

Public Document Pack



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

Julie Muscroft

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Jodie Harris

Email: jodie.harris@kirklees.gov.uk

Tuesday 25 October 2022

Notice of Meeting

Dear Member

Cabinet Committee - Local Issues

The **Cabinet Committee - Local Issues** will meet in the **Council Chamber - Town Hall, Huddersfield** at **3.00 pm** on **Wednesday 2 November 2022**.

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 Graham Turner

Councillor Naheed Mather

Councillor Paul Davies

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 - 4

To approve the Minutes of the meeting of the Committee held on 17 August 2022.

3: Interests

5 - 6

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 Speed Limit Order No 116 Order 2022, Proposed 40mph speed limit Barnsley Road, Denby Dale.

7 - 18

To consider any objections received in relation to the proposed Speed Limit Order No 116 Order 2022, Proposed 40mph speed limit Barnsley Road, Denby Dale.

Contact:

Ken Major, Principal Technical Officer – Highway Safety

Contact Officer: Jodie Harris

**KIRKLEES COUNCIL
CABINET COMMITTEE - LOCAL ISSUES
WEDNESDAY 17th AUGUST 2022**

Present:

Councillor Graham Turner
Councillor Paul Davies
Councillor Naheed Mather

In Attendance:

Phillip Waddington, Group Engineer
Karen North, Principal Technical Officer – Highway Safety
Elizabeth Twitchett, Operational Manager – Highway Safety
Robert Hardcastle, Senior Engineer

Apologies: N/a

1. Membership of the Committee

No apologies were received

2. Minutes of the Previous Meeting

To approve the Minutes of the meetings of the Committee held on the 23rd March 2022 and 21st June 2022.

RESOLVED: That the Minutes of the meetings of the Committee held on the 23rd March 2022 and 21st June 2022 be approved as a correct record.

3. Interests

There were no interests declared.

4. Admission of the Public

All agenda items were considered in public session

5. Deputations/Petitions

No Petitions or deputations were received.

6. Public Question Time

No public questions were received.

7. Member Question Time

No member questions were asked.

8. Objection to Traffic Regulation Order No 4 2022,

The Committee considered a report in respect of an objection received in response to the advertisement of Traffic Regulation Order No 4 2022, Proposed Permit Parking, Oddfellows Street, Beech Street, Shaw Street, Beech Grove, The Embankment, Mirfield and No Waiting at Any Time, Doctor Lane, Mirfield.

The report was presented by Karen North, Principal Technical Officer – Highway Safety who explained that an application for the introduction of permit parking was received from the residents of Oddfellows Street, Mirfield and the surrounding roads.

At that time, local Councillors raised concerns that these proposals would displace parking into the two remaining cul-de-sacs here, Beech Grove and The Embankment and asked for these to be also added to the proposals. This request was agreed following further consultation with residents.

Residents were supportive of the scheme and the application was progressed to advert. The proposals were advertised from 7th April 2022 to 5th May 2022 and during that period one objection was received.

The objector was concerned that the displaced parking would take place on Knowl Road affecting residents at that location. In response, officers acknowledged that whilst it was not possible to predict exactly where parking would take place, that it was more likely for displaced parking to affect the A644 because the parking here was associated with the nearby doctors surgery and care home.

Karen North further reassured the committee that all new schemes introduced were monitored after implementation to monitor the effect of the proposals on the surrounding area and to determine if any further changes were necessary. Knowl Road would be included in this assessment and any further changes undertaken if found to be necessary at that time.

Other mitigating measures taken in order to prevent the displaced parking included the decision to change the current 'No Waiting Mon-Sat 8am-6pm' parking restrictions to 'No Waiting at Any Time' to help maintain access up and down Doctor Lane and help improve visibility for drivers exiting from the side roads.

Considering the information presented both verbally and in writing the Committee expressed that it was satisfied that the objection had been responded to in highlighting that the schemes impact would be continually monitored. The Committee noted that 60% of residents, and all ward councillors support the scheme, and it was agreed that:

RESOLVED: That the objection be overruled, and that the proposals for Traffic Regulation Order No 4 2022, Proposed Permit Parking, Oddfellows Street, Beech Street, Shaw Street, Beech Grove, The Embankment, Mirfield and No Waiting At Any Time, Doctor Lane, Mirfield be implemented as advertised.

