

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

Date: 15 January 2020

Reporting Officer: Ian Saxon – Director, Operations and Neighbourhoods

Subject: **OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (BROADBOTTOM ROAD, MOTTRAM) (PROHIBITION OF WAITING) ORDER 2019**

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

Recommendations: It is recommended that an amended scheme 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 (BROADBOTTOM ROAD, MOTTRAM) (PROHIBITION OF WAITING) ORDER 2019 as detailed in Section 5.3 of this report.

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: The costs associated with implementation of this scheme are being funded by the local residents of Church View.
(Authorised by the statutory Section 151 Officer & Chief Finance 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 Information: **Appendix A** – S.122 of Road Traffic Regulation Act 1984
Appendix A1 – Highway Code Extract
Appendix B – Drawing Proposed restrictions advertised
Appendix C – Drawing Proposed Amendment
Appendix D – Drawing Existing restrictions

Background Information: The background papers relating to this report can be inspected by contacting Ian Hall



Telephone: 0161 342 3988



e-mail: ian.hall@tameside.gov.uk

1.0 BACKGROUND

- 1.1 The Council received a request from the residents of Church View (a private access which serves three properties), Broadbottom to extend the existing “No Waiting at Any Time” restrictions on Broadbottom Road, Mottram across their access road and beyond to improve access to and egress from their shared vehicular access.
- 1.2 The residents of Church View have reported that people are parking and blocking their access on occasions and, more regularly, parking very close to the access so as to obscure the view along Broadbottom Road making the egress difficult. The residents of Church View agreed to fund the legal process of promoting these restrictions.
- 1.3 The existing restrictions stop at the junction of Church View. A proposed scheme to improve sight line visibility for vehicular traffic exiting Church View was agreed by Delegated Decision by the Operations & Neighbourhoods Service Area. The proposed scheme was to extend the restriction across the vehicular access to Church View and continue the restriction a further 15 metres south of the junction (therefore extending the restriction by 20 metres in total)..
- 1.4 A scheme was advertised in February 2019 and two objections were received from local residents and their concerns raised are detailed below.
- 1.5 No objections to the proposed scheme were received from the statutory consultees.

2.0 OBJECTIONS

- 2.1 Objectors raised concerns that the proposed restrictions would only benefit the few and does not take into account the needs of the other residents within the community. This could create a precedent for further waiting restrictions along Broadbottom Road for residents with driveways and other junctions within the area.
- 2.2 Objectors indicated that the introduction of further waiting restrictions would only encourage excessive speed of traffic along Broadbottom Road. They cited that the junction of Ashworth Lane with Market Street / Market Place is particularly hazardous due to visibility restrictions on the bend at that location and greater speed of traffic would only exacerbate this problem.
- 2.3 The objectors made an alternative suggestion to introduce speed restrictions to improve safety similar to those further along this route in Broadbottom and requested an explanation as to why these measure have been introduced there and not in Mottram.
- 2.4 An objector states he was informed that the existing no waiting at any time restrictions were introduced to give clear vision to a school crossing patroller which operated adjacent to the former library for only one hour per school day. The effect of those restrictions being introduced only pushed parking further away toward Broadbottom and this proposal will only have a similar effect. The resident then raised concerns that similar waiting restrictions then might be promoted for the Cricket Club, Winslow Avenue and then Bucklow Close.
- 2.5 An objector commented that there is so little traffic emerging from Church View that a 24 hour restriction is hardly justified and noted that even the junctions with Ashworth Lane and Market Place do not have this.

