

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

Windmill Road, Wombwell – **Proposed introduction of Prohibition of Waiting at Any Time**

Subject

During a Ward Alliance meeting, the Wombwell Ward Members put forward a proposal to introduce a TRO on Windmill Road, Wombwell, to control inconsiderate parking outside the cricket club.

As part of the TRO, the Ward Councillors requested that extra waiting restrictions on School Street be included, as numerous issues regarding the access to the Wombwell IKIC have been reported. The Ward Members also requested the waiting restrictions on the south side of Sokell Avenue be extended, to facilitate access to the rear of the properties.

Following a site survey and consultation with Parking Services, it was determined that the existing restrictions surrounding School Street should be amended. The area currently has double yellow lines, but the order is for a prohibition of waiting, 8 am – 8.30 pm. The lining requirements were altered in the early 1990s to a single yellow line, rendering the area unenforceable. For ease of installation, and in the interests of road safety, it is proposed to amend the order to a prohibition of waiting at any time.

As part of work for the Local Road Programme in Wombwell, it was discovered that the existing yellow lines on Cemetery Road is not currently subject to a TRO. In order to make the area enforceable, it is proposed to remove the existing lining, and to install a prohibition of waiting at any time for 15 metres from its junction with Barnsley Road.

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: 17/4/18
(Group Manager – Highways and Engineering)

Date Approved:

Signature: _____

Date: 17/4/18
(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

WINDMILL ROAD, WOMBWELL

INTRODUCTION OF NEW WAITING RESTRICTIONS

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to advertise a Traffic Regulation Order (TRO) necessary to implement the changes to various waiting restrictions, and to introduce new waiting restrictions as described in this report, shown on the plan in Appendix 1a and Appendix 1b.

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 Appendices 1a and 1b, be advertised;
- 2.2 Introduce a new 'prohibition of waiting at any time' on Windmill Road, and its junctions with Sokell Avenue and Bird Avenue.
- 2.3 An extension to the 'prohibition of waiting at any time' on School Street and Sokell Avenue.
- 2.4 An amendment to the existing waiting restrictions on Barnsley Road, Main Street, Victoria Road, Bond Street, York Street and School Street from a 'prohibition of waiting 8 am to 8.30 pm', to a 'prohibition of waiting at any time'.
- 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 During a Ward Alliance meeting, the Wombwell Ward Members put forward a proposal to introduce a TRO on Windmill Road, Wombwell, to control inconsiderate parking outside the cricket club.

- 3.2** As part of the TRO, the Ward Councillors requested that extra waiting restrictions on School Street be included, as numerous issues regarding the access to the Wombwell IKIC have been reported. The Ward Members also requested the waiting restrictions on the south side of Sokell Avenue be extended, to facilitate access to the rear of the properties.
- 3.3** Following a site survey and consultation with Parking Services, it was determined that the existing restrictions surrounding School Street should be amended. The area currently has double yellow lines, but the order is for a prohibition of waiting, 8 am – 8.30 pm. The lining requirements were altered in the early 1990s to a single yellow line, rendering the area unenforceable. For ease of installation, and in the interests of road safety, it is proposed to amend the order to a prohibition of waiting at any time.
- 3.4** As part of work for the Local Road Programme in Wombwell, it was discovered that the existing yellow lines on Cemetery Road is not currently subject to a TRO. In order to make the area enforceable, it is proposed to remove the existing lining, and to install a prohibition of waiting at any time for 15 metres from its junction with Barnsley Road.

4. Consideration of Alternative Proposals

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

5. Proposal and Justification

It is proposed:

- 5.1** To introduce a 'prohibition of waiting at any time' on Windmill Road, Sokell Avenue, Bird Avenue and Cemetery Road
- 5.2** To extend the existing 'prohibition of waiting at any time' on School Street and Sokell Avenue.
- 5.3** To amend the existing waiting restrictions on Barnsley Road, Main Street, Victoria Road, Bond Street, York Street and School Street from a prohibition of waiting 8 am to 8.30 pm, to a 'prohibition of waiting at any time'.

6 Impact on Local People

- 6.1** The proposals are likely to have a positive impact on commuters and residents as they will ensure the free flow of traffic through Windmill Road and its associated junctions and will keep the footway clear on the lower part of Windmill Road.

The proposals will also increase available on street parking on Cemetery Road, improve access to the Wombwell IKIC centre on School Street, and formalise the existing double yellow lines on Barnsley Road and the nearby junctions, thus maintaining visibility.

- 6.2 The proposals may have a negative impact on some motorists by reducing on street parking on Windmill Road. However, private-off road parking has been provided in two areas (off Windmill Road and Hough Lane, and the proposals will ensure these areas are utilised.

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	Low

	developed a sequential test to consider 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 £4000, which is being funded by the Wombwell Ward Alliance.

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 on Windmill Road.
- Appendix 1B - Plan showing the proposed changes to the Traffic Restrictions on Barnsley Road and School Street.

17 Background Papers

Officer Contact: Adam Davis **Telephone No:** 787635 **Date:** April 2018.

Annex A

WINDMILL ROAD, WOMBWELL **INTRODUCTION OF NEW WAITING 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 Wombwell 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.