



PLACE
Transport
Highways

Objections to Proposed Traffic Regulation Orders for Waiting Restrictions – Troopers Hill Road Area and Harcourt Avenue (St George Troopers Hill Ward) (Ref: CAE/NMT/P-1014A & B)

To: Peter Mann, Service Director Transport

From: Dave Robinson, Highways, 100 Temple Street

Date: 12/9/2017

Objectors:

Eleven objections were received following publication of the statutory notices for Traffic Regulation Orders for waiting restrictions in the Troopers Hill Road area and at Harcourt Avenue

The period for objections to be submitted ran from 27th October 2016 to 18th November 2016. The objections are summarised at Appendix 3, together with officers' responses. Copies of the full submissions are included at Appendix 4.

Main objections:

The proposed waiting restrictions will cause parking problems for residents and adversely affect property values.

Legal implications:

Highways and Transport

Reference is made in this report to the factors the Council needs to take into account when exercising its powers under the Road Traffic Regulation Act 1984 and its network management duty. The promotion of the proposed order has been carried out in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. These procedures involve advertisement of the proposals and invitation of objections. The Council is under a legal duty to consider any objections received in response to the statutory consultation process before the relevant decision-maker can make any decision on whether to confirm advertised proposals, or to modify or abandon them.

It is the duty of the City Council as traffic authority under section 122 of the Road Traffic Regulation Act 1984 to exercise its traffic management functions so as to secure the expeditious, convenient and safe movement of vehicular and other traffic

(including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. This duty is to be discharged so far as is practicable having regard to: (a) the desirability of securing and maintaining reasonable access to premises; (b) the effect on the amenities of any locality affected and (without prejudice to matters generally) 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; (c) any national air quality strategy; (d) 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; and (e) any other matters appearing to the Council to be relevant.

The Traffic Management Act 2004 placed a new 'network management duty' on the City Council as traffic authority to manage and secure the expeditious movement of traffic on its road network and to facilitate traffic movement on other traffic authorities' road networks.

Equalities

The Council is also obliged to comply with section 149 of the Equality Act 2010, which requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to:
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic.
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

The duty must be kept in mind throughout the decision making process. Compliance with the duty cannot be secured post decision. In order to demonstrate compliance with the duty, the decision maker must have sufficient information about the effects of the proposed decision (if any) on people with protected characteristics. If such

information indicates that there is an adverse impact on people with protected characteristics the decision maker should consider whether it is possible or reasonable to mitigate such effects or, alternatively whether the policy aims of the scheme justify its pursuit notwithstanding the adverse equality impact. The judgement on such matters is for the decision maker, providing that due regard has been given to these matters.

Crime and Disorder

Section 17 of the Crime and Disorder Act 1998 states: "Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Regard must be given to the impact of the proposals, if any, on reducing crime and disorder. Due regard must be given to both a decision to develop proposals and to implement specific schemes. The duty is a continuing one in relation to the exercise of the Council's functions and will therefore also extend to a consideration of how crime and disorder might reasonably be reduced or prevented in the design of individual schemes.

Officer comments:

Consideration has been given to the various matters referred to in connection with the Road Traffic Regulation Act 1984 in the development of the waiting restriction proposals.

With regards to section 149 of the Equality Act 2010, the impact of the proposals on each group of people with "protected characteristics" has been considered throughout the development of the proposals. An Equalities Impact Assessment is attached at Appendix 5 which should assist the decision maker in having due regard to the public sector duty. Due consideration to these proposals has also been given in terms of crime and disorder.

Conclusion:

The Traffic Orders Procedure Regulations allow authorities to modify an order, whether in consequence of any objections or otherwise, before it is made. Where modification appears to make a 'substantial change' to an order, the authority shall take appropriate steps to: (a) inform persons likely to be affected by the modifications; (b) give those persons an opportunity to make representations; and (c) ensure that due consideration is given to any such representations.

In deciding whether a 'substantial change' is being proposed, the test adopted by the Council is whether someone might have been minded to object to the proposed modification if it had been included in the order when originally advertised.

It will be noted that Appendix 1 sets out the background to this matter. Having considered the objections, which have been received, officers remain of the opinion that the proposed waiting restrictions are necessary to support the City Council's transport policy objectives, as set out in the Joint Local Transport Plan 2011-2026.