3.0 OFFICERS RESPONSE

- 3.1 With the continuing growth in vehicle ownership the Council recognises that limited on street parking is an issue. 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. Church View is a private vehicular access road that serves three properties with off street parking provision for 6+ vehicles to those properties. The proposed restriction offers improved sight line visibility at the junction of Broadbottom Road with Church View, to enable those residents to use their off street parking facility.
- 3.2 The existing waiting restrictions within the area of Church View were promoted to assist a school crossing patrol that operated within that area. However this was not the only reason why the restrictions were promoted. The restriction assisted access points to some properties including a car park to the Broadbottom Library. The restrictions also minimised the length of double parking within this area, where traffic can be restricted to single lane movements. Although the Library has now closed, this has been replaced by residential properties with off street parking for up to ten cars and therefore the current restrictions in place will continue to assist access to these premises.
- 3.3 The Council has been asked to consider relaxing some of the restrictions within this area. Having reviewed the topography of this site and the benefits of the restrictions, as explained above, the Council currently has no plans to relax any of the restrictions at this time.
- 3.4 Objectors have raised concerns that other restrictions may be promoted around other junctions along Broadbottom Road. It should be noted that restrictions are normally promoted only where parking becomes problematic such as vehicles parking too close to junctions. The Council will continue to monitor traffic in the area and if further restrictions are considered appropriate they would be subject to a public consultation process.
- 3.5 Concerns have been raised with regards to the possibility that the speed of traffic may increase due to the proposed waiting restrictions. However in the view of officers it is not anticipated the introduction of the waiting restrictions would have any bearing on the speed of vehicles within this vicinity.
- 3.6 One objector made reference to the existing waiting restrictions around the junction of Ashworth Lane with Market Place being only covered by a single yellow line restriction. The restriction of "No Waiting Mon-Sat, 8am-7pm" was introduced in 1968. The restrictions would have been considered appropriate for the problems being encountered within the area at that time and appear to continue to be effective. The current proposal to extend the existing 24 hour waiting restrictions within the area of Church View is considered appropriate to maintain sight line visibility at all times.
- 3.7 In order to bid for funds and promote an area for traffic calming features the Council would have to demonstrate a predicted reduction of injury incidents within the area, which the Council could not do in this instance.
- 3.8 The areas of Broadbottom where 20mph schemes are in operation also contain sections of double white lines and zebra crossings that further prohibit parking on street. If such a scheme was to be considered for this area of Mottram it would likely meet with greater objections from the local residents than the proposed scheme.

3.9 Having taken into account the objectors' comments it is recommended that the proposed restrictions be reduced by 5 metres, reducing the length of waiting restrictions from 15 metres to 10 metres past the Church View junction. This falls in line with the Highway Code requirement that vehicles should not park within 10 metres of a junction. This reduction in length is to facilitate additional parking whilst still maintaining sight lines improving access to / egress from Church View.

4.0 FUNDING

4.1 These proposals are being funded by the local residents of Church View.

5.0 PROPOSALS / SCHEDULE OF WORKS

5.1 The proposed restriction as advertised is set out in 5.2 (plan **APPENDIX B**)

5.2 THE TAMESIDE METROPOLITAN BOROUGH (BROADBOTTOM ROAD, MOTTRAM) (PROHIBITION OF WAITING) ORDER 2019 – as advertised

No Waiting at Any Time restrictions on:-		
Broadbottom Road (west side)	-	from its northerly junction with Church View to a point 15 metres south of that junction.

5.3 The proposed amended restriction is set out in 5.4 (Plan **Appendix C**)

5.4 THE TAMESIDE METROPOLITAN BOROUGH (BROADBOTTOM ROAD, MOTTRAM) (PROHIBITION OF WAITING) ORDER 2019 – recommended scheme

No Waiting at Any Time restrictions on:-		
Broadbottom Road (west side)	-	from its northerly junction with Church View to a point 10 metres south of that junction.

