



CABINET REPORT

REPORT OF: EXECUTIVE DIRECTOR - GROWTH & SUSTAINABILITY

TITLE: Mapplewell Drive and Carr Green Lane – Proposed Traffic Regulation Order.

REPORT TO:	CABINET
Date of Meeting	6th of September 2023
Cabinet Member Portfolio	Environment and Highways
Key Decision	NO
Public or Private	Public

Purpose of report

To consider 2 objections to the proposed introduction of waiting and loading restrictions on Mapplewell Drive, Mapplewell and waiting restrictions on part of Carr Green Lane, Mapplewell which were published for public consultation in February 2023.

Council Plan priority

The scheme supports the Council Plan Priority : Sustainable

Recommendations

That Cabinet: -

1. Agrees that the objections received be rejected for the reasons detailed in this report and the objectors be informed accordingly.

2. Authorises the Head of Highways and Engineering and the Head of Legal Services to make and implement the Traffic Regulation Order to introduce waiting and loading restrictions on Mapplewell Drive, Mapplewell and waiting restrictions on part of Carr Green Lane, Mapplewell, as originally advertised.

1. INTRODUCTION

In February 2023 the Council published proposals to introduce parking and loading restrictions on Mapplewell Drive and Carr Green Lane, Mapplewell. The proposal was authorised by Officer delegated report dated 21 September 2022, a copy of which is attached at Appendix 1. This explains the proposals in detail and the reasons for their requirement.

During the public consultation period, 2 objections were received which have been considered and assessed. A summary of the objections received and the Traffic Officers comments in response are set out in Appendix 2.

2. PROPOSAL

The purpose of this report is to consider the objections received and decide whether to accept the officer recommendation to implement the restrictions as originally advertised.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

A representative of the Director of finance (S151 officer) has been consulted on the financial implications of this report.

The costs of advertising and legal fees associated with the TRO are estimated at £7,500 and is to be funded out of the 'Road Safety Budget'.

3.2 Legal

The Road Traffic Regulation Act 1984 provides the appropriate powers for the Council to make the proposed TRO and the Council is satisfied it is expedient to make the Order for avoiding danger to persons or other traffic using the roads and for preventing the likelihood of any such danger arising, and for facilitating the passage of traffic on the roads.

In determining the extents of the proposed restrictions, the Council has had due regard to the duty imposed on it to exercise the functions conferred on it by the Road Traffic Regulation Act 1984 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

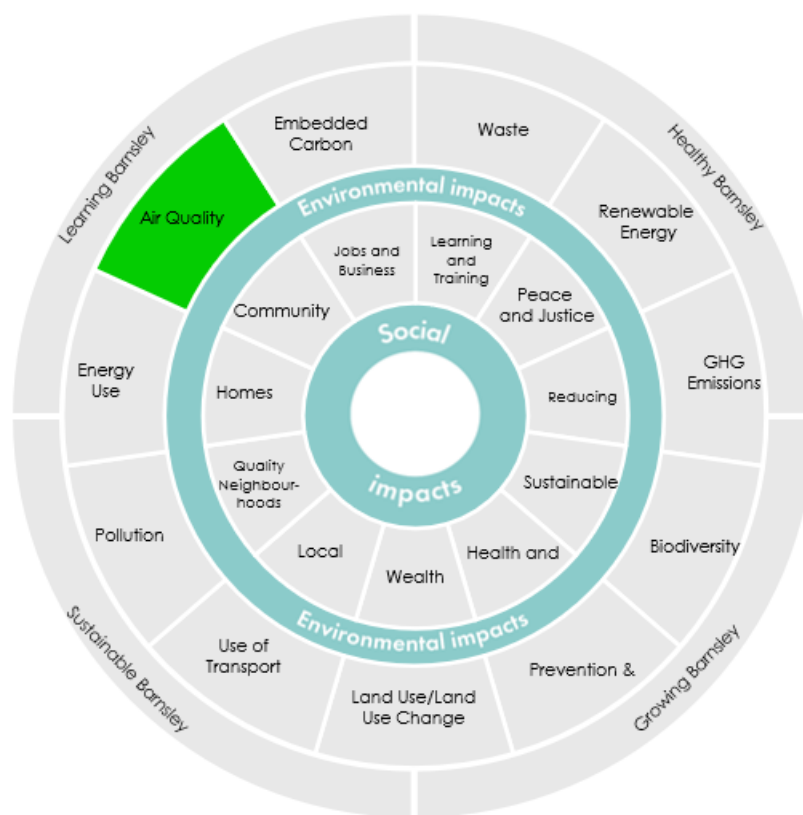
and off the highway (section 122 Road Traffic Regulation Act 1984) and is satisfied the traffic restrictions proposed will achieve those objectives.

