

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**REPORT OF:  
EXECUTIVE DIRECTOR PLACE**

**UNNAMED ACCESS ROAD to Darton Primary School, Darton, Barnsley**

**Proposed waiting restrictions**

<b>REPORT TO:</b>	<b>CABINET</b>
<b>Date of Meeting</b>	<b>18<sup>TH</sup> May 2022</b>
<b>Cabinet Member Portfolio</b>	<b>Environment and Transportation</b>
<b>Key Decision</b>	<b>No</b>
<b>Public or Private</b>	<b>Public</b>

**Purpose of report:**

The purpose of this report is to consider the public responses (6 objections and 1 support) received during the Public Consultation stage for the proposal to introduce no waiting at any time restrictions along the Unnamed Access Road leading to Darton Primary School; and

To seek approval to reconsider the proposals in light of the responses and implement the restrictions as originally advertised.

**Council Plan priority:** No

**Recommendations:** That Cabinet:

- 1. Agrees that the objections received be rejected for the reasons set out in the report and the objectors informed accordingly.**
- 2. Approves the proposal to enact a Traffic Regulation Order (TRO) to introduce 'No Waiting at Any Time' and 'No Waiting – Mon to Fri – 8.15am to 9.15am & 2.45pm to 4.30pm' restrictions on the Unnamed Access Road leading to Darton Primary School, Darton, as shown on Appendix 1 of the report submitted.**
- 3. Authorises the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council to make and implement the Traffic Regulation Order.**

## **1. INTRODUCTION**

- 1.1 The current primary school was constructed in 2007 and was a replacement for the original School sited at the Station Road/Sackup Lane junction. The School has a capacity of 210 pupils, 26 nursery school places plus associated staff. All staff parking is accommodated on-site.
- 1.2 The School is accessed via its own unnamed access road leading from the Station Road / Sackup Lane / Darton Lane crossroad junction. At the time of the School's original development in 2007, some no waiting and 'School Keep Clear' road markings were installed on both Station Road and the unnamed access road by the developer and subsequently maintained by the council.
- 1.3 In recent years, both resident parking and parent drop off/pick up parking has become an increasing problem immediately outside the school, and along the access road into the crossroad junction; to the extent that the whole area has become congested and obstructed.
- 1.4 Public Bus services also operate along Station Road and Sack Up Lane. The Station Road services operate from a stop located immediately on the south side of the crossroad junction, adjacent to the access road.
- 1.5 It has become evident that the original road restriction markings installed by the developer were not formally adopted or enacted by the Council and regularly suffer from abuse and contraventions by parents and residents, with no possibility of enforcement.
- 1.6 At School drop off and pick up times, and due to inconsiderate and obstructive parking, the area becomes heavily congested, and obstruction of the public highway occurs. Overnight parking by residents results in footway parking and access obstruction. This significantly increase the risk of conflicts and collisions at the junction and effects visibility and access along the length of the unnamed access road to the school entrance.
- 1.7 The unnamed access road also serves as an access road to the rear of properties on Darton Lane and dedicated resident parking spaces opposite the School itself.
- 1.8 To add to this mix of concerns, a new housing development is currently undergoing a formal planning application on the former School site to the north of Station Road. Part of the design of this new development includes a 4-arm roundabout at the location of the old School site and the current crossroads.
- 1.9 A full review of all the existing road markings, the current road and traffic issues being experienced, and the design/planning for the new housing development has been undertaken.

## **2. PROPOSAL**

- 2.1 Given the uncertain nature of the final design for the new 4-arm roundabout, it is proposed to only adopt and legalise the existing no waiting at any time road markings on the unnamed access road, but to slightly amend one section on the north-western kerb line to allow restricted time waiting to facilitate resident

parking.

- 2.2** Due to the expected design/plan for the new 4-arm roundabout, it is proposed to leave all the existing markings and Bus Stop on Station Road in place, without formal adoption or legalisation. These markings will all be directly affected by the new roundabout and will be removed/excavated in due course.

**3. CONSIDERATION OF OBJECTIONS/SUPPORT**

The 6 objections and 1 support received were recorded, and each is summarised below.

The Head of Highways and Engineering comments in response to these submissions follow in Section 4.

**1. *Resident – Objection.***

- Local residents would have nowhere to park.
- Road outside house would become a bottleneck preventing larger vehicles getting through.
- Believes that there are also plans to build a roundabout on Station Road which would cause further chaos.
- The School has no knowledge of the proposals.

**2. *Unknown location - Support.***

- Supports the proposals but wants them to be extended on to Station Road/Darton Lane.
- Never sees any enforcement and wants a commitment from the Council for any restrictions to be enforced.

**3. *Resident – Objection.***

- Proposals move the problem to other roads in Darton and not eradicating the issue of how parents park to take their children to School.

**4. *Resident - Objection.***

- Do not take in to account any parking required by residents.

**5. *Resident - Objection.***

- The access road is used by both residents and visitors to park, where will we/they park now?
- Parents already park 'bumper to bumper' on and near the junction. This will only cause more parking on Darton Lane.

**6. *Resident - Objection.***

- Where are residents expected to park?
- This will make the road dangerous, especially for the School Crossing Patrol.

- No's 1 to 15 Darton Lane do not have off-street parking available.

### **7. Resident - Objection.**

- No's 1 - 15 Darton Lane lost their off-street parking when planning was granted to the house now built at the rear of the properties.
- The 9 parking spaces on the access road are never available due to parent parking and other residents using them.
- Resident's carer lives in Leeds. Worried where they will now park when attending house?
- Why can't cars be allowed to park on the south side of the access road?
- Believes Council should never have granted planning to the house behind property.
- Suggests parking be controlled between 8am to 5pm (Mon to Fri).