9. Objections to the Proposed Zebra Crossing, Knowl Road, Mirfield

The Committee considered a report in respect of the objections received in response to the advertisement of the Proposed Zebra Crossing, Knowl Road, Mirfield which was presented by Robert Hardcastle, Senior Engineer.

Highways Safety was approached by the Mirfield Ward Councillors and asked to assess the feasibility of providing a pedestrian crossing facility on Knowl Road to help assist pedestrians wanting to cross the road here and improve road safety at this location. During the scheme's development, it was determined that a safe zebra crossing could be accommodated on Knowl Road

Prior to the development of these proposals, a feasibility study was undertaken to determine a suitable location. Various legislation requirements were taken into consideration before a decision was taken on the only safe and suitable location available on the desired crossing line.

The proposed scheme was advertised from 27 January 2022 to 24 February 2022 and during that time two objections were received. The objectors raised various concerns which Robert Hardcastle summarised and explained officers responses to the points raised.

Councillor Martyn Bolt, Mirfield Ward Councillor also submitted a letter of support from the Chair of Governors Crowlees CE Primary School on behalf of the School which the Chair presented to the Committee. It was noted that any Kirklees Council interventions that promote safer active travel to and from Crowlees school as very positive and great benefit to their pupils now and in the future.

Considering all the information presented verbally and in writing the Committee were satisfied that the concerns of the objectors had been addressed but acknowledged that in congested areas it was difficult to meet every individual need and that a degree of compromise was required. The Committee further highlighted the benefits of the scheme in promoting active travel, alleviating congestion, improving air quality and increasing pedestrian safety. The Committee also expressed confidence that officers would continue to monitor the impact of the scheme after implementation, and it was agreed that:

RESOLVED: The objection be overruled, and that the Proposed Zebra Crossing, Knowl Road, Mirfield be implemented as advertised.

This page is intentionally left blank

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

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: 2 November 2022

Title of report: Speed Limit Order No 116 Order 2022, Proposed 40mph speed limit Barnsley Road, Denby Dale.

Purpose of report: To consider any objections received in relation to the above proposal.

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	Colin Parr – 17 October 2022
Is it also signed off by the Service Director Finance?	Eamonn Croston – 5 October 2022
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 5 October 2022
Cabinet member portfolio	Cllr Naheed Mather

Electoral wards affected: Denby Dale

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered: Yes

1. Summary

- 1.1 Planning permission was granted for a housing development at Inkerman Court, Denby Dale, and as part of that planning permission Section 106 monies were secured to reduce the speed limit on the A635 Barnsley Rd, in the vicinity of the site.
- 1.2 The speed limit order was formulated, consulted on and legally then advertised between 27 July 2022 and 24 August 2022, during which time two objections were received, one requesting the speed limit be reduced further to 30mph and one requesting it remained at 50mph.

2. Information Required to Take a Decision

- 2.1 In line with the 106 requirements, a scheme was developed to reduce the speed limit on Barnsley Road (A635) from the junction with Wakefield Road (A636) to a short distance east of the junction of A635 / Lower Denby Lane / Dry Hill Lane (Dunkirk Inn crossroads).
- 2.2 The current speed limit of 50mph is proposed to be reduced to 40mph over this section to reflect the changing environment created by the development of land for housing.
- 2.3 Any speed limit the council sets has to be consistent with other locations and for that reason the Department for Transport produces a guidance document on what appropriate speed limits should be on roads with different characteristics.
- 2.3 The Setting Local Speed Limits guidance was released by the Department for Transport, and it is still the guidance document the council is required to refer to, when setting speed limits.
- 2.4 The guidance is used for setting all local speed limits on single and dual carriageway roads in both urban and rural areas. It brings together some of the main features of other published guidance on speed limit related issues, including speed-related road traffic regulation and signing, street lighting, traffic calming, speed limits in villages, and 20 mph speed limits and zones.
- 2.5 The underlying principles of setting a speed limit is to achieve a safe distribution of speeds, consistent with the speed limit, that reflects the function of the road and the road environment. The aim of speed management policies should achieve a mean speed appropriate to the prevailing road environment, with all vehicles moving at speeds below or at the posted speed limit, while having regard to the traffic conditions.

