

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

Burleigh Street, Barnsley –
Proposed introduction of Prohibition of Waiting at Any Time and
Pay and Display Parking Bays

Subject

In March 2016, planning approval was granted for the erection of a two storey medical centre on Burleigh Street, Barnsley.

As part of the development, the existing council owned car park on Burleigh Street was passed into private ownership.

As part of planning approval, it was conditioned that new waiting/loading restrictions would be required on Burleigh Street, in order to ensure the free flow of traffic.

Following a site survey and consultation with Parking Services, it was determined that the existing restrictions in the surrounding area were insufficient for the anticipated increase in traffic generated by the new medical centre. In order to ensure the free flow of traffic along Burleigh Street and the surrounding area, it was agreed that increased waiting and loading restrictions were necessary.

It was also identified that the existing parking bays are seldom occupied during the day. After consultation with Parking Services, it was agreed to amend the existing pay and display parking bays on Thomas Street and Burleigh Street, and to install new pay by phone parking bays on Heelis Street and Wood Street.

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 be authorised to make and implement the Order.

Financial Implications:

Signature: _____

Date: 3rd April 2018
(Budget Holder)

Date of Decision:

Signature: _____

Date: 9/4/18
(Group Manager – Highways and Engineering)

Date Approved:

Signature: _____

Date: 9/4/18
P (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

BURLEIGH STREET, BARNSELEY **CHANGES TO VARIOUS WAITING/LOADING RESTRICTIONS**

1. Purpose of Report

- 1.1 To seek approval to advertise a Traffic Regulation Order (TRO) to introduce new waiting restrictions and changes to existing waiting restrictions as described in this report and shown in Appendix 1a.

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 1a, be advertised;
- 2.2 Introduce a new 'prohibition of waiting and loading at any time' on Thomas Street.
- 2.3 Introduce a new 'prohibition of waiting at any time' on John Street, Heelis Street, Burleigh Street, Joseph Street and the junction of Heelis Street / Wood Street.
- 2.4 An amendment to the existing pay and display parking bays on Thomas Street and Burleigh Street, and the creation of new pay and display bay on Burleigh Street, and new pay by phone bays on Wood Street and Heelis Street.
- 2.5 Any objections received to any of the proposals to be subject of a further report to Cabinet;
- 2.6 If there are no objections to any of the proposals then the Head of Highways and Engineering and the Executive Director of Core Services be authorised to make and implement the order.

3. Introduction/Background

- 3.1 In March 2016, planning approval was granted for the erection of a two storey medical centre on Burleigh Street, Barnsley.
- 3.2 As part of the development, the existing council owned car park on Burleigh Street was passed into private ownership.

- 3.3** As part of planning approval, it was conditioned that new waiting/loading restrictions would be required on Burleigh Street, in order to ensure the free flow of traffic.
- 3.4** Following a site survey and consultation with Parking Services, it was determined that the existing restrictions in the surrounding area were insufficient for the anticipated increase in traffic generated by the new medical centre. In order to ensure the free flow of traffic along Burleigh Street and the surrounding area, it was agreed that increased waiting and loading restrictions were necessary.
- 3.5** It was also identified that the existing parking bays are seldom occupied during the day. After consultation with Parking Services, it was agreed to amend the existing pay and display parking bays on Thomas Street and Burleigh Street, and to install new pay by phone parking bays on Heelis Street and Wood Street.

4. Consideration of Alternative Proposals

- 4.1** It is not considered that any alternative approach would give the anticipated benefits or meet with the requirements of the planning conditions.

5. Proposal and Justification

It is proposed:

- 5.1** To add a 'prohibition of waiting and loading at any time' on Thomas Street.
- 5.2** To introduce a 'prohibition of waiting at any time' on John Street, Heelis Street, Burleigh Street, Joseph Street and the junction of Heelis Street / Wood Street.
- 5.3** To amend the existing pay and display parking bays on Thomas Street and Burleigh Street from Monday to Saturday, 8am to 6pm, 2 hours no return within 3 hours to Monday to Saturday, 8am to 6pm, pay as you park. It was also agreed to create a new pay and display bay on Burleigh Street, and new pay by phone bays on Heelis Street and Wood Street.

6 Impact on Local People

- 6.1** The proposals are likely to have a positive impact on commuters and visitors to the medical centre as they will ensure the free flow of traffic through Burleigh Street, and will protect the junctions of Heelis Street / Burleigh Street, Joseph Street / Heelis Street, Heelis Street / Wood Street and John Street / Burleigh Street.

The proposals will also allow visitors to use the on street pay and display bays for any length of time they choose Monday to Saturday (Monday to Friday for the proposed Pay by phone bays), 8 am – 6 pm, rather than the current restriction of 2 hours, no return within 3 hours.

- 6.2 The proposals may have a negative impact on some motorists by preventing loading on the existing waiting restrictions, but as mentioned at 3.3 it is necessary to prevent such activity and ensure the free flow of traffic.

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:

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 Executive Director of Core Services has developed a sequential test to consider	Low

	the effects of the Human Rights Act which are followed.	
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. 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
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

13 Financial Implications

- 13.1** The costs of design, advertising and legal fees have been estimated at £5000, which is being funded by the developer, Auburn Ainsley.

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 1a – Plan showing the proposed changes to the Traffic Restrictions.

17 Background Papers

Annex A

BURLEIGH STREET, BARNSELEY **CHANGES TO VARIOUS WAITING/LOADING RESTRICTIONS**

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 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 Central Ward 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 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.