

OFFICER DECISION REPORT – TRAFFIC REGULATION ORDER (TRO)

1

PRELIMINARY CONSULTATION

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: Widcombe Hill

PROPOSAL: Parking restrictions, loading bay, and speed cushions.

SCHEME REF No: 24-033

REPORT AUTHOR: Neil Terry / Tom Slane

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 purposes of this report, the Director of Place Management and the Head of Highways Delivery 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,	
(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)	

This proposal is also made in accordance with The Highways Act 1980 Section 90A which permits a highway authority to both construct and remove road humps in a public road, for which they are the highway authority, if the highway is subject to a legal speed limit for motor vehicles of 30 miles per hour or less or the road humps are specially authorised by the Secretary of State.

3. **PROPOSAL**

The modification of existing parking restrictions towards the bottom of Widcombe Hill, the introduction of a loading bay adjacent to the Widcombe Social Club, and the introduction of speed cushions at several locations along the road.

4. **REASON**

Please refer to the Statement of 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 a restriction on that movement. It has balanced the various considerations and concluded that it is appropriate to propose the Order in question. 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 Order is consistent with that duty, having regard to its other policies and objectives.

5. **IMPACT ON EQUALITIES**

An Equality Impact Assessment has been undertaken in relation to the introduction of parking restrictions (which includes loading facilities) and traffic management measures (including speed cushions). 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.

6. IMPACT ON HUMAN RIGHTS

The proposals are considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property). However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (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.

7. SOURCE OF FINANCE

The scheme is included in the 2024/25 Local Active Travel and Safety Programme.

8. CONSULTATION REQUIREMENT

The proposal requires consultation with the Chief Constable, Emergency Services, Road Haulage Association, Freight Transport Association (Logistics UK), Public Bus Service Operators, Parking Services, Waste Services, Ward Members and the Cabinet Member for Highways.

PROPOSAL APPROVED FOR PRELIMINARY CONSULTATION



Paul Garrod
Traffic Management and Network Manager

Date: 9th December 2024