

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

Date: 31 May 2023

Reporting Officer: Emma Varnam, Assistant Director, Operations & Neighbourhoods.

Subject: **OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH COUNCIL BUS STOP CLEARWAY (24 HOUR) UNION ROAD, KINGS ROAD AREA, ASHTON-UNDER-LYNE 2022**

Report Summary: This report outlines the objections received to the proposed 24 hour bus stop clearway at bus stop EH2191 on Kings Road, Ashton-under-Lyne.

Recommendations: It is recommended that the panel review the objections and that authority is given to implement the 24 hour Bus Stop Clearway in accordance with The Traffic Signs Regulations and General Directions 2016.

Corporate Plan: Improvements to the highway network support the council in delivering all 8 priorities of the Corporate Plan.

Policy Implications: None arising from the report.

Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer) The estimated cost of processing and implementing a bus stop clearway together with the associated road markings is £3,000. If the proposed scheme goes ahead it will be funded from the existing Traffic Management Revenue budgets within the Place Directorate.

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 1**.


Risk Management: Non-implementation may put bus passengers at risk.

Access to Information: Not confidential

Background Information:

Appendix 1	Section 122 of the Road Traffic Regulation Act 1984
Appendix 2	Plan of proposals
Appendix 3	Notice to frontagers
Appendix 4	Rule 243 of The Highway Code

The background papers relating to this report can be inspected by contacting Joanne Biddle, Engineer, Traffic Operations:

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1. INTRODUCTION

- 1.1 Kings Road is a busy, predominantly residential road that runs between Union Road and Gorse Lane, Ashton-under-Lyne. Bus stop EH2191 (Kings Road/ near New Lees Street) is located on the east side of Kings Road approximately outside property number 150 Kings Road, a plan of the proposals has been provided at **Appendix 2** to this report.
- 1.2 Bus stop EH2191 is served by the 396 bus service (Ashton to Middleton) that operates hourly between 07:44 and 22:18, Monday to Sunday.
- 1.3 In September 2022 bus stop EH2191 was upgraded to include a raised platform as part of Transport for Greater Manchester's (TfGM's) GD3 Bus Stop Accessibility project. To facilitate access to this and a number of other recently upgraded bus stops TfGM approached the council with regard to installing bus stop clearways.
- 1.4 A bus stop clearway is a box that consists of solid and dashed yellow lining on the carriageway together with the word 'BUS STOP'. With the exception of buses, vehicles must not stop or park within a bus stop clearway.
- 1.5 The council's formal procedure for the consultation and implementation of bus stop clearways is as follows:
 - a) Ward Members consultation;
 - b) Frontagers within the immediate vicinity of the proposed bus stop clearway are formally consulted by letter;
 - c) That there is a minimum consultation period of 21 days within which objections can be made in writing to Engineering Services;
 - d) That if no objections are received within this period of time then the proposals are implemented; and
 - e) That if objections are received during this period of time then a report outlining the objections will be considered by Speakers Panel.
- 1.6 In November 2022 Ward Members for Ashton St. Michael's were sent a copy of the combined Notice to introduce 24 hour bus stop clearways within the Union Road, Kings Road area of Ashton-under-Lyne (attached at **Appendix 3**). No objections from Ward Members were received.
- 1.7 Later that month frontagers within the immediate vicinity of the proposals were hand delivered a copy of the Notice. During the 28 day consultation period correspondence from one objector was received. The objections they have raised are summarised below.

2. REPRESENTATIONS OBJECTING TO THE PROPOSED SCHEME

- 2.1 One objector raised a concern that the proposed bus stop clearway will remove the on street parking spaces outside their property. They contend that the road is already busy due to a vast numbers of vehicles parking here and that the addition of a bus stop clearway will result in less available parking spaces that will exacerbate the situation further.
- 2.2 The same objector raised concerns that the proposals to install bus stop clearways at both bus stop EH2191 (Kings Road/ near New Lees Street) and bus stop EH2192 (outside Kings Park) on the opposite side of Kings Road could displace parking in the area leading to unsafe parking practices, potential conflicts with neighbours and an increase in crime levels as cars may be vandalised as a consequence.

- 2.3 The same objector has installed CCTV that they say will no longer be effective if the proposed bus stop clearway is installed and they cannot park their vehicle on the road outside their property.
- 2.4 The same objector claims that parking on New Lees Street as an alternative to parking on Kings Road is not safe as New Lees Street is quiet, unlit and the road condition is poor. However, they suggested that should New Lees Street be resurfaced their objection would be withdrawn.
- 2.5 The same objector suggested that the installation of a bus stop clearway will lower the value of their property.

3. OFFICER RESPONSE

- 3.1 Whilst it is appreciated that parking in this area is at a premium and that it may be desirable for residents to park on the public highway outside or near to their properties there is no legal entitlement to do so. In addition Rule 243 of the Highway Code expressly dictates: "Do not stop or park: at or near a bus or tram stop or taxi rank", regardless of whether there is a clearway in place or not (relevant extracts attached at **Appendix 4**). The fact that this area is getting parked up reinforces the need for a bus stop clearway at this location. If vehicles other than buses continue to park here passengers using this stop will be forced to board and alight while the bus is stopped in a live lane of traffic. Not only is this an unsafe practice it could also cause further congestion on an already busy road.

Additionally, if buses are unable to pull up parallel to the boarding kerb this could restrict access for the mobility impaired or push chair users and the benefits of low-floor and "kneeling" buses are significantly reduced.

- 3.2 When parking on the public highway or elsewhere it is the responsibility of the road user to ensure that their vehicle is parked safely, legally and appropriately. If neighbour disputes, criminal activity or vandalism were to arise such incidents should be reported to the police.
- 3.3 There is no obligation on the council to provide parking spaces for residents for the purposes of CCTV coverage.
- 3.4 The section of New Lees Street, Ashton-under-Lyne that adjoins Kings Road and Swift Street is not adopted highway and therefore not maintained by Tameside Council.
- 3.5 There is no evidence to suggest that the implementation of a bus stop clearway would impact on property prices within the vicinity of the restriction.

4. FUNDING

- 4.1 The cost for processing and implementing a bus stop clearway together with the associated road markings (approximately £3000.00) will be funded from the existing Traffic Management Revenue budgets within the Place Directorate.

5. CONCLUSION - PROPOSALS / SCHEDULE OF WORKS

- 5.1 It is recommended that the proposals are introduced as per the Notice attached at **Appendix 3** and illustrated in the plan attached at **Appendix 2**.

6. RECOMMENDATIONS

6.1 As set out at the front of the report.