Objection 1

"I am formally objecting to the proposed change of the above speed limit proposal to 40mph on Barnsley Road on the grounds of road safety. We have lived at xxx Barnsley Road for 44 years and have witnessed speeding traffic despite the current 50mph limit and I am campaigning for a maximum speed limit of 30mph on the entire length of the road. I have previously raised my concerns in response to the recent planning applications for housing development on Barnsley Road.

I attach a copy of my previous objection below.

The crossroads at the Dunkirk are exceptionally hazardous and culminated in several fatal collisions and serious accidents. Traffic calming, speed cameras and a 30mph limit is essential along the entire Barnsley Road to the Catch Bar. The new proposed developments have poor sight lines on bends, and I am worried about the increased traffic on an already fast road.”

In response:

As explained in section 2.5 above the principles of setting a speed limit include setting a speed limit that reflects the function of the road and the road environment. That means the council cannot simply set a speed limit without justification and taking account of the above described principles, namely the appropriateness of the speed limit in relation to the prevailing road environment. In other words, the council cannot simply impose a 30mph limit without due consideration. The consideration in this case is that notwithstanding the development of housing, with properties spaced periodically along it, this route remains rural / semi-rural in character along this length, The environment on the road has a significant bearing on what drivers believe to be the appropriate speed and not just the speed limit itself. I refer to the policy aim of achieving a mean speed appropriate to the prevailing road environment, with all vehicles moving at speeds below or at the posted speed limit, while having regard to the traffic conditions i.e. most drivers will feel comfortable with a 40mph limit (thus achieving the mean speed appropriate to the road environment) and avoiding poor compliance.

Furthermore, the personal injury collision records for this road, at the current speed limit of 50mph, over the length of the proposal, identifies only one accident recorded during the last 5 years, and this was at the Dunkirk Inn junction. This single collision was of a serious nature.

From this history it is clear the route can be travelled, and access gained to and from it, safely at the proposed 40mph.

Most drivers feel comfortable at that speed, and will comply, but will not see the rationale for a 30mph limit, and as a result compliance will be poor. Poor compliance would require enforcement. In the case of A class roads (in this case) vertical traffic calming measures could not be used to gain compliance as they are not recommended for use on an A class roads. Therefore, enforcement of the 30mph speed limit would fall to West Yorkshire Police, and they would not support this, as it is not in line with “Setting Local Speed Limits”

As the objector has pointed out, there are currently drivers who are comfortable travelling more than the current 50mph, so at 30mph, it is highly likely that a greater proportion of drivers will travel above that posted speed limit.

The reduction of the speed limit to 40mph better suits the function of this road, the road, and surrounding environment.

Objection 2

I have studied this proposal and the planning documentation in detail and believe that MAG should oppose the reduction in speed limit in this location and especially the length of restriction envisaged.

I ride or drive this section of the A635 relatively often and consider the reduction to 50mph already to be sufficient to address the amount of habitation existing and now consented. The carriageway is wide and the bends are very gradual, affording good visibility of oncoming traffic and the existing access points, which do not benefit from the visibility splays that will be achieved on this development. The proposals also include white-lining to define a 2.5m right-turn pocket, which will have significant calming effect alone, so the further reduction of speed limit is considered unnecessary even in the vicinity of the new access.

It is significant that WYCA Highways do not refer to speed limits in their consultation and Kirklees Highways only make passive comment on the developer's offer to fund this consultation and possible traffic order. It therefore seems that other factors are being brought to bear in introducing the limit and extending it far beyond the local area along a section without access points and with exceptionally good visibility. The logic is difficult to deduce because the section east of the Dunkirk is much more hazardous at speed but will retain the 50mph limit, whilst the equally twisty Dry Hill Lane and Lower Denby Lane enjoy the 60mph National Speed Limit. The recent reduction to 40mph on Miller Hill and this new proposal are indicative of a progressive squeezing of speed limits, reducing opportunities to make progress safely on spacious roads with relatively low traffic volumes.

