

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

Date: 25 July 2018

Reporting Officer: Ian Saxon – Director, Operations and Neighbourhoods,

Subject: **OBJECTIONS TO PROPOSED LIMITED WAITING RESTRICTIONS IN THE AREA OF WOOLLEY CLOSE, HOLLINGWORTH**

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

Recommendations: It is recommended that an amended scheme is 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 (CROSS STREET, WOOLLEY CLOSE AREA, HOLLINGWORTH) (PROHIBITION OF WAITING) ORDER 2017 as detailed in Section 4.3 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 Section 151 Officer)

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 A1 – Highway Code Extract
Appendix B – Drawing No. 001: Proposed restrictions
Appendix C – Drawing No. 002: Recommended Scheme
All documentation can be viewed by contacting Ian Hall, Traffic Operations by:

 Telephone: 0161 342 3988

 e-mail: ian.hall@tameside.gov.uk

1. BACKGROUND

- 1.1 A Traffic Regulation Order (TRO) scheme was identified for Cross Street, Taylor Street, Woolley Close and The Boulevard through a borough wide review of TRO requests. Subsequently a scheme which comprised the introduction of “No Waiting at Any Time” protection markings within that area was designed to improve road safety and facilitate traffic movement. Following consultation with local ward councillors, approval to advertise the scheme was gained through the Delegated Decision Report – Traffic Regulation Order Programme 2015/16 – 2017/18 on 10 December 2015.
- 1.2 The request for additional waiting restrictions within the area was originally raised by local residents.
- 1.3 No objections to the proposed scheme were received from the statutory consultees.

2. OBJECTIONS AND RESPONSES

- 2.1 There have been five objections from residents received during the consultation period. The objections are summarised below along with the responses:
- 2.2 A resident of The Boulevard objects to the proposed restriction on the west side of the Boulevard, as they are of the opinion this will only move the displaced vehicles to park on the east side, adjacent to his driveway and therefore cause issues gaining access on and off their driveway due to obscured visibility and does not think that there would be any benefit in safety if parking was only moved from one side of the road to the other.
- 2.3 **Response:** The proposed restriction is on the inside of the junction, and therefore would improve sight line visibility for all negotiating this junction. The proposals are limited to one side of the road where possible to minimise the impact of such restrictions within a residential area. As stipulated within the highway code, vehicles should not park within ten metres of a junction, and due to the topography of this junction the road is marked out with a white chevron that deflects vehicles away from the kerb line on the east side of The Boulevard on the approach to its junction with Woolley Close and Taylor Street. A similar length of waiting restrictions was not considered needed at that time and thought to be too restrictive for local residents within the estate. However, if residents feel it is beneficial, such a restriction could be considered at a later date, however it is recommended that the proposed restrictions being considered at this location be implemented as advertised.
- 2.4 A resident of Cross Street objects to the proposed restrictions as they have concerns the proposals would increase the likelihood of vehicles obstructing their driveway. The resident has put in a request that consideration be made to extend these restrictions to cover their driveway.
- 2.5 **Response:** The proposed restriction on the northwest side of Cross Street would stop at the dropped crossing of the resident’s driveway. The length proposed was considered to be a minimum to maintain the free flow of traffic through the narrow single lane section of Cross Street. The request for consideration of extending the waiting restrictions across their driveway would be a greater restriction than that currently put out for public consultation and therefore, could not be ratified at this meeting without going out to a further public consultation process. However, I would recommend that a white “H” road marking be authorised to be installed across the resident’s drive, which further highlights to drivers the presence of a vehicle access point. Although this has no additional legal standing, obstructing vehicle access points can be enforced by the police in certain circumstances. The presence of the white “H” marking may discourage others obstructing their driveway and at the same time allowing family and friends visiting the residents to park across this marking

without causing an offence. If the resident at a later date then found this not to be satisfactory the Council could give due consideration to extend the waiting restrictions.