However, it has also been recognised that the changes to the design of the associated physical measures at Troopers Hill Road, necessitated by financial constraints, have provided an opportunity for minor modifications to be made to the proposals, to mitigate the concerns of some of the objectors, without compromising the overall aims of the scheme. A further modification has been identified as necessary, following the issuing by the Department for Transport of revised advice relating to prohibition of stopping on school entrance markings. More information on the modifications is provided at Appendix 2. Officers consider it unlikely that anyone would wish to object to the modifications and that further consultation is therefore not necessary. Furthermore, in view of the public consultation that has already occurred, it is not considered that the holding of a public inquiry would be appropriate.

Accordingly, it is recommended that the proposals should proceed as advertised, subject to the minor modifications identified at Appendix 2.

Recommendation:

- a) That the Service Director Legal Services be authorised to seal the –
 - (i) City Council of Bristol (Various Roads, Troopers' Hill Road Area, St. George Troopers Hill Ward, City of Bristol) (Prohibition of Waiting) Order 20--, and
 - (ii) City Council of Bristol (Various Roads, Kingsway Area, St. George Central, St George Troopers Hill and St George West Wards, City of Bristol) (General Traffic Regulation) Order 20--,

Subject to the minor modifications identified at Appendix 2.

Background information:

Provided at Appendix 1.

Local Members' Comments (St. George Troopers Hill Ward):

The Members for the affected wards have been invited to submit their comments for inclusion in the report (no comments were received).

Objections to Proposed Traffic Regulation Orders for Waiting Restrictions, Troopers Hill Road area and Harcourt Avenue (St George Troopers Hill Ward) (ref: CAE/NMT/P-1014A & B)

Approvals:

Area Highways Manager

Signature:

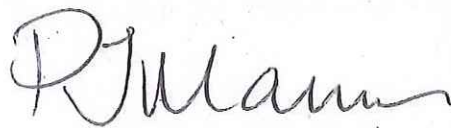


Date:

15/9/17

Service Director Transport

Signature:



Date:

22-9-17

(NB Service Director must sign last, after Area Highways Manager)

BACKGROUND INFORMATION

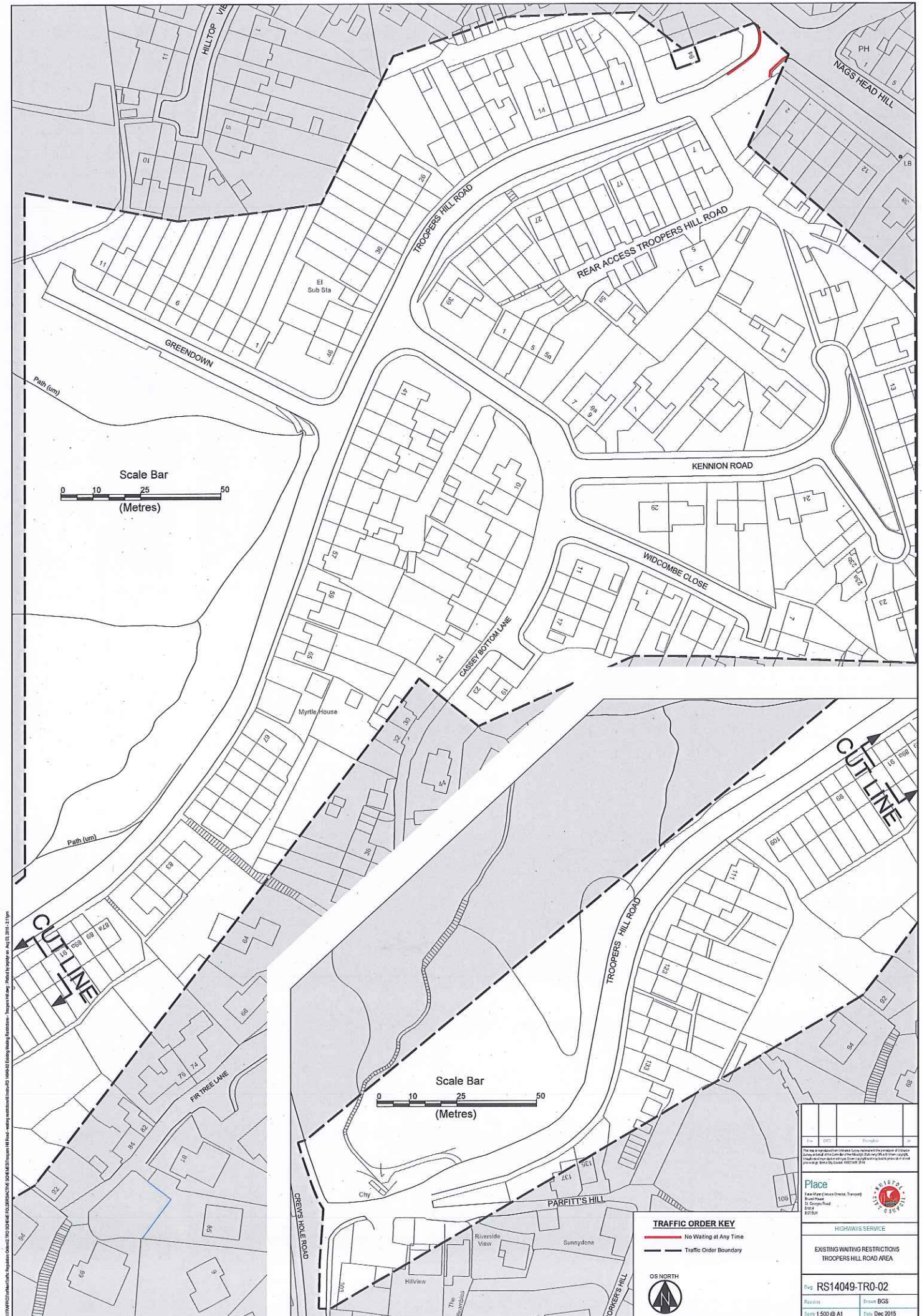
**Objections to Proposed Traffic Regulation Orders for Waiting Restrictions – Troopers Hill Road Area and Harcourt Avenue (St George Troopers Hill ward)
(Ref CAE/NMT/P1014A & B)**

