

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

FURLONG ROAD and PROSPECT ROAD,
Bolton-Upon-Dearne, Barnsley.

Proposed Waiting restrictions.

Subject

A complaint was received from the South Yorkshire Passenger Transport Executive regarding traffic congestion and uncontrolled parking on Furlong Road around its junction with Prospect Road. The route is a public service bus route and buses were experiencing significant access/manoeuvring problems at this junction.

Both visibility and manoeuvring are hindered by resident's vehicles being parked indiscriminately around the junction. This impacted on pedestrian and road user safety and the quality of bus service provided.

It is proposed to introduce 'No Waiting at Any Time' restrictions around the junction of Furlong Road and Prospect Road. 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. The overall safety of pedestrians and other road users would also be improved.

Authority

Part 3 Paragraph 20(b) Delegations to Officers: After consultation with Local Ward 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 Legal Service Director and Solicitor to the Council be authorised to make and implement the Order.

**Financial Consultation/
Consideration**

Signature: (Dawn Greaves - Strategic Finance Manager on
behalf of Service Director (S151) Officer):

Dawn Greaves

Date: 23/04/2021

Date of Decision:

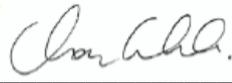
Signature: (Damon Brown - Network Manager):



Date: 17/06/2021

Date Approved:

Signature: (Ian Wilson - Head of Highways &
(Engineering):



Date: 28/06/2021

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.

FURLONG ROAD and PROSPECT ROAD, Bolton-Upon-Dearne, Barnsley.

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 part of Furlong Road and Prospect Road. The purpose of the proposed TRO is to prevent indiscriminate parking from occurring, allowing the free flow of traffic whilst maintaining visibility and improving manoeuvring through the junction for public service vehicles.

2. Recommendation

It is recommended that:

- 2.1 **The Legal Service Director and Solicitor to the Council be authorised to publish the proposed waiting restrictions on part of Furlong Road and Prospect Road, described in this report and shown on the plan at Appendix 1.**
- 2.2 **Any objections be subject of a further report to Cabinet.**
- 2.3 **If there are no objections, the Head of Highways & Engineering and the Legal Service Director and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order.**

3. Introduction

- 3.1 A complaint was received from the South Yorkshire Passenger Transport Executive regarding traffic congestion and uncontrolled parking on Furlong Road around its junction with Prospect Road.
- 3.2 The route is a public service bus route and buses were experiencing significant access/manoeuvring problems at this junction.
- 3.3 Both visibility and manoeuvring are hindered by resident's vehicles being parked indiscriminately around the junction. This impacted on pedestrian and road user safety and the quality of bus service provided.
- 3.4 It is proposed to introduce 'No Waiting at Any Time' restrictions around the junction of Furlong Road and Prospect Road.

- 3.5 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. The overall safety of pedestrians and other road users would also be improved.

4. Proposal and Justification

- 4.1 To prohibit vehicles waiting at any time at the junction of Furlong Road and Prospect Road.
- 4.2 The measures will ensure the junction is kept free from parked vehicles, maintain visibility for motorists, improve manoeuvrability through the junction and improve overall safety of pedestrians and other road users.

5. Consideration of Alternative Proposals

- 5.1 An alternative would be to leave the stretches of road unrestricted. However, this would not address the indiscriminate and careless parking of residents, improve the visibility for motorists, improve the manoeuvrability through the junction for public service vehicles or improve the overall safety of pedestrians and other road users at this junction.

6. Impact on Local People

- 6.1 The restrictions will prevent indiscriminate and careless parking, prevent traffic 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.
- 6.2 The restrictions will reduce the availability of resident's parking outside their residences. Most residences have off-street private parking.
- 6.2 The restrictions will also benefit footway users by preventing half-on/half-off vehicle parking in and around the junction.

7. Financial Implications

- 7.1 The costs of advertising and legal fees associated with the TRO are estimated at £7,837.50 and are being funded by the South Yorkshire Passenger Transport Executive.

8. Legal Implications

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

9. Consultations

The Local Ward Members, Area Manager and emergency services have been consulted and no objections 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 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

11. Compatibility with European Convention on Human Rights

- 11.1 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.

12. List of Appendices

- Appendix 1 – Plan showing the proposals.

13. Background Papers

- 13.1 Project file – 4174

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Date: 23/03/2021