

Traffic Regulation Order (TRO)

Statement of Reasons

Bath and North East Somerset Council

CYCLE HANGAR PHASE 3

STATEMENT OF REASONS

Proposal

Deliver secure on-street cycle parking in the B&NES area. To install approximately 20 cycle hangars (which provide 120 cycle parking spaces) as seen in Appendix 1. The cycle hangars will be located in areas requested by the public and elected members. Cycle hangars are fixed storage lockers designed to hold up to six standard sized bicycles. People can rent a space in a hangar, which can only be accessed by lock and key (or on an app in some locations).

Reasons

The Council has had in mind and discharged the duty (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable. It has also had regard to the factors which point in favour of imposing the cycle hanger storage units on the highway. It has balanced the various considerations and concluded that it is appropriate to promote the installation of the cycle hangars in the locations shown in Appendix 1. The Council has also considered and discharged its network management duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed installation of these cycle hangars is consistent with that duty, having regard to its other policies and objectives.

Phase 3 of the Residential Cycle Hangars project is delivery of cycle storage solutions in the form of cycle hangars in the Bath & North East Somerset. A cycle hangar is an on-street, secure, cycle parking storage unit, typically for up to 6 bikes. It is intended for use by members of the public, particularly residents living in the area where a hangar is installed.

The goal is modal shift in transport habits from use of cars to walking and cycling. Private markets are unlikely to bring about a shift in the existing status quo of personal transport use, so public sector intervention is needed to provide an option to help members of the public with access to more sustainable forms of transport.

This project supports other active travel projects in the region, with residents using hangars to store their bikes that they can use to travel on dedicated cycle infrastructure around the towns and cities. In some areas there is emphasis on locating hangars close to cycling routes and active travel schemes. Providing greater access to other means of transport help to reduce reliance on private motor vehicles.

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 1 provides, generally, for Orders to be made for the following reasons, and in the case of this Order specifically for the reason(s) shown and marked 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	
(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,	
(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)	

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 cycle hangars will be in already existing parking bays so should have no impact on access to premises.

- 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 cycle hangars will provide an additional amenity to the local area by providing secure cycle parking.

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

Comment: The proposals should not have any adverse impact on air quality and may lead to improvements through facilitating cycling.

- 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 hangars are not located close to any bus stops, so will not impede the safety or convenience of persons using such vehicles. Additionally, the hangars will be in already existing parking bays so will not interfere with public service vehicles.

- d) Any other matters appearing to the local authority to be relevant.

No further comments.

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: 16/01/2025