### **4. HEAD OF HIGHWAYS AND ENGINEERING RESPONSE**

*"This scheme has been developed to address the illegal, inconsiderate and obstructive parking practices observed and reported to the Council. This behaviour causes unnecessary congestion and obstruction of footways.*

*Observations have also shown that the Bus Stop is obstructed, and the crossroad junction also suffered from inconsiderate and obstructive parking, restricting visibility, and preventing full and safe access/use of the access road and footways.*

*Essentially, the purpose of the 'public highway' is to facilitate the passage of traffic and should not be relied on as a private parking area. No individual has a legal right to park on the public highway outside their property, nor should they have the expectation to do so.*

*As the only road available for lawful access to Darton Primary School, large vehicle access must be maintained 24/7 for commercial and emergency service vehicle use.*

*As with most locations of this kind in Barnsley, on-street parking space availability is a priority concern. However, the risks to the travelling public, pedestrians, cyclists, schoolchildren, parents, residents, public service passengers, and the day-to-day running of the Primary School have to take priority in this instance.*

*There are no additional lengths of restriction being proposed and no properties have parking restrictions being introduced directly outside of them. Technically, there is no reduction in the amount of lawful on-street parking space availability. We are officially adding 20 meters of extra overnight parking space on the access road to ease residents parking issues.*

*Residents and parents have become accustomed to using the access road as a car park and contravening the current markings; even though these markings are not currently unenforceable, the markings should have deterred/prevented the inconsiderate and obstructive parking behaviour".*

## 5. **IMPLICATIONS OF THE DECISION**

5.1 **Financial and Risk** – The scheme is fully funded from the PFI (CC 10923).

5.2 **Legal** - The 'Road Traffic Regulation Act 1984' provides the appropriate legal 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.

- Both the unnamed access road and the crossroad junction suffer from congestion, obstruction and illegal footway parking which causes an increased risk of conflicts between both live and static motor vehicles and pedestrians, cyclists, and wheelchair/pushchair users.

The Council is satisfied that it is expedient to make the Order in order 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.

- The proposals seek to enact road markings already on the road which should not have been available for public parking since 2007. There is no official reduction in the (legally) available parking space for residents. Officially, parking provision is being increased with these proposals. There is still sufficient on-street parking.

5.3 **Equality** - **Not applicable** – An EIA is not relevant to the practical processing of a TRO. The EIA deals with the overarching policies governing the TRO process of enactment, not the individual merits of a decision to implement a TRO on a certain road.

The application, processing and enactment of TRO's is statutory in nature and governed by set of regulations. The TRO 'process' is inclusive and open to all. Anyone can apply, respond to, or object to a proposed TRO.

5.4 **Sustainability** - **Decision-making wheel not completed** – None of the Impact headings apply to the TRO process or outcome.

5.5 **Employee** - Does not directly or indirectly effect BMBC employees/staff.

5.6 **Communications** - Does not directly or indirectly effect BMBC employees/staff.

## 6. **CONSULTATION**

6.1 Internal Consultation with the Local Ward Councillors, Local Ward Manager, SY Police, SY Fire & Rescue, YAS, SYPTE and Darton Primary School took place between the 22nd November and the 30th December 2021 – No objections received.

6.2 Public Consultation took place between the 21st January and the 14th February 2022 – 6 objections and 1 support were received.

## 7. **ALTERNATIVE OPTIONS CONSIDERED**

7.1 Legalising what is already marked on the ground, with one 20-meter section changed to allow for more parking, is deemed the best ‘minimum’ option for the access road given the uncertainty of the housing development plans and timescales.

7.2 Alternatives solutions such as, bollards, guardrail, and buildouts were considered. These were considered too intrusive in this environment and would have significantly impacted on pedestrian movements, cyclists, and the continued operation of the Bus Stop.

7.3 An option to, ‘do nothing’ was also considered. However, the impact on road safety of this option could be significant given the large numbers of schoolchildren, parents, staff, and residents all vying for the same road space.

7.4 The ‘do nothing’ option would also not address the significant traffic congestion and access issues currently being experienced.

## 8. **REASONS FOR RECOMMENDATIONS**

8.1 The proposed restrictions will formalise the existing road markings and enhance, protect, and maintain visibility for motorists, pedestrians and other road users and improve overall road safety for children and parents attending the school.

8.2 The measures are regarded as the current best option based on the impending housing development and will provide an ‘immediate’ prevention measure for the inconsiderate and obstructive parking taking place now and provide a safer road environment for all road users whilst keeping the free flow of traffic and maintaining visibility.

## 9. **GLOSSARY**

EIA	– Equality Impact Assessment
PFI	– Publicly Funded Initiative
SY	– South Yorkshire
SYPTTE	– South Yorkshire Passenger Transport Executive
TDPR	– TRO & Delegated Powers Report
TRO	– Traffic Regulation Order
YAS	– Yorkshire Ambulance Service

## 10. **LIST OF APPENDICES**

Appendix 1: Plan of proposed restrictions

## 11. **BACKGROUND PAPERS**

Traffic File: 4191

12. **REPORT SIGN OFF**

<b>Financial consultation &amp; sign off</b>	Senior Financial Services officer consulted and date:  <b>Maqbool Ahmed.</b> <b>Acting Strategic Finance Manager, on behalf of Service Director (S151) Officer</b> 14/01/2022
<b>Legal consultation &amp; sign off</b>	Legal Services officer consulted and date:  <b>Cheryl Redford.</b> <b>Senior Legal Officer</b> <b>Legal Services</b> 21/04/2022

**Report Author: Darren Storr**  
**Post: Traffic Engineer**  
**Date: March 2022**