

Barnsley Metropolitan Borough Council

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the Executive Director, Place

Oakwell Area, Barnsley – Traffic Regulation Order

1. Purpose of Report

- 1.1 The purpose of this report is to inform Cabinet of the results of the experimental Traffic Regulation Order, introduced to facilitate emergency road closures and a temporary prohibition of waiting on roads around Oakwell, when necessary, during an event.

2. Recommendation

It is recommended that:

- 2.1 **The Director of Legal and Governance be authorised to introduce the previously advertised Temporary Prohibition of Driving, as detailed on the plan in Appendix 1, on a permanent basis.**
- 2.2 **The Director of Legal and Governance be authorised to advertise temporary waiting restrictions, previously carried out under an Experimental Traffic Regulation Order, as detailed on the plan in Appendix 3.**
- 2.3 **If there are no objections, that the Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement the Order.**
- 2.4 **Any objections to be the subject of a further report to Cabinet;**

3. Introduction/Background

- 3.1 Consultations have taken place with Barnsley Football Club and the emergency services regarding traffic management arrangements at Oakwell Stadium, in the case of a major incident arising which necessitates the stadium evacuating of spectators.
- 3.2 The previous arrangements, included in the 'Barnsley Football Club – Contingency Plan', identified 2no. emergency service rendezvous points as follows:
- Yorkshire Ambulance Service and South Yorkshire Police: Belgrave Road
 - South Yorkshire Fire and Rescue: Beavor Court
- 3.3 The previous situation was that in the case of an emergency, South Yorkshire Police would implement a series of road closures around Oakwell using their emergency powers, to facilitate the rendezvous points and provide a casualty/spectator evacuation route. Barnsley Football Club paid South Yorkshire Police a fee to provide this service.

- 3.4** In addition, Barnsley Football Club, under instruction from South Yorkshire Police and using their emergency powers, introduced a prohibition of waiting (except for loading and unloading) on Belgrave Road, Grove Street and Pontefract Road (between Grove Street and Beevor Street) for the purpose of protecting the emergency services rendezvous points and casualty/spectator evacuation routes.
- 3.5** In 2015 South Yorkshire Police agreed that Barnsley Football Club could employ a private traffic management company to provide this service. This is acceptable to the Council and the sports ground Safety Advisory Group.
- 3.6** In order for the traffic management company to implement the emergency road closures and for the temporary prohibition of waiting to be introduced on Belgrave Road, Grove Street and parts of Pontefract Road, it was necessary to introduce a Traffic Regulation Order (TRO) as this could not be carried out under the emergency powers of South Yorkshire Police. It should be noted that the road closures would only be implemented in the case of a major incident arising at Oakwell necessitating a stadium evacuation of spectators; the no waiting restriction will only be implemented on event days.
- 3.7** An Experimental Traffic Regulation Order was advertised from the 3rd April 2015 to the 5th October 2015 to allow emergency road closures to be implemented when required and for temporary waiting restrictions to be introduced on event days. A copy of the restrictions is shown on the plan at Appendix 2.
- 3.8** During the advertising period one written objection was received to the waiting restriction. A number of representations were also received by email, through meeting members of the public on site and via telephone calls, these enquiries were dealt with at the time.
- 3.9** Whilst the majority of representations understood the need to protect emergency rendezvous points and access/evacuation routes for Oakwell Stadium, a number expressed concerns over the resulting loss of on-street parking spaces for the residents.
- 3.10** These comments were taken on-board. Whilst the Council has no obligation to provide on-street parking for residents, in consultation with the emergency services, it was deemed that the temporary restriction of waiting and loading could be removed from two sections of Grove Street, whilst not compromising on the objective of the scheme to provide a clear spectator/casualty evacuation route as shown on the plan at Appendix 3.
- 3.11** Barnsley Football Club has appointed a traffic management company to implement the emergency road closures, in the event of a major incident arising at Oakwell, necessitating a stadium evacuation of spectators. The traffic management company has submitted plans and these have been approved by the Council, the sports ground Safety Advisory Group and the emergency services.
- 3.12** The temporary waiting restrictions shown on the plan at Appendix 2 have been implemented on event days since April 2015. A number of emergency situation simulation exercises have been held to test the response of the stewards and the traffic management company; all the exercises have been carried out satisfactorily.

4. Consideration of Alternative Proposals

- 4.1** It is not considered that any other alternative approach would give the desired benefits.

