

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

**STAINBOROUGH ROAD / KERESFORTH ROAD – PROPOSED TRAFFIC REGULATION ORDER**

**Subject**

It is proposed to introduce a prohibition of waiting at the junction of Stainborough Road with Keresforth Road and on the western side of Stainborough Road, for the purposes of preventing indiscriminate parking, to improve the free flow of traffic and to protect visibility requirements at junctions.

**Authority**

*Part 3 Paragraph 21(b) Delegations to Officers: After consultation with Local Members, 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 Consultation/Consideration:**

On behalf of the Service Director (S151) Officer  
Signature:

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Date:

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**Date of Decision:**

Signature (Group Manager – Highways & Engineering):

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Date:

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**Date Approved:**

Signature (Head of Highways & Engineering):

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Date:

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## **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

### **STAINBOROUGH ROAD / KERESFORTH ROAD - PROPOSED WAITING RESTRICTIONS**

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

- 1.1 The purpose of this report is to seek approval to introduce a new Traffic Regulation Order (TRO) necessary to implement waiting restrictions at the junction of Stainborough Road and Keresforth Road and on the western side of Stainborough Road, Dodworth.

#### **2. Recommendation**

**It is recommended that:**

- 2.1 **The Executive Director of Core Services and Solicitor to the Council be authorised to publish the proposed waiting restrictions on Stainborough Road and Keresforth Road, Dodworth as described in this report and shown on the plan at Appendix 1;**
- 2.2 **Any objections be the subject of a further report to Cabinet;**
- 2.3 **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 Traffic Regulation Order.**

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

- 3.1 Stainborough Road is an unclassified road off the B6099 High Street/Keresforth Road, Dodworth and forms part of a bus route through the residential areas of Dodworth and Gilroyd for the Stagecoach 22 service.
- 3.2 Stainborough Road is approximately 6 metres wide up to its junction with South Street and, near No.1 Holdroyd's Yard, narrows for a short distance to approximately 5 metres wide. Residents/visitors usually park on the eastern side, often less than 10 metres from the Keresforth Road junction which means that a vehicle may have to travel up to 100 metres distance on the wrong side of the road. In addition, if a bus has already turned into the junction and encounters oncoming traffic, it has to wait at the top of the street with the rear end still protruding into Keresforth Road which obstructs the passage of northbound traffic and is a clear road safety hazard.
- 3.3 The possibility was considered of parking being transferred from the eastern side, where waiting restrictions are proposed, to the western side creating further problems for northbound traffic.

- 3.4 Keresforth Road curves to the east at almost 90 degrees immediately after the junction with Stainborough Road which reduces visibility to the right for traffic exiting the junction into Keresforth Road/High Street and also reduces forward visibility for vehicles travelling north on Keresforth Road
- 3.4 The proposed waiting restrictions have been designed to prevent indiscriminate parking from occurring within 20 metres of the junction on Stainborough Road and within 15 metres of the junction on Keresforth Road. This will allow vehicles, particularly buses, to pull fully into Stainborough Road and wait at the top of the street as necessary, for oncoming traffic to pass, thus preventing obstruction to the passage of traffic on Keresforth Road and will protect visibility requirements for traffic exiting the junction into Keresforth Road, thereby improving road safety. Proposed waiting restrictions have also been extended to the western side of Stainborough Road, from its junction with High Street to approximately 20 metres past the junction with the access to Nos. 14-24 Stainborough Road. This will keep the western half of the carriageway clear of parking and protect visibility requirements at the junction .

#### **4. Proposal and Justification**

- 4.1 The proposal is to introduce waiting restrictions on the eastern and western sides of Stainborough Road and the south western side of Keresforth Road. The proposals are shown on the plan at Appendix 1.
- 4.2 The aim of the proposals is to prevent indiscriminate parking, maintain the free flow of traffic and protect visibility requirements at junctions. The proposals are considered necessary for avoiding danger to persons or other traffic using the roads and for preventing the likelihood of any such danger arising and facilitating the passage of traffic on the roads.

#### **5. Consideration of Alternative Proposals**

- 5.1 Traffic restrictions are considered to be the most effective way of controlling parking. There are no other practical means of achieving the desired outcome.

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

- 6.1 There are a number of drivers who currently park on Stainborough Road and Keresforth Road who may be affected by the proposed "No Waiting At Any Time" restriction. However, on-street parking is available further along both roads and the majority of affected properties have access to off-street parking.

#### **7. Financial Implications**

- 7.1 The Service Director Finance (S151 Officer) has been consulted on this proposal.

7.2 The costs of works, advertising and legal fees associated with the TRO are **estimated** to be £7810. This comprises of the following:

Works	£2210
Professional legal fees	£300
Legal advertising	£400
Professional fees	£3490

7.3 The above costs are estimated and that the professional fees include an allowance to deal with objections as part of the process, although it is not possible to determine the actual number of objections. These estimated costs are fully funded by the South Yorkshire Passenger Transport Executive (SYPTE) from their allocation of LTP funding or charged to the requestors budget accordingly (e.g Area Council's).

## **8 Legal Implications**

8.1 The Road Traffic Regulation Act 1984 provides the appropriate powers for the Council to make the proposed Traffic Regulation Order.

8.2 In determining the extents of the proposed restrictions, the Council has had due regard to the duty imposed on it to exercise the functions conferred on it by the Act 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) and is satisfied the traffic restrictions proposed will achieve those objectives.

## **9 Consultations**

9.3 Consultations have taken place with Dodworth ward members and no objections or adverse comments have been received. The emergency services have been consulted and no objections or adverse comments have been received

## **10 Risk Management Issues**

<b>Risk</b>	<b>Mitigation/Outcome</b>	<b>Assessment</b>
<b>1. Challenge to the proposals because they infringe the Human Rights Act</b>	It is not considered that the proposals have any interference with convention rights. Any potential interference has to be balanced with the duty of the Council to provide a safe highway for people to use. The Executive Director of Core Services 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 making of TROs is prescribed by legislation which provides an opportunity to object to proposals which must be reported for consideration by Cabinet and there is an	

	<p>opportunity to challenge an order once it is made by way of application to 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</p>	<p>Low</p>
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**11 Compatibility with European Convention on Human Rights**

11.1 It is not considered that the proposals have any potential interference with convention rights.

**12 List of Appendices**

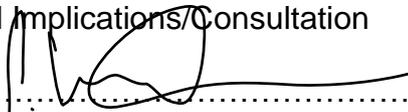
- Appendix 1 – Plan showing the proposals.

**13 Background Papers**

13.1 Project file.

**Officer Contact:** Liz Campbell **Date:** 21<sup>st</sup> November., 2018

Financial Implications/Consultation



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 (To be signed by senior Financial Services officer where no financial implications)