

Various email messages concerning the TRO

from: Dave Rawling
to: John Taylor

Hi once more.

Ok. A part apology from me. The references to Flockton Plant Hire threw me and others, and consequently I misread or completely missed a couple of quantifying comments.

In his reply to Alison (Wigglesworth), Joe Walker mentioned "the A637 immediately south of FPH." And further on, the paragraph beginning "Regarding the siting of the restriction 170 metres below the A642,to remove the FPH premises from within the area of the restriction.....in the vicinity of the roundabout.....".

He's not talking about FPH at all! They were based up near the George & Dragon pub, off Barnsley Road, near Hardcastle Lane. The Manor House development. On which I've based a good chunk of my last e-mail to you earlier today. (The "south of" reference did have me thinking as I was answering, but I passed it off as the road itself would have been "south of" FPH premises.

He actually meant Grange Moor Coachworks, previously Hanson's Haulage. A very busy place in the 60s & 70s, even 80s, due to the coal industry in the area, and still there until the early 90s from memory. So I can fully understand why the signage was sited as it was, but why now is it still felt necessary to have it there? Perhaps the Coachworks have the occasional large vehicle that needs to access the premises from the roundabout, rather than driving the whole length of the "gyratory", not anything I am able to answer, but have they been contacted at all with regard to this? (How many vehicles, how often etc? What problems would it cause you?). If they are being referred to as FPH then it would appear not.

At this point I must ask the most important question of why is it necessary to allow ANY deliveries in from the Grange Moor End after the restriction sign, wherever it is sited.

Where would vehicles over 7.5 tonnes be going to within it's boundaries that would necessitate this, rather than them following the diversionary route?

The only answer given seems to be that because it's "standard practice". Does "standard practice" always apply or should it in our case? If so, then why? The A637 through the village is hardly a "standard road" with "standard widths" after all. As the Council's own departmental heads have admitted on several occasions.

One problem I can see is the fact that this road has been "lumped in" with others for this TRO. Other roads I know but am not as familiar with. These roads help to form the "gyratory" route that HGVs should follow.

Still no real reason as to why ANY deliveries should be allowed in from Grange Moor. Except for the emergency & breakdown services, council services, local transport, our farmers, and when work is being carried out on the road itself. All others should be able to use the "gyratory" route to access the village. That's basically what it was set up for after all, to alleviate the problems suffered here and by our neighbours.

As long as “deliveries” are allowed, there will be problems. Drivers risking being caught, safe in the knowledge that there’s hardly likely to be anyone out checking the road. Knowing that the general public wouldn’t be aware if they were delivering or not. We see them all too regularly every day after all, but don’t know their business.

Companies have been contacted quite regularly this year, and most have said they would talk to and remind their drivers of the restrictions in the area. Then again, they’re quite likely doing their job slightly quicker, with a few less miles going on the clock, so just what actions are they taking?

How do the bus companies feel about this matter too? It mustn’t be much fun for their drivers negotiating their way through when there’s a large HGV coming towards them. One way is bad enough, but they have to face them both ways. One or the other regularly have to mount the pavement in places to get by each other, or damage the road signs etc. Childrens pushchairs and dogs are known to have been hit too in such circumstances, some quite recently.

The situation with the HGVs necessitates changes. This TRO may make any enforcement slightly easier. When resources allow any checks to be done of course. A complete ban eastwards would make it much easier to “patrol”, but this still would not solve the village’s problems completely.

The simplest solution to this particular problem is obvious. Take all HGVs out of the equation completely. We know the answer to the puzzle, but need more pieces to complete it. Some round the eastern edge would fit very nicely, and make life much easier for so many people. Including many at the Council.

Regards once more
Dave

From: Dave Rawling
Date: 3 October 2018 at 09:24:33 BST
To: Cllr JohnJ Taylor
Cc: Dave Wigglesworth
Subject: Re: Proposed TRO No4 2018, ref DEV/JE/D116-1804

Hi John,

Thanks for taking that up. You’ll be aware that I wasn’t getting at him personally, more the “system” so to speak. Please convey that to him if you haven’t already.

Re the references to Flockton Plant Hire though. There’s no real problem with using it as a map reference, but the major issue is with the fact that it was brought in with the company in mind originally it seems, and also that further reference is made to them currently still needing to access the premises. There are no longer any business premises, or a trading

company even, and haven't been for 12 years or so, as I'd pointed out. So no access required as such.

The original order allowed access to the very top of Barnsley Road from the Grange Moor junction, as it would have been then I believe, to cater for the Hansons business, which was very busy at that time. The reason for the restriction starting where it still does in fact.