MAG is supportive of rational measures to improve road safety but regards the current blanket lowering of speed limits to be misguided and unnecessary, with this particular location lacking any sound justification.

In response:

The setting of local speed limits is as described previously guided by the Department for Transport document Setting Local Speed Limits.

While this road is predominantly rural, the development of houses at Inkerman Court and other developments along this road has begun to change nature of the road into a more urban environment.

For a rural road, the guidance recommends that a 40mph “should be considered where there are many bends, junctions or accesses, substantial development, a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road users.”

While with a more urban bias the guidance indicates “roads suitable for a 40mph limit are generally higher quality suburban roads or those on the outskirts of urban areas where there is little development. Usually, the movement of motor vehicles is the primary function.”

The change from 50mph to 40mph aligns with both of these guidance statements so the council considers the change is an appropriate one. While the speed limit change could have been centred around the development area it was felt appropriate to extend the speed limit south eastwards to beyond the junction with Dry Hill Lane. This left a section between the development area and the junction with the A636 Wakefield Road to the northwest, which is already 40mph.

This would mean there is a consistent speed limit in the area.

3 Implications for the Council

- 3.1 **Working with people** - The speed limit changes relate to a new housing development. Local Councillors and affected residents have been consulted, and with the exception of these objections, no concerns have been raised.
- 3.2 **Working with Partners** – The developer has paid for the creation of the traffic regulation order through a Section 106 agreement.
- 3.3 **Place based Working** – The changes will improve road safety here.
- 3.4 **Climate Change and Air Quality** – These proposals will not have a detrimental impact on Air Quality or Climate Change.
- 3.5 **Improving outcomes for children** – These proposals are aimed at reducing vehicle speeds along this road and improving safety including for children.
- 3.6 **Other implications** – None

4 Consultees and their opinions

The statutory consultees have been consulted and Huddersfield Motorcycle Action Group raised an objection saying they did not support the lowering of the speed limit to 40mph, they consider the reduction to 50mph already to be sufficient.

The three Denby Dale Ward Councillors have been consulted and no comments were received.

5 Next steps and timelines

Cabinet Committee Local Issues to consider the objections raised during the formal advertising period and reach a decision on this proposal.

If the Cabinet Committee Local Issues chooses to overrule the objections, the scheme will be implemented on site as per the plans provided.

If the Cabinet Committee Local Issues chooses to uphold the objections, the scheme will not be implemented, and the expected benefits would not be realised. The balance of the 106 monies paid for this speed limit order, not already spent on processing the legal order, will be returned to the developer.

6 Officer recommendations and reasons

The proposed scheme has been developed to support local housing provision, and the safe passage of traffic on the highway network within which it sits. It aims to reduce vehicle speeds to a level appropriate for the changing road network, and its surrounding environment.

For these reasons, the Officer recommendation is that the objection is overruled, and the proposals are implemented as advertised, to allow the benefits to be realised.

7 Cabinet portfolio holder's recommendations



The Cabinet portfolio holder supports the officer recommendation.

