

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

Snydale Road, Cudworth, Barnsley.

Proposed Waiting restrictions.

Subject

A complaint was received from the South Yorkshire Passenger Transport Services regarding traffic congestion and uncontrolled parking on Snydale Road and its side roads (Eveline Street, Methley Street and Church Street).

Indiscriminate and careless parking was causing significant access problems to Bus Stops, impacting the free flow of traffic, particularly for buses and larger vehicles such as those used by the emergency services and reducing visibility.

Preventing buses accessing Bus Stops increases the risks to passengers of trips, falls, entering the carriageway and coming into conflict with other road users. These increased risks can significantly impact on the provision of a safe and sustainable public transport service and may result in the removal of an individual bus stop or the service itself.

It is proposed to introduce 'No Waiting at Any Time' restrictions along parts of Snydale Road and its side road junctions, Eveline Street, Methley Street and Church Street.

The waiting restrictions have been designed to prevent indiscriminate and careless parking from occurring, thereby allowing buses full access to bus stops, improving the free flow of traffic, maintaining visibility and improving manoeuvrability along the roads. The overall safety of passengers and other road users would be improved.

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 Legal Services 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 – Principle Engineer):



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

Snydale Road, 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 on parts of Snydale Road and its side roads (Eveline Street, Methley Street and Church Street).
- 1.2 The purpose of the TRO is to prevent indiscriminate and careless parking from occurring, allowing full access to bus stops, allowing the free flow of traffic whilst maintaining visibility and improving access and manoeuvring for larger vehicles including the emergency services.

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 Snydale Road, Eveline Street, Methley Street and Church Street, 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 complaint was received from the South Yorkshire Passenger Transport Executive regarding traffic congestion and uncontrolled parking on Snydale Road and its side roads (Eveline Street, Methley Street and Church Street);
- 3.2 Indiscriminate and careless parking was causing significant access problems to bus stops and the free flow of traffic, particularly for buses and larger vehicles;
- 3.3 Indiscriminate and careless parking was preventing buses accessing Bus Stops increasing the risks to passengers of trips, falls, entering the carriageway and coming into conflict with other road users. These increased risks can significantly

impact on the provision of a safe and sustainable public transport service and may result in the removal of an individual bus stop or the service itself;

- 3.4 The indiscriminate and careless parking on Snyderdale Road and its junctions with Eveline Street, Methley Street and Church Street was resulting in significant reduction in road width and visibility, vehicle manoeuvrability and access for larger vehicles including the emergency services;
- 3.5 It is proposed to introduce 'No Waiting at Any Time' restrictions along parts of Snyderdale Road and its side road junctions, Eveline Street, Methley Street and Church Street;
- 3.6 The waiting restrictions have been designed to prevent indiscriminate and careless parking from occurring; thereby allowing buses full access to bus stops, improving the free flow of traffic, maintaining visibility and improving manoeuvrability and access along the roads;
- 3.7 The overall safety of passengers and other road users would be improved;

4. Proposal and Justification

- 4.1 Prohibit waiting at any time on parts of both sides of Snyderdale Road and its side roads;
- 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 An alternative would be to leave the roads unrestricted. However, this would not address the indiscriminate and careless parking of residents, improve the visibility for motorists, improve manoeuvrability and access for larger vehicles including the emergency services and improve the overall safety of passengers/pedestrians and other road users.

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, manoeuvrability and access of vehicles through the local roads and improve overall safety of passengers, pedestrians and other road users by maintaining visibility;
- 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;
- 6.3 The restrictions will also benefit footway users by preventing half-on/half-off vehicle parking in and around junctions.

7. Financial Implications

- 7.1** The costs of advertising and legal fees associated with the TRO are estimated at £8,062.50 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 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 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 has to 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 – 4175

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Date: 23/03/2021