

Report to:	SPEAKERS PANEL (PLANNING)
Date:	12 February 2020
Reporting Officer:	Emma Varnam, Assistant Director Operations and Neighbourhoods
Subject:	OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (ARUNDEL STREET AREA, ASHTON UNDER LYNE) (PROHIBITION OF WAITING AND STOPPING ON FOOTWAY) ORDER 2019
Report Summary:	The report outlines correspondence received objecting to the proposed extension of waiting restrictions and proposed no stopping at any time on footway on Arundel Street, Ashton-under-Lyne following a 28 day statutory consultation in October 2019.
Recommendations:	It is recommended the panel review the objections 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 TAMESIDE METROPOLITAN BOROUGH (ARUNDEL STREET AREA, ASHTON UNDER LYNE) (PROHIBITION OF WAITING AND STOPPING ON FOOTWAY) ORDER 2019 as detailed in Section 5.1 of this report.
Corporate Plan:	Improvements to the highway network support the Council in delivering eight 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 funding for the scheme will be taken from the Traffic Operations, Traffic Regulation Order budget 2019/2020.
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 A1 – Highway Code Extract Appendix B – Drawing No.001: Proposed restrictions
Background Information:	All documentation can be viewed by contacting Lauren Redfern, Traffic Operations by:  Telephone: 0161 342 2879  e-mail: lauren.redfern@tameside.gov.uk

1. INTRODUCTION

- 1.1 Arundel Street is a primarily residential street which is additionally fronted by Ashton Sixth Form College and the College Sports Courts on its west side near to its junction with Darnton Road.
- 1.2 Owing to the close proximity of Arundel Street to both Ashton Sixth Form College and Tameside General Hospital there is a high volume of on street parking and a tendency for vehicles to park on the east footway. At present, on street parking is mainly utilised by staff and students of the college, hospital workers, patients and visitors.
- 1.3 Tameside MBC have received numerous complaints over many years from local residents, pedestrians and motorists who are struggling to walk and drive in this vicinity. At present, vehicles are parking on both sides of Arundel Street and fully on the footway on the north east side. Vehicles parking on the footway are blocking visibility from Darnton Gardens and Thorncliffe Grove making it difficult for drivers to pull out on to Arundel Street, which is a busy thoroughfare.
- 1.4 A scheme was advertised in October 2019 proposing to extend the existing prohibition of waiting restrictions on both the east and west side of Arundel Street and to introduce a prohibition of stopping order on the footway on the east side of Arundel Street. During the statutory consultation period 6 objections were received. The concerns raised by the objectors are summarised below.

2. OBJECTIONS

- 2.1 An objection was raised on the basis that approximately 70 on street parking spaces will be lost if these restrictions are implemented when parking facilities for both the college and the hospital are already limited .
- 2.2 One objector contended that complaints by local residents are unfounded owing to the fact that the west side of Arundel Street is largely fronted on to by the college sports courts and the east side has seven foot tall partition fencing that borders properties on Darnton Gardens; the majority of which have double driveways. Properties on Thornfield Grove front onto a private road and also have access to off road parking.
- 2.3 Contrary to objection 2.2 above a resident of Thornfield Grove opposes the proposed restrictions on the basis that they would be unable to park their works vehicle on the footpath near their property, should the order come into force.
- 2.4 The obstruction of the footway on the east side of Arundel Street and the section of Arundel Street adjacent to Thornfield Grove is caused by an overgrowth of greenery.
- 2.5 It was also suggested that should these restrictions be implemented drivers would be more inclined to park further along Arundel Street towards Stamford Square, where housing is more concentrated, with terraced properties that have no access to private off road parking.
- 2.6 A number of objectors claim to have witnessed no obstruction of the footways on Arundel Street, contending that the footways are wide enough to accommodate parked vehicles without causing an obstruction.
- 2.7 One objector raised concerns that community health service providers may be unable to access patients' properties for home visits if they are unable to park on street.

3. OFFICER RESPONSE

- 3.1 Whilst the Council appreciates that on street parking is convenient for staff, visitors, students and patients respectively, the primary purpose of the public highway is to facilitate the safe passage of pedestrians and vehicular traffic not to provide overspill parking for local institutions. Both the college and the hospital provide off street parking facilities; the hospital has a multi storey car park to the rear of the building and a car park on Fountain Street. There are also three pay and display Council car parks sited off Darnton Road and a car park sited off Mellor Road (with a total capacity of 510 spaces). In addition, there are frequent bus services that serve both the college and the hospital and Stalybridge train station is within close proximity; so good transport links are in place and alternative modes of travel are available.
- 3.2 The assertion that no local residents are affected by vehicles parking on Arundel Street is incorrect. The contention is not that residents' parking is being affected but that members of the public, local residents included, are unable to walk and drive in this area unimpeded owing to transient vehicles parking obstructively.
- 3.3 Whilst it may be desirable, there is no legal entitlement for a resident to park on the public highway outside their own address. In addition, although pavement parking is tolerated in certain circumstances to maintain the flow of traffic it is not actively encouraged owing to the potential damage to the footway itself and to any utility services that may be sited beneath.
- 3.4 The overgrowth of greenery is not considered to be the sole cause of the obstruction but may be a contributory factor, accordingly the Council will arrange for any overhanging vegetation to be cut back to the highway boundary and residents written to where appropriate.
- 3.5 No frontagers at this location will be affected by the proposed order. It is not anticipated that any residents will be affected by the proposals in terms of accessing health care providers.

4. FUNDING

- 4.1 The introduction of the scheme will be funded by the Traffic Operations, Traffic Regulation Order budget 2019/2020.

5. CONCLUSION – PROPOSALS / SCHEDULE OF WORKS

- 5.1 It is recommended to introduce the waiting restriction as advertised, as set out in the Schedule below and shown in Drawing 001 **Appendix 2**.

SCHEDULE 1 No waiting at any time

Darnton Road	
South west side	From a point 44 metres south east of its junction with Arundel Street to a point 25 metres north west of that junction.
Arundel Street	
West side	From its junction with Darnton Road for a distance of 225 metres in a southerly direction.
West side	From a point 335 metres south of its junction with Darnton Road for a

	distance of 27 metres in a southerly direction.
West side	From its junction with Stamford Square for a distance of 21 metres in a northerly direction.
East side	From its junction with Darnton Road to a point 15 metres south of the southerly junction of Thornfield Grove.
East side	From its junction with Stamford Square for a distance of 15 metres in a northerly direction.
Darnton Gardens	
North side	From its junction with Arundel Street for a distance of 11 metres in a easterly direction.
South side	From its junction with Arundel Street for a distance of 9 metres in a easterly direction.

SCHEDULE 2 No Stopping at Any Time on Footway

Arundel Street	
East side	From its junction with Darnton Road to a point 72 metres south of its junction with Darnton Gardens.

6. RECOMMENDATIONS

- 6.1 As set out at the front of the report.