

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

**Date:** 31 July 2019

**Reporting Officer:** Ian Saxon – Director, Operations and Neighbourhoods

**Subject:** **OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD, WYCH FOLD, AREA, HYDE) (PROHIBITION OF WAITING) ORDER 2018**

**Report Summary:** The report outlines objections received to the proposed waiting and stopping restrictions.

**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 (STOCKPORT ROAD, WYCH FOLD, AREA, HYDE) (PROHIBITION OF WAITING) ORDER 2019 as detailed in Section 5.2 of this report.

**Links to Community Strategy:** The proposals underpin a number of targets within the Tameside Community Strategy (2009-2019) and more especially in the promotion of a Safe Environment through the provision of safer roads in our Town Centres and elsewhere.

**Policy Implications:** None arising from the report.

**Financial Implications:** The costs associated with implementation of this scheme are being funded through the Traffic Regulation Order Capital Budget 2019/20.  
**(Authorised by the Section 151 Officer)**

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

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

**Access to the documents:** **Appendix A** – S.122 of Road Traffic Regulation Act 1984  
**Appendix A1** – Highway Code Extract  
**Appendix B** – Drawing No. 001: Proposed restrictions  
All documentation can be viewed by contacting Ian Hall, Traffic Operations by:

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## **1. BACKGROUND**

- 1.1 A Traffic Regulation Order (TRO) scheme was identified for Stockport Road, Enfield Street, Wych Fold, and Hudson Road, Hyde following a borough wide review of TRO requests received by the Council. Following consultation with local ward councillors, approval to advertise the scheme was gained through the Delegated Decision Report – Traffic Regulation Order Programme 2015/16 – 2017/18.
- 1.2 The Council has been approached by a company called Superior Food Machinery (SFM) that operates from premises on Wych Fold. For many years the company has experienced problems with obstructive parking as there is a propensity for vehicles to park both opposite and adjacent to their works entrance. This is restricting the access/egress for their delivery vehicles which range in size from transit sized vans to 40ft articulated lorries and the company reports that parked vehicles have been damaged as a consequence.
- 1.3 Concerns have also been raised by The Werneth House Community Centre, also sited on Wych Fold. Visitors to the Centre report that they often have difficulty accessing the Centre's off street disabled parking area, owing to the entrance being obstructed by parked vehicles.
- 1.4 In response to the issues raised the Council proposes waiting restrictions on the east and west side of Wych Fold and at various junctions within the Stockport Road, Wych Fold area, as defined in the schedule of works.
- 1.5 A scheme was advertised in February 2018 and 14 objections were received. However, one was discounted as no grounds for the objection were specified. The concerns raised are detailed below.
- 1.6 No objections to the proposed scheme were received from the statutory consultees.

## **2. OBJECTIONS**

- 2.1 The majority of the objections concern the limited availability of on street parking for visitors to local amenities such as The Grapes Hotel, The Werneth House Community Centre and local shops within the vicinity.
- 2.2 The Grapes Hotel does have a small carpark to the rear of the premises but when functions are being held its capacity is often exceeded and additional on street parking is required for its patrons.
- 2.3 The Hotel also has a Bowling Club with over a 100 members. From March to October matches are played throughout the week and on street parking is required for both its members and the visiting teams.
- 2.4 Although no objections have been received from local shops and businesses within the scheme area it was suggested that the proposed restrictions on parking could make customers less inclined to visit the area and affect passing trade.
- 2.5 Concerns were also raised that the elderly or people with mobility problems would be unable to park in close proximity when visiting the community centre.
- 2.6 A number of objectors also mentioned that obstructive parking has either not been observed or only occurs occasionally. It was suggested therefore that the waiting restrictions should be limited to the area immediately adjacent to SFMs gates.

- 2.7 Two objections were received from local residents regarding the proposed restrictions around the junction of Enfield Street and Stockport Road. Both objectors expressed concerns that the proposed waiting restrictions will displace parking and increase non-residential parking leaving them unable to park near their properties.
- 2.8 Conversely, an objection was also received from a resident on Hudson Road; the resident fully supports the proposals at this location in the interests of road safety but felt that the proposed waiting restrictions are not extensive enough.
- 2.9 One objector suggested that if restrictions are necessary then the restrictions should only be in operation between 08:00 to 18:00.
- 2.10 Some objectors also made reference to illegal and dangerous parking on existing double yellow lines within the vicinity.