6.0 RECOMMENDATION

1.1 As set out at the front 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

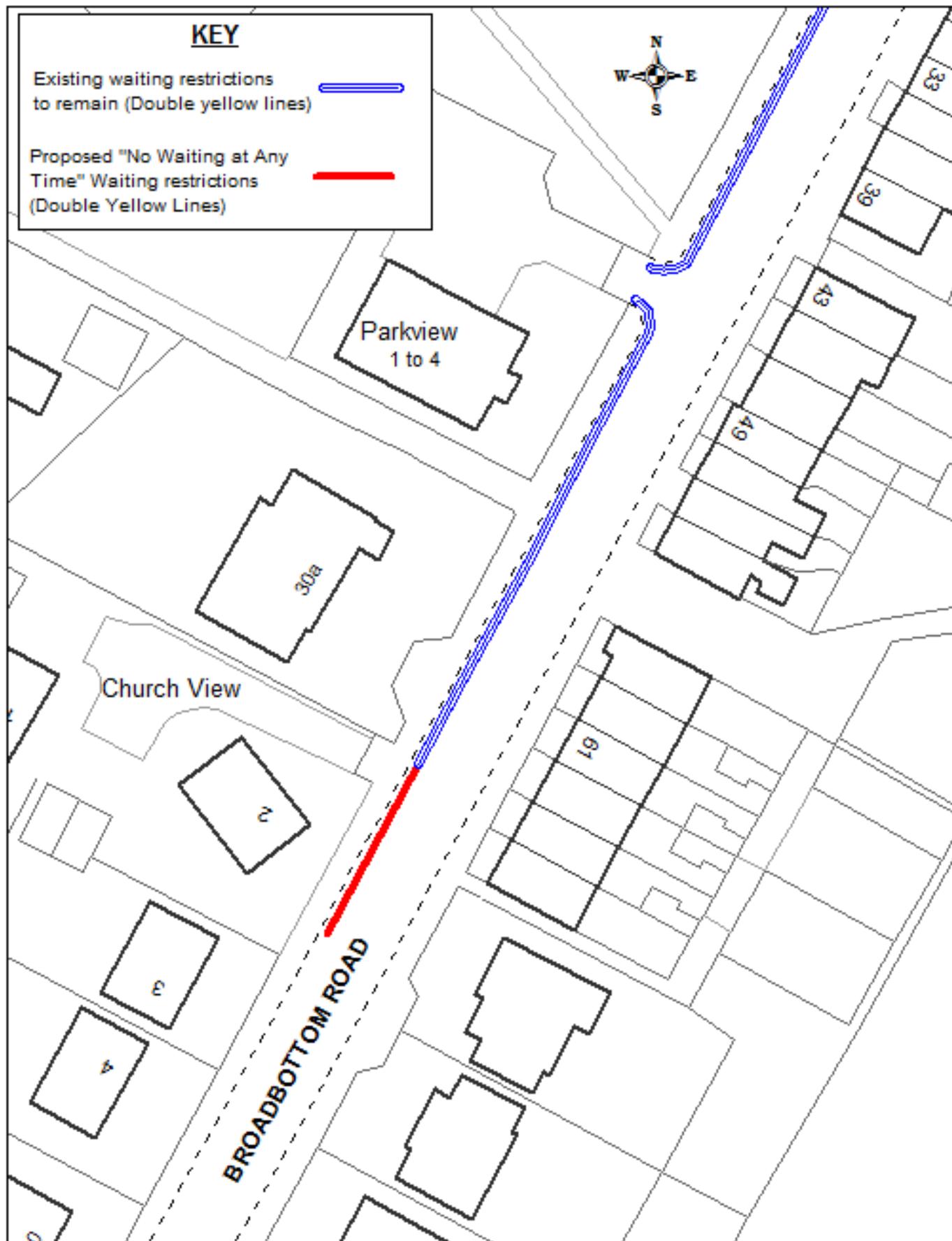
'Knowing and applying the rules contained in The Highway Code could significantly reduce road casualties. Cutting the number of deaths and injuries that occur on our roads every day is a responsibility we all share. The Highway Code can help us discharge that responsibility.

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.