5. Proposal and Justification

- 5.1** It is proposed to introduce a prohibition of waiting on Bala Street, Belgrave Road, Grove Street and Pontefract Road (between Grove Street and Beevor Street) for the purpose of protecting the emergency services rendezvous points and casualty/spectator evacuation routes. This will only be implemented on event days at Oakwell Stadium by means of temporary no waiting cones for a period of 1.5 hours prior to the event starting until 30 minutes after the event has finished.
- 5.2** The revised waiting proposals shown on the plan at Appendix 3 are very similar to those previously advertised as shown on the plan at Appendix 2. A minor amendment has been made to increase the availability of on-street parking for residents on Grove Street following representations from the residents; the minor amendment was made with the agreement of all the emergency services.
- 5.3** It is proposed to introduce the TRO as per the plan at Appendix 3 on a permanent basis for use only on event days.
- 5.4** It is proposed to introduce the previously advertised temporary prohibition of driving order as shown on the plan at Appendix 1. This order will only ever be implemented in the case of an emergency situation arising at Oakwell Stadium requiring the evacuation of spectators.
- 5.5** Consultations have taken place with the Central and Monk Bretton Ward Members, Area Council Managers, and the Emergency Services. No objections or adverse comments have been received. The scheme has been developed in conjunction with the emergency services so meets their requirements. Parking Services have also been consulted over the enforcement of the restrictions.
- 5.6** The proposals are justified in order to facilitate the holding of events at Oakwell in accordance with the requirements of the Football Licencing Authority.
- 6.0** **Impact on Local People**
- 6.1** The temporary waiting restrictions will have an impact on local residents and businesses on event days only. However, this is the same arrangement as previously undertaken using the emergency powers of South Yorkshire Police and those being operated since April 2015 by means of the experimental traffic regulation order. The impact has been lessened by amending the proposal in order to increase the amount of on street parking available on Grove Street.
- 6.2** The prohibition of driving will only have an impact when implemented and this will only be in the case of a major emergency necessitating a stadium evacuation of spectators and will only be in place for the duration of the emergency.
- 6.3** A protocol has been agreed with Barnsley Football Club and South Yorkshire Police to ensure that local residents are aware of forthcoming events. Barnsley Council will continue to work with Barnsley Football Club to ensure that the cones are placed at an appropriate distance and that residents/visitors are aware of the forthcoming events.
- 7.0** **Compatibility with European Convention on Human Rights**
- 7.1** There are not considered to be any potential interference with European Convention on Human Rights as the proposals aim to create a safer environment and prevent indiscriminate parking.
- 8.0** **Promoting Equality, Diversity and Social Inclusion**

8.1 There are no equality, diversity or social inclusion issues associated with the proposals.

9.0 Reduction of Crime and Disorder

9.1 In investigating the options set out in this report, the Council's duties under Section 17 of the Crime and Disorder Act have been considered.

9.2 There are no crime and disorder implications associated with the proposals.

10.0 Conservation of Biodiversity

10.1 There are no conservation of biodiversity issues associated with the proposals.

11.0 Risk Management Issues including Health and Safety

11.1

Risk	Mitigation/Outcome	Assessment
1. Challenge to the proposals because they infringe the Human Rights Act	Issues relating to potential interference with the Human Rights Act are fully explained and dealt with in Section 7 of this report. Any considerations of impacts have to be balanced with the rights that the Council has to provide a safe highway for people to use. The Director of Legal and Governance has developed a sequential test to consider the effects of the Human Rights Act which are followed.	Low
2. Legal challenge to the decision to make the TRO.	The procedure to be followed in the publication and making of TRO's are set down in statute, which provides a 6 weeks period following the making of an order in which a challenge can be made in the High Court on the grounds that the order is not within the statutory powers or that the prescribed procedures have not been correctly followed. Given that the procedures are set down and the Council follows the prescribed procedures the risk is minimal.	Medium
3. Deterioration of health and safety	Health and Safety is considered throughout the design/installation and maintenance process to minimise any potential occurrence.	Very Low

12.0 Financial Implications

12.1 There are no new financial implications arising out of this proposal the costs of advertising and legal fees in connection with the Traffic Regulation Order are estimated at £2000 and are being funded by Barnsley Football Club.

13.0 Employee Implications

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

14.0 **Glossary**

- TRO – Traffic Regulation Order

15.0 **List of Appendices**

- Appendix 1 - Plan showing proposed Temporary Prohibition of Driving
- Appendix 2 - Plan showing the original temporary no waiting restrictions
- Appendix 3 - Plan showing new temporary no waiting restrictions to be advertised

16.0 **Background Papers**

16.1 A copy of the cabinet spokesperson delegated report giving authority for implementation of the experimental traffic regulation order is available for inspection.

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Annex A

Oakwell Area, Barnsley – Traffic Regulation Order

a. Financial Implications

The financial Implications for the proposals are detailed in Paragraph 12.

b. Employee Implications

Employees in the Highways, Engineering and Transportation Service will undertake all design, consultation and implementation work. The Director of Legal and Governance will undertake all legal work associated with the advertising and making of the TRO. Parking Services have also been consulted over the enforcement of the restrictions.

c. Legal Implications

The proposal requires the advertisement of the TRO, which can be objected to and challenged if procedures are not adhered to, as detailed in Paragraph 11.

d. Policy Implications

The proposal promotes the Council's policies in respect of road safety and danger reduction. There are no ICT implications associated with the proposals.

e. Local Members

The Central and Monk Bretton Ward Members have been consulted. There is no Parish Council to consult.

f. Health and Safety Considerations

The proposal is designed to facilitate emergency service rendezvous points and casualty/spectator evacuation routes in case of a major incident at Oakwell.

g. Property Implications

There are no property implication issues associated with the proposals.

h. Implications for Other Services

There are no significant implications for other BMBC services arising from the recommendations in the report. The Director of Legal and Governance will undertake all legal work associated with the advertisement and making of the TRO.

i. Implications for Service Users

There are no service user implication issues associated with the proposals.

j. Communications Implications

There are no communications implication issues associated with the proposals.