The waiting restriction proposal at Troopers Hill Road has been developed on behalf of the St George Neighbourhood Partnership in response to concerns expressed locally about inconsiderate and obstructive parking behaviour and to support a scheme of traffic calming measures, comprising narrowing of the carriageway and road humps. It should be noted that the road humps have been the subject of a separate statutory consultation exercise and objection report.

The waiting restrictions are intended to deter parking close to junctions and pedestrian crossing points and at other locations where the presence of stationary vehicles could interfere with sightlines or obstruct the movement of traffic, including pedestrians. The opportunity is being taken to remake the existing Kingsway Area order, to enable existing provisions relating to Troopers Hill Road to be amalgamated with the new proposals and to resolve a persistent problem with obstructive parking at Harcourt Avenue.

The waiting restriction proposals were advertised from 27th October 2016 to 18th November 2016. The eleven objections received are summarised at Appendix 3 together with officer's responses. Copies of the full submissions are included at Appendix 4. Ten of the objections relate to Troopers Hill Road and one to Harcourt Avenue.

Plans RS14049-TRO-02 and RS14049-TRO-01, showing the existing and proposed (as advertised) waiting restrictions at Troopers Hill Road are provided as part of this appendix, along with plan extracts illustrating the existing and proposed arrangements at Harcourt Avenue.



