

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

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APPROVAL TO PUBLICLY ADVERTISE THE TRO

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: Dagers Mead, Clutton
PROPOSAL: Proposed No Waiting At Any Time (Double Yellow Lines)
SCHEME REF No: 23-027
REPORT AUTHOR: Sadie Cox-Alcuaz

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 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 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	
(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**

The proposal is to place a No Waiting At Any Time parking restriction in the designated turning space at the access road on Daggars Mead, Clutton. This is to ensure that adequate space and safe parking is maintained in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan and as shown in report 1 and 2.

4. **BACKGROUND**

The highway authority requires the developer to enter into legally binding Section 278 Agreement covering the construction of the new vehicular access and turning area entrance to the Daggars Mead development site, including the No Waiting At Any Time (double yellow lines) carriageway markings, and the cost of the required Traffic Regulation Order (TRO) together with implementation costs in relation to planning application 21/00889/FUL.

5. **SOURCE OF FINANCE**

Developer funded TRO by Freemantle Capital Partners (Clutton) Ltd.

6. **CONSULTATION REQUIREMENT**

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

7. **INFORMAL CONSULTATION FEEDBACK**

Chief Constable - Thank you for your email and the attached Informal Consultation Report regarding the proposed introduction of waiting restrictions on Daggars Mead, Clutton.

It is understood from the report that *“The proposal is to place a No Waiting At Any Time parking restriction in the designated turning space at the access road on Daggars Mead, Clutton . This is to ensure that adequate space and safe parking is maintained in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan and as shown on the plan provided on page 3.*

4. **BACKGROUND**

The highway authority requires the developer to enter into legally binding Section 278 Agreement covering the construction of the new vehicular access and turning area entrance to the Dagers Mead development site, including the No Waiting At Any Time (double yellow lines) carriageway markings, and the cost of the required Traffic Regulation Order (TRO) together with implementation costs in relation to planning application 21/00889/FUL.”

Enforcement of waiting restrictions within the Bath and North East Somerset Council area rests with Bath and North East Somerset Council Parking Services. Consideration regarding the potential displacement of existing parking, and the enforcement needs of these restrictions should be of importance.

Parking Service:

No Comment.

Clutton Parish Council: The Parish council do not meet again until 20th May.

I have asked councillors to look at this and give me a recommended response, so that I can be delegated to submit the response on their behalf - is that OK? or could we get an extension until after our meeting so that you receive a formal response?

***Response;** - A formal response can be submitted at later date during the public consultation stage if need be, and we can add it to the next report. We regret we are unable to extend the informal consultation until after 20th May as this will prevent the report 1 going to Cabinet Member for approval to advertise. Please let us know in the meantime if there's anything we can help with.*

Ward Members:

Cllr Sam Ross -

From my perspective as Ward councillor, I would support the proposal to create a No Waiting At Any Time area where specified, as this would appear sensible to prevent parking in front of driveways and blocking residents in.

While Clutton Parish Council hasn't met officially to comment at this stage, councillors are also in support of the proposal.

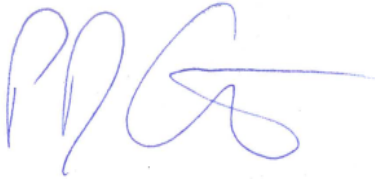
Cabinet Member for Highways:

Cllr Manda Rigby –

No Comment.

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 & Network Manager

Date: 20th June 2024

9. **DECISION**

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

Or

agree that this Traffic Regulation Order should not be progressed at this time.

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.



Gary Peacock
Head of Service, Highways Delivery

Date: 24th June 2024