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

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Tuesday 14 November 2023

Notice of Meeting

Dear Member

Cabinet Committee - Local Issues

The **Cabinet Committee - Local Issues** will meet in the **Meeting Room 3 - Town Hall, Huddersfield** at **10.00 am** on **Wednesday 22 November 2023**.

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 Paul Davies

Councillor Moses Crook

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 of the Cabinet Committee – Local Issues held on 20th October 2023.

3: Declaration of Interests

3 - 4

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

4: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Committee.

5: Deputations/Petitions

The Committee will receive any petitions and/or 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 submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the

Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

7: Member Question Time

To receive questions from Councillors.

8: Objection to the proposed extension of the 30mph speed limit on A644 Huddersfield Road, Mirfield.

5 - 12

The Committee will consider two objections received to: 30mph
extension
on Huddersfield Road, Mirfield.

Contact:
Jonathan Walsh - Principal Engineer

Contact Officer: Jodie Harris

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Friday 20th October 2023

Present: Councillor Graham Turner (Chair)
Councillor Masood Ahmed
Councillor Yusra Hussain

In attendance: Karen North, Principal technical Officer - Highways and Streetscene.
Dean Barker, Principal Road Safety Engineer

Apologies: Councillor Paul Davies

1. Membership of the Committee

Under the provisions of Part 3.4 of the Constitution, Councillor Yusra Hussain was in attendance as a substitute, in the absence of Councillor Paul Davies.

2. Minutes of Previous Meeting

The Committee considered the Minutes of the meetings held on 29th March 2023 and the 21st of June 2023 and it was agreed that:

RESOLVED –

1. The consideration of the Minutes of the meeting held on 29th March be deferred to the next meeting.
2. The Minutes of the meeting held on 21st June 2023 be approved as a correct record.

4 Interests

No interests were declared.

5 Admission of the Public

It was noted that all agenda items would be considered in public session.

6 Deputations/Petitions

No deputations or petitions were submitted.

7 Public Question Time

No public questions were submitted.

8 Member Question Time

No Member questions were asked.

9 Traffic Regulation [No 8] Order 2023, Proposed prohibition of waiting on Dunford Road and Greave Road, Hade Edge

The Committee gave consideration to a report which advised of objections that had been received in respect of Traffic Regulation [No 8] Order 2023, Proposed prohibition of waiting on Dunford Road and Greave Road, Hade Edge presented by Dean Barker, Principal Road Safety Engineer.

The report set out that the scheme, as proposed, required the legal advertising of 3 elements of traffic management.

- Traffic calming – Dunford Rd and Greave Road, Hade Edge traffic calming. This order was advertised between 2 June and 23 June 2023 inclusive.
- Speed Limit Order – (Speed Limit) (No 118) Order 2023
- No Waiting at Any Time – Kirklees (Traffic Regulation) (No 8) Order 2023
The above 2 orders were formally and legally advertised 9 August 2023 – 6 Sept 2023.

It was explained that the priority give way features, with the associated waiting restrictions, were intended to slow down higher speed drivers entering the Village from the rural sections to levels more appropriate for a residential road, followed by a series of vertical traffic calming features.

During the advertisement of the proposals, 5 objections were received relating to the “proposed waiting restrictions, and details of those objections and the officers responses were set out in the report. The Committee also received further written comment received from an objector which were read by the Governance Officer.

In the discussion to follow the the Committee noted that the scheme was to be introduced to reduce vehicle speed and the likelihood of collisions. The Committee were also satisfied that extensive consultation had taken place with residents, ward Councillors, the Hade Edge residents Association and the Parish Council, as outlined in the report, and noted that the majority of responses were in support of the scheme. In considering all the information presented to it both verbally and in writing it was agreed that:

RESOLVED: The objections be overruled, and the waiting restrictions advertised in TRO (No 8) Order 2023, (Appendix C) be 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

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: 22 November 2023

Title of report: Objection to the proposed extension of the 30mph speed limit on A644 Huddersfield Road, Mirfield.

