

**Record of Decision of the Head of Highways and Engineering for;**

**STRAIGHT LANE, GOLDTHORPE**

**INTRODUCTION OF PROHIBITION OF MOTOR VEHICLES**

**Subject**

In July 2017, Network Rail contacted Barnsley Council's in house structures team regarding the railway bridge on Straight Lane, Goldthorpe. The bridge is currently subject to an environmental weight limit of 7.5 tonnes, which is difficult to enforce due to the 'access only' clause.

Following an assessment by Network Rail, they advised the Council this bridge is not suitable for any traffic exceeding 7.5 tonnes.

A temporary TRO to upgrade the current restriction from an environmental weight limit to a weak bridge restriction of 7.5 tonnes was introduced on 9<sup>th</sup> February 2018.

It is proposed to introduce a prohibition of motor vehicles to close the former railway bridge on Straight Lane to vehicular traffic at either end, and to revoke the existing one way order.

Consultations have taken place with local Ward Members, the Area Council Manager and Emergency Services, no objections have been received. There is no Parish Council affected by the proposals.

**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 and Engineering and the Executive Director of Core Services and Solicitor to the Council be authorised to make and implement the Order.

**Financial Implications:**

Signature: DD Lacey  
Date: 16/05/2018  
(Budget Holder)

**Date of Decision:**

Signature: [Signature]  
Date: 16/5/18  
(Group Manager – Highways and Engineering)

**Date Approved:**

Signature: [Signature]  
Date: 16/5/18  
ff (Head of Highways and Engineering)

## **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

### **STRAIGHT LANE, GOLDTHORPE**

#### **INTRODUCTION OF PROHIBITION OF MOTOR VEHICLES**

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

- 1.1 To seek approval to advertise a Traffic Regulation Order (TRO) to introduce a prohibition of motor vehicles and changes to existing vehicle movements as described in this report and shown in Appendix 1.

##### **2. Recommendation**

**It is recommended that:**

- 2.1 The proposed changes to traffic restrictions as described in this report and indicated on the plan in Appendix 1, be advertised;
- 2.2 A prohibition of motor vehicles on Straight Lane to replace the existing 7.5 ton environmental weight restriction.
- 2.3 The removal of the existing one way order to permit access to the newly created cul-de-sac.
- 2.4 Any objections received to any of the proposals to be subject of a further report to Cabinet;
- 2.5 If there are no objections to any of the proposals then the Head of Highways and Engineering and the Executive Director of Core Services and Solicitor to the Council be authorised to make and implement the order.

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

- 3.1 In July 2017, Network Rail contacted Barnsley Council's in house structures team regarding the railway bridge on Straight Lane, Goldthorpe.
- 3.2 The bridge is currently subject to an environmental weight limit of 7.5 tonnes, which is difficult to enforce due to the 'access only' clause.
- 3.3 Following an assessment by Network Rail, our structures team have advised that this bridge is not suitable for any traffic exceeding 7.5 tonnes.
- 3.4 A temporary TRO to upgrade the current restriction from an environmental

weight limit to a weak bridge restriction of 7.5 tonnes was introduced on 09/02/18.

- 3.5 It is proposed to introduce a prohibition of motor vehicles to close the former railway bridge on Straight Lane to vehicular traffic at either end, and to revoke the existing one way order to allow access to the newly created cul de sac.

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

- 4.1 It is not considered that any alternative approach would give the anticipated benefits or protect the existing structure.

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

- 5.1 In the interests of public safety, it is proposed to introduce a prohibition of motor vehicles to prevent vehicular traffic from using the former railway bridge on Straight Lane, and to revoke the existing one way order from north of Highfield Avenue to its junction with Barnsley Road. This will protect the public and the bridge, whilst the removal of the one way order will allow Waste Services to operate their normal service, as they are currently using a lightweight vehicle due to the temporary TRO. The order will still permit cyclists to use this route, in line with the council's commitment to sustainable travel.

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

- 6.1 The proposals are likely to have a positive impact on residents, as it will prevent large vehicles from accessing the very narrow bridge and potentially causing a collapse of the structure.
- 6.2 The proposals may have a negative impact on some motorists by preventing a through route from Goldthorpe Road to Barnsley Road, but as mentioned at 3.3 it is necessary to prevent such activity to protect the weak bridge.

#### **7 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 Promoting Equality, Diversity and Social Inclusion**

- 8.2 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 is 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 Executive Director of Core Services and Solicitor to the Council and Solicitor to the Council 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 TRO's are set down in statute. There is an opportunity to object to the initial proposal and then a period for challenge once it is made. A 6 week period is provided 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</b>	Health and Safety is considered	Very Low

<b>health and safety</b>	throughout the design/installation and maintenance process to minimise any potential occurrence.	
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### **13     Financial Implications**

- 13.1** The costs of design, advertising and legal fees have been estimated at £3000, which is being funded by Barnsley MBC's in house structures team.

### **14     Employee Implications**

- 14.1** Existing employees in the Highways and Engineering Service will undertake all design and consultation work. The Executive Director of Core Services 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 proposed road closure and revocation of one way order.

### **17     Background Papers**

**Officer Contact:** Adam Davis     **Telephone No:** 787635     **Date:** May 2018

## **Annex A**

### **STRAIGHT LANE, GOLDTHORPE** **INTRODUCTION OF PROHIBITION OF MOTOR VEHICLES**

**a. Financial Implications**

See paragraph 13 of the report for financial implications.

**b. Employee Implications**

Existing employees in the Highways and Engineering Service will undertake all design, consultation and implementation work. The Executive Director of Core Services and Solicitor to the Council and solicitor to the Council 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 11.

**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 Dearne North and Dearne South members have been consulted and support the proposal.

**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 Executive Director of Core Services and Solicitor to the Council and solicitor to the Council 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.