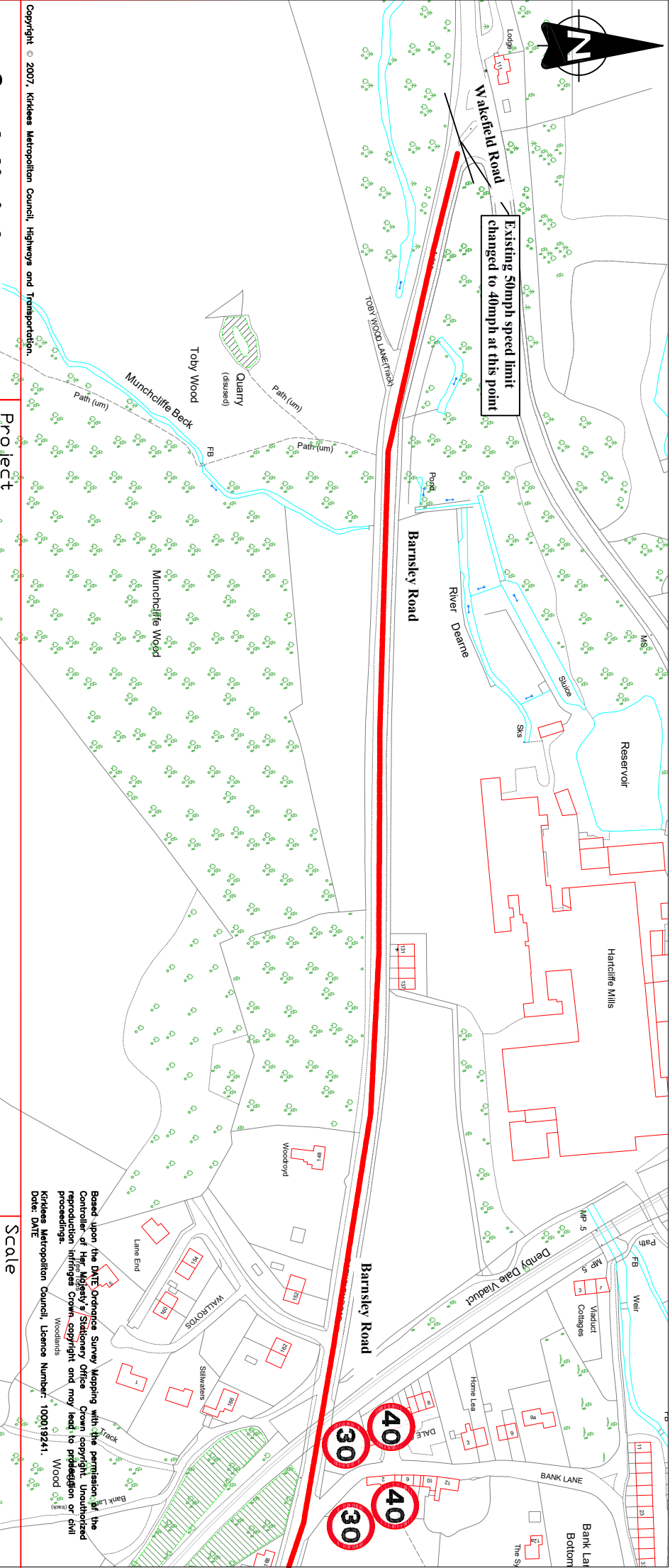
8 Contact officer

Ken Major
Principal Technical Officer – Highway Safety
Phone: 01484 221000
ken.major@kirklees.gov.uk

9 Service Director responsible

Graham West
Service Director – Highways and Streetscene
(01484) 221000
graham.west@kirklees.gov.uk

 New 40mph speed limit
 Remaining 50mph speed limit
 within Kirklees



Highways & Transportation
 Flint Street, Fartown
 Huddersfield, HD1 6LG



Copyright © 2007, Kirklees Metropolitan Council, Highways and Transportation.

