

Record of Decision of the 'Head of Highways and Engineering' for;
Manor Road/Barnsley Road junction, Cudworth, Barnsley.

Proposed waiting restrictions.

Subject

A planning application was granted on 10th May 2017 for the development of 278 dwellings with associated roads, public open space and landscaping on land off Newland Avenue and Carrs Lane Cudworth, Barnsley.

As part of a traffic impact assessment, it was determined that the junction of Manor Road and Barnsley Road, Cudworth would see an increase in traffic movements emanating from the new housing development. As such, the visibility splays at the junction should be protected such that there is no obstruction to visibility.

Authority

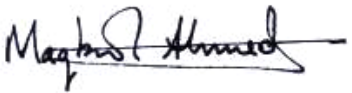
Part 3 Paragraph 20(b) Delegations to Officers: After consultation with Local Members and the relevant Parish Council, to arrange for the publication of Traffic Regulation Orders requiring the enforcement of traffic control measures and, subject to no objections being received, to make the Orders and 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 & Engineering and the Legal Service Director and Solicitor to the Council be authorised to make and implement the Order.

**Financial Consultation/
Consideration)**

**Maqbool Ahamed -
Acting Strategic Finance Manager, on behalf
of Service Director (S151) Officer:**

Signature:  _____

Date: 01/07/2021_____

Date of Decision:

Damon Brown – Principle Engineer:

Signature:  _____

Date: 17/06/2021_____

Date Approved:

Ian Wilson - Head of Highways & Engineering:

Signature:  _____

Date: 27/07/2021_____

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

Manor Road/Barnsley Road junction, Cudworth, 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 at Manor Road/Barnsley Road junction, Cudworth.

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 Manor Road/Barnsley Road junction, as 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 new housing development is located at Cudworth, the western side of the development is accessed via Newland Avenue, and on the eastern side by Carrs Lane. The site is now undergoing development.
- 3.2 As part of this development, a traffic impact assessment identified that the junction of Manor Road and Barnsley Road would see an increase in traffic movements as a result of residents travelling in and out of the development.
- 3.3 It was determined that the visibility splays at the junction needed to be enhanced and protected such that there is no obstruction to visibility for the safety of all road users.

4. Proposal and Justification

- 4.1 To prohibit vehicles waiting at any time on parts of both Manor Road and Barnsley road (junction).

- 4.2 The restrictions will ensure that these areas will be kept free from parked vehicles, maintain visibility for motorists, improve manoeuvrability through the junctions and improve overall safety of pedestrians and other road users.

5. Consideration of Alternative Proposals

- 5.1 The only alternative proposal to prevent carriageway/footway parking would be to install bollards, guardrails or restraining curbs. However, these options are not feasible as other road user such pram pushers, wheelchair users, pedestrians and cyclists would be restricted and/or obstructed.

6. Impact on Local People

- 6.1 The restrictions will prevent both indiscriminate and careless parking and footpath parking. Traffic flow and congestion would be improved and overall safety for road and footway users would be improved and protected.

- 6.2 The opportunity for residents to park outside their properties on the public highway will be reduced. 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 £7,000 and are being funded by the developer, Barratt.

8. Legal Implications

- 8.1 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.

- 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, Emergency services and the SYPTTE 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 – 4156

Officer Contact: Darren Storr. Traffic Engineer. Highways.

Date: 04/06/2021