- 2.6 A resident of Taylor Street objects to the proposal as they have always been able to park directly outside their property and they have a disability. They believe the proposals would only make the situation worse for parking, as displaced vehicles would move to The Boulevard, parking on both sides therefore causing more congestion and cause more aggravation within the neighbourhood. The resident put forward alternatives by asking just to maintain the proposed restriction on the north side of Taylor Street from its junction with The Boulevard.
- 2.7 **Response:** As indicated in the first two objections, the proposed restrictions on Cross Street and The Boulevard are for junction protection and as such are recommended to be implemented as advertised. Likewise with the proposed restrictions of which the objector approves i.e. North side of Taylor Street. With regards to the proposed restrictions outside the residential property on the south side of Taylor Street, the distance between the junctions of Cross Street with Woolley Close is approximately eighteen metres. Although it states within the highway code that people should not park within ten metres of a junction, due to the nature of the complaint and disability, it is proposed to enable a five metres section central to the two junctions to enable a vehicle to park, however this would not be reserved for an individual vehicle to be able to park. The proposed amended scheme therefore would reduce the length of waiting restrictions to seven metres and six metres respectively between Cross Street and the Woolley Close. Although this is less than that advised in the Highway Code, due to the nature of this highway in that it is within a 20mph zone, it is considered it would have little impact on the overall effectiveness of the scheme.
- 2.8 Two residents of Woolley Close who do not have any off street parking provision object to the proposals as they are of the opinion the restrictions would only add further strains on the parking arrangements in that area. If restrictions were to be introduced, the objector requests the restriction be introduced on the east side of Woolley Close in front of the houses that have driveways as no one parks on that side and access is always maintained to the garages at the end of Woolley Close or that permits to allow them to park be issued.
- 2.9 **Response** Local residents have recently closed off the forecourt to the garages at the end of Woolley Close by installing bollards on the private land. Taking this into account and the likely reduction in obstructive and unauthorised parking within the private land on the forecourt, it is proposed to remove the proposed restrictions from the east side of Woolley Close and reduce the restrictions to the west side of Woolley Close to ten metres from its junction with Taylor Street to keep visibility clear approaching the bend whilst maximising the available on street parking facility.
- 2.10 A resident of Woolley Close objects as they cannot understand why there is a need for the restriction. Three residents of the household drive and they would not have bought the property if there were restricted parking in the area. They were concerned the restrictions would devalue their property and request consideration for compensation for devaluation of their house if the restrictions are to be implemented.
- 2.11 **Response** What effect the proposed waiting restrictions might have on the property values within that area is not directly relevant to the committee's decision, and such schemes do not fall under any compensation requirements. The Council received complaints from residents of the area, regarding obstructive parking / access to the garages that are situated at the end of Woolley Close and on occasions, their driveways. The highway is for the passage and re-passage of vehicles and the proposed restrictions were put forward to maintain access to those garages and keep the junction of Woolley Close with Taylor Street clear of parked vehicles to improve visibility drivers.

- 2.12 The other resident of Woolley Close believes the displaced vehicles would move to The Boulevard causing disruption to the residents of that street and that other local residents that have off street parking provision don't use them but park up on street, therefore reduce available parking provision for other resident that don't have off street parking facilities including those resident on Woolley Lane (A57), whose only option of parking is to park on adjacent side roads due to parking restrictions on the main road.
- 2.13 **Response** The Council can sympathise with local residents who experience issues with parking when other local residents don't appear to be utilising their off street parking facilities. The Council however cannot and do not dictate to residents that they must utilise these off street parking facilities. The Council do recognise many household utilise garages for extra storage space and also understand not all drivers like to manoeuvre into garages for various reasons such as disabilities, difficulties in entering and exiting a car etc. The Council recognise the introduction of waiting restrictions can and do on occasions displace parking arrangements within an area. The proposed restriction put forward however are in line with Highway Code and would improve pedestrian and vehicle movements within this area.
- 2.14 Two objectors also made a suggestion to make the junctions of both Cross Street and The Boulevard into Stop junctions rather than the current give way junctions.
- 2.15 **Response** With regards the objector's proposed alternative scheme of introducing stop junctions as opposed to the existing give way junctions; this would not be a viable solution, as the Council is required to seek authority from the Secretary of State (SoS) for each STOP sign on the highway. The SoS has recently declared that no new requests will be accepted as all locations meeting the criteria should have all been brought to the SoS's attention previously (neither of these junction fall within the criteria for a stop junction) and any new roads should not be designed to fall short of the visibility standards.
- 2.16 They also suggested introducing a controlled parking scheme.
- 2.17 **Response** Again, this could not be considered as such schemes only address commuter parking issues and not over demand for parking provision by local residents, which is the situation in this instance. There is no evidence of commuter parking taking place within this vicinity. Controlled Parking Schemes do not and are not used for reserving specific parking spots for individuals on the public highway and, as indicated before, controlled parking schemes only address commuter parking issues and there are none within this area.

