

OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PROGRESS TRO

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	Stothert Avenue, Westmoreland
PROPOSAL:	Amendment to 'Bus Gate'
SCHEME REF No:	23 – 023
REPORT AUTHOR:	Neil Terry

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	
(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 especially 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**

To amend the 'Bus Gate' in Stothert Avenue, at its junction with Midland Road, to deter extraneous through traffic from the Bath Western Riverside development and improve the level of compliance.

4. **BACKGROUND**

The south bank of the River Avon, a short walk from the City's historic core, has recently been transformed into a modern residential development, Bath Western Riverside. Construction began in 2011 with the first residents moving in at the end of that year. The site is now complete and fully occupied.

As part of the transport strategy for the City, it has been a long-held ambition to create a sustainable transport corridor through the area, allowing ease of movement for public transport, taxis, cyclists and pedestrians, thus promoting and supporting more sustainable transport choices. As a result, the outline planning consent for this regenerative development included the provision of a bus gate in Stothert Avenue to assist in achieving this.

The Developer, Crest Nicholson, oversaw the design and introduction of a bus gate in Stothert Avenue in the spring of 2019, along with other traffic management measures to manage access and parking. However, after further consideration of the outcome of appeals at the Traffic Penalty Tribunal it has been concluded that the layout of the bus gate should be altered to help improve the level of compliance with the restriction.

As with the existing arrangement, enforcement of the bus gate would be achieved by automatic number plate recognition camera and the use of appropriate road markings and signage in accordance with the regulations at the time of implementation.

It will be necessary to remove two formal parking spaces to facilitate these essential improvements to the bus gate. It is currently anticipated that these two parking spaces will be replaced with cycle parking.

5. **SOURCE OF FINANCE**

Existing Parking Services revenue budget offset by future income from the revised restriction.

6. **CONSULTATION REQUIREMENT**

The proposal requires informal consultation with the Chief Constable, Ward Members and the Cabinet Member for Highways.

7. **COMMENTS RECEIVED TO DATE**

Chief Constable

The proposal shown on the draft plan attached should meet the aspirations behind the proposal, and it is noted that enforcement of the restriction would be via the existing automatic number plate recognition camera. We look forward to receiving the more detailed drawing in due course.

Officer response:

Noted.

Ward Members

Councillor June Player (submitted verbally at site meeting on 20/07/23)

Content with the bus gate proposals but would prefer two street trees to the suggested cycle parking. Alternatively, one street tree and less cycle parking would also be acceptable.

There is also some concern that the suggested cycle parking would not be utilised, as the surrounding properties already have secure cycle parking facilities.

Officer response:

The cycle parking has been suggested to expedite the progression of the bus gate TRO, but Crest Nicholson may be willing to consider and fund the introduction of street trees. This suggestion will, therefore, be raised with Crest Nicholson by the Councils' Highways Development Management Team in due course.

If Crest Nicholson are unwilling to consider / fund street trees at this time, it may be feasible to revisit this suggestion after Stothert Avenue and the bus gate have been adopted by the Council, although this would be subject to funding and other approved priorities.

Councillor Colin Blackburn

No comments received.

Cabinet Member for Highways

Councillor Manda Rigby

I am supportive of this going to the next stage.

Note: this comment was added following a clarification meeting between Manda Rigby and Neil Terry on 29/11/23.

8. RECOMMENDATION

As no significant objections and/or comments have been received following the informal consultation described above, the public advertisement of the Traffic Regulation Order should progress.



Paul Garrod
Traffic Management and Network Manager

Date: 8th August 2023

9. DECISION

As the officer holding the above delegation, I approve the progression of this Traffic Regulation Order.

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.



Chris Major
Director for Place Management

Date: 08/08/2023