

Report To: **SPEAKERS PANEL (PLANNING)**

Date: 13 December 2017

Reporting Officer: Ian Saxon, Assistant Director, Environmental Services

Subject: **OBJECTIONS TO PROPOSED (VALE STREET, ASHTON UNDER LYNE)(PROHIBITION OF WAITING) ORDER 2017**

Report Summary: The report outlines the objections received to the proposed waiting restrictions.

Recommendations: It is recommended that the original scheme be implemented and that authority is given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order THE TAMESIDE METROPOLITAN BOROUGH (VALE STREET, ASHTON UNDER LYNE) (PROHIBITION OF WAITING) ORDER 2016 as detailed in Section 4.2 of this report.

Links to Community Strategy: The proposals underpin a number of targets within the Tameside Community Strategy (2009-2019) and more especially in the promotion of a Safe Environment through the provision of safer roads in our Town Centres and elsewhere.

Policy Implications: None arising from the report.


Financial Implications: The costs associated with implementation of this scheme are being funded through the Traffic Regulation Order Capital Budget 2017/18.
(Authorised by the Borough Treasurer)


Legal Implications: Members should have regard to the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 which is set out in **Appendix A**.
(Authorised by the Borough Solicitor)

Risk Management: Objectors have a limited right to challenge the Orders in the High Court.

Access to the documents: **Appendix A** – S.122 of Road Traffic Regulation Act 1984
Appendix B – Drawing No. 001: Proposed restrictions

All documentation can be viewed by contacting Lauren Redfern, Traffic Operations by:

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1. BACKGROUND

- 1.1 Lowland Grove, Ashton under Lyne is predominantly occupied by vulnerable citizens who gain access to their properties by the use of motorised scooters and wheelchairs.
- 1.2 The terraced housing and busy community centre, together with the lack of parking facilities in the area and narrow streets leads to a high number of vehicles being parked on the footways causing an obstruction to pedestrians.
- 1.3 Greater Manchester Police have been called to attend on many occasions and have spoken with residents of the area to ask if they could park more considerately, unfortunately this has not solved the issues and the footways are still being obstructed.
- 1.4 There have been 5 recorded requests for waiting restrictions to be implemented along Vale Street and Picton Street dating back to April 2013, the Police also requested the implementation of waiting restrictions, as they cannot always guarantee the resources available to undertake this type of enforcement.
- 1.5 We have therefore proposed and advertised the additional waiting restrictions outline in 4.2 below and shown on the Drawing at **Appendix B**.
- 1.6 As the report refers to persons with protected characteristics, an Equality Impact Assessment was recommended, however as the proposals will not cause any direct discrimination to any of the nine protected characteristic groups a full assessment was not deemed necessary.

2. OBJECTIONS

Objection – resident of Picton Street, Ashton under Lyne

- 2.1 The resident is concerned regarding the introduction of waiting restrictions will lead to a shortage of available parking in the area and the restriction should be to prevent vehicles from parking on the pavement but still able to park on the road.
- 2.2 The resident is concerned this may lead to elderly/ frail people having to walk further to their properties and may increase the risk of trips and falls.

Response

- 2.3 The restrictions will lead to a loss of on street parking, approx. 4 vehicles. As the road is only 6.6 metres there is not enough space on the carriageway for vehicles to park wholly on the carriageway without obstructing moving traffic.
- 2.4 Disabled badge holders are able to park on waiting restrictions for up to 3 hours, this will allow anybody with specific mobility issues to park close to their destination.

Objection – 2 residents of Vale Street, Ashton under Lyne

- 2.5 One resident agrees the waiting restrictions should be in place around the corners however it is not felt the waiting restrictions are necessary for the 20 metres between Picton Street and Lowland Grove.
- 2.6 Both residents are concerned the waiting restrictions will displace the vehicles to the side of the street where they reside therefore preventing them from parking outside their properties. One of the residents has a young child and is concerned for how far away from the property they would be able to park.
- 2.7 Most residents have more than one vehicle and parking is at a premium on the street.

Response

- 2.8 The risk of vulnerable residents having to use the carriageway to travel along when the footway is obstructed due to parked vehicles is considered more of a risk than the problems caused by displacing approx. 4 cars between 8am and 6pm, Monday to Saturday.
- 2.9 Vale Street (from Oldham Road to the gable end of number 27) forms part of the adopted highway and there is no designation over who can park in which area regardless of the property ownership.

3. FUNDING

- 3.1 These proposals are being funded from the Traffic Operations capital budget 2017/18.

4. PROPOSALS / SCHEDULE OF WORKS

- 4.1 The proposed restrictions, to which the objections were received, are set out in section 4.2, below and illustrated in Drawing No. 001 (**Appendix B**).

4.2 Advertised proposals:

- (1) no waiting at any time restrictions on
- (i) Vale Street, south side, from a point 5m east of its junction with Lowland Grove to a point 10 metres west of that junction
 - (ii) Lowland Grove, both sides, from its junction with Vale Street for a distance of 10 metres in a southerly direction
- (2) extend the existing 'no waiting Monday to Saturday 8am – 6pm' restrictions on Vale Street, south side from a point 10 metres east of its junction with Picton Street to a point 10 metres west of its junction with Lowland Grove.

5. RECOMMENDATION

- 5.1 As set out at the front of the report.

APPENDIX 'A'

Section 122 Road Traffic Regulation Act 1984

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in sub-section (2) below) to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

- (2) The matters referred to in sub-section (1) above, as being specified in this sub-section are:
 - (a) The desirability of securing and maintaining reasonable access to premises;
 - (b) The effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - (c) The strategy prepared under Section 80 of the Environment Act 1995 (national air quality strategy);
 - (d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - (e) Any other matters appearing to ...the local authority.... to be relevant.