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**Service Director – Legal, Governance and
Commissioning**

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Tuesday 17 September 2019

Notice of Meeting

Dear Member

Cabinet Committee - Local Issues

The **Cabinet Committee - Local Issues** will meet in the **Leadership Meeting Room - 1st Floor, Civic Centre 3, Huddersfield, HD1 2TG** at **12.30 pm** on **Wednesday 25 September 2019**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Cabinet Committee - Local Issues members are:-

Member

Councillor Peter McBride

Councillor Naheed Mather

Councillor Graham Turner

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

This is where councillors who are attending as substitutes will say for who they are attending.

2: Minutes of Previous Meeting

1 - 2

To approve the minutes of the meeting held on 9 April 2019.

3: Interests

3 - 4

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Public Question Time

The Committee will hear any questions from the general public.

7: Member Question Time

To receive questions from Councillors.

8: Objections to proposed Traffic Regulation No 4 Order 2019, No Waiting at Any Time - South St and Warren St, Saville Town

5 - 8

Objections to Kirklees TR No 4 Order 2019, Proposed No Waiting At Any Time restrictions, South Street and Warren Street, Savile Town.

Wards Affected: Dewsbury South

Contact: Karen North, Senior Technical Officer, Tel: 01484 221000

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Tuesday 9th April 2019

Present:

Councillor Peter McBride
Councillor Naheed Mather
Councillor Graham Turner

In attendance:

Joe Walker, Principal Engineer, Streetscene
Phillip Waddington, Group Engineer
Cllr John Taylor
Jenny Bryce-Chan, Principal Governance Officer

1 Membership of the Committee

All members were present.

2 Minutes of Previous Meeting

That the Minutes of the meeting held on 11 February 2019, be approved as a correct record.

3 Interests

No Interests were declared.

4 Admission of the Public

That all agenda items be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Member Question Time

No questions were asked.

7 Objection to (Traffic Regulation) (No 4) Order 2018, Proposed 7.5T Weight Restriction A637 Barnsley Road, Flockton and various streets in Kirklees & Wakefield

The Committee considered a report which provided a response to objections to Kirklees (Traffic Regulation) (No 4) Order 2018, introduction of 7.5T Weight Restriction A637 Barnsley Road, Flockton and various streets in Kirklees & Wakefield.

The Committee was informed that West Riding County Council introduced a 7.5 Ton (imperial) maximum gross weight limit for eastbound vehicles on various roads in the Flockton/Emley/Middlestown area in 1971.

Cabinet Committee - Local Issues - 9 April 2019

To bring it into line with legislation, the 1971 Order was later metricated by Kirklees Council (i.e. from 'Tons' to 'Tonnes'), however all other wording of the Order remained unchanged.

West Yorkshire Police stated that in their view, the Order was unenforceable, as the text regarding access exemption, and the permitted direction of HGVs was ambiguous and therefore on that basis, they were unable to enforce against the increasing numbers of HGV's travelling through Flockton Village, in direct contravention of the posted road signs.

Following consultation with West Yorkshire Police, wording for a new order has been drafted, which will ensure they are able to fully enforce the weight limit restriction east bound through the village.

The Committee was informed that when the original proposed Order was advertised between the 14 September to 12 October nine objections were received.

All objectors were contacted by email or letter to explain the principles behind the proposal, and to give them the option of withdrawing their objection.

A public meeting was held with the Police, ward councillors and concerned residents, to discuss the issue in detail, and the Police stated they would be happy to take enforcement action. However, it was agreed that it would first be re-advertised as there was no exemption, in the previously advertised order, for local service buses.

The Order was re-advertised between 18 January and 18 February 2019, and objectors were informed that their previous objections still stood unless they contacted the Council to confirm withdrawal. Only one chose to do so, however no new objections were received.

The Committee was advised that objections to be considered are from eight Flockton residents. Several objectors were concerned that adding 'except for access' to existing signs lessened the impact of the signs.

Cllr Taylor was in attendance at the meeting and was supportive of the scheme; and the Committee was informed that West Yorkshire Police are fully supportive of the proposals and are prepared to enforce the proposed Order.

RESOLVED - That the objections to the proposed weight limit be overruled and the scheme implemented as advertised

| KIRKLEES COUNCIL | | | |
|---|--|--|---|
| COUNCIL/CABINET/COMMITTEE MEETINGS ETC | | | |
| DECLARATION OF INTERESTS | | | |
| Name of Councillor | | | |
| Item in which you have an interest | Type of interest (eg a disclosable pecuniary interest or an "Other Interest") | Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N] | Brief description of your interest |
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Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Name of meeting: Cabinet Committee - Local Issues
Date: 25 Sept 2019
Title of report: Objections to Kirklees TR No 4 Order 2019, Proposed No Waiting At Any Time restrictions, South Street and Warren Street, Savile Town

Purpose of report: To consider objections received to the above advertised Traffic Regulation Order

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|--|---|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | No |
| Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?) | No |
| The Decision - Is it eligible for call in by Scrutiny? | Yes |
| Date signed off by <u>Strategic Director</u> & name | Karl Battersby - 5.09.2019 |
| Is it also signed off by the Service Director (Finance)? | Eamonn Croston - 16.09.2019 |
| Is it also signed off by the Service Director for Legal Governance and Commissioning? | Julie Muscroft - 5.09.2019 |
| Cabinet member portfolio | Councillor Rob Walker - Culture and Environment |

Electoral wards affected: Dewsbury South

Ward councillors consulted: Yes

Public or private: Public

(Have you considered GDPR?) Yes

Summary

To consider objections received in response to the public advertisement of Kirklees (TR) (No 4) Order 2019 - The proposed introduction of additional 'No Waiting At Any Time' parking restrictions on South Street, and Warren Street Savile Town. The South St restrictions are required in support of a planning application and the Warren St restrictions are the re-advertisement of 'No Waiting At Any Time' parking restrictions, on which were prevented from being installed due to the building works taking place at the Education Centre there.

