

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

Date: 24 April 2019

Reporting Officer: Emma Varnam Assistant Director of Operations and Neighbourhoods

Subject: **OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH (MANCHESTER ROAD, DENTON) (RESTRICTION OF WAITING) ORDER 2018**

Report Summary: The report outlines objections received to the proposed THE TAMESIDE METROPOLITAN BOROUGH (MANCHESTER ROAD, DENTON) (RESTRICTION OF WAITING) ORDER 2018

Recommendations: It is recommended 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 (MANCHESTER ROAD, DENTON) (RESTRICTION OF WAITING) ORDER 2018 as advertised and detailed in Section 4.2 of this report.

Corporate Plan: This proposal supports the Council's policies to develop economic growth and deliver a thriving retail offer within the area by providing the necessary transport infrastructure.

Policy Implications: None arising from the report.

Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer) The costs associated with implementation of this scheme are being funded through the Traffic Regulation Order Capital Budget 2018/19.

Legal Implications: (Authorised by the Borough Solicitor) 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**.

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

Access to Information: **Appendix A** – S.122 of Road Traffic Regulation Act 1984
Appendix B – Drawing No. 001: Proposed restrictions
Appendix C – Drawing No. 003: Existing restrictions and other road markings

Background Information: The background papers relating to this report can be inspected by contacting Ian Hall, Traffic Operations

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1. BACKGROUND

- 1.1 A Traffic Regulation Order (TRO) scheme was identified for Manchester Road, Denton through a borough wide review of TRO requests. Subsequently a scheme which comprised the introduction of "Waiting limited to one hour / No return within two hours Monday to Saturday 9am to 5pm" restrictions within that area was designed to facilitate an area of carriageway to provide a turnover of parking to local shops within that area for both their customers and improve loading and unloading opportunities to those shops by the removal of all day parking within a short section of highway outside the shops. Following consultation with local ward Councillors, the proposals were advertised in the Tameside Reporter newspaper and on street furniture in the affected area, in line with the Council's legal obligations, on 12 July 2018 for a period of 28 days as detailed in Section 4.2 and illustrated in Drawing No. 001 (**Appendix B**). Copies of the proposals were also available at the Council's Customer Services and via the Council's Traffic Regulation Orders webpage.
- 1.2 The site of the proposed traffic regulation order is a layby outside a number of shops on the A57 Manchester Road, Denton. (The existing parking restrictions and road marking layout are illustrated in Drawing No. 003 (**Appendix C**).)
- 1.3 The proposed traffic regulation order is required to increase turn-over of parking places within the layby to provide more short-term parking opportunities and to provide unloading and loading by the shops and their customers.
- 1.4 As a result of the advertised scheme; objections were received, from a local business and a legal firm representing that business.
- 1.5 An appraisal of the objections and comments received to the proposals are detailed in Section 2 below.

2. OBJECTIONS

- 2.1 The objections received from the business and Thompson and Cooke, Solicitors, on behalf of Covefern Ltd., the owners of the property 659, Manchester Road, Denton. The property comprises a ground floor retail shop with residential accommodation above. The objections are based on the retail premises, which is presently occupied by a wedding planning business who say their business would be adversely affected by the introduction of limited waiting. The business, it is said, holds meetings with clients that can necessitate more than an hour's parking, and has concerns for loading and unloading and the potential of having to park a loaded vehicle away from the front of the premises.
- 2.2 **Response**
The proposed limited waiting restriction extends across the frontages of the shops at this location. This means that if drivers require more than an hour's parking they can park in the section of layby which is not covered by the restrictions, assuming spaces are available. If this area of unrestricted parking is not available, Oak Drive is immediately adjacent to the shop in question. Other than around the junction with Manchester Road, unrestricted parking is also available. Whilst the proposed restrictions will prevent long-term parking immediately outside 659 Manchester Road, other opportunities exist within a relatively short distance for longer stay parking.
- 2.3 Limited waiting restriction have exemptions within the traffic regulation order for unlimited time for loading and unloading, although loading and unloading need to be taking place or observed at all times around that vehicle, otherwise it will be considered or deemed to be parked. If the business manages its loading requirements around this and on termination of its loading makes its delivery, then the proposed limited waiting restriction would more than likely improve the ability to carry out this operation due to a higher level / turnover of

vehicles within that vicinity. However the greater time limit provided for parking the likely hood of obtaining space for loading and unloading would diminish.

