

Report to: **Speakers Panel (Planning)**

Date: Wednesday, 8 June 2022

Reporting Officer: Emma Varnam (Assistant Director, Operations and Neighbourhoods, Place)

Subject: **OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (BAYLEY STREET AND BRIDGE STREET, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 2021**

Report Summary: This report outlines objections received to the proposed waiting restrictions on Bayley Street and Bridge Street, Stalybridge.

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 introduce the Traffic Regulation Order as detailed in Section 4.3 of this report.

Corporate Plan: Improvements to the highway network support the Council in delivering priority 5 of the Corporate Plan.

Policy Implications: None arising from the report.

Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer) This report summarises the objections to the proposed prohibition of waiting order therefore there are no direct financial implications. If the order is approved, the cost of implementation will be fully funded by Cowell Norford Estate and Letting Agents at an estimated cost of £1,800.

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:
Appendix C – Drawing No. 002:

Background Information: The background papers relating to this report can be inspected by contacting, Joanne Biddle:



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1. INTRODUCTION

- 1.1 In March 2020 the Council was approached by Cowell Norford Estate and Letting Agents on behalf of one of their tenants at Bayley Street Industrial Estate, Stalybridge. The tenant has reported to them that their access/egress to the Bayley Street Industrial Estate is regularly being obstructed by vehicles parking both opposite and adjacent to their entrance gates (located on Bridge Street) and at the junction of Bayley Street and Bridge Street.
- 1.2 This area is occupied exclusively by industrial/commercial premises.
- 1.3 The tenant claims that obstructive parking at these locations is effecting their business and posing a hazard to other road users. Officers from the Council's Engineering Services have undertaken numerous site visits and would concur with these assertions.
- 1.4 In August 2021 proposals were advertised to introduce new 'No Waiting at Any Time' restrictions as detailed in the Schedule at 4.2 and Drawing No.001 at **Appendix B** of this report.

2. REPRESENTATIONS OBJECTING TO THE PROPOSED SCHEME

- 2.1 During the consultation period a number of objections to the proposed scheme were received via a joint submission from the following businesses that operate within this area:
 - Charlestown Engineering
 - Charlestown Plumbing and Bathrooms
 - Buttylicious Sandwich and Snacks
 - Bridge Electrical Supplies
 - SH Automotive Garage, Charlestown Auto Centre

Those objections are detailed below.

- 2.2 The businesses listed at 2.1 currently rely upon on street parking for both staff and customer parking on the sides and lengths of roads where the new waiting restrictions are proposed. SH Automotive, Buttylicious and Bridge Electricals have no access to off road parking facilities. The Charlestown Industrial Estate does have a private car park but as the number of staff exceed the number of available car parking spaces approximately 12-15 staff members currently park on street within the vicinity of these premises. Customers of the garage on Charlestown Industrial Estate also park on street.
- 2.3 SH Automotive emphasised that parking on the south side of Bridge Street adjacent to their premises and around onto Bayley Street is crucial to their business as an automotive repair garage, given that customer vehicles arrive on a daily basis.
- 2.4 Concerns were raised that the implementation of 'No Waiting at Any Time' Restrictions directly adjacent to the businesses at the junction of Bayley Street and Bridge Street (Buttylicious and Bridge Electricals) would have a significant and detrimental effect on passing trade if on street parking was not available in front of these businesses.
- 2.5 Concerns were also raised that the imposition of the proposed restrictions would displace parking within this largely commercial area and that this could have a detrimental effect on other businesses also.
- 2.6 There was an acknowledgement that waiting restrictions are needed to maintain traffic flow but a suggestion that these should be limited to the north side of Bridge Street, given that there is a mutual, informal agreement between the businesses that they only park on the south side of Bridge Street. It was also recognised that in accordance with the Highway

Code that vehicles should not be parking within 10 metres of a junction and the businesses have suggested that they would police this themselves.

- 2.7 There was a suggestion that larger vehicles accessing Bayley Street Industrial Estate could use the entrance on Dale Street, where 'No Waiting at Any Time' restrictions are already in force.

