

**Record of Decision of the Head of Highways, Engineering & Transportation for;**

**Cundy Cross (Pontefract Road, Rotherham Road, Grange Lane, Littleworth Lane, Meadow View, Hawthorne Avenue, Moorland Court, Hazelwood Drive) – Proposed amendment to existing waiting restrictions and installation of new restrictions**

**Subject**

Planning permission has been granted, and development is underway of the erection of 192 residential dwellings on the former Priory School site, at Littleworth Lane, Lundwood. To facilitate the new development, a new link road is being constructed connecting Littleworth Lane and Rotherham Road. The roundabout at Cundy Cross is to be removed and replaced with a 4-arm traffic signal controlled junction. The traffic signals at Littleworth Lane junction are to be upgraded and new signals are to be installed at the junction of the new link road and Rotherham Road. As such the existing waiting restrictions need upgrading to reflect the new road layouts.

**Authority**

*Part C Paragraph 19 (b) Delegations to Officers: After consultation with Local Members and the relevant Parish Council, to arrange for the publication of Traffic Regulation Orders requiring the enforcement of traffic control measures and, subject to no objections being received, to make the Orders and implement the restrictions.*

**Decision Taken**

The proposals to be advertised and any objections to be the subject of a report to Cabinet. If there are no objections the Head of Highways, Engineering & Transportation and the Director of Legal and Governance be authorised to make and implement the Order.

**Financial Implications:**

Signature: \_\_\_\_\_

Date: 2/12/16  
(Budget Holder)

**Record of Decision:**

Signature: \_\_\_\_\_

Date: 2/12/16  
(Group Manager – Network Management and Resilience)

Signature: \_\_\_\_\_

Date: 2/12/16  
(Interim Head of Highways, Engineering and Transportation)

## **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 Directorate

### **Cundy Cross (Pontefract Road, Rotherham Road, Grange Lane, Littleworth Lane, Meadow View, Hawthorne Avenue, Moorland Court, Hazelwood Drive) – Proposed amendment to existing waiting restrictions and installation of new restrictions**

#### **1. Purpose of Report**

- 1.1 The purpose of this report is to seek approval to implement the Traffic Regulation Order (TRO) necessary to amend and upgrade the existing waiting restrictions on parts of Pontefract Road, Rotherham Road, Grange Lane, Littleworth Lane, and introduce new restrictions on the new link road (Meadow View), Hawthorne Avenue, Moorland Court and Hazelwood Drive as part of a proposed highway improvement scheme. In addition to seek approval to implement prohibited turns and no entries on the Rotherham Road legs, and a one way direction of travel on Rotherham Road (link road).

#### **2. Recommendation**

It is recommended that:

- 2.1 The proposed restrictions; 'no waiting at any time', 'no loading Monday-Saturday 8-9.30am & 4.30-6pm', 'no waiting Monday-Saturday 8am-6pm', prohibited turns, one way and no entries as indicated on the plan at Appendix 1, be advertised;
- 2.2 Any objections be subject of a further report to Cabinet;
- 2.3 If there are no objections, that the Interim Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement the order.

#### **3. Introduction/Background**

- 3.1 Planning permission has been granted, and development is currently underway to construct 192 residential dwellings on the former Priory School site, at Littleworth Lane, Lundwood.
- 3.2 To facilitate the new development, a new link road is being constructed connecting Littleworth Lane and Rotherham Road. The roundabout at Cundy Cross is to be removed and replaced with a 4-arm traffic signal controlled junction. The traffic signals at Littleworth Lane junction are to be upgraded

and new signals are to be installed at the junction of the new link road and Rotherham Road. New road signs are also being provided.

- 3.3 The new highway layout will effectively form a gyratory system with the new link road (Meadow View) and part of Littleworth Lane forming part of the A628. Prohibited turns, no entries and a one way direction of travel will be introduced to ensure the layout is negotiated effectively and safely.
- 3.4 The new traffic signals at Cundy Cross and the existing signals at Littleworth Lane have been designed to be adaptive to the prevailing traffic conditions and are coordinated with each other to maintain the flow of traffic, particularly at peak times.
- 3.5 The proposed 'no waiting/loading' restrictions have been designed to prevent indiscriminate parking from occurring; thus preventing the free flow of traffic and the new highway layout from operating effectively.

#### **4. Consideration of Alternative Proposals**

- 4.1 The alternative proposal is to not introduce new restrictions or upgrade the existing restrictions. However this is not recommended as it will mean the new traffic signals will not be able to operate effectively and to full capacity. Not installing restrictions on the new link road would allow parking on the road which needs to be kept clear to allow the free flow of traffic.

