

BARNSELY METROPOLITAN BOROUGH COUNCIL
THE METROPOLITAN BOROUGH OF BARNSELY
(BARNSELY TOWN CENTRE)
(EXPERIMENTAL TRAFFIC RESTRICTIONS) ORDER 2023

The Barnsley Metropolitan Council ("the Council") in exercise of its powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

PART I

GENERAL

DEFINITIONS

1. In this Order

"civil enforcement officer" means a person employed or authorised by the Council to enforce road traffic contraventions pursuant to section 76 of the Traffic Management Act 2004 or under any other enactment

"disabled person's vehicle" and **"disabled person's badge"** have the same meaning as in Section 142(1) of the Act;

"driver" in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"motor cycle" has the same meaning as in Section 136 of the Act;

"parking disc" has the same meaning as in Regulation 5 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (as amended);

"parking place" means an area on a road designated or authorised and described as a parking place by this Order;

"parking space" means a space in a parking place which is provided for the leaving of a vehicle;

"pedal cycle" means a pedal bicycle or tricycle not being a mechanically propelled vehicle;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

"penalty charge" means a charge set by Barnsley Metropolitan Borough Council under the provisions of the Road Traffic Act 1991;

"penalty charge notice" means a notice issued by a civil enforcement officer pursuant to the provisions of the Road Traffic Act 1991 and all other enabling legislation;

"relevant position" means:-

(1) In the case of a Disabled Person's Badge:-

(a) A vehicle displays a disabled person's badge in the relevant position if:-

- (i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
- (ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

(b) A vehicle displays a parking disc in the relevant position if:-

- (i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
- (ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

"road" means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;

"vehicle" means a motor vehicle as defined in Section 136 of the Act.

2. Except where otherwise stated any references in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II

PROHIBITION OF WAITING AT ANY TIME

4. Save as provided in Part VI of this Order no person shall cause or permit any vehicle to wait at any time on any day in any of the lengths of roads specified in Schedule 1 of this Order.

LOADING RESTRICTIONS

5. Save as provided in Part VI of this Order, no person shall cause or permit any vehicle to wait for the purpose of delivering or collecting goods or merchandise or loading or unloading a vehicle at any time on any day in any of the lengths of roads specified in Schedule 2 of this Order.

PART III

PARKING PLACES

6. Subject to the provisions of Part V of this Order, each of the parts of roads specified in Schedules 3, 4, 5, 6 & 7 of this Order are authorised to be used as parking places.

Disabled Person's Vehicle Parking Places

7. Save as provided in Part VI of this Order, no person shall cause or permit any vehicle to wait in any of the parking places specified in Schedule 3 of this Order during the days and hours of operation of the parking place as may be specified therein **UNLESS** it is a vehicle which displays a disabled person's badge in the relevant position and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) and the driver shall not permit the vehicle to wait for a period longer than the maximum permitted period of stay as may be specified therein in relation to that parking place (if any) and shall not return to the parking place until any prohibited period of return as may be specified therein has lapsed (if any).

Loading Bays

8. Save as provided in Part VI of this Order, no person shall cause or permit any vehicle to wait in any of the lengths of road specified in Schedule 4 of this Order during the days and hours of operation of the loading bay as may be specified therein **UNLESS** it is a vehicle requiring to load or unload goods to or from that vehicle and the driver shall not permit the vehicle to wait for a period longer than the maximum permitted period of stay as may be specified therein in relation to that parking place (if any) and shall not return to the parking place until any prohibited period of return as may be specified therein has lapsed (if any).

Limited Waiting

9. Save as provided in Article 15.2 of this Order, no person shall, except upon the direction or with the permission of a civil enforcement officer, cause or permit any vehicle to wait at any time on any day in any of the lengths of road specified in Schedule 5 of this Order:-
- (a) for a longer period than 1 hour; or
 - (b) if a period of less than 1 hour has elapsed since the termination during the said hours of the last period of waiting (if any) of that vehicle in that length of road.

Hackney Carriage Ranks

10. Save as provided in Part VI of this Order, no person shall, except upon the direction or with the permission of a civil enforcement officer, cause or permit any vehicle to wait in any of the lengths of roads specified in Schedules 6 and 7 of this Order UNLESS it is a licensed hackney carriage available for hire and it observes any days and hours of operation and the conditions of use specified therein.

PART IV

Prohibition of Driving - Pedestrian Roads

11. Save as provided in Part VI of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle to proceed in any of the lengths of road specified in Schedules 8 and 9 of this Order.