3.3 Equality

Full Equality Impact Assessment completed (see appendix 3)

3.4 Sustainability

Reduced traffic congestion has a positive effect of minimising risks of air pollution.



3.5 Employee

Existing employees in the Highways and Engineering Service have undertaken all design, consultation and implementation work. Head of Legal Services will undertake all legal work associated with the TRO. Parking Services have also been consulted over the enforcement of the restrictions.

3.6 Communications

The objectors will be informed of the Cabinet decision accordingly.

4. CONSULTATION

The Local Ward Members, Area Manager, Emergency services, BMBC Parking Enforcement, SYMCA were consulted at publication stage and no objections have been received.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1** Due to the high volume of inconsiderate, obstructive, and illegal parking taking place on Mapplewell Drive and Carr Green Lane advisory signage is not considered proportionate in the circumstances.
- 5.2** Physical and other Engineering measures, such as bollards, are considered both financially prohibitive and too impactful on the movements of other road users and footway users.
- 5.3** Any proposed solution must take account of the prevailing issues on Mapplewell Drive, but also the potential for displacement of vehicles on to the adjacent residential estate road – Carr Green Lane.

6. REASONS FOR RECOMMENDATIONS

- 6.1** The grounds of objection have been fully considered and assessed but they do not raise any issues that would warrant the proposed restrictions to be changed or abandoned the proposals are regarded as the best and most appropriate options to meet all the reported issues and address the complaints received.

7. GLOSSARY

Traffic Regulation Order (TRO) – An order made pursuant to the Road Traffic Regulation Act 1984 to enable traffic restrictions to be legally enforced.

8. LIST OF APPENDICES

Appendix 1: Officer Delegated Report dated 21 September 2022
Appendix 2: Summary of Objections and Officers comments in response
Appendix 3: Equality Impact Assessment Report
Appendix 4: Site Plan

9. BACKGROUND PAPERS

File ref: 4186

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made.

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date <i>Ashley Gray – Strategic Finance Business Partner – 23/08/23</i> <i>This box must be signed to confirm that there are no financial implications. Alternatively, a signed Appendix A outlining the financial implications is required.</i>
Legal consultation & sign off	Legal Services officer consulted and date CHERYL REDFORD Senior Legal Officer 22 August 2023

Report Author: Nothando Mthunzi
Post: Highways and Traffic Engineer
Date: 21 August 2023

Appendix 2

Objections Received and Traffic Officer's comments.

As a result of advertising the proposal, there are 2 outstanding objections to consider. The main concerns raised are listed below along with the Head of Highways and Engineering's comments in response in **bold**.

The objectors are concerned that the proposal will create parking issues as parking is already a problem in the area and the proposal is likely to move parking issues elsewhere within the area. There is a concern that the proposed restrictions will have an impact upon the appeal and saleability of properties.

The objectors are requesting for other alternative parking measures to be considered instead of the proposed restrictions. Concern on enforcement of the restrictions has also been raised.

Response: The primary purpose of the 'public highway' is, and always has been, to facilitate the free passage of all traffic. It is not to be relied on as a parking area for private or commercial vehicles. No-one (resident or business) has the right to park on the public highway. A problem was identified by local people and businesses which led to the scheme being proposed and the proposal does solve that problem, though it is accepted that it will create other problems elsewhere as all Traffic Regulation Orders do. There is no evidence that shows a correlation between this proposal and property value/market so this point cannot be substantiated. Alternative options were considered but these proposals are regarded as the best and most appropriate option to counter and deter the inconsiderate, obstructive, and illegal parking, and access issues on Mapplewell Drive, and provide a deterrent to staff and businesses to moving their vehicles to the nearby residential road. Barnsley Council has several Civil Enforcement Officers patrolling around the Borough, enforcement will not be an issue.

Appendix 3

Equality Impact Assessment

Proposed waiting and loading restrictions on Mapplewell Drive and Carr Green Lane, Mapplewell, Barnsley

Stage 1 Details of the proposal

Name of service

Growth and Sustainability

Directorate

Environment and Transport

Name of officer responsible for EIA

Nothando Mthunzi

Name of senior sponsor

Damon Brown

Description / purpose of proposal

The purpose of the proposal is:

- To address the illegal and dangerous parking practices which obstruct and block sections of Mapplewell Drive.
- Prevent parking on the public footways along the section of Mapplewell Drive and Carr Green Lane, and;
- Improve and maintain the free flow of all traffic by maintaining a road width sufficient for large vehicles to be able to pass each other freely.