Purpose of report: To consider two objections received to: 30mph extension on Huddersfield Road, Mirfield

Key Decision - Is it likely to result in spending or saving £500k 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	David Shepard – 30.10.2023
Is it also signed off by the Service Director Finance?	Isabel Brittain – 26.10.2023
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 27.10.2023
Cabinet member portfolio	Councillor Moses Crook

Electoral wards affected: Mirfield

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered: Yes

1. Summary

Outline planning permission has been granted for the demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping, and associated works at the site of Kenmore Caravans Ltd, 119, Huddersfield Road Mirfield, WF14 9DA.

These documents can also be viewed online at the Planning Services website under planning reference 2019/92221.

- 1.2 Planning condition No. 6. of that permission stated that 'Notwithstanding the submitted information, a detailed scheme for the provision of a right turn lane from Huddersfield Road into the site and new pedestrian refuges on Huddersfield Road that is based on drawing number 15151-101 Revision D shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include construction specifications, white lining, signing, surface finishes and transport regulation orders together with an independent Safety Audit covering all aspects of the work. All of the agreed works shall be implemented before any part of the development is first brought into use.
- 1.3 The works proposed (Appendix 1) include:
- The widening of the Huddersfield Road to provide a right turn lane into the development.
 - The provision of 2 no. pedestrian refuges
 - The provision of 2 no TRO - one to restrict vehicle parking in the vicinity of the new access and one to reduce the speed limit at the new access from 40mph to 30mph, by relocating the current 30 mph speed limit further along the Huddersfield Road so that it encompasses the proposed new access and pedestrian refuges.

2 Information required to take a decision.

- 2.1 The current speed limit on Huddersfield Road is 40mph from its junction with A62 Leeds Road at Cooper Bridge to a point 91 metres west of Doctor Lane just prior to Mirfield Town Centre.
- 2.2 The speed limit change proposed would extend the 30mph from its current location for a distance of 210 metres in a westerly direction (away from Mirfield Town Centre) to encompass the proposed new right turn lane, development access and pedestrian refuges.
- 2.3 The developer has committed, through the planning process and via a Section 278 agreement to progress the traffic regulation orders in advance of the highway alterations so that they can utilise the safety benefits of the reduced speed limit during construction.
- 2.4 The speed limit change proposals, as shown on Appendix 1 were formally advertised between 31 August 2023 and 30 September 2023. During this period two objections were received from local ward councillors. They are not objecting to the speed limit change itself, rather objecting because they do not believe the speed limit change goes far enough.

Objection 1: “As you will be aware I travel extensively on our road network, and with this in mind I have considered this section of the A644. After passing the maltings we have two major industrial sites with limited visibility, the junction exiting Stocks Bank Road onto the A644 the visibility is so limited due to the angular shape of the junction is terrible, it’s so blind that you have to stop and twist your neck around at an almost impossible angle to see the traffic travelling towards Mirfield, and even with this in mind there is a rather large blind spot to the visibility from your right. I have often thought that this junction is so blind that it ought to be a Stop junction rather than a give way.

There are frequent right turns into Wood Lane and the entrance to this road is very narrow, very often when the Pear Tree public house is busy people park their cars along this section of road right up the junction of Wood Lane reducing visibility,

When there are either practice sessions or football matches at Battyeford playing fields, parents park along this section of road for several hundred yards. This makes the road very narrow at 40mph speeds.

John Cottons is always a busy site with many HGV’s entering and leaving the site. I understand that Cottons have applied for planning permission to extend the site into the old waterworks. John Cotton’s is a major employer for Mirfield, and I would like to see the business to thrive. But the application will bring more HGVs onto the A644.

I’m not one for reducing speed limits unnecessarily but having reviewed my many journeys along this section of road I would support extending the 30mph all the way along to the traffic lights at Cooper Bridge. I do not believe that this will impact on journey times due to the lengthy queues at both the traffic lights, and at Cooper Bridge roundabout. In fact, a lower speed limit may even contribute to lesser queuing time at Cooper Bridge.”

Objection 2: “I wish to object to the TRO, which I feel fails to offer the standard of speed reduction and road safety to the wider area which one may expect.

I feel that by Kirklees assessing against speed surveys (which have not been fully shared with members and the public) which do not take into account the changes proposed it is a false picture and runs the risk of repeating the failure seen at the Fountain junction where there was no holistic view of traffic changes.