3. FUNDING

- 3.1 These proposals are being funded from the Traffic Operations capital budgets 2016/17.

4. PROPOSALS / SCHEDULE OF WORKS

4.1 The proposed restrictions as advertised are set out in 4.2.

4.2 THE TAMESIDE METROPOLITAN BOROUGH (CROSS STREET, WOOLLEY CLOSE AREA, HOLLINGWORTH) (PROHIBITION OF WAITING) ORDER 2017 – as advertised

<u>ADVERTISED SCHEDULE</u>		
No Waiting at Any Time		
Cross Street (northwest side)	-	from its junction with Taylor Street for a distance of 17 metres in a south-westerly direction.
Cross Street (southeast side)	-	from its junction with Taylor Street for a distance of 11 metres in a south-westerly direction.
Taylor Street (southwest side)	-	from its junction with Woolley Close to a point 10 metres north-west of its junction with Cross Street.
Taylor Street (northeast side)	-	from its junction with The Boulevard for a distance of 10 metres in a north-westerly direction.
Woolley Close (west side)	-	from its junction with Taylor Street for a distance of 26 metres in a southerly direction.
Woolley Close (east side)	-	from a point 19 metres south of its junction with Taylor Street for a distance of 10 metres in a southerly direction.
The Boulevard (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a northerly direction.

4.3 **Proposed amended Schedule 2:**

<u>AMENDED SCHEDULE</u>		
No Waiting at Any Time		
Cross Street (northwest side)	-	from its junction with Taylor Street for a distance of 17 metres in a south-westerly direction.
Cross Street (southeast side)	-	from its junction with Taylor Street for a distance of 11 metres in a south-westerly direction.
Taylor Street (southwest side)	-	from its junction with Woolley Close for a distance of 6 metres in a north-west direction.
Taylor Street (southwest side)	-	from a point 10 metres north-west of its junction with Cross Street to a point 7 metres south-east of that junction.
Taylor Street (northeast side)	-	from its junction with The Boulevard for a distance of 10 metres in a north-westerly direction.

Woolley Close (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a southerly direction.
The Boulevard (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a northerly direction.

5. RECOMMENDATION

5.1 As set out at the beginning 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.

APPENDIX 'A1'

The Highway Code

Introduction to the Highway Code

'This Highway Code applies to England, Scotland and Wales. The Highway Code is essential reading for everyone.

The most vulnerable road users are pedestrians, particularly children, older or disabled people, cyclists, motorcyclists and horse riders. It is important that all road users are aware of the Code and are considerate towards each other. This applies to pedestrians as much as to drivers and riders.'

Knowing and applying the rules

'Knowing and applying the rules contained in The Highway Code could significantly reduce road casualties. Cutting the number of deaths and injuries that occur on our roads every day is a responsibility we all share. The Highway Code can help us discharge that responsibility.