PART V

Use of Parking Places

- 12.1 Unless otherwise stated, the parking places referred to in this Order may be used by the following classes of vehicles: passenger vehicles or goods carrying vehicles the gross weight of which does not exceed 5 tonnes, the height of which is not more than 2.08 metres and the overall length of which does not exceed 5.49 metres; motorcycles and invalid carriages.
- 12.2 Where a parking place has individual parking spaces delineated by means of road markings the driver of a vehicle shall ensure that every part of the vehicle is parked within the limits of the parking space;
- 12.3 The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted (if any) for waiting in relation to that parking place.

- 12.4** When a vehicle has left a parking place after waiting thereon the driver shall not return to the same parking place or any part thereof until the specified period (if any) has lapsed.
- 12.5** A driver of a vehicle shall not use a parking place so as to unreasonably prevent access to any premises adjoining the road or the use of the road by any other persons.
- 12.6** No person shall use the vehicle while it is in a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services **PROVIDED** always that this Article shall not be deemed to prohibit persons employed in connection with a licensed public service vehicle or a licensed hackney carriage operation from plying for hire or accepting passengers for hire at any designated taxi rank in accordance with any regulation or condition under which the service is required by law to operate.
- 12.7** No person shall use any part of a parking place or any vehicle left in a parking place for sleeping or camping or eating or cooking purposes.
- 12.8** Any person duly authorised by the Council may suspend any parking place or any part thereof by placing traffic signs in or adjacent to the parking place without any prior notice.

Movement and Removal of Vehicles

- 13.1** When a vehicle is left in a parking place in contravention of any of the provisions of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.
- 13.2** In case of an emergency a police constable or a person authorised in that behalf by the Council may alter the position of that vehicle in the parking place; or to remove the vehicle or arrange for it to be removed from that parking place or to any place he thinks fit.
- 13.3** Any person altering the position of a vehicle in, or removing a vehicle from, a parking place by virtue of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.

PART VI

EXEMPTIONS

- 14.** Nothing in Articles 4, 5, 6, 7, 8, 9 & 10 of this Order shall apply where a vehicle is waiting for so long as may be necessary to enable:-

- (a) a person to board or alight from the vehicle;
- (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of obstructions to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said roads;
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications equipment;
- (c) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority in pursuance of statutory powers and duties;
- (d) the vehicle to be used for the purposes of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000.

Disabled Persons' Vehicle Exemptions

- 15.1** Nothing in Article 4 of this Order shall apply to a vehicle which displays a disabled person's badge in the relevant position, and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) **PROVIDED** that vehicle shall not wait for a period of more than 3 hours and shall not return to the same length of road until a period of not less than 1 hour has lapsed since the previous period.
- 15.2.** Nothing in Article 9 of this Order shall apply to a vehicle which displays a disabled person's badge in the relevant position.

Access for Loading and Unloading

- 16.** Nothing in Article 11 of this Order shall render it unlawful to cause or permit any vehicle to proceed:-
- (a) between the hours of 5:00 a.m. and 9:00 a.m. and/or between the hours of 4.30 p.m. and 6.30 p.m. on any day in any of the lengths of road specified in Schedule 8 of this Order in the direction specified in relation to that length of road in Column 3 thereof **ONLY IF** the vehicle is being used for the conveyance of goods or merchandise to or from any premises situate on or adjacent to those roads or lengths of road;
 - (b) between the hours of 4:00 a.m. and 9:30 a.m. and/or between the hours of 4.00 p.m. and 7.00 p.m. on any day in any of the lengths of road specified in Schedule 9 of this Order in the direction specified in relation to that length of road in Column 3 thereof **ONLY IF** the vehicle is being used for the conveyance of goods or merchandise to or from any premises situate on or adjacent to those roads or lengths of road

17. Nothing in Parts II, III & IV of this Order shall apply where the driver of a vehicle has been directed by or given the permission of a civil enforcement officer or a police officer in uniform.

PART VII

OPERATION OF ORDER

18. Where any provision of this Order conflicts or is inconsistent with any provision of any other Order made or having effect as if made under the Act, or by any other enactment, the provisions of this Order shall prevail.
19. The interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
20. This Order shall come into operation on the 22nd day of May 2023 and may be cited as "The Metropolitan Borough of Barnsley (Barnsley Town Centre) (Experimental Traffic Restrictions) Order 2023.