### 3. OFFICERS RESPONSE

- 3.1 With the continuing growth in vehicle ownership the Council recognises that limited off street parking is an issue, especially in areas where there are a number of local amenities and a high level of resident occupancy. The aim is to strike a balance between the need to facilitate the safe movement of traffic and the availability of on street parking for frontagers and visitors to the area.
- 3.2 The waiting restrictions on Wych Fold are to:
- Maintain unobstructed goods vehicle access to SFM's yard;
  - Improve sight line visibility to the unnamed road off Wych Fold which provides access to private parking for another business and local residents;
  - Maintain vehicular access to Werneth House Community Centre's off street disabled parking area;
  - To facilitate an on street 'pick up/drop off' point within close proximity to the centre for the elderly and people with mobility problems.
- 3.3 We do not anticipate that the waiting restrictions will have a negative effect on trade in the village.
- 3.4 SFM reports that obstructive parking has been a problem on a daily basis for many years. In some instances it would appear that vehicles are inadvertently obstructing the works access as they have not taken into account the turning requirements of HGVs. The length of the waiting restrictions is deemed necessary to maintain access to the yard. Other than the vicinity of SFM's yard parking will be maintained on the east side of Wych Fold leaving up to 12 metres free available on street parking.
- 3.5 The reason for the waiting restrictions at the various junctions are twofold, firstly to enhance the general safety at these junctions by improving visibility for both pedestrians and vehicular traffic. Secondly, to deter illegal parking that may occur if vehicles are displaced from parking on Wych Fold:
- 3.6 Stopping or parking opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space is in direct contravention of Rule 243 of the Highway Code (see **Appendix A1**).
- 3.7 We will continue to monitor the traffic flows in the area and if further restrictions are required this will be considered at a later date.

3.8 The request for day time only restrictions has been given due consideration but owing to the nature of the road and the times of day the Community Centre is in operation it is not considered appropriate to amend the proposed restrictions to day time operation.

3.9 Whilst the issues of illegal and dangerous parking are beyond the scope of this report the issues raised will be investigated and appropriate action taken. However, it should be noted that exemptions for disabled drivers do apply with regards to parking on double yellow lines. Disabled drivers may park on single or double yellow lines for up to 3 hours.

#### 4. FUNDING

4.1 These proposals are being funded from the Traffic Operations capital budgets 2019/20

#### 5. PROPOSALS / SCHEDULE OF WORKS

5.1 The proposed restrictions as advertised are set out in 5.2.

5.2 THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD, WYCH FOLD AREA) (PROHIBITION OF WAITING) ORDER 2018 – as advertised

<b>SCHEDULE</b> <b>No Waiting at Any Time</b>	
Stockport Road (north side)	from a point 10 metres west of its junction with Tatton Street to a point 10 metres east of that junction.
Stockport Road (north side)	from a point 10 metres west of its junction with Enfield Street to a point 15 metres east of the extended south easterly kerb line of Enfield Street with Stockport Road.
Enfield Street (both sides)	from its junction with Stockport Road for a distance of 15 metres in a north-easterly direction.
Wych Fold (west side)	from a point 15 metres south of its junction with Stockport Road to its junction with Hudson Road.
Wych Fold (east side)	from a point 27 metres south of its junction with Stockport Road for a distance of 18 metres in a southerly direction.
Wych Fold (east side)	from its junction with Hudson Road for a distance of 15 metres in a northerly direction.
Hudson Road (north side)	from a point 10 metres west of its northerly junction with Wych Fold to a point 5 metres east of that junction.
Hudson Road (south side)	from a point 28 west of its southerly junction with Wych Fold for a distance of 23 metres in a westerly direction

#### 6. RECOMMENDATION

6.1 As set out at the beginning 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 'A1'

### 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.

