

BARNSELY 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
TO CABINET ON 21 OCTOBER 2021**

Public or private: Public

HIGH STREET, Monk Bretton, Barnsley.

Proposed, 'No Waiting at Any Time' restrictions.

1. PURPOSE OF REPORT

- 1.1 To seek Cabinet approval to enact a Traffic Regulation Order (TRO) necessary to introduce restrictions on High Street, Monk Bretton.

2. RECOMMENDATIONS

- 2.1 To approve the proposal as described in this report and to authorise the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council make and implement the Traffic Regulation Order.

3. INTRODUCTION

- 3.1 A complaint was received from the South Yorkshire Passenger Transport Executive (SYPTTE) regarding traffic congestion, access and uncontrolled parking on High Street, Monk Bretton around its junction with Burton Road roundabout.
- 3.2 The route is a public service bus route and buses were experiencing significant access/manoeuvring problems as the vehicles exited the roundabout on to High Street;
- 3.3 Indiscriminate parking on both sides of the road at the location significantly reduced the road width and prevented the free flow of two-way traffic resulting in congestion and tailback into the roundabout;
- 3.4 Road width, visibility and manoeuvring is reduced by the indiscriminate parking of both resident's vehicles and those using local services and businesses;
- 3.5 It is proposed to introduce 'No Waiting at Any Time' restrictions on the south side of part of High Street from its junction with Burton Road roundabout;
- 3.6 The proposed waiting restrictions have been designed to prevent indiscriminate parking from occurring, thereby allowing the free flow of traffic; maintaining visibility and improving manoeuvrability through the junction exit;

- 3.7 There is also an un-controlled pedestrian crossing with dropped kerb at the location of the proposed restrictions; the new restrictions would also improve overall safety of pedestrians and other road users using this crossing.

4. PROPOSAL AND JUSTIFICATION

- 4.1 To prohibit waiting at any time on part of the south side of High Street at Monk Bretton;
- 4.2 The measures will ensure the roundabout junction exit is kept free from parked vehicles, maintain visibility for motorists and improve manoeuvrability and improve overall safety of pedestrians and other road users.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 An alternative would be to leave the stretch of road unrestricted. However, this would not address indiscriminate and careless parking, improve visibility for motorists, improve the manoeuvrability from the roundabout junction for public service vehicles (larger vehicles) or improve the overall safety of pedestrians and other road users at the crossing point.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 The proposed restrictions will prevent indiscriminate and careless parking, prevent traffic tailbacks/build up; thereby reducing vehicle emissions from standing traffic. Improve the free flow and manoeuvrability of vehicles through the junction and improve overall safety at the junction by maintaining visibility. The restrictions will also benefit pedestrians using the crossing facility;
- 6.2 The restrictions will reduce the opportunity for residents to park outside their residences on the public highway. Most residences have off-street private parking.

7. FINANCIAL IMPLICATIONS

- 7.1 The costs of advertising and legal fees associated with the TRO are estimated at £8,587.50 and are being funded by the SYPTE.

8. EMPLOYEE IMPLICATIONS

n/a

9. LEGAL IMPLICATIONS

- 9.1 The Road Traffic Regulation Act 1984 provides the appropriate powers for the Council to make the proposed TRO and the Council is satisfied it is expedient to make the Order for avoiding danger to persons or other traffic using the roads and for preventing the likelihood of any such danger arising, and for facilitating the passage of traffic on the roads;
- 9.2 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 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) and is satisfied the traffic restrictions proposed will achieve those objectives.

10. CUSTOMER AND DIGITAL IMPLICATIONS

n/a

11. COMMUNICATIONS IMPLICATIONS

n/a

12. CONSULTATIONS

12.1 The Local Ward Members, Area Manager, Emergency Services and the SYPTE have been consulted and no objections have been received.

13. EQUALITY IMPACT

13.1 Not applicable - not relevant to the TRO process.

14. RISK MANAGEMENT ISSUES

14.1

Risk	Mitigation/Outcome	Assessment
1. Challenge to the proposals because they infringe the Human Rights Act	It is not considered the proposals have any interference with convention rights. Any potential interference must be balanced with the duty of the Council to provide a safe highway for people to use. The Legal Service Director 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

15. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

15.1 It is not considered to be any potential interference with European Convention on Human Rights as the proposals aims to create a safer environment and prevent indiscriminate parking.

16. LIST OF APPENDICES

- Appendix 1 – Plan showing the proposals.

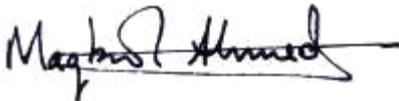
17. BACKGROUND PAPERS

- Project file – Traffic/TRO's/Permanent/4176;
- Schedule;
- Statement of Reasons;
- Internal Consultation;
- TRO & Delegated Powers Report;

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Darren Storr. Traffic Engineer.

Financial Implications/Consultation



.....
Maqbool Ahmed.
Acting Strategic Finance Manager

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