Date EIA started

19/07/2023

Assessment Review date

19/07/2023

Stage 2 - About the proposal

What is being proposed?

As a response to this situation, it is proposed to prohibit vehicles from waiting at any time along Mapplewell Drive and part of Carr Green Lane.

Additionally, most of Mapplewell Drive will also have a prohibition of loading/unloading, with a section of Carr Green Lane having 'No Waiting, Mon – Fri 8am – 5pm' restrictions.

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Why is the proposal required?

The proposal is required to address the current levels of risk, inconsiderate and obstructive parking evident in Mapplewell Drive and Carr Green Lane.

What will this proposal mean for customers?

The restrictions will address the illegal inappropriate and dangerous parking practices which obstruct and block these sections of Mapplewell Drive.

The restrictions will deter and will help prevent the parking on the public footways along this section of Mapplewell Drive and Carr Green Lane.

The restrictions will improve and maintain the free flow of all traffic by maintaining a road width sufficient for large vehicles to be able to pass each other freely.

The restrictions will improve and maintain access to the side roads by all traffic, including emergency services, commercial and public service vehicles.

There will be a loss of on-street parking space available for public use, which is necessary to free-up the carriageway, maintain the road width and clear the footways of vehicles.

Stage 3 - Preliminary screening process

Use the Preliminary screening questions (found in the guidance) to decide whether a full EIA is required

Yes - EIA required (go to next section)

No – EIA not required (provide rationale below including name of E&I Officer consulted with)

NO

Stage 4 - Scoping exercise - What do we know?

Data: Generic demographics

What generic data do you know?

N/A

Data: Service data / feedback

What equalities knowledge do you already know about the service/location/policy/contract?

N/A

Data: Previous / similar EIA's

Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?

NO

Data: Formal consultation

What information has been gathered from formal consultation?

Formal consultation took place between the 3rd of February 2023 and the 27th of February 2023
The proposal was advertised on site, local newspaper, central library (Lightbox) and council website. 2 objections were received and the major reason for objecting the proposal were loss of on- street parking.

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics

(state if negative impact is substantial and highlight with **red text**)

Negative (and potentially positive) impacts identified will need to form part of your action plan.

Protected characteristic	Negative ' - '	Positive ' + '	No impact	Don't know	Details
Sex			x		No adverse impact anticipated
Age			x		No adverse impact anticipated
Disabled <i>Learning disability,</i> <i>Physical disability,</i>			x		No adverse impact anticipated

Sensory Impairment, Deaf People, invisible illness, Mental Health etc					
Race			x		No adverse impact anticipated
Religion & Belief			x		No adverse impact anticipated
Sexual orientation			x		No adverse impact anticipated
Gender Reassignment			x		No adverse impact anticipated
Marriage / civil partnership			x		No adverse impact anticipated
Pregnancy / maternity			x		No adverse impact anticipated

Other groups you may want to consider

	Negative	Positive	No impact	Don't know	Details
Ex services			x		No adverse impact anticipated
Lower socio-economic			x		No adverse impact anticipated
Other ...			x		No adverse impact anticipated

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment (found at)

If not, move to Stage 7.

Please use the action plan to detail the steps to be taken to ensure the new service complies with the minimum access standards. Consider any reasonable adjustments for disabled people.

Not yet live

- The proposal will meet the minimum access standards.
- The proposal will not meet the minimum access standards. –provide rationale below.

Stage 7 – Action plan

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra 'accessibility' funding, produce separate MAS action plan, etc.

Action we will take:		Completion date
Not yet live		

Stage 8 – Assessment findings

Please summarise how different protected groups are likely to be affected

Summary of equality impact	No adverse impact has been identified.
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Summary of	Feed the results of the EIA into the options appraisal for the proposed waiting
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next steps

and loading restrictions on Mapplewell Drive and waiting restrictions on Carr Green Lane.

**Signature (officer responsible for EIA)
Date**

**** EIA now complete ****

Stage 9 – Assessment Review

**(This is the post implementation review of the EIA based on date in Stage 1 if applicable)
What information did you obtain and what does that tell us about equality of outcomes for different groups?**

