

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

**JACKSON STREET / CO-OPERATIVE STREET / BARNSELY ROAD, CUDWORTH –
PROPOSED TRAFFIC REGULATION ORDER**

Subject

It is proposed to introduce a prohibition of waiting at the junctions of Jackson Street and Co-operative Street with Barnsley Road, for the purposes of preventing indiscriminate parking to improve the free flow of traffic and to protect visibility requirements at these 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:

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

JACKSON STREET / CO-OPERATIVE STREET / BARNSELEY ROAD, CUDWORTH - 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 on the junctions of Jackson Street and Co-operative Street with Barnsley Road, Cudworth

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 Jackson Street, Co-operative Street and Barnsley Road, Cudworth 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 Barnsley Road forms part of the former A628 route through the centre of Cudworth. The area comprises of residential properties interspersed with commercial premises and a more densely concentrated shopping area lying between Bank Street to the south west and Bow Street to the north east. Jackson Street and Co-operative Street are residential side streets joining from the west and south east respectively, approximately 175 metres south west of Bank Street.
- 3.2 There are commercial premises on the southern side of the Jackson Street junction and on both sides of the Co-operative Street junction, all with little or no off-street parking for customers. To the south west side is a small supermarket and, to the north east, a motor supplies, service and repair centre. In addition, there is a second motor parts supply and repair workshop approximately 55 metres to the north east, also with little off-street customer parking. Customers park directly outside these premises or outside adjacent residential properties, often partially or almost wholly on the footway, creating an obstruction to pedestrians and severely compromising visibility at these junctions.

- 3.3** The majority of properties on Jackson Street and Barnsley Road comprise of terraced housing with no off-street parking to the front of premises, although many have garages / parking space available to the rear, accessible via service roads. Occupants and visitors tend to park on the carriageway in front of premises, on both sides of the roads, which narrows the carriageway and obstructs the free flow of traffic. On Barnsley Road this can lead to the build-up of long queues of traffic, in both directions, being forced to give way to oncoming traffic, which causes delays to bus services. With regard to Co-operative Street, there is not the same issue with terraced housing but, with businesses located on both sides of the junction and little off-street parking, on-street parking space close to the premises is limited. This leads to drivers double parking too close to the junction, narrowing the carriageway and impairing visibility.
- 3.4** The Council has received complaints, via meetings between BMBC Highways, the South Yorkshire Passenger Transport Executive (SYPTTE) and bus operators, about parking on Barnsley Road causing delays to services. A residents' consultation carried out in November 2017 with regard to the proposed closure of part of Bloemfontein Street rear service road indicated a clear road safety problem at the junction of Bloemfontein Street / Barnsley Road caused by indiscriminate parking as described in paragraph 3.3. The majority of respondents objected to the proposed closure as they considered the only safe way of exiting Bloemfontein Street was via the rear service road, car park and Roberts Street, citing "near miss" incidents when attempting to pull out of the junction. Local members considered the problem at Bloemfontein Street was replicated at Jackson Street and Co-operative Street and also stated they had experienced "near misses" themselves exiting these junctions onto Barnsley Road.
- 3.5** The proposed waiting restrictions have been designed to prevent indiscriminate parking occurring on and around the junctions of Jackson Street and Co-operative Street protecting visibility requirements for traffic exiting onto Barnsley Road. They will also shorten the length of carriageway available for parking creating "passing places" adjacent the junctions which will improve traffic flows.

4. Proposal and Justification

- 4.1** The proposal is to introduce waiting restrictions on both sides of Jackson Street and Co-operative Street at their junctions with Barnsley Road and on both sides of Barnsley Road adjacent these streets. 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 the 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 Jackson Street, Co-operative Street and Barnsley Road who may be affected by the proposed “No Waiting At Any Time” restriction. However, on-street parking is available further along all three roads and free parking is available to the rear of Nos 196-242 Barnsley Road, accessible via Bank Street and Roberts Street.

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 £4550. This comprises of the following:

Works	£360
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 (SYLTE) 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

9.1 Consultations have taken place with Cudworth ward members and although supportive of the proposals, they are aware that there may be objections from adjacent businesses due to the lack of off-street parking space available. However, the restriction is only for the first 15 metres on either side of the junction, to protect visibility requirements, and customers can park further along both Barnsley Road and Co-operative Street. The emergency services have been consulted and no objections or adverse comments have been received

10 Risk Management Issues

Risk	Mitigation/Outcome	Assessment
1. Challenge to the proposals because they infringe the Human Rights Act	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
2. Legal challenge to the decision to make the TRO	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 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	Low

11 Compatibility with European Convention on Human Rights

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:** 21st November, 2018

Financial Implications/Consultation

A handwritten signature in black ink, appearing to be 'P. M. Q.', written over a horizontal dotted line.

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