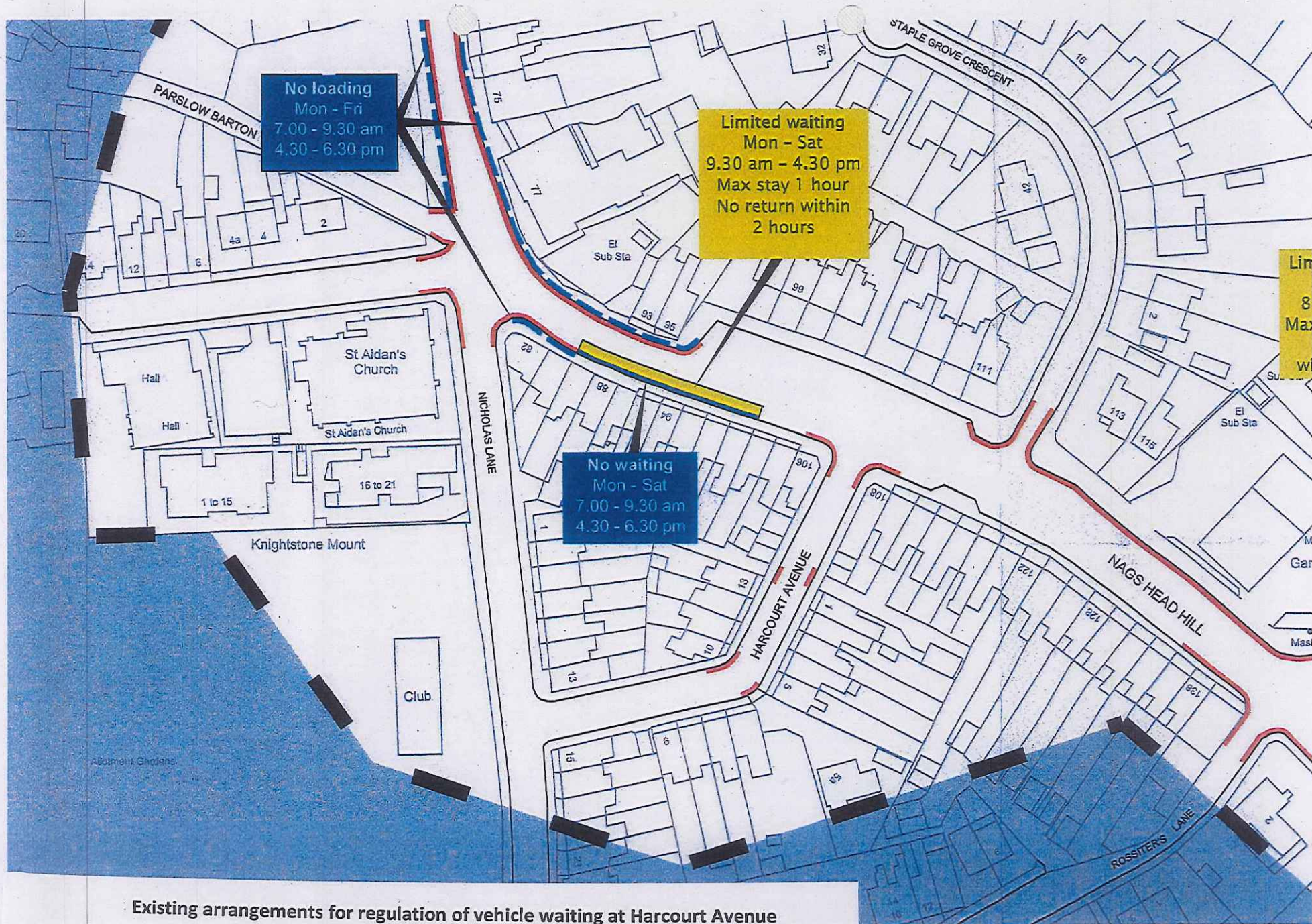
OS Map of Troopers Hill Road, Troopers Hill, Bristol, 2015. The map is a reproduction of the original map, which is a copyright of the Ordnance Survey. The map is a reproduction of the original map, which is a copyright of the Ordnance Survey. The map is a reproduction of the original map, which is a copyright of the Ordnance Survey.

