

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

Great Cliffe Road, Dodworth – Proposed waiting restrictions

Subject

Great Cliffe Road is a no through road that serves a number of business and industrial units. At present motorists parking on both sides of the carriageway are causing significant problems for larger vehicles accessing the units. It is anticipated the companies on Great Cliffe Road will continue to expand, thus raising concerns the already indiscriminate parking will create further problems for vehicles accessing the site. Enterprise Barnsley have agreed to fund a proposal to introduce 'no waiting at any time' restrictions on parts of Great Cliffe Road.

The Local Ward Members, Area Council Manager and Emergency Services have been consulted and no formal objections have been received to the proposals. There is no Parish Council to consult.

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 (Budget Holder):

Date:

Date of Decision:

Signature (Group Manager Highways & Engineering)

Date:

Date Approved:

Signature (Head of Highways & Engineering):

Date:

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

Great Cliffe Road, Dodworth– Proposed waiting restrictions

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to advertise and implement a Traffic Regulation Order (TRO) necessary to introduce 'no waiting at any time' restrictions on parts of Great Cliffe Road. The purpose of the proposed TRO is to remove indiscriminate parking that is causing manoeuvring problems for HGVs and other vehicles accessing/exiting their business units.

2. Recommendation

It is recommended that:

- 2.1 The proposed restrictions 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 Head of Highways & Engineering and The Executive Director of Core Services be authorised to make and implement the Traffic Regulation Order.

3. Introduction/Background

- 3.1 Great Cliffe Road is a no through road that serves a number of business and industrial units. At present motorists parking on both sides of the carriageway are causing significant problems for larger vehicles accessing the units.
- 3.2 It is anticipated the companies on Great Cliffe Road will continue to expand, thus raising concerns the already indiscriminate parking will create further problems for vehicles accessing the site.

4. Consideration of Alternative Proposals

- 4.1 The alternative approach is to leave Great Cliffe Road unrestricted. However, this would not address the concerns raised by businesses and the indiscriminate parking would continue.

5. Proposal and Justification

- 5.1 The proposal is to introduce 'no waiting at any time' restrictions as shown on the plan in Appendix 1.

5.2 Businesses located on Great Cliffe Road have expressed concerns regarding indiscriminate parking that is causing problems for large vehicles negotiating the access to their units.

5.3 The Local Ward Members, Area Council Manager and Emergency Services have been consulted and no formal objections have been received to the proposals.

6.0 Impact on Local People

6.1 There are some motorists who currently park on Great Cliffe Road who may be affected by the 'no waiting at any time' restriction that is being proposed. There are two sections of Great Cliffe Road that is to remain unrestricted to allow for on-highway parking.

7.0 Compatibility with European Convention on Human Rights

7.1 There is 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.

Road Traffic Regulation Act 1984

10.0 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).

11.0 Conservation of Biodiversity

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

12.0 Risk Management Issues including Health and Safety

12.1

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 8 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 the effects of the Human Rights Act which are followed.	Medium
2. Legal challenge to the decision to make the TRO.	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.	Medium
3. Deterioration of health and safety	Health and Safety is considered throughout the design/installation and maintenance process to minimise any potential occurrence.	Low

13.0 Financial Implications

- 13.1** The costs of advertising and legal fees associated with the TRO are estimated at £2000 and are being funded by the Enterprising Barnsley funds.

14.0 Employee Implications

- 14.1** Existing employees in the Highways & Engineering Service will undertake all design, consultation and implementation work. The Executive Director of Core Services will undertake all legal work associated with the advertising and making of the TRO.

15.0 Glossary

- TRO – Traffic Regulation Order

16.0 List of Appendices

- Appendix 1 – Plan showing proposals

17.0 Background Papers

17.1 None

Officer Contact: O. O'Carroll

Telephone No: 772028

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Annex A

Great Cliffe Road, Dodworth– Proposed waiting restrictions

a. Financial Implications

The financial Implications for the proposals are detailed in Paragraph 13.

b. Employee Implications

Employees in the Highways & Engineering Service will undertake all design, consultation and implementation work. The Executive Director of Core Services will undertake all legal work associated with the advertising and making of the TRO.

c. Legal Implications

A challenge can be made 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

Local ward members have been informed of the proposals and no formal objections have been received.

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

There are no significant implications for other BMBC services arising from the recommendations in the report. 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.