#### **5. Proposal and Justification**

- 5.1 The proposal is to upgrade the existing waiting restrictions that are in place on parts of Rotherham Road, Grange Lane, and Littleworth Lane, and to introduce new waiting and loading restrictions on the new link road (Meadow View) and parts of Hawthorne Avenue, Moorland Court and Hazelwood Drive.
- 5.2 Due to the volume of vehicular traffic using the roads and the new junctions, it is considered necessary to implement new (and in some places upgrade the existing) waiting and loading restrictions on each approach to the junctions to ensure that traffic signal detectors operate effectively. Parked vehicles severely hinder traffic signal detector loops.
- 5.3 Introducing additional restrictions is imperative to ensure indiscriminate parking does not occur on carriageways. It is vital to ensure traffic is free flowing not only to enable optimum signal operation but to ensure the highway network has free flowing traffic movements.
- 5.4 Prohibited turns, a one way direction of travel and no entries are required to ensure the motorists negotiate the new layout effectively and safely.
- 5.5 Consultations have taken place with local ward members, the Area Council Manager and Emergency Services, and no formal objections were received.

## **6. Impact on Local People**

- 6.1** There are a number of residents on Pontefract Road who do not have off-street parking that may be affected by the proposals. (See appendix 2). An unrestricted, sheltered parking bay will be installed on Rotherham Road (outside numbers 2 to 35) for anyone to utilise. All the new properties that front onto the new link road (Meadow View) have off street parking.

## **7. Compatibility with European Convention on Human Rights**

- 7.1** There is a potential interference with the Convention on Human Rights in that it is proposed to implement measures, which may be perceived to be detrimental to the interests of private individuals, for the benefit of the public in general. Possible interference might arise under Article 8 – Right to respect for private and family life, or Article 1 of the First Protocol – Protection of Property.
- 7.2** However, before the TRO is made permanent the proposals will have to be advertised in accordance with Road Traffic Regulation procedures. Anyone can formally object to the proposals. Any objections will receive full consideration before a final decision is made.

## **8. Promoting Equality, Diversity and Social Inclusion**

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

## **9. 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. Conservation of Biodiversity**

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

## **11. Road Traffic Regulation Act 1984**

- 11.1** Due regard has been given to the duty imposed on the Council 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).

## **12. Risk Management Issues including Health and Safety**

- 12.1** The assessment of the risks involved in this report are set out in the table below:

<b>Risk</b>	<b>Mitigation/Outcome</b>	<b>Assessment</b>
<b>1. Challenge to the proposals because they infringe the Human Rights Act</b>	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
<b>2. Legal challenge to the decision to make the TRO</b>	The procedure to be followed in the publication and making of TROs are set down in statute, which provides a 6 week 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.	Low
<b>3. Deterioration of health and safety</b>	Health and Safety is considered throughout the design/installation and maintenance process to minimise any potential occurrence.	Very Low

## **13. Financial Implications**

- 13.1** The costs of advertising and legal fees associated with the TRO are estimated at £5000, and are being funded from the 2016/17 Integrated Transport fund.

## **14. Employee Implications**

- 14.1** Existing 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 advertisement and making of the TRO.

**15. Glossary**

- TRO - Traffic Regulation Order

**16. List of Appendices.**

- Appendix 1 – Plan showing the proposals
- Appendix 2 – plan showing existing residential parking provisions

**17. Background Papers**

**16.1** None

**Officer Contact:** Orla O'Carroll **Telephone No:** 772028 **Date:** 2<sup>nd</sup> Dec 2016



## **Annex A**

### **Cundy Cross (Pontefract Road, Rotherham Road, Grange Lane, Littleworth Lane, Meadow View, Hawthorne Avenue, Moorland Court, Hazelwood Drive) – Proposed amendment to existing waiting restrictions and installation of new restrictions**

#### **a. Financial Implications**

See paragraph 13 of the report for financial implications.

#### **b. Employee Implications**

Existing employees in The Highways, Engineering and Transportation Service will undertake all design, and consultation work. The Director of Legal and Governance will undertake all legal work associated with the advertisement and making of the TRO.

#### **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 12.

#### **d. Policy Implications**

The proposal promotes the Council's policies in respect of road safety and danger reduction.

#### **e. ICT Implications**

There are no ICT implications associated with the proposals.

#### **f. Local Members**

The Monk Bretton Ward Members have been consulted no formal objections were made. There is no Town/Parish Council to consult.

#### **g. Health and Safety Considerations**

The proposal is designed to promote road safety.

#### **h. Property Implications**

There are no property implication issues associated with the proposals.

**i. Implications for Other Services**

The Director of Legal and Governance's Department will undertake all legal work associated with the advertisement and making of the TRO.

**j. Implications for Service Users**

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

**k. Communications Implications**

There are no communications implication issues associated with the proposals.