

Report To:	SPEAKERS PANEL (PLANNING)
Date:	29 May 2019
Reporting Officer:	Ian Saxon, Director of Operations and Neighbourhoods
Subject:	OBJECTIONS TO PROPOSED THE TAMESIDE METROPOLITAN BOROUGH (THOMPSON ROAD AND STANLEY ROAD, DENTON) (PROHIBITION OF WAITING) ORDER 2018
Report Summary:	The report outlines objections received to the proposed "THE TAMESIDE METROPOLITAN BOROUGH (THOMPSON ROAD AND STANLEY ROAD, DENTON) (PROHIBITION OF WAITING) ORDER 2018".
Recommendations:	It is recommended that the scheme as advertised 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 (THOMPSON ROAD AND STANLEY ROAD, DENTON) (PROHIBITION OF WAITING) ORDER 2018" as detailed in Section 4.2 of this report.
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 2019/20.
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 – Highway Code Extract Appendix C – Drawing No. 001: Proposed restrictions
Background Information:	The background papers relating to this report can be inspected by contacting Ian Hall



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1. BACKGROUND

- 1.1 THE TAMESIDE METROPOLITAN BOROUGH (THOMPSON ROAD AND STANLEY ROAD, DENTON) (PROHIBITION OF WAITING) ORDER 2018 The proposed parking restrictions and road marking lay out are illustrated in the drawing in **Appendix C** to this report.
- 1.2 A scheme was designed which proposed to introduce waiting restrictions within the area of Thompson Road and Stanley Road, Denton. 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 16 August 2018 for a period of 28 days as detailed in Section 4.2 and illustrated in Drawing No. 001 (**Appendix C**). Copies of the proposals were also available at the Council's Customer Services and via the Council's Traffic Regulation Orders webpage.
- 1.3 No objection to the proposed scheme was received from the statutory consultees.
- 1.4 As a result of the advertised scheme; one objection was received from a member of the public.
- 1.5 An appraisal of the objections and comments received to the proposals are detailed in Section 2 below.

2. OBJECTIONS

- 2.1 One objection was received from a member of the public who is a regular visitor to Thompson Court. The objector is of the opinion that the proposed waiting restrictions are unnecessary and are a waste of public money. He reiterated a Council Officer's comment indicating that there is an instruction in the Highway Code that drivers should not park within ten metres of a junction, that drivers should be aware of this instruction and therefore parking restrictions are superfluous. In addition, he states that, if legal restrictions are required at this location, there are a large number of similar junctions where the same applies. He is of the opinion there are many other services such as pot holes etc. where the money could be better spent.
- 2.2 **Response.** The Highway Code does state do not stop or park opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space. Therefore in instances like this junction the police could take action if they were of the opinion an obstruction was taking place. However by introducing 15 metres of waiting restrictions around this junction it would physically demonstrate to drivers the area where it is considered not appropriate to park by the presence of double yellow lines. This in itself would hopefully deter any infringement of parking to close to this junction which hinders both site line intervisibilities between vehicular traffic and pedestrians and can also hinder pedestrians crossing the junction. The proposed restrictions would enable not only the police but would also allow the Council's Civil Enforcement team to take action if vehicles park within the length of the proposed restrictions, therefore easing pressure on the police. However it is envisaged the presence of the waiting restriction would effectively deter parking at that location.
- 2.3 The Council recognise and appreciate there are many areas throughout the borough where vehicles may be parking inappropriately and waiting restrictions may be considered. The Council have currently introduced in a number of residential areas waiting restrictions around junctions. This includes the next junction from Stanley Road i.e. the Junction of Thompson Court with Thompson Road to facilitate / improve vehicular and pedestrian movements around that junction. Those restrictions were introduced due to the Council receiving letters of complaint from the residents of Thompson Court and their MP who complained of vehicles parking too close to that junction and therefore obstructing access /

egress to their car park. This has been the case when site visits have taken place by officers.

- 2.4 Taking the above into consideration it is recommended to introduce the proposed waiting restrictions as advertised and indicated within Article 4.2 below and illustrated in **Appendix C**.

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 the drawing in **(Appendix C)**.

- 4.2 Advertised proposed Scheme:- SCHEDULE 1

“NO WAITING AT ANY TIME” Restrictions	
Thompson Road (north side)	from a point 15 metres east of it junction with Stanley Road to a point 15 metres west of that junction.
Stanley Road (both sides)	from its junction with Thompson Road for a distance of 15 metres in a northerly direction.

