

To consider an objection received to the proposed Traffic Regulation Order (TRO) – ‘Amendment Order No 10 of 2024’ - Kitson Hill Road, Mirfield.

Meeting:	Cabinet Committee – Local issues
Date:	23 October 2024
Cabinet Member (if applicable)	Councillor Munir Ahmed
Key Decision Eligible for Call In	Yes
Purpose of Report: To consider an objection received to the proposed Traffic Regulation Order (TRO) – ‘Amendment Order No 10 of 2024’ - Kitson Hill Road, Mirfield.	
Recommendations <ul style="list-style-type: none"> To overrule an objection received from Councillor Bolt in response to a proposed reduction in the length of the existing school keep clear markings on Kitson Hill Road needed to allow the accommodation of a zebra crossing and the associated zigzags. 	
Reasons for Recommendations <ul style="list-style-type: none"> Councillor Bolt supports the proposed changes to the school keep clear but believes these do not go far enough and has requested additional parking restrictions in the vicinity. The proposed changes to the school Keep Clear markings SKC are needed to accommodate the proposed zebra crossing zigzag markings. If the objection is not overruled, then there will be two sets of overlapping restrictions here, neither of which will be enforceable losing potential income and the proposed safety benefits. Whilst it is appreciated that Councillor Bolt has requested more restrictions, this request has been assessed separately and cannot be justified at this time. 	
Resource Implications: <ul style="list-style-type: none"> To add additional restrictions as requested would require restarting the processing of a new Traffic Regulation Order at an additional cost to the Council. If the changes are not made to the existing legal order and the zebra crossing is installed, then the zigzags would overlap the existing school keep clear markings and they would no longer be enforceable losing any subsequent income. 	
Date signed off by <u>Executive Director:</u> <u>David Shepherd</u>	17/09/2024
Is it also signed off by the Service Director for Finance: <u>Kevin Mulvaney</u>	16/09/2024
Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer): <u>Samantha Lawton</u>	18/09/2024

Electoral wards affected: Mirfield

Ward councillors consulted: Cllr Martyn Bolt, Cllr Vivien Lees-Hamilton, Cllr Itrat Ali

Public or private: Public

Has GDPR been considered: Yes

1. Executive Summary

- Highways Safety identified a location, which met the approved criteria for the introduction of a pedestrian crossing facility on Kitson Hill Road, between the school and the artificial pitches on the opposite side of the road, Funding was identified from the Council Capital pot identified for highways community projects and notices were posted in the press and on street informing the public of these proposals, as shown on appendix 1, between 1 August 2024 to 29 August 2024. During that time no formal comments were received to the crossing.
- There are existing school Keep Clear markings at the desired location for the proposed zebra crossing as shown on the plan detailed in appendix 2. To accommodate the installation of the zebra and its associated zigzags, it is necessary to reduce the length of the existing School Keep Clear markings
The Traffic Regulation Order to revoke these restrictions was advertised between 15 August 2024 to 5 September 2024. During that time, one formal objection was received from Councillor Bolt, Mirfield Ward Councillor.
- Councillor Bolt objected to these proposals on the grounds that “whilst fully supportive of road safety measures, as discussed and requested with officers I would like to see a more holistic project resolving the term time issues of parking on Slipper Lane near to the junction with Kitson Hill Road, and also the frequent out-of-school issues of vehicles being left on Kitson Hill Rd, obstructing the access to the bus stop and creating other obstructions/safety issues as they create a chicane and deviate traffic just before the existing build-out on the highway”

2. Information required to take a decision

- The proposed changes to the revised length of school keep clear markings are needed to accommodate the proposed zebra crossing here.
- The Council is aware of the problems associated with schools at opening and closing times and are actively trying to find a solution to them. This is not easy in the sense that the problems arise from the presence of too many vehicles in too small an area and, to a degree, a lack of common-sense on the part of the drivers concerned. Unfortunately, the Council has limited powers to deal with these types of issues. Potential solutions include providing parking restrictions where appropriate and enforcement of the lines and signs on site, but this would merely transfer the problem, not solve it. Most of these vehicles are associated with the adjacent school and or adjacent sports pitches.
- It is likely that adding additional restrictions here to remove all parking adjacent to the artificial pitches, on the approach to the build out and at the junction of Slipper Lane would merely increase speeds of traffic using this route raising road safety concerns. It is also likely further parking restrictions would displace the parking taking place further along the road immediately outside residential properties and/or directly opposite the build out totally blocking access there.
- To provide a more sustainable solution, the Council’s Road Safety team offer training and support to all schools by encouraging them to sign up to **Modeshift Stars** and promoting and advising on a number of initiatives which the school can promote.