TRAFFIC ORDER KEY
— No Waiting at Any Time
--- Traffic Order Boundary

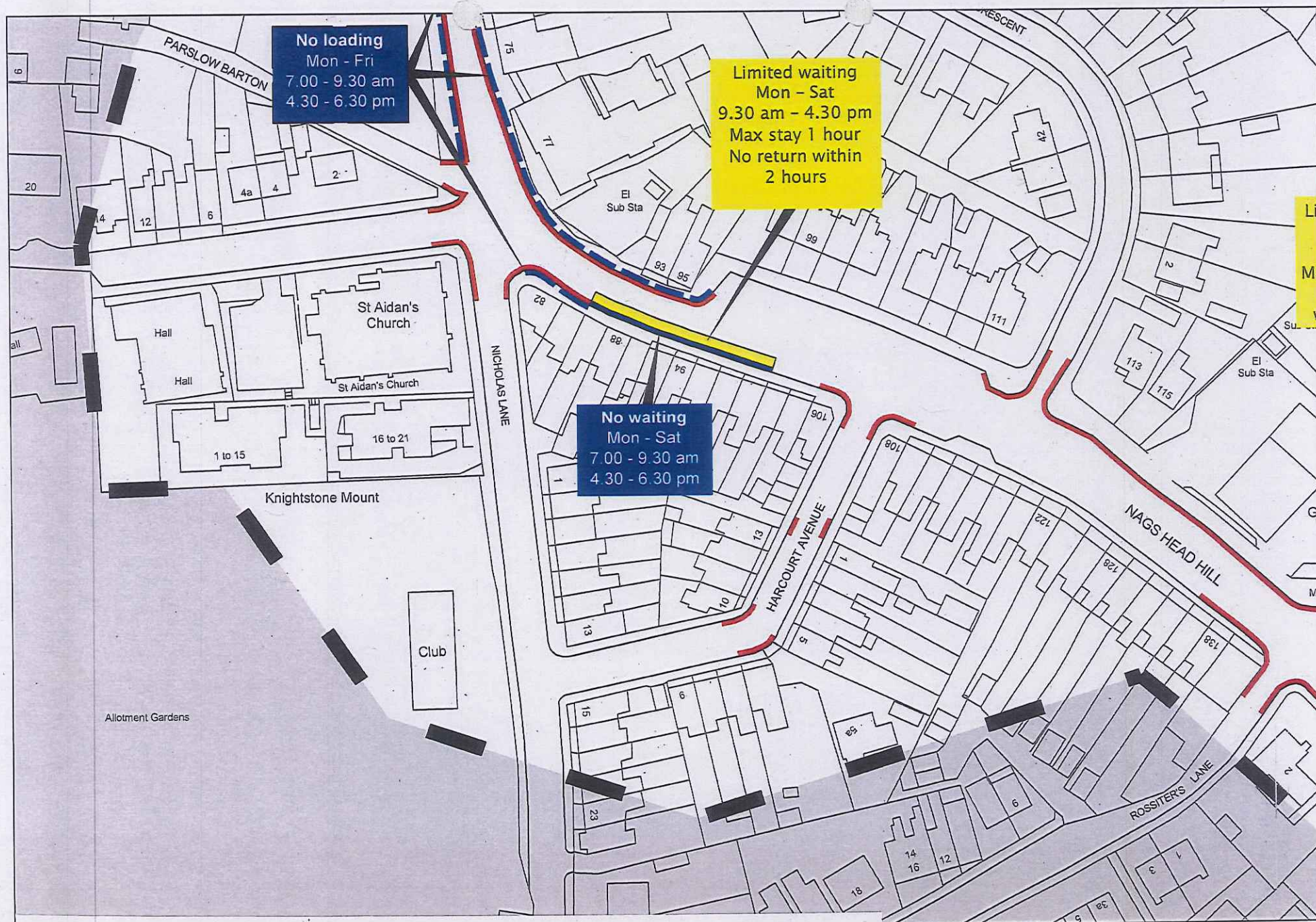


Place	
Troopers Hill (Green Down, Transport)	
Bristol Road	
Bristol	
RS14049-TR-02	
Revision	Issue BGS
Scale 1:500 @ A1	Date Dec 2015





Existing arrangements for regulation of vehicle waiting at Harcourt Avenue



Proposed arrangements for regulation of vehicle waiting at Harcourt Avenue

Appendix 2

Objections to Proposed Traffic Regulation Orders for Waiting Restrictions – Troopers Hill Road Area and Harcourt Avenue (St George Troopers Hill ward) (Ref CAE/NMT/P1014A & B)

Minor Modifications to Advertised TRO for Troopers Hill Road Area (Ref CAE/NMT/P1014A) to Mitigate Objectors' Concerns

Because of financial constraints it has been necessary to amend the design of the scheme of traffic calming measures (road narrowing and road humps), which the advertised scheme of waiting restrictions was developed to support. This has provided an opportunity for minor modifications to be made to the restrictions, which would overcome or mitigate some of the concerns expressed by objectors.

Plan RS14049-TRO-01 Revision A forms part of this appendix and illustrates a modified proposal. Plan RS14049-TRO-01 illustrates the advertised proposal and is available for comparison at Appendix 1.

In the opinion of officers it is unlikely that the minor modifications identified would have attracted objections if they had formed part of the advertised proposal. It is therefore considered that further consultation is unnecessary and it is recommended that the draft order should be modified in accordance with plan RS14049-TRO-01 Revision A, before it is sealed.

Minor Modification to Advertised TRO for Kingsway Area (Ref CAE/NMT/P-1014B) to Provide for Prohibition of Stopping on School Entrance Markings

The draft for the remake of the Kingsway Area waiting restriction TRO, which covers Harcourt Avenue, was prepared in accordance with Department for Transport guidance, issued following the coming into force of the 2016 edition of the Traffic Signs Regulations and General Directions, to the effect that a prohibition of stopping on school entrance markings (school-keep-clear) need no longer be supported by a TRO. The DfT has since retracted that guidance and replaced it with advice that local authorities should continue to make TROs to support prohibitions of stopping, if they intend to undertake civil enforcement against contraventions.