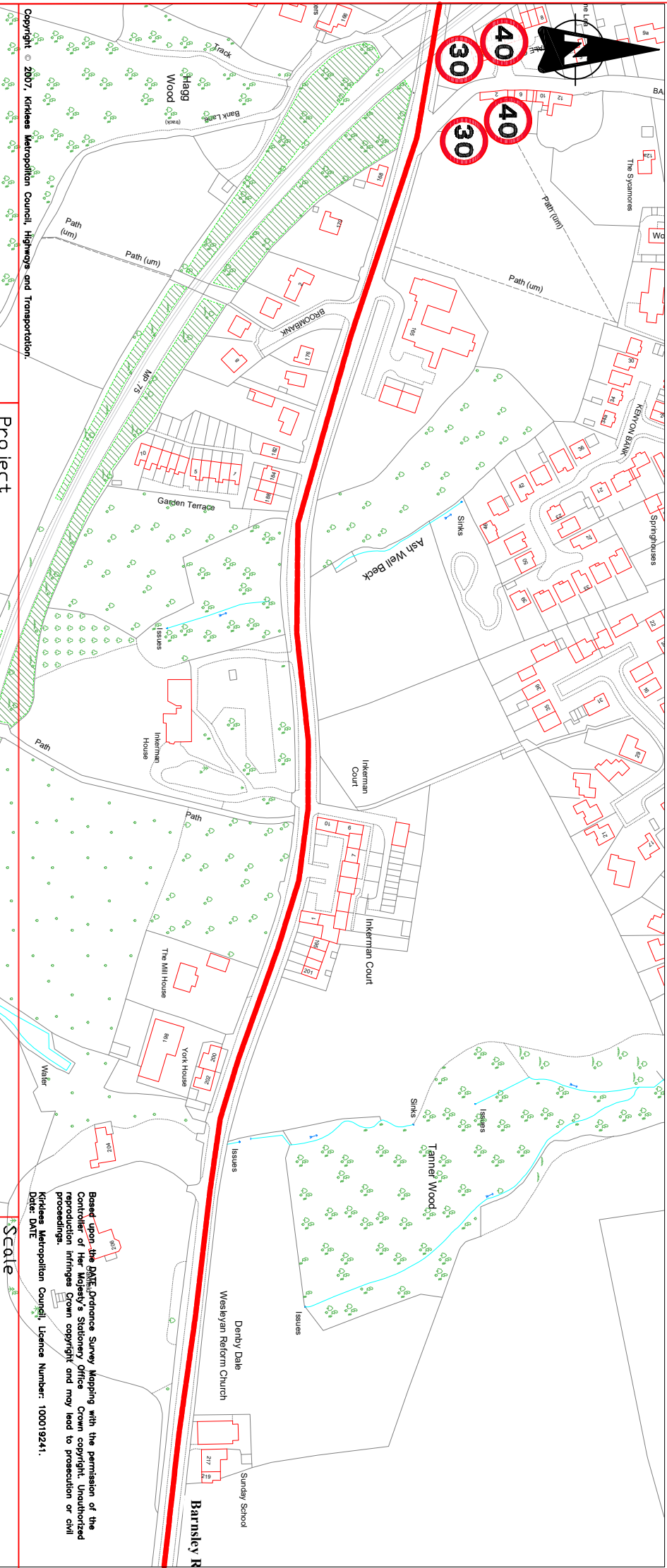
Project	Speed Limit Change Part 1
Title	A635 Barnsley Rd, Denby Dale

Scale	NTS
Drawn	Checked
KM	CHECKED
Section	Date
SECT	07/06/22
Drawing No.	TF/18/200/298A
CADNO	

Based upon the DATE Ordnance Survey Mapping with the permission of the
 Controller of Her Majesty's Stationary Office. Crown copyright. Unauthorized
 reproduction infringes Crown copyright and may lead to prosecution or civil
 proceedings.
 Woodlands
 Kirklees Metropolitan Council, License Number: 100019241.
 Date: DATE

