

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

**Date:** 20 March 2024

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

**Subject:** **OBJECTIONS TO: -**  
**THE TAMESIDE METROPOLITAN BOROUGH (BANK STREET AREA, ASHTON-UNDER-LYNE (PROHIBITION OF WAITING ORDER) 2023**

**Report Summary:** This report outlines the objections received to the proposed 'No Waiting at Any Time' restriction on Bentinck Street, Ashton-under-Lyne.

**Recommendations:** That approval is given to make a legal order for the proposed 'No Waiting at any Time' restrictions, as advertised in the first notice attached at **Appendix 1** to this report.

**Links to Community Strategy:** 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:** The cost of implementation of the proposed permanent order is estimated to be £4,000. This is inclusive of staff time, advertising, signage and lining works. The costs will be fully met by Casey Group Ltd.


**Legal Implications:** The Council has a statutory duty, which it must have regard to under Section 122 of the Road Traffic Regulation Act 1984 which is set out in Appendix 3.

**Risk Management:** If the proposed waiting restrictions are not implemented obstructive parking will continue to occur both on street and within the entrance and turning head of the Cavendish Wharf development.

**Access to the documents:**

<b>Appendix 1</b>	First Notice
<b>Appendix 2</b>	Plan showing proposed NWAAT restrictions.
<b>Appendix 3</b>	S122 of the Road Traffic Regulation Act 1984

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

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## 1 BACKGROUND

- 1.1 Cavendish Wharf is a development of 51 new dwellings sited on Bank Street, Ashton-under-Lyne on land opposite and adjacent to Cavendish Mill. The development includes landscaping, a parking area and new access roads.
- 1.2 Following completion, the developer approached Tameside Council with regard to a Traffic Regulation Order (TRO) for 'No Waiting at Any Time' restrictions, i.e. double yellow lines, within the entrance to the Cavendish Wharf development, up to and including the cul-de-sac ends of Whalley Close. The reason for the proposed restrictions is to facilitate vehicular access to the development and prevent obstructive parking in the turning head.
- 1.3 The Council's Highways Engineers agreed with the rationale for the developer's proposals and also sought to include an extension of the existing 'No Waiting at any Time' restrictions on the west side of Bentinck Street. The reason for this is to prevent obstructive parking at the footway build out (where the road narrows at the entrance to the 'one-way system') and on the east side of Bentinck Street at its northerly junction with Higher Wharf Street.
- 1.4 On the 21 December 2023 the proposals were advertised for a period of 28 days. The first notice is attached at **Appendix 1** of this report.
- 1.5 A plan showing the proposals is attached at **Appendix 2** to this report.
- 1.6 The Council has a statutory duty which it must always have regard to under Section 122 of the Road Traffic Regulation Act 1984 which is set out in **Appendix 3**.

## 2 OBJECTIONS

- 2.1 During the consultation period one objection to the proposed waiting restrictions on the west side of Bentinck Street was received. The objection is from a company called Tameside Healthcare Ltd, a mobility aids company whose premises are located on Bentinck Street, Ashton-under-Lyne.
- 2.2 The grounds for the company's objection is that the location where the waiting restrictions are proposed is where their engineers park whilst loading and unloading their vehicles. They also have regular deliveries from heavy goods vehicles that need to park adjacent to their goods entrance whilst making their deliveries.
- 2.3 Furthermore, owing to the nature of their business many of their disabled customers also park on Bentinck Street adjacent to their premises to bring in mobility items for repair.

## 3 OFFICER RESPONSE

- 3.1 The officer responses below correspond to the points raised above.
- 3.2 (Response to 2.2) It is correct that the proposed waiting restrictions would prevent parking on the west side of Bentinck Street, adjacent to Tameside Healthcare Ltd. However, the Traffic Regulation Order contains an exemption for a vehicle to wait on double yellow lines for 'so long as may be necessary for the purpose of enabling goods to be loaded onto or unloaded...' from that vehicle. Therefore, lorries making deliveries to Tameside Healthcare Ltd and staff or service users picking up/dropping off items at their goods entrance would be permitted to wait on the double yellow lines for the purpose thereof. Moreover, if parking were to be left unrestricted on the west side of Bentinck Street there is a risk that other vehicles could park here, blocking access to their goods entrance, which could result in failed deliveries to the business.

- 3.3 (Responses to 2.3) There is an exemption for disabled Blue Badge holders to park for up to three hours on the double yellow lines within the vicinity of Tameside Healthcare Ltd, provided that no obstruction is caused. It is also noted that Tameside Healthcare Ltd does have a customer carpark that is located at the rear of their building, off Portland Street South.

#### **4 FUNDING**

- 4.1 The proposed scheme is to be privately funded by the developer, The Casey Group Ltd and will cost approximately £4,000 to process and implement.

#### **5 RECOMMENDATION**

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