It is therefore recommended that the Kingsway Area TRO should be modified, prior to sealing, to reinstate the provisions for a prohibition of stopping on school entrance markings. The modification would not result in any change to the physical arrangements appearing on the ground and officers consider it unlikely that inclusion of the prohibition of stopping provisions within the draft TRO, when it was advertised, would have resulted in objections. Further consultation is therefore considered to be unnecessary.

Objections to Proposed Waiting Restrictions – Troopers Hill Road Area and Harcourt Avenue (St George Troopers Hill ward) (P-1014A & B)				
Ref	Objector	Sub Ref	Summary of Objection	Officers' Response
1	Residents of Troopers Hill Road	a)	The road narrowing adjacent to No.7 Troopers Hill Road will increase the likelihood of accidents, congestion and general frustration – whichever direction of travel is afforded priority.	The design has been amended, because of financial constraints, and a road narrowing is no longer proposed at this location.
		b)	The double yellow lines on Troopers Hill Road at the junction with Cassey Bottom Lane are needed, but the road narrowing proposed at that location will turn the road into an obstacle course for drivers and pedestrians and involve the unnecessary loss of two parking spaces.	The narrowing is intended to assist pedestrians to cross Troopers Hill Road and, in conjunction with the proposed speed cushion (which was subject to a separate consultation exercise, to reduce vehicle speeds in the vicinity of the junctions with Cassey Bottom Lane and Greendown.
		c)	The road narrowing mid-way up the hill, at the pedestrian entrance to the open space [<i>opposite No. 81</i>], is pointless and will have similar negative effects to the narrowing outside No. 7.	This feature is intended to provide a safe place for pedestrians to stand when exiting Troopers Hill open space. The footway buildout will reduce the crossing distance and should have a moderating effect on vehicle speed. The narrowing is located away from the apex of the bend, so vehicles traveling in opposite directions should not be in conflict with one another. The centre line markings will remain in place on both approaches to the narrowing to encourage drivers to keep to the nearside.
		d)	The bottom of Troopers Hill Road, at the junction with Crews Hole Road has always been a problem, because of the narrow road width. The	The widening of the road would not meet the original aims of the scheme which were to reduce vehicle speeds and improve pedestrian access and egress from Troopers Hill

			<p>proposal to extend the narrowing further up the hill will make things worse, because drivers travelling in either direction will be unable to see approaching vehicles until they are mid-way through the narrowing. Road widening would be safer.</p>	<p>open space.</p>
		e)	<p>Money would be better spent on improvements (such as road widening) at Crews Hole Road, negating the need for through traffic to use Troopers Hill Road.</p>	<p>The funding grant is ring-fenced for measures to reduce vehicle speeds and improve pedestrian access and egress from Troopers Hill open space and cannot be used for other works. Widening of Crews Hole Road, as suggested, would costs significantly more than the budget available.</p>
		f)	<p>Residents should have been informed of the proposals by letter, instead of a few notices on lamp-posts.</p>	<p>A design consultation leaflet was circulated to residents in the area in October 2015, providing them with an opportunity to comment on initial design proposals. The Council has fulfilled its statutory obligations for giving notice to the public of the proposed traffic order by publishing a notice of proposals in the Bristol Post. The site notices were supplementary to that requirement.</p>
2	Resident of Troopers Hill Road	a)	<p>The proposal will create more parking problems for residents, cause accidents and waste money.</p>	<p>Parking restrictions are proposed in the vicinity of junctions and road narrowings, to improve inter-visibility between road users and ensure that parked vehicles do not interfere with the passage of traffic, including pedestrians.</p>
		b)	<p>Residents did not receive adequate notification of the proposals. In addition to the notices placed on posts, letters should have been sent to individual households.</p>	<p>Refer to 1f) above.</p>

3	Resident of Troopers Hill Road	a)	The introduction of double yellow lines across the entrances to properties will decrease their value and will cause problems for residents and people visiting the area.	The design of the carriageway narrowing in the vicinity of the objector's property has been amended, because of financial constraints. It is recommended that the draft order should be modified to reduce the extents of the waiting restrictions which were proposed in association with the original design, which should mitigate the objector's concerns (see Appendix 2).
		b)	The scheme is expensive and unnecessary and will destroy the character of the road and have a detrimental effect on wildlife.	The scheme was selected as a local traffic priority by the former St George Neighbourhood Partnership in response to concerns expressed by local residents and users of the open space. It is not anticipated that the proposed measures would significantly degrade the character of the road, but primrose yellow thermoplastic will be specified to reduce the visual impact of the yellow lines. There should be no adverse effect on wildlife.
		c)	There was no consultation with residents who will be directly affected by the scheme.	Refer to 1f) above.
		d)	The proposed extension of the footway opposite Nos. 79 and 81 will cause a hazard by narrowing the road on a bend, which will increase the danger to pedestrians crossing at that point.	Refer to 1(c) above.
4	Resident of Troopers Hill Road		Refer to 3 above.	Refer to 3 above.