Despite the strap line of councillors at the heart I do not feel members views when representing the wishes of our community reflect this statement”

In response to both objections, that are similar in content and concern:

The highway environment along the A644, between A644 junction with A62 at Cooper Bridge, and Oddfellows Hall, is 40mph. Where the environment changes, with more side roads, roadside activity and pedestrian movements, the speed limit reduces to 30mph. These speed limits were assessed as part of the Kirklees Speed Limit review and deemed to be appropriate for their environment.

Adding in a new access point and pedestrian islands into the 40-mph section would not be appropriate, or safe, and as a result the developer was charged with amending the speed limit to the more appropriate 30mph, where the environment is being changed to facilitate their development. There will not however be any physical

environmental changes to the rest of the A644, so amending the speed limit, as requested by both objectors, is inappropriate and not in keeping with the ethos of “Setting Local speed limits” guidance.

Add to that, the Personal Injury Collision [‘PIC’] record along the 40mph section is very good, with only 5 PICs occurring during the past five-years. The PIC Rate [per billion-vehicle-miles] over the past 5 years is less than ¼ of the National Average Rate for this type of road (*Reported Road Casualties Great Britain*; RAS10002 – Urban ‘A’ Roads), strongly supporting the view that it is operating safely.

Whilst the observation that congestion holds back speeds for much of the time is accepted, there is no safety case for incurring delays with a lower limit when congestion is not being experienced. All 5 of the historical PICs occurred during working weekdays, most in AM/PM peak periods. There is no evidence of PIC issues arising from drivers speeding when traffic flows reduce.

3. Implications for the Council

- 3.1 **Working with people** - The proposed works are considered necessary to reduce traffic speeds in vicinity of the proposed new development.
- 3.2 **Working with Partners** – Not applicable
- 3.3 **Place based Working** – Not applicable
- 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 traffic speeds in order to make the road safer for all users, including children, in the vicinity of the new development.
- 3.6 **Other implications (HR/Legal/Financial etc)**
There is a cost to the Council of £6,262.71 to process the necessary legal Traffic Regulation Order and this has been funded by the developer. The developer will also pay for the signing changes if the traffic regulation order progresses, as well as all physical highway works and re-location of the speed camera here

4. Consultees and their opinions

Statutory consultees were consulted on these proposals on 19 July 2023 with no comments received other than the issues raised above by local ward councillors.

5. Next steps and timelines

Cabinet Committee Local Issues to consider the objections raised during the formal advertising period for the extension to the 30mph and the consequent changes to the start point of the 40mph.

If Cabinet Committee Local Issues chooses to overrule the objections received the scheme will be implemented as advertised.

If Cabinet Committee choose to uphold the objection, then the speed limit cannot be repositioned in relation to the new development access, the design criteria for the development access, right turn lane and pedestrian islands will need to be re-visited, the proposed benefit in the reduction in the speed limit will not be realised.

6. Officer recommendations and reasons

Officer recommendation is that the objection to the amendments to the existing speed limit on A644 Mirfield be overruled, and the proposals implemented as advertised.

Reason

That the proposed change to the 30mph is to allow the location and design of the new development access and its proposed pedestrian refuges to fall within an appropriate speed limit with a suitable distance, including a buffer zone, beyond the start of the 30mph.

The existing length of Huddersfield Road has been independently assessed as being suitable for this type of road and there are no proposed environmental changes that would alter that assessment, and as a result it is appropriate that it remains as 40mph.

7. Cabinet portfolio holder's recommendations

The Portfolio Holder supports officer recommendations to implement the scheme as designed.