5. RECOMMENDATION

- 5.1 As set out in the recommendations section on the front sheet 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 'B'

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

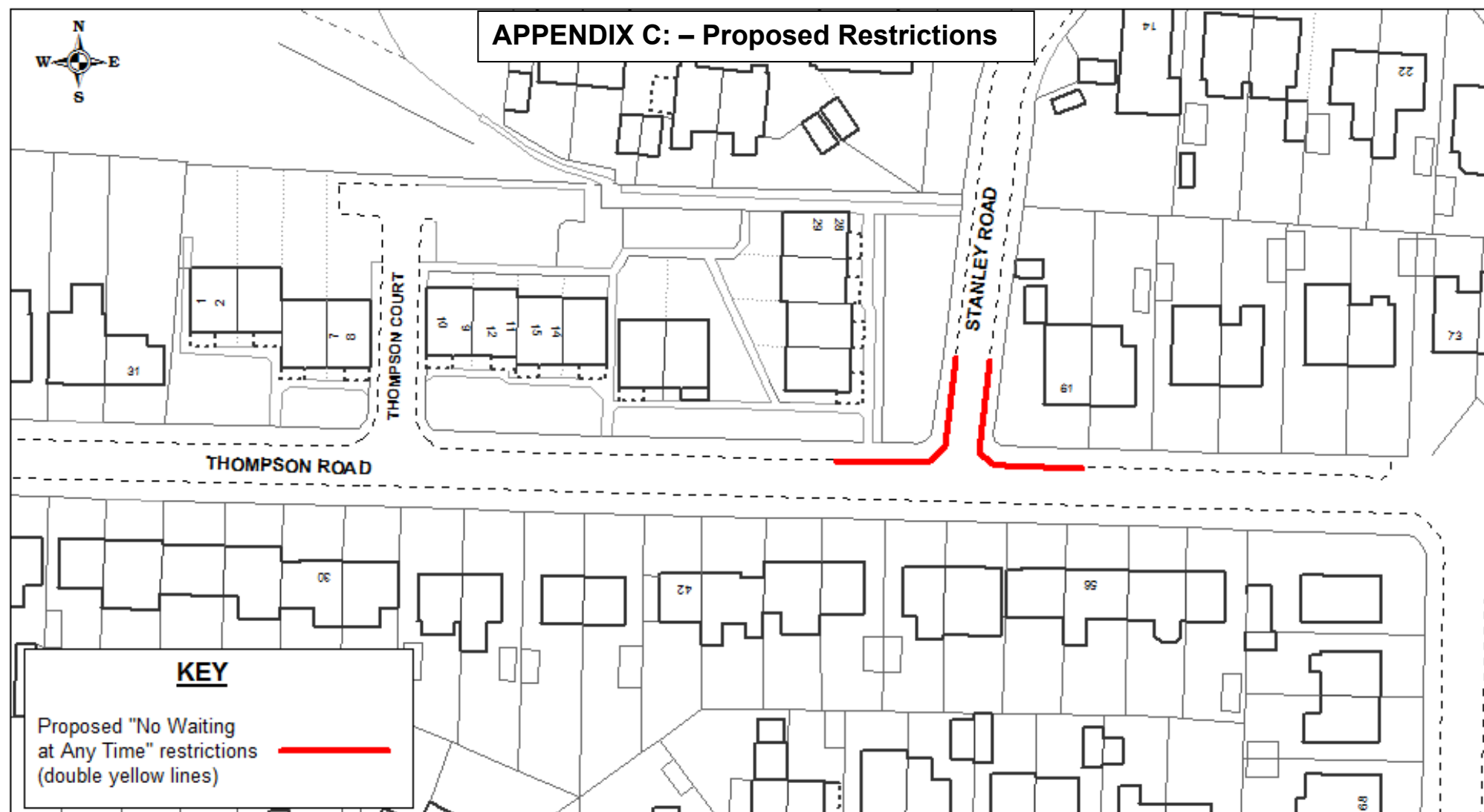
'Knowing and applying the rules contained in The Highway Code could significantly reduce road casualties. Cutting the number of deaths and injuries that occur on our roads every day is a responsibility we all share. The Highway Code can help us discharge that responsibility.

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.



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THOMPSON ROAD / STANLEY ROAD, DENTON
Proposed waiting restrictions

SCALE	NTS
DATE	01/08/2018
DRAWING No.	ThompsonRdDen01
DRAWN BY	Ian Hall