Title: Smithy Bridge Road and Eafield Road, Littleborough - Objection to Traffic Regulation Order

Public/Private: For Publication

Report to: Pennines Township Committee

Cabinet Member: Cabinet Member for Housing and Environment

Date: 10th January 2017

Director: Director of Neighbourhoods

Tel: Tel: 01706 924461

Report Author: Steve Reay

Author Email: steve.reay@rochdale.gov.uk

Key Decision:

1 Purpose of the report

1.1 This report is for Members to reconsider objections received to the proposed introduction of prohibition of waiting restrictions on Smithy Bridge Road and Eafield Road, Littleborough, in Littleborough Lakeside Ward. At the meeting held on 29th November 2016, it was decided that the report be deferred to the next meeting following consultation between Ward Councillors and Residents.

2 Recommendations

2.1 It is recommended that the Committee considers whether the proposed Traffic Regulation Order, Borough of Rochdale ((Civil Enforcement of Traffic Contraventions) (Various Streets) (Pennines Township) Order 2008) (Amendment) (No.55) Order be implemented in light of the representations received which are outlined in Section 7 of this report.

3 Reason for Recommendation

3.1 To comply with the Local Authorities’ Traffic Orders, Regulations 1996 the Authority must consider all objections submitted during the consultation period of at least 21 days (see Section 7) before ‘Making’ a Traffic Regulation Order.

3.2 The Committee should consider the objections received and make a decision as to whether the scheme should be progressed and the new restrictions introduced.

3.3 It should be noted that in considering the report, the proposed Order is deemed strategic in nature and should be dealt with in accordance with Section F2 of the Scheme of Delegation to Township Committee. Committee has delegated power to confirm the proposals and the Order. However, if the Committee wish not to confirm the proposals and the Order, the matter must be referred to Cabinet for decision.
Alternatives Considered

4.1 Consider recommending to Cabinet that the proposal be abandoned

4.1.1 The proposal to make a Traffic Regulation Order affecting parts of Smithy Bridge Road and Eafield Road has been developed for and commissioned by Pennines Township Committee.

4.1.2 Should Committee decide not to introduce the restrictions proposed then issues of junction visibility will not be addressed.

4.1.3 It should be noted that this Traffic Regulation Order is proposed as a consequence of indiscriminate parking along the lengths of roads concerned affecting visibility and access issues. To address the issues it is necessary to introduce the proposed Order as originally advertised (see Appendix A).

Consultation Undertaken

5.1 Consultation required by the Local Authorities’ Traffic Orders, Regulations 1996 has taken place.

5.2 The Emergency Services, Transport for Greater Manchester, the Freight Transport Association and the Road Haulage Association were consulted on 12th July 2016.

5.3 Notices of intention were posted on site and published in the local newspaper on 13th July 2016.

5.4 The objection period ran until 10th August 2016.

5.5 Consultation between Ward Councillors and residents following the committee meeting held on 29th November.

Background:

6.1 Statement of Reasons

6.1.1 Concerns were raised by a local resident to a ward councillor that sight lines were being obstructed when exiting Eafield Road onto Smithy Bridge Road due to vehicles parking too close to the junction.

6.1.2 Eafield Road is a small residential lane that is accessed from Smithy Bridge Road. Smithy Bridge Road is an unclassified road, however, it is traffic sensitive a bus route and a popular link between Littleborough and Milnrow as well as being a main route to Hollingworth Lake.

6.1.3 There is a level crossing on Smithy Bridge Road approximately 150 metres from its junction with Eafield Road.

6.1.4 The proposed restrictions will prohibit vehicles from parking at any time on Smithy Bridge Road to the north west of Eafield Road for a distance of 15 metres and up to the junction of Fletcher’s Road on the south east side, and on Eafield Road for a distance of 10 metres from the junction of Smithy Bridge Road.

6.1.5 This will protect sight lines when accessing and egressing Eafield Road and improve safety for both motorists and pedestrians.
6.2 The Notice of Intention and associated plan illustrate the proposal at Appendix A of this report.

7 Report

7.1 During the consultation period the Authority received four objections.

7.2 The Objectors’ comments and the Director of Neighbourhoods response are attached at Appendix B of this report.

7.3 In considering the objections the Committee should be mindful that the only right the general public has on the highway is a right of passage along it. The Authority has both a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic.

7.4 Rules 242 and 243 of the Highway Code state that motorists should not cause an unnecessary obstruction of the road or park opposite or within 10 metres of a junction.

8 Legal Implications

8.1 The Council has a statutory duty to ensure that its highways operate safely and efficiently, for all traffic including pedestrians.

9 Financial Implications

9.1 The proposed Traffic Regulation Order is a Pennines Township Revenue Scheme, and is therefore funded from Township Funds. The estimated cost is £3500.