BROADBOTTOM ROAD, MOTTRAM - Proposed Waiting Restrictions - AS ADVERTISED

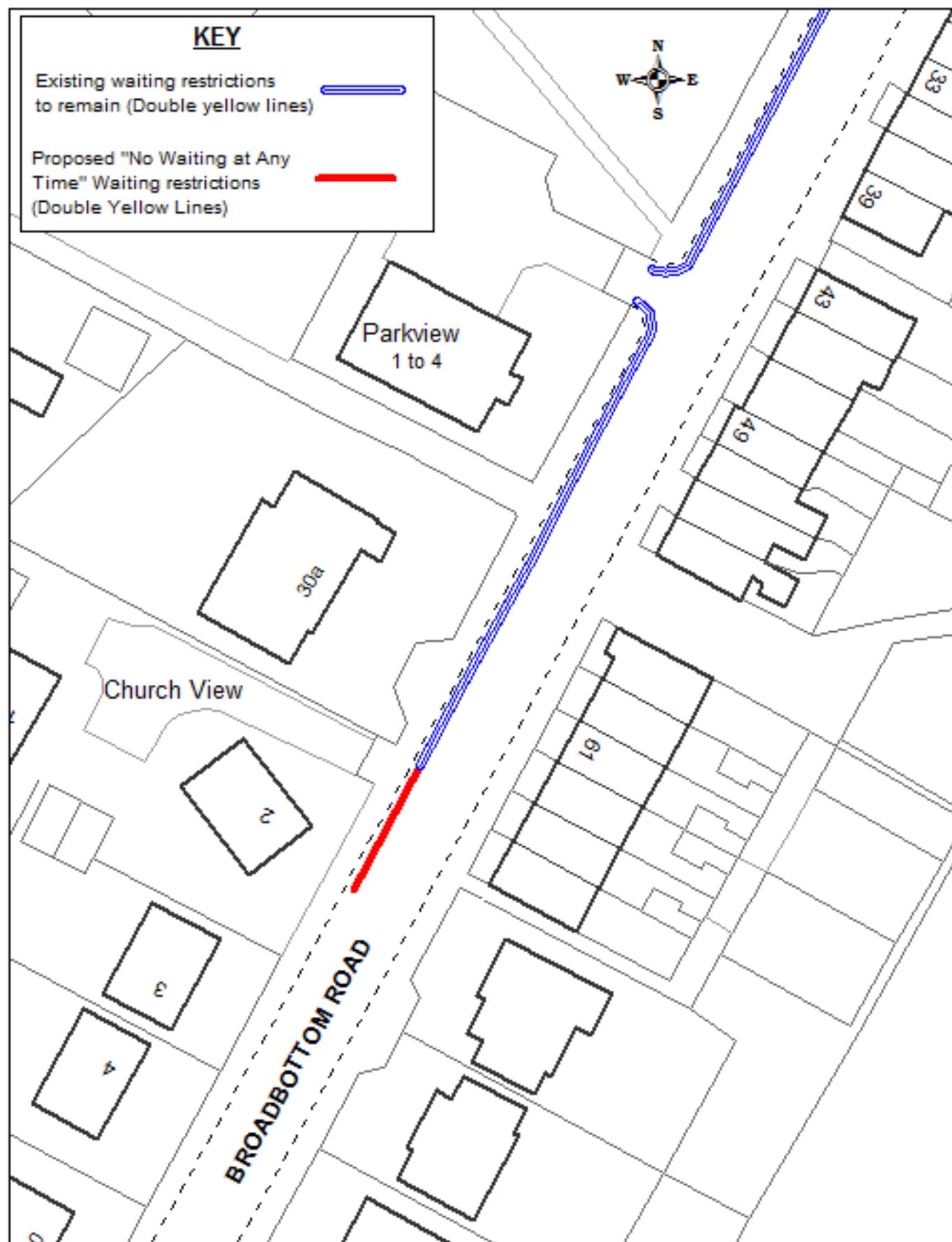
Engineering Service
Tameside MBC
Council Offices
Wellington Road, Ashton-Under-Lyne
Tameside, OL6 6DL