5	Relative of residents of Troopers Hill Road	a)	The proposed double yellow lines will cause a lot of disruption as many households have more than one vehicle.	Refer to 3a) above.
		b)	Double yellow lines in front of driveways will reduce the value of properties by approximately £20K.	Refer to 3a) above.
		c)	Double yellow lines across driveways will restrict access for disabled visitors and for carers and others visiting residents who have health problems or are elderly.	Refer to 3a) above.
		d)	The plans have been made without Council officers visiting the road and observing the road layout.	Officers have visited the location on a number of occasions during the initial design stages of this project and following the design consultation exercise.
		e)	Visibility for pedestrians and drivers would be greatly improved if trees and shrubbery <i>[on the north west side of the road]</i> were cut back to ground level. This would be more cost effective and would reduce complaints from residents and road users.	The removal of vegetation would not, by itself, achieve the improvements that the footway build-outs are intended to provide.
6	Resident of Troopers Hill Road	a)	The introduction of double yellow lines outside the objector's property would reduce its value.	Refer to 3a) above.
		b)	The parking restrictions proposed are excessive and will stop people visiting the nature reserve.	Parking demand by residents and visitors using the open space was considered throughout the design process. Waiting restrictions are only proposed at locations where the

		c)	Double yellow lines will spoil the character of the area and make it look like a road in the inner city.	presence of parked vehicles would obstruct sightlines or interfere with the movement of traffic, including pedestrians.
		d)	There was no consultation with residents who are directly affected by the scheme.	Primrose yellow thermoplastic will be specified to reduce the visual impact of the yellow lines.
		e)	Extending the footway into the road on the brow of the hill will cause a bottleneck and create more danger.	Refer to 1f) above.
				The residual road width will accommodate vehicles travelling in opposing directions without the need for them to stop and give way.
7	Resident of Troopers Hill Road	a)	Loss of parking space will have adverse effects on residents' quality of life and property values.	Refer to 6(b) above.
		b)	No residents support the scheme - the funding would be better spent improving road surfaces around Bristol.	Refer to 1(e) above.
8	Resident of Troopers Hill Road		The footway build-out opposite Nos. 109 and 111 Troopers Hill Road and the associated yellow lines should be moved south westwards to align with the pedestrian entrance to the open space. That would allow vehicles to continue to be parked outside Nos. 109-111 where their presence discourages drivers travelling downhill from mounting the footway, to avoid giving way to oncoming traffic passing vehicles parked on the	The design has been amended, because of financial constraints, and a footway build-out is no longer proposed at this location. It is recommended that the draft order should be modified to omit the waiting restrictions which were proposed in association with the build-out (see Appendix 2).

			north west side of the road. If the parking is removed, traffic speeds will rise and the danger to residents and other pedestrians using the footway will increase.	
9	Resident of Greendown	a)	Inconsiderate parking can be dangerous, but no waiting at any time has been used far too liberally, without thought for the consequences. The proposals should be modified, to provide a better balance between safety and the parking needs of residents and visitors, by substituting restrictions that only operate during peak periods at certain locations, such as the south eastern end of Greendown.	Waiting restrictions are proposed at locations where the presence of parked vehicles would obstruct sightlines or interfere with the movement of traffic, including pedestrians. The restrictions proposed at Greendown are also intended to prevent damage to the grass verge, deter obstruction of private accesses and to keep the turning head clear so that drivers do not have to use private property to turn or reverse the length of the road to exit.
		b)	The proposed waiting restrictions are not consistent with the Council's decision to allow a residential development at No. 46 Troopers Hill Road, despite residents' objections that it would bring additional vehicles to an area where parking is already at a premium.	There is no direct correlation between the granting of planning consent and the proposals under consideration.
10	Resident of Greendown	a)	Parking should be prohibited at any time all the way down the north west side of Troopers Hill Road or, if that's not possible, should cover the dangerous section between Nos. 69-81.	The introduction of waiting restrictions along the entire north western side of the road is not considered necessary and could result in higher vehicle speeds.
		b)	Parking should be prohibited at any time on Crews Hole Road for at least 100 metres from its junction	Given the 20mph speed limit and the fact that vehicles approaching from Hanham are on the far side of the road and