10 Personnel Implications

10.1 This scheme has no implications.

11 Corporate Priorities

11.1 The proposed scheme is generated by Pennines Township Committee.

12 Risk Assessment Implications

12.1 There are no risk assessment implications.

13 Equalities Impacts

13.1 Workforce Equality Impacts Assessment

There are no workforce equality issues arising from this report.
13.2 Equality/Community Impact Assessments

A detailed Equality Impact assessment is attached as an Appendix to this report.

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<th>Background Papers</th>
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APPENDIX A – Notice of intention and plan

BOROUGH OF ROCHDALE
((CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS)
(VARIOUS STREETS) (PENNINES TOWNSHIP) ORDER 2008)
(AMENDMENT) (NO. 55) ORDER

Smithy Bridge Road and Eafield Road, Littleborough

NOTICE IS HEREBY GIVEN that the Rochdale Borough Council, in exercise of its powers under Sections 1(1), 2 and 4 of the Road Traffic Regulation Act 1984, intend to make an Order, the effect of which would be to:-

(i) Amend the Borough of Rochdale (Civil Enforcement of Traffic Contraventions) (Various Streets) (Pennines Township) Order 2008 by inserting the following:-

Schedule No. 1.1
No Waiting At Any Time

Smithy Bridge Road, Littleborough Lakeside Ward

n(xv) the south west side from its junction with Fletcher’s Road to a point 15 metres north west of its junction with Eafield Road

Eafield Road, Littleborough Lakeside Ward

n(i) both sides from its junction with Smithy Bridge Road for a distance of 10 metres in a south westerly direction

(ii) Revoke that part of the Borough of Rochdale (Civil Enforcement of Traffic Contraventions) (Various Streets) (Pennines Township) Order 2008, as follows:-

Schedule No. 1.1
No Waiting At Any Time

Smithy Bridge Road, Littleborough Lakeside Ward

(iii) the west side from a point 29 metres south-east of its junction with Eafield Road to its junction with Fletcher’s Road.

A copy of the proposed Order and a map showing the lengths of roads concerned, together with the Council’s Statement of Reasons for making the Order, may be inspected at Littleborough Library, Hare Hill Park, Hare Hill Road, Littleborough, OL15 9HE during normal office hours.

Objections to the proposed Order, stating the grounds on which they are made, must be made in writing and forwarded to trafficorders@rochdale.gov.uk or, alternatively, to Network Management, Floor 2, Number One Riverside, Smith Street, Rochdale, OL16 1XU to reach the Council on or before 10th August 2016, quoting H60/1179.

Dated this 13th day of July 2016

David Wilcock
Assistant Director – Legal, Governance & Workforce
Rochdale Borough Council