SCHEDULE 1

PROHIBITION OF WAITING AT ANY TIME

ELDON STREET

North West side –

- i) From the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 27 metres from the Extended eastern kerb line of MARKET HILL
- ii) From a point 83 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 87 metres from the extended eastern kerb line of MARKET HILL
- iii) From a point 109 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 146 metres from the extended eastern kerb line of MARKET HILL
- iv) From a point 163 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 166 metres from the extended eastern kerb line of MARKET HILL
- v) From a point 183 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 195 metres from the extended eastern kerb line of MARKET HILL
- vi) From a point 211 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 215 metres from the extended eastern kerb line of MARKET HILL
- vii) From a point 237 metres north east of the extended eastern kerb line of MARKET HILL in a north easterly direction to the extended southern kerb line of REGENT STREET

South East side –

- i) From the extended southern kerb line of REGENT STREET in a south westerly

direction to a point 78 metres from the extended southern kerb line of REGENT STREET

- ii) From a point 102 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 106 metres south west of the extended southern kerb line of REGENT STREET
- iii) From a point 148 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 216 metres south west of the extended southern kerb line of REGENT STREET
- iv) From a point 272 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 281 metres south west of the extended southern kerb line of REGENT STREET

LAMBRA ROAD

North East side -

- i) From its north western end, including the whole of the turning head, in a south easterly direction to a point 73 metres south east of the extended south eastern kerb line of WESLEY STREET
- ii) From a point 126 metres south east of the extended south eastern kerb line of WESLEY STREET in a south easterly then north easterly then northerly direction to the extended south western kerb line of PONTEFRACT ROAD

South West side – from its north western end, including the whole of the turning head, in a south easterly direction to the extended south western kerb line of PONTEFRACT ROAD

MIDLAND STREET

Eastern Side - from the extended eastern kerb line of ELDON STREET in a southerly direction to a point 109 metres south of the extended southern kerb line of ELDON STREET

Western Side:-

- i) From the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 33 metres south of the extended south eastern kerb line of ELDON STREET
- ii) From a point 61 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 67 metres south of the extended south eastern kerb line of ELDON STREET
- iii) From a point 92 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 112 metres south of the extended south eastern kerb line of ELDON STREET

WESLEY STREET

Both sides – the whole

SCHEDULE 2

PROHIBITION OF LOADING/UNLOADING AT ANY TIME ON ANY DAY

ELDON STREET

North West side –

- i) From the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 27 metres north east from the extended eastern kerb line of MARKET HILL
- ii) From a point 83 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 87 metres east of the extended eastern kerb line of MARKET HILL
- iii) From a point 109 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 146 metres east of the extended eastern kerb line of MARKET HILL
- iv) From a point 163 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 166 metres east of the extended eastern kerb line of MARKET HILL
- v) From a point 183 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 195 metres east of the extended eastern kerb line of MARKET HILL
- vi) From a point 211 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to a point 215 metres east of the extended eastern kerb line of MARKET HILL
- vii) From a point 237 metres east of the extended eastern kerb line of MARKET HILL in a north easterly direction to the extended southern kerb line of REGENT STREET

South East side –

- i) From the extended southern kerb line of REGENT STREET in a south westerly direction to a point 78 metres west of the extended southern kerb line of REGENT STREET
- ii) From a point 102 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 106 metres south west of the extended southern kerb line of REGENT STREET
- iii) From a point 148 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 216 metres south west of the extended southern kerb line of REGENT STREET
- iv) From a point 272 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 281 metres south west of the extended southern kerb line of REGENT STREET

LAMBRA ROAD

North East side –

- i) From its north western end, including the whole of the turning head, in a south easterly direction to a point 73 metres south easterly of the extended south eastern kerb line of WESLEY STREET
- ii) From a point 126 metres south easterly of the extended south eastern kerb line of WESLEY STREET in a south easterly direction to the extended south western kerb line of PONTEFRACT ROAD

South West side – from its north western end, including the whole of the turning head, in a south easterly direction to the extended south westerly kerb line of PONTEFRACT ROAD

MIDLAND STREET

Eastern Side:- from the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 109 metres south of the extended south eastern kerb line of ELDON STREET

Western Side:-

- i) From the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 33 metres south of the extended south eastern kerb line of ELDON STREET
- ii) From a point 61 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 67 metres south of the extended south eastern kerb line of ELDON STREET
- iii) From a point 92 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 112 metres south of the extended south eastern kerb line of ELDON STREET

WESLEY STREET

Both sides – The whole

SCHEDULE 3

DISABLED PERSONS PARKING PLACES

Parts of roads authorised to be used as street parking places	Days of Operation	Hours of Operation	Maximum Period of Stay	Prohibited Period of Return
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ELDON STREET

North west side:-

- | | | | | |
|--|----------|-----------|---------|---------|
| i) from a point 27 metres north east of the extended eastern kerb line of Market Hill in a north easterly direction to a point 55 metres north east of the extended eastern kerb line of Market Hill | All days | All hours | 3 hours | 3 hours |
| ii) from a point 166 metres north east of the extended eastern kerb line of Market Hill in a north easterly direction to a point 183 metres north east of the extended kerb line of Market Hill | All days | All hours | 3 hours | 3 hours |

