

OFFICER DECISION REPORT - TRAFFIC REGULATION ORDER (TRO)

5b

OUTCOME OF TRO PROCESS - DECISION

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT:	Consolidation Order (AppyWay)
PROPOSAL:	Consolidation of Parking Restriction Orders
SCHEME REF No:	24-019
REPORT AUTHOR:	Kris Gardom

1. DELEGATION

The delegation to be exercised in this report is contained within **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

To consolidate the numerous variations of the area parking restriction parent Orders created in 2022. The purpose of this consolidation is the combining of these variations into 1 more coherent new parent Order for transparency.

4. BACKGROUND

In 2014 / 2015 Bath & North East Somerset Council moved from written schedule Orders to a map based schedule system for all parking restriction Traffic Orders. The parent Orders created in 2014 / 2015 were varied numerous times as new restrictions were introduced around Bath & North East Somerset. These variations were consolidated in 2022 into 7 new parent Orders. The purpose of this consolidation is the combining of the variations to these 7 parent Orders created since 2022 into a single more coherent new parent Order for transparency.

5. SOURCE OF FINANCE

This proposal is being funded by the capital Parking budget, project code: TCJ0009S.

6. INFORMAL CONSULTATION REQUIREMENT

This consolidation does not require informal consultation with the Ward Members and the Cabinet Members for Transport as no changes will be made to any parking restrictions on-site as part of this process.

7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))

No objections or comments have been received as no advertisement of the consolidation Order was made.

8. RECOMMENDATION

That the Traffic Regulation Order as advertised is sealed.

Paul Garrod
Traffic Management & Network Manager

Date: 13th May 2024

9. DECISION

As the Officer holding the above delegation, I have decided that the Traffic Regulation Order as advertised be sealed.

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.

The Council's policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses.

The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.



Chris Major
Director for Place Management

Date: 13/05/24