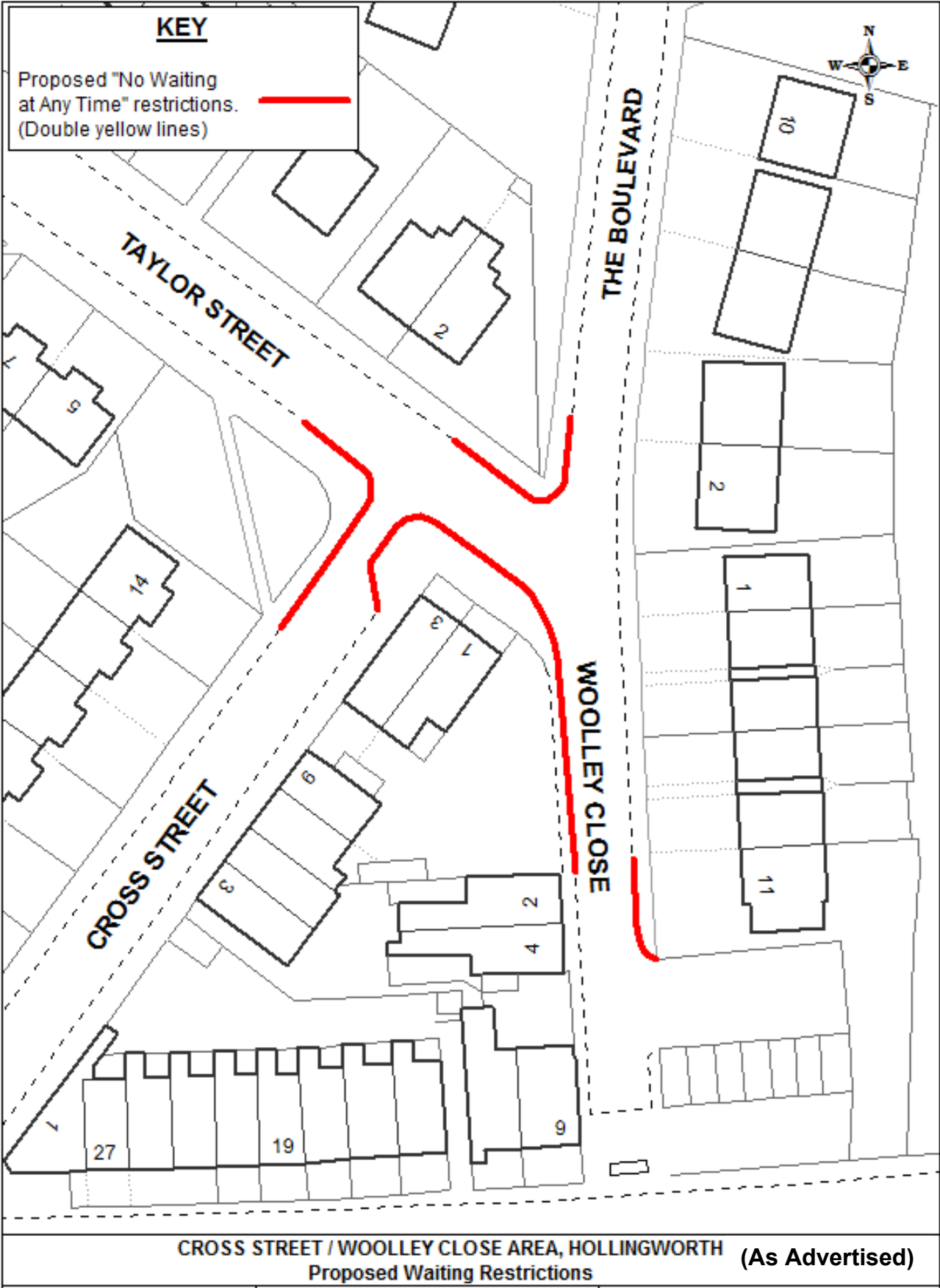
Rule 243

DO NOT stop or park:

- near a school entrance
- anywhere you would prevent access for Emergency Services
- at or near a bus or tram stop or taxi rank
- on the approach to a level crossing/tramway crossing
- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- near the brow of a hill or hump bridge
- opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- where you would force other traffic to enter a tram lane
- where the kerb has been lowered to help wheelchair users and powered mobility vehicles
- in front of an entrance to a property
- on a bend
- where you would obstruct cyclists' use of cycle facilities

except when forced to do so by stationary traffic.

APPENDIX B



CROSS STREET / WOOLLEY CLOSE AREA, HOLLINGWORTH (As Advertised)
Proposed Waiting Restrictions

APPENDIX C