3. OFFICER RESPONSE

- 3.1 The officer responses below correspond to the similarly numbered points above:
- 3.2 Although it may be desirable for staff and customers to the businesses listed at 2.1 to park within close proximity to these businesses, there is no legal entitlement to park on the public highway and no obligation on the Council to provide on street parking places. The public highway is primarily for 'the passage and re-passage of vehicles'. The proposed restrictions are designed to improve the flow of traffic and pedestrian movement around this junction.
- 3.3 Aside from the access/egress issues caused by vehicles parking on the south side of Bridge Street, opposite the Bridge Street entrance to the Bayley Street Industrial Estate, parking around a junction can also cause a major hazard, reducing visibility for both motorists and pedestrians who may be crossing the road here. Rule 243 of the Highway Code states that drivers must not park within 10 metres of a junction, to allow motorists emerging from or turning into the junction a clear view of the road that they are joining.

The points made at 3.2 are also valid in this instance.

- 3.4 In order to allow for more on street parking it is proposed to reduce the lengths of the advertised waiting restrictions on Bayley Street and Bridge Street to a minimum. The proposed amendments are detailed at 4.3 of this report and in Drawing No. 002 at **Appendix C** of this report.
- 3.5 Implementation of the proposed order, subject to the proposed amendment, would result in the loss of approximately 4-5 on street parking spaces (this is bearing in mind that vehicles should not be parking opposite or within 10 metres of a junction or across the entrance to the Charlestown Industrial Estate). Although parking will inevitably be displaced it is hoped that the restrictions will encourage parking in locations where vehicles are less likely to obstruct the traffic.
- 3.6 If waiting restrictions were only implemented on the north side of Bridge Street this would not prevent the obstructive parking that is currently occurring on the south side of Bridge Street, opposite the Bridge Street entrance to Bayley Street Industrial Estate and at the junction of Bridge Street and Bayley Street. Owing to the swept path of larger vehicles and articulated lorries that are accessing Bayley Street Industrial Estate waiting restrictions on both the north side and south side of Bridge Street are deemed necessary in this instance.

Local business owners cannot and would not be expected to enforce these restrictions. Enforcement of Traffic Regulation Orders is undertaken by the Council's Civil Enforcement Officers (CEOs).

- 3.7 Waiting restrictions, i.e. double yellow lines are in force on Dale Street, Stalybridge around the Dale Street entrance to Bayley Street Industrial Estate, however it has been reported that this entrance is frequently blocked with unregistered vehicles. Unfortunately, the Council's CEO's cannot issue Penalty Charge Notices to unregistered vehicles; consequently this would be a matter for the Police.

4. PROPOSALS/SCHEDULE OF WORKS

4.1 The proposed restrictions as advertised are set out in 4.2

4.2 TAMESIDE METROPOLITAN BOROUGH (BAYLEY STREET AND BRIDGE STREET, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 2021

<u>SCHEDULE</u>	
No Waiting at Any Time Restrictions on:-	
Bayley Street (west side)	From a point 15 metres north of its junction with Bridge Street to a point 15 metres south of that junction
Bridge Street (both sides)	From its westerly junction with Bayley Street for a distance of 55 metres in a south westerly direction.

4.3

<u>Proposed amendment – SCHEDULE</u>	
No Waiting at Any Time Restrictions on:-	
Bayley Street (west side)	From a point 10 metres north of its junction with Bridge Street to a point 10 metres south of that junction.
Bridge Street (both sides)	From its westerly junction with Bayley Street for a distance of 50 metres in a south westerly direction.

5. FUNDING

5.1 The proposed scheme, if approved, is to be privately funded by Cowell Norford Estate and Letting Agents at a cost of £1,800.00

6. CONCLUSION - PROPOSALS / SCHEDULE OF WORKS

It is recommended that the proposals are introduced as detailed in the Schedule at 4.3

7. RECOMMENDATIONS

As set out at the front of the report.