

## CABINET REPORT

**REPORT OF:** EXECUTIVE DIRECTOR - GROWTH & SUSTAINABILITY

**TITLE:** Unnamed Access Road to Darton Primary School–  
Experimental Traffic Regulation Order

<b>REPORT TO:</b>	<b>CABINET</b>
<b>Date of Meeting</b>	<b>18 October 2023</b>
<b>Cabinet Member Portfolio</b>	<b>Environment and Highways</b>
<b>Key Decision</b>	<b>No</b>
<b>Public or Private</b>	<b>Public</b>

### **Purpose of report**

The purpose of this report is to seek approval to advertise and implement an Experimental Traffic Regulation Order (ETRO) to make some changes to the existing waiting restrictions on the Unnamed Access Road to Darton Primary School to facilitate and improve parking opportunities for residents and visitors.

The use of an ETRO is considered to be the most effective way to achieve delivery of the restrictions with the flexibility to make any changes necessary before the restrictions are made permanent.

### **Recommendations**

That Cabinet: -

1. Authorise the Head of Highways & Engineering to arrange with the Head of Legal to make and publish an ETRO to introduce changes to parking restrictions on the Unnamed Access Road to Darton Primary School to remove sections of the existing 'No Waiting at Any Time' restrictions and replace them with peak period waiting restrictions 'Mondays to Fridays 8:00 am to 9:30 am and 2:30 pm to 5:00 pm' on an experimental basis.

2. Authorise the Head of Highways and Engineering to implement the changes, to carry out public consultations and to monitor the operation and effectiveness of the restrictions throughout the experimental period.
3. Authorise the Head of Highways and Engineering to make any changes to the restrictions that is considered necessary to overcome any operational difficulties or satisfy any objections or representations that might be received during that time subject to consultation with the Chief Officer of Police and giving further public notice of the changes.
4. Any objections and representations received during the public consultation period, be fully considered and reported to a future meeting of Cabinet, together with a full assessment of the effectiveness of the restrictions and whether it has achieved its desired objectives, in order to determine whether the restrictions should be made permanent.

## **1. INTRODUCTION**

- 1.1 The Unnamed Access Road to Darton Primary School is located to the south of Station Road, Sackup Lane and Darton Lane crossroads junction in Darton. It is an access road to the rear of properties on Darton Lane as well as Darton Primary School. Station Road and Darton Lane are residential streets with predominantly terraced houses which do not benefit from private off-street parking.
- 1.2 Currently, the Unnamed Access Road to Darton Primary School has restrictions prohibiting parking on Mondays to Fridays between '8:00 am to 9:30 am and 2:30 pm to 5:00 pm' and a 'No Waiting at Any Time' as shown on the plan attached at Appendix 1.
- 1.3 Since parking restrictions were installed on the Unnamed Access Road to Darton Primary School in 2022, concerns have been raised by residents and councillors in relation to lack of parking opportunities.

## **2. PROPOSAL**

- 2.1 It is proposed to remove sections of the existing 'No Waiting at Any Time' restrictions on the access of the road and replace them with peak period waiting restrictions 'Mondays to Fridays 8:00 am to 9:30 am and 2:30 pm to 5:00 pm' on an experimental basis. (Plan of the proposal attached at Appendix 2).
- 2.2 An Experimental Traffic Regulation Order (ETRO) is considered to be the most efficient method to properly assess the changes in parking patterns which are difficult to predict and their impact on road safety. An ETRO can be introduced for a maximum duration of up to eighteen months and provides a degree of flexibility for restrictions to be introduced on a trial basis with the facility to make changes during the trial period to satisfy the operational needs of users while balancing the need maintain safe movement of traffic.

- 2.3** Throughout the trial period the Head of Highways and Engineering will monitor the effectiveness of the restrictions, considering any objections or representation received. Once the optimum restrictions have been in place for a minimum period of six months, they can then be made permanent subject to Cabinet approval.
- 2.4** The flexibility offered by an ETRO allows the public to make representations and offer comments or objections to the restrictions while they are in operation so that, where appropriate, the restrictions can be changed to meet local demands. Any objections which are unable to be resolved in this way will form part of the ETRO assessment to be reported to Cabinet for consideration.
- 2.5** The proposed restrictions are considered as the current best option to facilitate and improve parking opportunities for residents and visitors. The proposed Experimental Traffic Regulation Order will provide an opportunity to monitor and assess the changes in parking patterns which are difficult to predict and their impact on road safety.

### **3. IMPLICATIONS OF THE DECISION**

#### **3.1 Financial and Risk**

Consultations on the financial implications of this report have taken place with representatives of the Director for Finance (S151 Officer).

The costs of implementing the ETRO are estimated at £7,500 and are to be funded from the existing Highways capital programme, specifically the School Safety Initiative. The ongoing maintenance costs and or impact on income is likely to be minimal and will be contained within the cabinet agreed Highways services budgets.

#### **3.2 Legal**

The Road Traffic Regulation Act 1984 provides the appropriate powers for the Council to make the proposed TRO 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.

The Council is satisfied it is expedient to make the order to assess the likely impact on the changes to the current parking provision.

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

No adverse impact anticipated.



### 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 ETRO. Parking Services have also been consulted over the enforcement of the restrictions.

### 3.6 Communications

The proposal will be advertised to the public by placing a notice in the public notices section of the Barnsley Chronicle, and documents will be available at the central Library (The Lightbox), the local branch Library and on the Council's website. Notices will also be posted on lamp columns on the affected streets.

The ETRO will run for a minimum period of 6 months up to a maximum period of 18 months during which a decision will be made whether to implement or amend the restrictions before implementing on a permanent basis, in this case further notice will be given.

## 4 CONSULTATION

Informal consultation with The Local Ward Members, Area Manager, Emergency services, BMBC Parking Enforcement, SYMCA and Darton Primary School was carried out between the 27<sup>th</sup> of February and the 24<sup>th</sup> of March 2023 and no objections were received.

## **5 ALTERNATIVE OPTIONS CONSIDERED**

If a permanent Traffic Regulation Order was implemented and further changes were required once the restrictions are introduced, it is a lengthy process to change them again should that prove necessary.

The use of an experimental order is considered to be the most effective way to achieve delivery of the restrictions with the flexibility to make any changes necessary before the restrictions are made permanent.

## **6 REASONS FOR RECOMMENDATIONS**

The proposed measures will facilitate and improve parking opportunities for residents and visitors. The proposed Experimental Traffic Regulation Order will provide an opportunity to monitor and assess the changes in parking patterns which are difficult to predict and their impact on road safety. This will be carried out over a period of several months such that a suitable balance can be achieved. The public will have an opportunity to object the proposal during the first 6 months of the trial period which will be taken into consideration. If the ETRO proposal is modified, objections can be made starting from the date of the changes.

## **7 LIST OF APPENDICES**

Appendix 1 – Plan of existing Restrictions  
Appendix 2 – Plan of proposed Restrictions  
Appendix 3 – Equality Impact Assessment  
Appendix 4 – Officer Decision Record

## **8 BACKGROUND PAPERS**

- File Ref 4281

## **9 REPORT SIGN OFF**

<b>Financial consultation &amp; sign off</b>	Senior Financial Services officer consulted and date  <i>Ashley Gray – Strategic Finance Business Partner 07/09/23</i>
<b>Legal consultation &amp; sign off</b>	Legal Services officer consulted and date  <b>Cheryl Redford 6 September 2023</b>

**Report Author: Nothando Mthunzi**  
**Post: Highways and Traffic Engineer**  
**Date: 7 August 2023**