Number One Riverside
Smith Street
ROCHDALE
OL16 1XU
## Objector 1

**Residential occupier Eafield Road**

<table>
<thead>
<tr>
<th>Details of objection</th>
<th>Response of the Director of Economy &amp; Environment</th>
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<tr>
<td>Dear Sirs</td>
<td></td>
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<tr>
<td>RE Traffic Regulation Order H60/1179 Smithy Bridge &amp; Eafield Rd</td>
<td>The Council followed the Local Authorities’ Traffic Orders, Regulations 1996 when advertising this proposal. There is no requirement to letter drop affected residents. This is standard procedure for all traffic orders advertised in the Borough of Rochdale.</td>
</tr>
<tr>
<td>I write further to this consultation regarding the above traffic order. Other than the residents immediately living on Smithy Bridge Road I am the closest resident to your proposals and have not noticed the letter wrapped around the lamp post without any weather protection. This has just been pointed out to me by a neighbour 45 minutes ago.</td>
<td>Rule 243 of the Highway Code states that motorists should not park opposite or within 10 metres of a junction.</td>
</tr>
<tr>
<td>I feel you have failed in your duty to properly consult the residents on your proposals, a written letter to the local residents immediately affected would be acceptable, a piece of paper on a lamppost is not. For this reason I request that you extend your deadline for response by a minimum of 2 weeks. Please note I reserve my position to fully consider and comment further.</td>
<td>The measurement does not refer to the length of a single vehicle.</td>
</tr>
<tr>
<td>Whilst I understand the reason behind your proposals I write to object to them as they stand I believe that your proposed yellow lining is excessive, I would suggest that if any yellow lining has to be done on Eafield Rd this is kept to no more than 2m.</td>
<td>The road is un-adopted. Traffic orders can be introduced on un-adopted roads.</td>
</tr>
<tr>
<td>Other than HGVs please can you tell me what road vehicle is 10m long, 2m is plenty enough to view Smithybridge Road, especially so if this has been yellow lined.</td>
<td></td>
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<td>In addition I would like to enquire as to the status of Eafield Road, is this a fully adopted road from the junction of Smithy Bridge Road to Yea Road.</td>
<td></td>
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<td>Yours Sincerely</td>
<td></td>
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<tr>
<td><strong>Objector's comments written as received</strong></td>
<td><strong>The only right the general public including residents have on the highway is a right of passage along it. The Council does not have a duty to create or maintain on-street parking for residents. Residents already have access to off-street parking places and un-restricted on-street parking areas are available nearby on Eafield Road and further along Smithy Bridge Road to the north-west. The number of complaints is not relevant for a scheme to be progressed. The scheme was approved by Pennines Township based on the complaint/s received.</strong></td>
</tr>
<tr>
<td>Dear Sir/Madam</td>
<td>At the present time the Council are not providing Access Protection Markings. It is an offence to obstruct an access or driveway with or without the marking.</td>
</tr>
<tr>
<td>I am writing to express objection against proposed order, reference no. H60/1179.</td>
<td></td>
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<tr>
<td>The proposed restrictions would extend the full length of the front of my property and for 10 metres down the side. Being able to park near our own house is already a considerable problem without the proposed restrictions. I assumed this was owing to rail commuters using nearby Smithy Bridge station but neighbours who have lived on the street far longer than ourselves, tell us the problem has increased significantly since the recent extension of Cleland Curtain factory.</td>
<td></td>
</tr>
<tr>
<td>Myself and my husband work and rely on grandparents being able to park near to our house to care for our children and take them to and from school, double yellow lines would make it impossible for them to secure a parking spot near to our house. As your reason of intent states, Smithy Bridge Road is an unclassified road and it seems a little excessive to enforce an order that will have such a negative impact on our and our neighbours' daily lives simply because one resident has raised an issue with sight lines. If there was a significant problem, more people would have raised the issue.</td>
<td></td>
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<tr>
<td>I would politely ask that if the proposed order is approved, that the council might consider doing the affected residents the courtesy of properly marking white, singular, no parking lines across our driveways and garages as even without parking restrictions in place, unknown cars are often blocking our access!</td>
<td></td>
</tr>
<tr>
<td>Yours faithfully</td>
<td></td>
</tr>
<tr>
<td>of Smithy Bridge Road</td>
<td></td>
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</table>
To whom it may concern.

I hereby object to the above plans.

I understand at present that the issue of cars parking in front of mine and my neighbours houses causes issues. The vast majority of these are people are workers at Hollingworth Mill (Cleland McIver).

However I do feel that the current laws could be enforced with regards to the bad parking at the entrance to Eafield Road and just past Topham’s Tavern where it is already illegal to park due to the double white lines.

Please see highway code rules 240 – 244

Rule 240

“You MUST NOT stop or park on.....

a road marked with double white lines,..... except to pick up or set down passengers, or to load or unload goods”

Rule 243

DO NOT stop or park.....

- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- 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.

Rule 244

You MUST NOT park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

Law GL(GP)A sect 15

Permit parking for residents nearby Hollingworth Lake were given to alleviate the issues for the residents there.

The Police are responsible for the enforcement of double white line systems.

It would not be feasible to introduce a residents parking scheme for so few residents. Residents also have off-street
As I feel this is a similar situation for myself and neighbours we should be extended the same scheme as a resolution? Surely a president was set for the residents I have parked my car outside my house since moving in almost fifteen years ago without any issues but all has changed since the workforce at Hollingworth Mill seems to have increased considerably over the last few years and their parking does not cater for all its employees.

I understand that this plan would stop the parking but leave myself and neighbours the only losers for a problem which would be solved with the aforementioned resident permits.

Smithybridge Road
Littleborough
Lancs.
OL15 8QF

Objector 4
Smith Bridge Road

Details of objection
Objector’s comments written as received

Good morning

We would like to register a strong objection to double yellow lines being painted in front of our houses.

We do not want Parking restrictions there.

Response of the Director of Economy & Environment

No comment (No reason given)
We do however agree there are problems in our area and would request better signage on the corner in front of the factory as drivers seem to think it is legal to park on the corner. When asked it appears they see the end of the double yellows and park there without looking at the white lines in the road.

We have all seen some terrifying near misses especially in the winter when the Christmas markets are on. People park all over the place here.

We look forward to your confirmation of receipt of this e-mail and feedback on this issue.

Best regards

Smithy Bridge Road, Littleborough, Lancashire OL15 8QF

The Police are responsible for the enforcement of double white line systems. Unfortunately, as there are no signs associated with this restriction, the Council would not be able to provide any. Motorists should be aware that you must not stop or park on a road marked with double white lines.