I'm still unsure as to why approaching from the west was seen as necessary for Flockton Plant Hire, if this was the case (presumably there is something in writing to back this up after all), as my memory recalls their entrance as being wide enough to cater for their very large vehicles to access from either direction, not just the one. (It may possibly have been widened before I came here in 1988 I have to add, but I'm not aware of this having been the case). They were basically given an exemption from the restriction it would appear. For whatever reason.

There have been several changes made to the road in an attempt to stop any gridlock occurring when 2 of the larger vehicles attempt to travel through in opposite directions, including our local buses, at certain points. Perhaps it was the fact that Plant Hire vehicles came in from that way regularly, as no doubt they did, and to use the diversion would have been quite costly and also time consuming over a period of time. 1971 is a long time ago, and those dealing with this at the time are most likely no longer with us to answer any questions. Could be as well.

Based on all this, the question remains who does actually need to approach from the west as opposed to from the east as things are within the village, following the designated "gyratory" route, as per my original e-mail, and therefore why is it deemed necessary to continue with this restriction not applying to deliveries? Of any kind. Enforcement would be far simpler to carry out if this were the case, which I'm sure our police, as the enforcement agency, would most certainly be much happier about. A question to be addressed then. And one which I shall certainly be asking on my objection, currently being composed, with a copy to be forwarded to West Yorkshire Police Traffic Division.

With regard to the actual Enforcement, can I strongly suggest that Kirklees check their website and perhaps their hard copies etc., as the wording on there is extremely misleading, with absolutely no reference being made with regard to any TRO of any kind being enforced by any other than their own officers.

If different TROs are to be enforced by different services, it should state so there. Clearly. Currently it does not. No wonder confusion has been reigning. I wonder what any lawyers would make of it too. "You're not supposed to enforce according to this" etc. I'll be watching their website re this with great interest!

I trust that you will take all the above up again with Highways and any other department who may need involvement. I shall forward both your reply and this e-mail to the Group btw, as has been done with my original.

Regards

Dave

NB I have cc'd to the Wigglesworths as their name has been mentioned in previous communications.

On 2 Oct 2018, at 10:24, Cllr John Taylor

Hi Dave,

I have picked up these issues for you with Highways & the guy is really embarrassed about the references to Flockton Plant Hire, he wasn't intending to suggest that the firm was still there but was meaning to use it as a useful geographic indicator & he's suitably embarrassed and apologetic.

I have however managed to get to the bottom of who is responsible for enforcement & I think the answer is that everyone who has stated something on this is partially right. You are correct that the Civil Enforcement Officers are responsible for enforcing Highways TROS but the qualification is that this only relates to stationary traffic (parked cars) and so is about restricted waiting times, double yellow lines etc.

TROs related to moving traffic can only be enforced by the Police and I guess what we have all been talking about is a TRO relating to moving traffic (although due to congestion on occasions it is arguable about whether it is actually moving) and as such it would be Police enforcement that is needed and this is consistent with Carolilne's comments at the very first public meeting we had in the church that I spoke at.

Her subsequent concern was that their legal team felt the existing TRO was not written tightly enough to enable them to enforce and hence the revised TRO. I know that this does not answer all of your questions and those of Mr & Mrs Wigglesworth but hopefully it helps clarify some of it.

Regards

John Taylor
Cllr John Taylor
Kirkburton Ward

07831 810096

Subject: Fwd: Proposed TRO No4 2018, ref DEV/JE/D116-1804

To One and All,

Firstly to Dave & Alison, thank you for allowing me to forward the reply you received from Highways Safety division

re your objection to the new TRO.

It's yet another prime example of what we're up against imo. Let me explain.

"The police are no longer prepared to enforce the 1971 Order". Has anyone informed either the police or Highways of Kirklees' own policy re enforcement?

ie As pointed out previously on the Kirklees website:- "The council's Civil Enforcement Officers enforce the Traffic Regulation Orders on the public highways." As I've stated elsewhere in fact. But how long has this been the case? Only Kirklees know that presumably.

"South of Flockton Plant Hire".

Whose map is that company still showing on? It's not shown on any I've looked at recently. NB. Urgent map updating required for our Highways Department please.

"Access to certain sites....for large vehicles...problematical. Imperative that a vehicle approaches a site from the west."