Drawn By : Ian Hall

Date : 10/12/2018

Scale : 1:500

Drw - BroadbottomRdMot



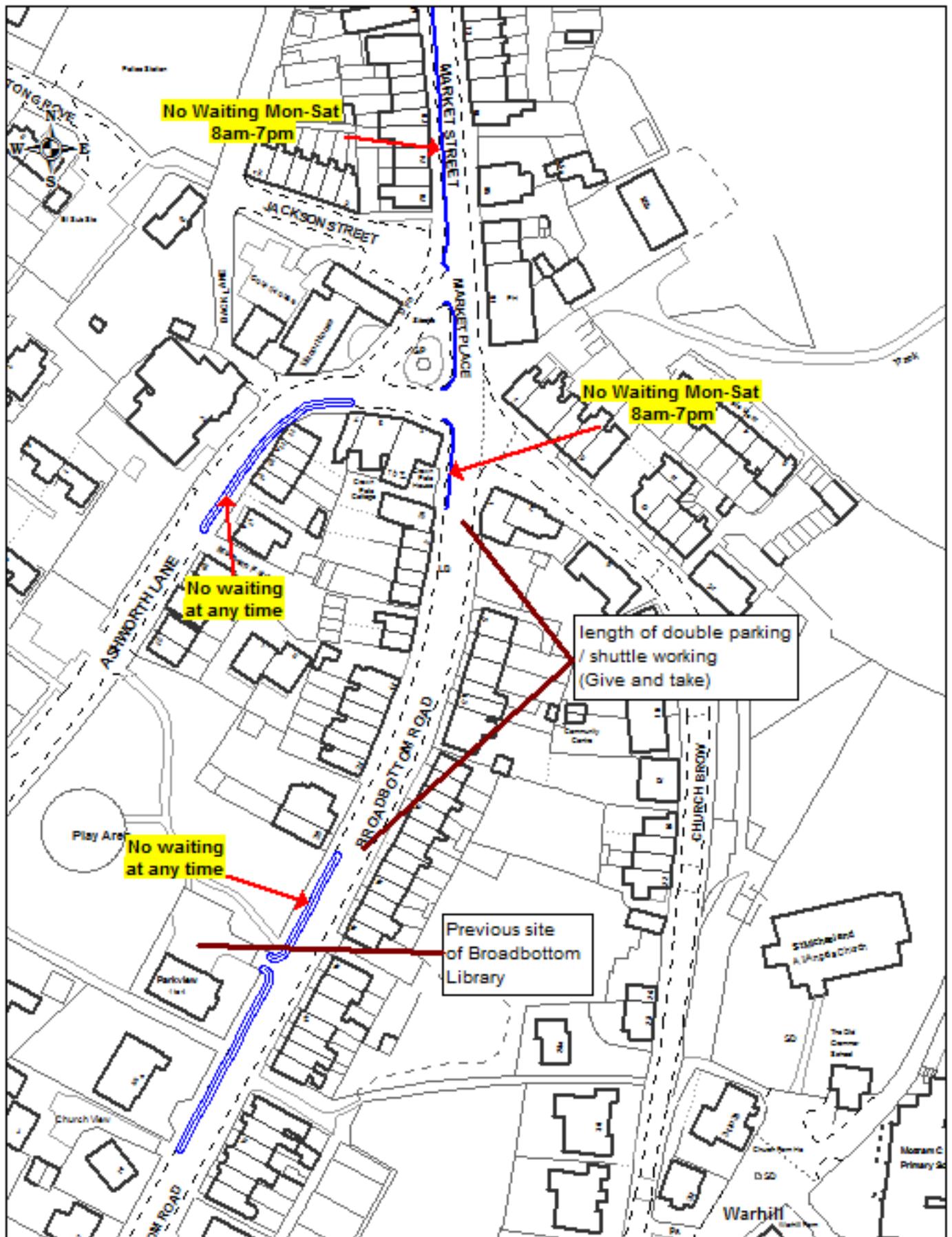
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Drawn By : Ian Hall

Date : 10/12/2018

Scale : 1:500

Drw - BroadbottomRdMot



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BROADBOTTOM ROAD, MOTTRAM
 Existing waiting restrictions

SCALE	1 : 1250
DATE	26/09/2019
DRAWING No.	Broadbottom Rd Exist
DRAWN BY	Ian Hall