- 2.4 The objector was approached to consider to impact of extending the time limit to 2 hours; however they agreed this would be helpful for clients to the business, but said that this would not resolve the issue of the tenants' frequent coming and goings to the property. A request for a permit to exempt the tenant from the restrictions was made. They have been informed that such permits are not available.
- 2.5 Having taken in to consideration the objections relating to the limited waiting restrictions for the Manchester Road, Denton, area, it is recommended that Speakers Panel approve the proposed scheme as advertised and detailed in Schedule 1 of Section 4.2.

3. FUNDING

- 3.1 These proposals are being funded from the Traffic Operations capital budgets 2019/20.

4. PROPOSALS / SCHEDULE OF WORKS

- 4.1 The proposed restrictions as advertised are set out in section 4.2, Schedule 1 below and illustrated in Drawing No. 001 (**Appendix B**).
- 4.2 Advertised proposed Schedule 1:

Limited Waiting 1hr, Mon-Sat, 9am-5pm. No return within 2hr	
Manchester Road (south side)	From a point 10 metres east of its junction with Oak Drive for a distance of 28 metres in an easterly directions.

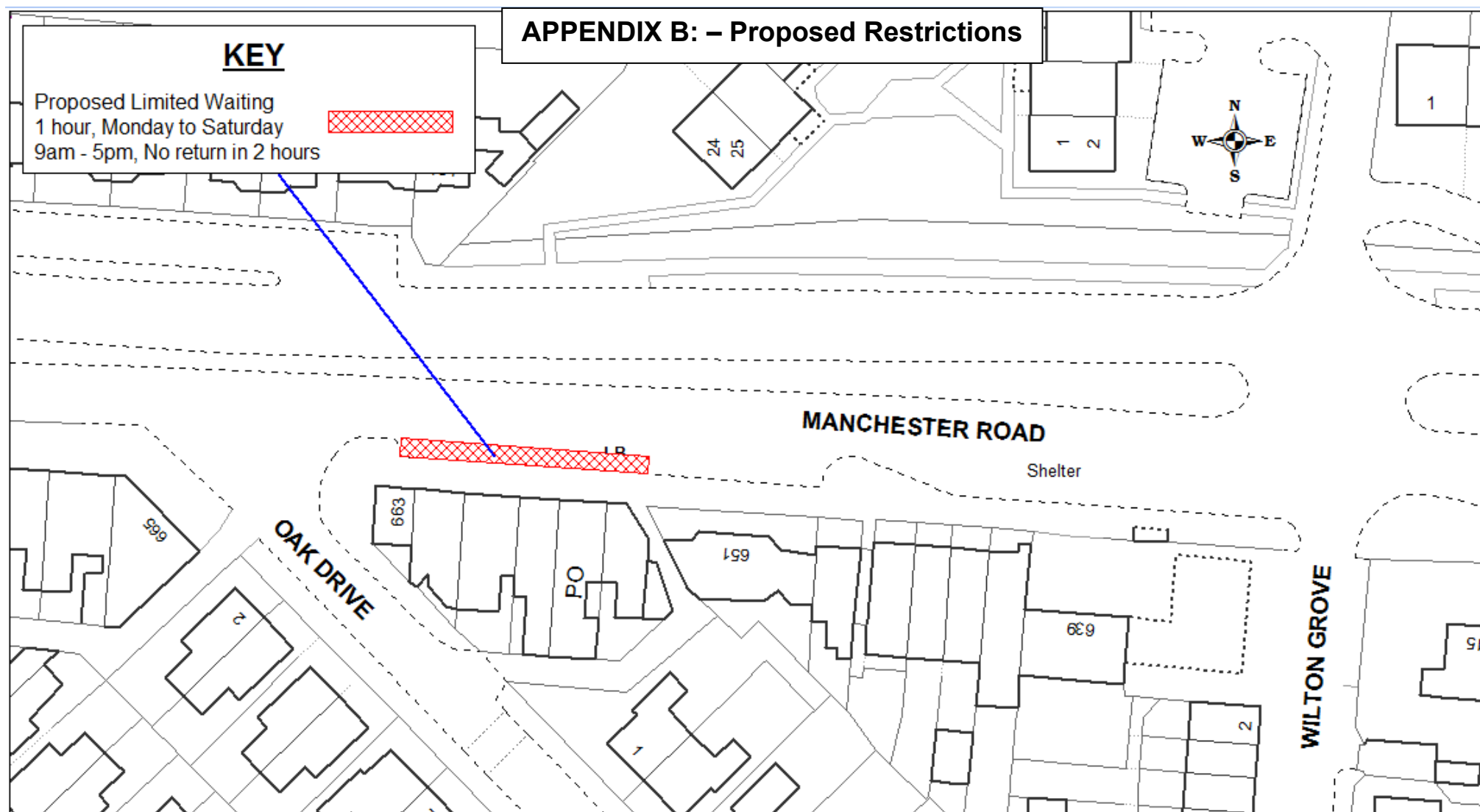
5. RECOMMENDATION

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

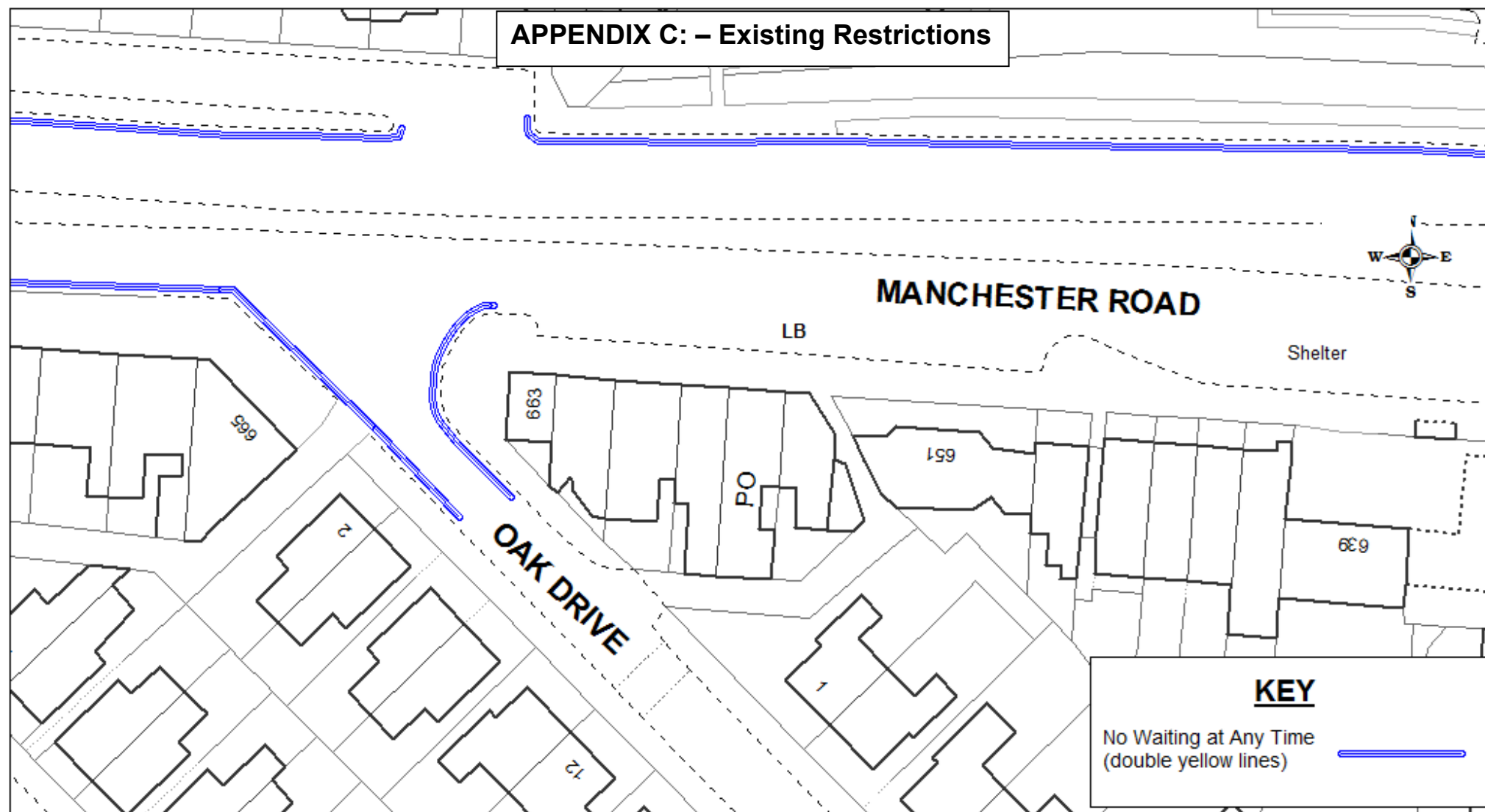
APPENDIX 'A'

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.



APPENDIX C: – Existing Restrictions



KEY

No Waiting at Any Time
(double yellow lines)