			with Troopers Hill Road towards Hanham, because visibility is currently blocked by parked vehicles.	therefore more visible to drivers emerging from Troopers Hill Road, the restrictions proposed to the south of the junction are considered to be of a sufficient length.
		c)	Parking should be prohibited at any time from the top of Troopers Hill Road to the lane next to No.7, where pedestrians have to walk in the road to get around parked vehicles.	As there is no footway at this location and funding is not available to provide one, it would not be appropriate to encourage pedestrians to walk in the road by providing double yellow lines. Footway continuity is being provided by new dropped kerbs in the vicinity of 42 Troopers Hill Road, although it is accepted that this would be a longer route for some destinations.
		d)	The prohibition of parking proposed for Greendown, where drivers park on corners and block driveways, is supported.	Support noted.
		e)	The road narrowings proposed at the top and bottom of Troopers Hill Road are unnecessary and will be dangerous.	The road narrowings are intended to reduce vehicle speeds and provide enhanced inter-visibility between road users at pedestrian desire lines.
		f)	Action should be taken to prevent parking of cars and vans on the pavements at Air Balloon Road and Nags Head Hill, near the junction of Troopers Hill Road.	The footway parking to the south east of the junction of Troopers Hill Road and Nags Head Hill was observed during a site visit, The visibility at the junction when cars were parked on the footway as described was not noted as being a particular concern and access for wheelchair or pushchair users was not compromised, therefore, no measures are proposed.

11	Resident of Harcourt Avenue		<p>The yellow lines proposed at Harcourt Avenue are unnecessary and will result in the loss of two parking spaces. Consequently, Harcourt Avenue residents will be forced to park in Nicholas lane, where double parking is already a safety hazard for pedestrians, and customers of the nearby takeaway will park at Nags Head Hill, dangerously obstructing a main road.</p>	<p>The proposed extension to the waiting restrictions that currently cover the driveway to numbers 5a and 6 Harcourt Avenue is intended to deter obstructive parking behaviour, which has resulted in numerous complaints and requests for action to be taken by the police and Council Civil Enforcement Officers. The additional double yellow line proposed equates to approximately one car length.</p>
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Bristol City Council Equality Impact Relevance Check



This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required. Please read the guidance prior to completing this relevance check.

What is the proposal?	
Name of proposal	Troopers Hill Road - Waiting Restrictions
Please outline the proposal.	Prohibition of waiting at any time in the vicinity of junctions and pedestrian crossing points and at other locations where the presence of stationary vehicles could interfere with sightlines or obstruct the movement of traffic, including pedestrians.
What savings will this proposal achieve?	N/A
Name of Lead Officer	Andrew Spicer

Could your proposal impact citizens with protected characteristics? (This includes service users and the wider community)
Please outline where there may be significant opportunities or positive impacts, and for whom.
The scheme of waiting restrictions has been developed in response to concerns expressed locally about inconsiderate and obstructive parking behaviour and to support the introduction of physical measures (carriageway narrowing and road humps), which are intended to moderate traffic speeds and assist pedestrian movement. By deterring parking in the vicinity of pedestrian crossing points, the proposed waiting restrictions would assist members of certain equality groups, particularly people with mobility or visual impairments, to move around the area.
Please outline where there may be significant negative impacts, and for whom.
The proposed waiting restrictions could have negative impact on certain equality groups as parking would be prevented at some locations. However, the measures are relatively limited in extent and, having regard to the fact that blue badge holders are entitled to park on yellow lines for up to three hours, it is considered that the positive impacts described above would significantly outweigh any negative effects.

Could your proposal impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)
Please outline where there may be significant opportunities or positive impacts, and for whom.
None
Please outline where there may be negative impacts, and for whom.

None

Is a full Equality Impact Assessment required?	
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Does the proposal have the potential to impact on people with protected characteristics in the following ways:	
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- | | |
|--|--|
| <ul style="list-style-type: none">• access to or participation in a service,• levels of representation in our workforce, or• reducing quality of life (i.e. health, education, standard of living) ? | |
|--|--|

Please indicate yes or no. If the answer is yes then a full impact assessment must be carried out. If the answer is no, please provide a justification.	No
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Service Director sign-off and date:	Equalities Officer sign-off and date:
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