

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

FROME ROAD, RADSTOCK
PARALLEL ZEBRA PEDESTRIAN CROSSING

STATEMENT OF REASONS

Proposal

A new parallel crossing is proposed to be installed near the roundabout on A362 Frome Road, north of its junction with Nelson Ward Drive, outside Snap Fitness Radstock.

Reasons

Funding has been secured to install a new parallel zebra pedestrian crossing. This proposal aims to improve pedestrian / cyclists access to local amenities and encourage active travel.

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 23 enables local highway authorities to establish crossings for pedestrians.

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: installing a new parallel crossing in the proposed location will not cause any issues regarding access to premises. The current parking restrictions on the Frome Road are 'no waiting at any time' (DYLs) so there will be no parking removed by this proposal.

- 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: installing a new parallel zebra pedestrian crossing and creating a safer place for pedestrians and cyclists to cross Frome Road will have a positive impact on local amenities.

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

Comment: the proposal will encourage local residents to walk / cycle to the local amenities, therefore fewer vehicles should be using the network thus reducing Co2 emissions.

- 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: this section of the A362 Frome Road is not a route for public service vehicles; therefore, no disruption will be caused to public services. Installing a parallel zebra pedestrian crossing will create a safer place for passengers to walk to and from bus stops in the area.

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

Comment: N/A

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: 21st November 2024