This page is intentionally left blank

 New 40mph speed limit
 Remaining 50mph speed limit
 within Kirklees



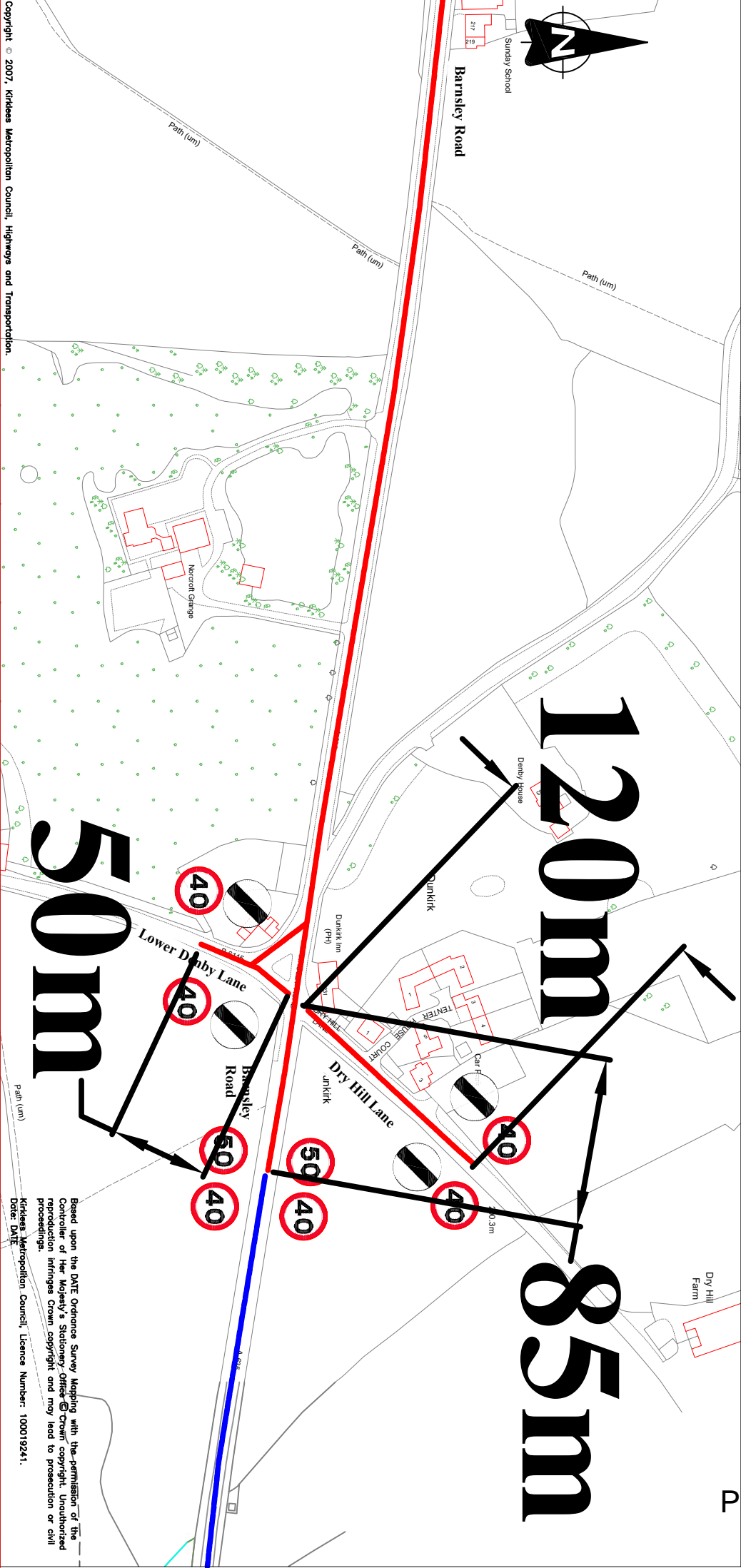
Highways & Transportation
 Flint Street, Fartown
 Huddersfield, HD1 6LG

Project		Speed Limit Change Part 2	
Title		A635 Barnsley Rd, Denby Dale	
Drawn	KM	Checked	CHECKED
Section	SECT	Date	07/06/22
Drawing No. TF/18/200/298B		CADNO	

Based upon the DATE Ordnance Survey Mapping with the permission of the
 Controller of Her Majesty's Stationery Office Crown copyright. Unauthorized
 reproduction infringes Crown copyright and may lead to prosecution or civil
 proceedings.
 Kirklees Metropolitan Council, Licence Number: 100019241.
 Date: DATE

This page is intentionally left blank

 New 40mph speed limit
  Remaining 50mph speed limit within Kirklees



Copyright © 2007, Kirklees Metropolitan Council, Highways and Transportation.

Based upon the DATE Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 Date: DATE
 Kirklees Metropolitan Council, Licence Number: 100019241.



Project

Speed Limit Change Part 3

Scale

NTS

Drawn

KM

Checked

CHECKED

Title

A635 Barnsley Rd, Denby Dale

Section

SECT

Date

07/06/22

Highways & Transportation
 Flint Street, Fartown
 Huddersfield, HD1 6LG

Drawing No.

TF/18/200/298C

CADNO

This page is intentionally left blank