MARKET HILL SERVICE ROAD Southern Access

South West side - From the extended western kerb line of MARKET HILL in a North Westerly direction to a point 14 metres north west of the extended north western kerb line of MARKET HILL	All Hours	All Days	3 hours	3 hours
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SCHEDULE 4

LOADING BAYS

Parts of Roads Authorised to be Used as Loading Bays	Days of Operation	Hours of Operation
LAMBRA ROAD		
North Eastern side:-	All Days	All hours
i) From a point 73 metres south east of the extended south eastern kerb line of WESLEY STREET in a south easterly direction to a point 85 metres south east of the extended south eastern kerb line of WESLEY STREET		
MIDLAND STREET		
West side –		
i) from a point 33 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 61 metres south of the extended south eastern kerb line of ELDON STREET	All days	All hours
ii) from a point 67 metres south of the extended south eastern kerb line of ELDON STREET in a southerly direction to a point 92 metres south of the extended south eastern kerb line of ELDON STREET	All days	08:00 to 16:00

SCHEDULE 5

LIMITED WAITING: DAILY ONE HOUR NO RETURN WITHIN ONE HOUR

LAMBRA ROAD	North Eastern side:-from a point 85 metres south easterly of the extended south eastern kerb line of WESLEY STREET in a south easterly direction to a point 126 metres south easterly of the extended south eastern kerb line of WESLEY STREET

SCHEDULE 6

HACKNEY CARRIAGE RANKS – 24 HOURS DAILY

ELDON STREET	South Eastern Side - i) From a point 106 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 148 metres south west of the extended southern kerb line of REGENT STREET ii) From a point 281 metres south west of the extended southern kerb line of REGENT STREET in a westerly direction to its junction with MARKET HILL
MARKET HILL	Western Side - from its junction with ELDON STREET in a northerly direction to the extended southern kerb line of the southern access to MARKET HILL SERVICE ROAD
MIDLAND STREET	Eastern then Southern Side - from a point 109 metres south of the extended southern kerb line of ELDON STREET in a southerly then easterly direction for a distance of 32 metres

SCHEDULE 7

HACKNEY CARRIAGE RANKS – 00:00 MIDNIGHT TO 5:00 AM DAILY

ELDON STREET

South Eastern side – From a point 216 metres south west of the extended southern kerb line of REGENT STREET in a south westerly direction to a point 272 metres south west of the extended southern kerb line of REGENT STREET

SCHEDULE 8

PEDESTRIANISED ROADS - PROHIBITION OF DRIVING: ACCESS FOR LOADING & UNLOADING ONLY FROM 05:00 TO 09:00 AND 16:30 TO 18:00 - DAILY

Column 1	Column 2	Column 3
ROAD	LENGTH	PERMITTED DIRECTION OF TRAVEL
CHEAPSIDE	From its junction with NEW STREET to its junction with QUEEN STREET	North Westerly
KENDRAY STREET	i) From its junction with MIDLAND STREET to its junction with MAY DAY GREEN	Both
	ii) From its junction with MAY DAY GREEN to its junction with ELDON STREET	Westerly
MAY DAY GREEN	From its junction with CHEAPSIDE to its junction with KENDRAY STREET	North Easterly then Northerly
MARKET STREET	From its junction with WELLINGTON STREET to its junction with PEEL SQUARE	Northerly
NEW STREET	From its junction with HAYES CROFT to its junction with CHEAPSIDE	North Easterly
PEEL SQUARE	Southern side:- from its junction with MARKET STREET to its junction with PEEL SQUARE Carriageway	Both
	Eastern side:- from its junction with MARKET STREET to its junction MARKET HILL	Northerly
	Northern side:- from its junction with MARKET HILL to its junction with GRAHAMS ORCHARD	Westerly

SCHEDULE 9

**PEDESTRIANISED ROADS - PROHIBITION OF DRIVING: ACCESS FOR
LOADING & UNLOADING ONLY FROM 04:00 TO 09:30 AND 16:00 TO 19:00 -
DAILY**

Column 1	Column 2	Column 3
ROAD	LENGTH	PERMITTED DIRECTION OF TRAVEL

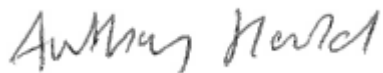
ALBERT STREET
EAST

From its junction with ALBERT
STREET to its junction with
CHEAPSIDE

North Easterly

DATED 9th May 2023

SIGNED BY:



A HAROLD

Head of Legal Services

CABINET SPOKESPERSON FOR GROWTH & SUSTAINABILITY - decision taken on 11th April 2023