Modeshift STARS is the Centre of Excellence for the **delivery of Effective Travel Plans in Education**. The scheme recognises schools that show excellence in supporting cycling, walking and other forms of sustainable travel. This is a national initiative designed to help schools encourage parents and pupils to use active travel modes travelling to and from school thereby reducing the amount of traffic on the road and easing congestion on the highway network. Once the crossing has been installed the Road Safety team will contact the school to continue to encourage them to sign up to Modeshift Stars and offer training to show pupils how to safely use the crossing.

- During the consultation period, officers contacted the school at the request of Councillor Bolt to raise his concerns around obstructive parking, associated with users of the artificial pitches, which they manage. At that time the school agreed to speak to all visitors that use these facilities in an evening/ weekend once the school holidays ended at the start of September 2024 to try to regulate the parking taking place and improve access and road safety in the vicinity.
- The police injury accident database has been checked and there are no traffic injury accidents recorded along Kitson Hill Road in the vicinity of the school/all-weather pitches and up to the junction of Stocks Bank Road in the last 5 years suggesting that drivers can manoeuvre along this route in relative safety albeit with caution.
- To propose additional restrictions as requested, the Council would need to restart the Traffic Regulation Process which would include further consultation and another formal advertisement at an additional cost to the council.
- Given the Council's current financial climate and that additional restrictions are outside of the remit of the current proposals and that removing the parking here is likely to increase traffic speeds and displace parking outside residential homes causing new problems, further restrictions cannot be justified at this time.

3. Implications for the Council

- If additional restrictions are proposed, there will be an additional financial cost of £6775.00 to the Council for staff to draft and process a new Traffic Regulation Order, which cannot be justified from current budget provision. There is also the likelihood that residents will object to any further restrictions at this location if these then move the displaced parking outside their homes.
- Whilst the revision of the Keep Clear markings is needed to enable the crossing to be installed, if the objection is not over-ruled, then there will be two sets of overlapping restrictions here, neither of which will be enforceable and the anticipated road safety benefits will be lost.
- If the objection to the revised school Keep Clear is over-ruled, the revised lengths of school keep clear markings will be installed as part of the work to install the new zebra crossing and the revised markings would continue to be enforceable.

4. Council Plan

An assessment of the request for additional restrictions has been made using the Council's usual processes which ensures it has been considered in a fair and balanced way.

5. Financial Implications

Any further parking restrictions proposed in this area would need a new traffic regulation order processing at a cost of £6775.00 resulting in an additional cost to the council. If the objection is not overruled and the zebra crossing is then installed, then the existing school Keep Clear markings will be removed at an additional cost as they would no longer be enforceable and any future enforcement revenue for these lines would be lost.

6. Legal Implications

If the objection is not over-ruled and the zebra crossing is installed, then the revised length of school Keep Clear markings will no longer be enforceable, and the ability to undertake enforcement of the revised lines and signs on site and road safety benefits will be lost.

7. Other (eg Risk, Integrated Impact Assessment or Human Resources)

8. Consultation Engagement

- The three local ward councillors were consulted on the proposed zebra crossing along with the proposed revision of the associated lining at the same time.
- Both Councillor Bolt and Councillor Lees-Hamilton raised concerns about obstructive parking and road safety concerns at this prior to the formal advertisement of the proposals.
- Councillor Itrat Ali stated that these were welcome changes to further enhance safety around the school crossing.
- The statutory bodies, school and local residents were also consulted, and no further objections were received.

9. Options considered

- a). That the proposals should be implemented as advertised,
- b). That the proposals should be revisited, and additional restrictions added as requested.
- c). That the proposals should be abandoned, and the school Keep Clear markings should be removed as they would no longer be enforceable.

10. Reasons for recommended option

The option recommended by Officers is 9(a) as detailed above.

- (i) The proposed changes to the revised length of school keep clear markings are needed to accommodate the proposed zebra crossing here and to allow the enforcement of the lines and signs on site.
- (ii) These proposals will not alter the footprint of the existing length of school keep clear markings at this location.
- (iii) Additional restrictions cannot be justified.
- (iv) The Council's Road Safety Team will contact the school to encourage them to take action to promote active travel and safe parking.
- (v) To realise the improved safety benefits for pedestrians using this route.

Councillor Munir (Portfolio Holder – Environment and Highways) fully supports officer recommendation.

11. Next steps and timelines

If the objection is overruled, the changes to the lining will take place at the same time as the installation of the zebra crossing.

If the objection is upheld, the school Keep Clear markings will be removed as part of the work to install the zebra crossing.

12. Contact officer: Karen North Email: karen.north@kirklees.gov.uk

13. Background Papers and History of Decisions

14. Appendices

Appendix 1 and 2

15. Director: Graham West