Why, unless there's an acute angled turning? There are many 90 degree turnings that are tight which necessitate swinging out to the other side of the road. No difference no matter which way you approach it from, and sizes are irrelevant. The only turning where it is always better to approach from the west that I can think of is accessing Dave Booth's garage premises. (Possibly on the Highways map as the old coalyard!). I thought there may be an issue there, but, as with exemptions being in place for psv's, emergency services, agricultural vehicles etc., cases of breakdown are also exempt. I'm pretty sure those vehicles would be less than 7.5 tonnes anyway.

"Flockton Plant Hire premises....those wishing to access the business". Again, they are obviously behind the times. Not only needing to update their maps it seems, but also I sincerely hope the Council haven't been chasing them up for their business rates over recent years. After all, they'll have been collecting Council Tax from the 40+ houses there for a good number of years (12?) now. Well over £1/2m in fact!

"I appreciate the issue is not straightforward". How true is that. Recognised throughout Kirklees Council it seems. Or for roadusers and residents etc. Why not make it straightforward then? But that's me oversimplifying the whole "issue" perhaps.

So we add these to previous "statements".

"What's the MRN?" & "a bypass would only move the problem" from Cllr. McBride, who sits on several committees relating to Infrastructure, Transport, & Economic Development and such like, at both Kirklees Council and the West Yorkshire Combined Authority.

"We are struggling to identify.....what we can do" from Liz Twitchett, Operational Manager for Kirklees.

The TRO is under review as we have seen above, and a 20mph zone through the village is planned for introduction shortly in an attempt to further slow the traffic speeds.

They both agreed that they would check to see whether there had been any significant changes to the criteria regarding funding re the Major Road Network (the aforementioned MRN).

However, we also have this from an e-mail our Group received earlier this year:-

"Given the revised Dft guidance it is my opinion that it would be beneficial if a study was commissioned. The proposed study would look at the benefits of upgrading the A637 which may also include a bypass of Flockton and other interventions in the vicinity. Unfortunately I cannot say when this piece of work will be commissioned as it would require substantial funding which I do not have. If and when money is made available the study can be commissioned."

Keith Bloomfield, Kirklees Operations Manager, and also, very interestingly, Operational Manager for the West Yorkshire Plus Transport Fund, having previously been with Wakefield Council for 19 years, and having 35 years experience in this field of work. One man who knows his business it would seem.

Regards

Dave Rawling

On behalf of the Flockton Bypass Group

campaign@flocktonbypass.co.uk

Website:- flocktonbypass.co.uk

From: Joe Walker

Date: 28 September 2018 at 11:02:41 BST

Good morning Mrs W,

I am in receipt of your objection to the proposed 7.5T weight limit on various roads in the Flockton area, but particularly the A637 through Flockton village.

As a brief background, the Police are no longer prepared to enforce the 1971 Order as they feel the wording is vague and open to interpretation. We therefore redrafted the Order and gained their approval of the rewording prior to us going out to consultation. As is standard practice, the 1971 Order allowed vehicles to access premises within areas of the restriction and the proposed Order retains this feature. It is not proposed to amend the existing signing on site (signs will not read 'except for access'), and the situation will not be worsened. You may have noted that a new duplicate 7.5T roundel has been erected at the Police's request on the A637 immediately south of Flockton Plant Hire.

Imposing a total eastbound ban as you suggest would create future issues for residents / businesses within the village. You will be aware that sections of the A637 are very narrow, and access to certain sites within the village for large vehicles will be problematical. Our experience is that situations will arise where it is imperative that a vehicle approaches a site from the west, and a total ban would therefore necessitate the affected resident / property holder to apply for a temporary Traffic Regulation Order (at a cost to themselves of £882 from 1 October 2018, and requiring an advance notice period of 9 weeks). This would clearly be impractical and it would be residents that would suffer, and no doubt be resentful of such a draconian measure. With this in mind, I cannot recommend amending the proposed Order to remove the access exemption.

Regarding the siting of the restriction 170 metres below the A642, this will have been originally specified in the 1971 Order to remove the Flockton Plant Hire premises from within the area of the restriction. It is proposed to retain this concept to minimise any potential confusion to those wishing to access the business. You will be aware that there are several signs in the vicinity of the roundabout notifying drivers of the restriction on the A637, and these will be retained.

With the above points in mind, and bearing in mind the Police's approval of the proposed order, I should be grateful if you would consider the matter further and let me know if you are prepared to withdraw the objection. I appreciate the issue is not straightforward, and I can be contacted direct if you have any queries or wish to discuss the situation further.

Regards,

Joe Walker

Principal Engineer

Highway Safety

Kirklees Council

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