up a passenger.



Chris Major

Date: 15/03/23

Director of Place Management