1. Information required to take a decision

The restrictions on South St, contained in Traffic Regulation Order (TRO), have been proposed in connection with Planning Application Number - **2016/70/93734/E**. Planning permission was granted for "DEMOLITION OF THE EXISTING BUILDING AND ERECTION OF 3 STOREY EDUCATIONAL FACILITY" at South Street. This application was a "variation of condition 2 (Plans and specifications) on previous planning permission 2013/93747.

The approval proposed that, as part of the planning conditions, the provision of drop off and pick up zones on South Street must be provided. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning. However, a 'drop off and pick up' zones cannot be implemented, as there are no legal mechanisms to do so. For that reason, it was proposed to use double yellows to facilitate this requirement, as there is an exemption for "alighting and boarding a motor vehicle" in any TRO for double yellow lines. In practice, this would operate in the same way as the desired "drop off/pick up" zone.

The developer has committed, through a Section 278 Agreement, to implement these improvements work prior to the development being occupied, to maximise the safety benefits this will bring at this busy junction.

The restrictions on Warren St are 42 metres of 'No Waiting At Any Time' from the junction of South Street and are those which were historically approved from a previous legal order - TRO No 12 2015. When the previous order was sealed and implemented, to which no objections were received in 2015, this length of restriction had to be omitted because of the building works taking place at the Education Centre. Due to the length of time that has elapsed it is now necessary to re-advertise this section on Warren Street.

The TRO was publicly advertised between 19 April 2019 and 19 May 2019, and during that period 45 objections have been received from the residents of Warren Street. The objections stem from the planning permission being granted which will, in the resident's view, make the current parking situation worse. They are concerned that the education centre is likely to generate significant additional demand for on-street parking on South Street/Warren Street and if the proposals go ahead the resulting indiscriminate parking would be detrimental to highway safety and the free flow of traffic, as well as making it more difficult for residents to park near their homes. A petition has also been received signed by 140 from residents throughout the Savile Town area, who also have the same concerns.

In response:

The proposed restrictions will allow the drop off, and pick up, of passengers at school opening and closing times when congestion is expected to be at its worst, but a **Page 6** restrict parking throughout the day as drivers will only be allowed to pull up for a short

period of time to load and unload. The scheme will reduce congestion in the area and improve visibility and access at and around the junction where child pedestrian accidents have previously been recorded.

There are 10 metres of existing 'No Waiting At Any Time' parking restrictions on South Street from the junction of Warren Street. These proposals are intended to extend the current length by 35m, to 45 metres, removing parking for 7 vehicles from the south side of South St. Residents on South Street will still have an opportunity to park outside their homes as the restrictions are wholly outside the education centre and this area has, during construction of the education centre, been unavailable for on street parking. The majority of these residents have access to off-street parking at the rear of their properties.

The 42m of restriction advertised on Warren St is, as it was previously, intended to restrict parking on approach to the busy junction with South St, to improve visibility for emerging traffic and ease turning movements.

2. Implications for the Council

The proposed works were considered necessary at planning application stage and approved by Planning Committee. These proposals are to mitigate the impact of the development on the highway network.

If the TRO is not implemented, it is likely the benefits of reducing congestion and improving safety and visibility at the junction outside the education centre will not be realised on South Street. It will also mean that the proposed restrictions on Warren Street, previously approved, cannot be installed.

3. Consultees and their opinions

The three Local Ward Councillors were consulted on the proposed restrictions here. Councillor Masood Ahmed and Councillor Gulfam Asif offered support to the scheme.

West Yorkshire Police also welcomed the implementation of 'No Waiting At Any Time' restrictions at this location.

4. Next steps and timelines

Cabinet Committee Local Issues to consider the objections raised during the formal advertising period for this TRO, and the information contained in this report, and reach a decision on whether or not the TRO is to be implemented as advertised

5. Officer recommendations and reasons

That the objections be overruled and the TRO proposals are implemented, as advertised, to allow the approved planning conditions to be discharged with regard to the drop and go zone and allow the previously approved waiting restrictions on Warren Street be implemented.

6. Cabinet portfolio holder's recommendations

Cllr Rob Walker supports the officer proposal as written.

7. **Contact officer**

Karen North - Senior Technical Officer
karen.north@kirklees.gov.uk
(01484) 221000

8. **Background Papers and History of Decisions**

Traffic Regulation No 12 Order 2015.

9. **Director responsible**

Karl Battersby - Strategic Director - Economy and Infrastructure
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(01484) 221000