8. Contact officer

Jonathan Walsh -
Principal Engineer
(01484) 221000
jonathan.walsh@kirklees.gov.uk

9. Service Director responsible

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

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"SHARKS TEETH" ROAD MARKINGS TO BE PROVIDED ON APPROACH TO RELOCATED START OF 30mph ZONE (SUBJECT TO TRO)

30
NEW 30mph SIGN TO BE PROVIDED (SUBJECT TO TRO)

40
NEW 40mph SIGN TO BE PROVIDED (SUBJECT TO TRO)

30
NEW 30mph SIGN TO BE PROVIDED (SUBJECT TO TRO)

40
NEW 40mph SIGN TO BE PROVIDED (SUBJECT TO TRO)

RETAINING STRUCTURE TO BE PROVIDED AT BACK OF FOOTWAY DUE TO LEVEL DIFFERENCE BETWEEN ROAD AND PROPOSED SITE. RETAINING WALL TYPE TO MATCH EXISTING

2m WIDE FOOTWAY TO BE PROVIDED ACROSS SITE FRONTAGE

PEDESTRIAN CROSSING POINT WITH REFUGE ISLAND TO BE PROVIDED

RAMPED / STEPPED ACCESS INTO SITE TO BE PROVIDED

CARRIAGEWAY TO BE WIDENED BY APPROX. 2m TO ACCOMMODATE NEW JUNCTION ARRANGEMENT

HATCHED HOV OVERRUN AREA TO BE PROVIDED

PEDESTRIAN CROSSING POINT ACROSS JUNCTION TO BE PROVIDED

AREA BOUNDED MAGENTA TO BE OFFERED UP FOR ADOPTION

PEDESTRIAN CROSSING POINT WITH REFUGE ISLAND TO BE PROVIDED

CARRIAGEWAY TO BE WIDENED BY APPROX. 2m TO ACCOMMODATE NEW JUNCTION ARRANGEMENT

RETAINING STRUCTURE TO BE PROVIDED AT BACK OF FOOTWAY DUE TO LEVEL DIFFERENCE BETWEEN ROAD AND PROPOSED SITE. RETAINING WALL TYPE TO MATCH EXISTING

2m WIDE FOOTWAY TO BE PROVIDED ACROSS SITE FRONTAGE

EXISTING SPEED LIMIT SIGNAGE APPROX AND ROAD MARKINGS 20 - 85m EAST OF THIS POINT TO BE REMOVED (SUBJECT TO TRO)

EXISTING SPEED CAMERA AND ASSOCIATED ROAD MARKINGS TO BE RELOCATED. DETAILS TO BE CONFIRMED

GHOST ISLAND JUNCTION WITH RIGHT TURN LANE TO BE PROVIDED

Huddersfield Road

The Maltings

NOTES

- ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE
- ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE SPECIFICATION FOR HIGHWAYS WORKS AND LOCAL AUTHORITY GUIDANCE
- UNDERGROUND SERVICES ARE PRESENT IN THE AREA. CONTRACTOR IS TO CONFIRM THE PRECISE LINE AND DEPTH OF ANY SERVICES PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION WORKS

KEY

- ALDI SITE BOUNDARY
- EXISTING HIGHWAY BOUNDARY
- AREA TO BE OFFERED UP FOR ADOPTION
- EXISTING CARRIAGEWAY RESURFACING / OVERLAY
- NEW CARRIAGEWAY CONSTRUCTION
- NEW FOOTWAY CONSTRUCTION
- LINE OF PROPOSED HIGHWAY RETAINING STRUCTURE (TO BE DESIGNED BY OTHERS)

REVISIONS

REV	DESCRIPTION	DATE	BY
-	FIRST ISSUE	05/05/2022	TS
A	EASTERN REFUGE ISLAND WIDENED	05/05/2022	TS
B	WESTERN REFUGE ISLAND WIDENED	05/05/2022	TS
C	4m CLEARANCE TO BEAD RELEASED	05/05/2022	TS
D	CHALKLINE INCREASED TO 1m	05/05/2022	TS
E	IMPROVED LAYOUT PROVIDED	05/05/2022	TS
F	DESIGN DEVELOPED	05/05/2022	TS
G	DESIGN DEVELOPED	05/05/2022	TS
H	UPDATED TO UNLESS COMMENTS	05/05/2022	AA

AMA
ANDREW MOSELEY ASSOCIATES

PROJECT: HUDDERSFIELD ROAD MIRFIELD

CLIENT: ALDI STORES LTD

DRAWING: SECTION 376 WORKS GENERAL ARRANGEMENT

DATE: 05/05/2022

SCALE: 1:250 @ A1

PROJECT NO: AMA/40110/D/001

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